

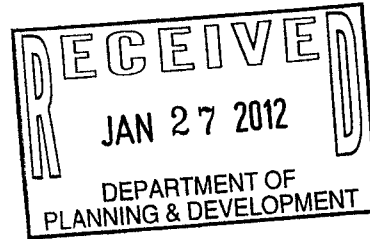


Colorado Springs Utilities

It's how we're all connected

January 24, 2012

Ms. Julie Ann Woods
Director of Planning & Development
Pueblo County
229 West 12th Street
Pueblo, CO 81003-2810



Subject: **Southern Delivery System (SDS) – Construction Permits for South Raw Water Pipeline Segments**

Dear Ms. Woods,

On behalf of the SDS Project Participants and pursuant to the Pueblo County 1041 Permit No. 2008-002, Mitigation Appendix Condition C-7, No. 2 - Permitting, we have enclosed copies of the following permits obtained by Colorado Springs Utilities and our General Contractors for the SDS Project for your records:

General Agreement:

- US Bureau of Reclamation Master Consent Agreement (issued by to Colorado Springs Utilities)

South 1 (S1):

- Colorado Department of Public Health and Environment (CDPHE) Certification for Stormwater Discharges Associated with Construction Activities (issued to HCP Constructors, Inc.)
- CDPHE Certification to Discharge Under General Permit for Construction Dewatering Operations (issued to HCP Constructors, Inc.)
- CDPHE General Construction Permit for Land Development Projects (issued to HCP Constructors, Inc.)
- Pueblo County Roadway Access Permit Application (submitted by Colorado Springs Utilities)
- Pueblo County Roadway Access Permit Application Response Letter (issued by Pueblo County Engineering and Public Works)

South 2 (S2):

- CDPHE Certification to Discharge Under General Permit for Construction Dewatering Operations (issued to Garney Construction)
- SDS S2 Water Control Plan prepared by Garney Construction

South 3 (S3):

- Pueblo County Engineering S3 Construction Documents Review Letter

- CDPHE Certification for Stormwater Discharges Associated with Construction Activities (issued to Reynolds, Inc.)
- CDPHE Certification to Discharge Under General Permit for Construction Dewatering Operations (issued to Reynolds, Inc.)
- CDPHE Certification to Discharge Under General Permit for Construction Hydrostatic Testing Operations (issued to Reynolds, Inc.)
- US Army Corp of Engineers, Action No. SPA-201 1-00515-SCO. Southern Delivery System, temporary road crossing, Steele Hollow, Pueblo, County, Colorado
- Pueblo County Special Use Permit No. 2011-012 Allowing an Onsite Concrete Batch Plant (issued to MK1 Construction Services)

As per your letter to John Fredell, dated Dec. 14, 2011, we are submitting this correspondence to you, and as you indicated, you will forward the correspondence accordingly. If you have any questions regarding this report, please feel free to contact me directly at 719-668-8667.

Sincerely,



Allison Mosser
Permitting and Compliance
Southern Delivery System

Attachments:

Letters and permits for indicated construction activities

Cc: (without enclosures)

Keith Riley, SDS Planning and Permitting Program Manager, Colorado Springs Utilities

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer



Colorado Department
of Public Health
and Environment

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090

<http://www.cdphe.state.co.us>

December 15, 2011

Jake Michel
HCP Constructors
1850 Platteville Boulevard
Pueblo West, CO 81007

Re: General Permit Application, Package #264584

Dear Applicant:

The Colorado Air Pollution Control Division has received and logged in your general permit application for the construction of the Southern Delivery System S1 located at the corner of Juniper Road and Reservoir Road in Pueblo County. This land development has been assigned AIRS ID 102-0026-001. Your application is now ready for initial review.

Your application is contained within Package #264584. If you should have any questions concerning the status of your permit application, please call me at (303)691-4093. When calling, it would be helpful if you can reference the Package Number.

The next step in processing your general permit application is to determine if all the information we need is contained in your application. If so, we will begin our preliminary engineering analysis. If information is missing, we will contact you in the near future to obtain the needed material.

State law requires that the Division determine the completeness of an application within 60 days of receipt. If you do not hear from the Division by 1/27/2012, you can assume that your application is complete.

Sincerely,

Jonathan Brickey
Construction Permit Unit

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
AIR POLLUTION CONTROL DIVISION
TELEPHONE: (303) 692-3150



GENERAL CONSTRUCTION PERMIT

Land Development Projects

PERMIT NO: GP03

FINAL APPROVAL
Modification 1

R K Hancock III, P.E.
Permitting Section Supervisor

November 10, 2009
Date Issued

Note: See the Land Development General Permit Guidance document available through the Division's Small Business Assistance Program for further information on demonstrating compliance with the requirements of this permit.

I. General Permit Applicability

- I.A. The owner or operator of any land development activity that can comply with all of the operating conditions described in Section II of this permit and meet all requirements of this Section I may register for this general permit.
- I.B. Land development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial, or industrial development, or oil and gas exploration and production. Land development does not include mining operations or the disturbance of contaminated soils.
- I.C. Land development activities that are less than 25 contiguous acres and less than 6 months in duration are exempt from permitting and do not need to report air emissions to the Division. For these projects, operators must use appropriate control measures to minimize the release of fugitive dust from the site.

II. Operating Terms and Conditions

II.A. Emission Limitations

- II.A.1. Project will not exceed 1850 acres in size. Any project over 1850 acres will be subject to a Construction Permit and Public Notice proceedings.

II.B. General Operating Conditions

II.B.1. Particulate emissions Control Plan

- II.B.1.a. THE FOLLOWING PARTICULATE EMISSIONS CONTROL MEASURES SHALL BE USED FOR ENFORCEMENT PURPOSES ON THE SOURCES COVERED BY THIS PERMIT, AS REQUIRED BY THE AIR QUALITY CONTROL COMMISSION REGULATION NO 1. THIS SOURCE IS SUBJECT TO THE FOLLOWING EMISSION GUIDELINES:

II.B.1.a.(i) All Activities - Visible emissions not to exceed 20%, no off-property transport of visible emissions.

II.B.1.a.(ii) Haul Roads - No off-property transport of visible emissions shall apply to on-site haul roads, the nuisance guidelines shall apply to off-site haul roads.

II.B.1.a.(iii) Haul Trucks - There shall be no off-property transport of visible emissions from haul trucks when operating on the property of the owner or operator. There shall be no off-vehicle transport of visible emissions from the material in the haul trucks when operating off of the property of the owner or operator.

II.B.1.b. Control Measures

II.B.1.b.(i) All unpaved roads and other disturbed surface areas on site must be watered as necessary to prevent off-property transport of visible fugitive particulate emissions.

II.B.1.b.(ii) Vehicle speed on all unpaved roads and disturbed areas shall not exceed a maximum of 30 mph. Speed limit signs shall be posted.

II.B.1.b.(iii) No earthwork activities shall be performed when the wind speed exceeds 30 miles per hour.

II.B.1.b.(iv) All disturbed surface areas shall be revegetated within one year and according to the information submitted by the applicant with the permit application.

II.B.1.b.(v) Gravel entryways shall be utilized to prevent mud and dirt carryout onto paved surfaces. Any mud and dirt carryout onto paved surfaces shall be cleaned up daily.

II.B.1.c. Other control measures *recommended* by the Division, but *not required* for general permitting

II.B.1.c.(i) Foundation soil shall be compacted on a daily basis to within 90% of maximum compaction.

II.B.1.c.(ii) Silt fencing shall be installed prior to overlotting along all property borders that are adjacent to developed areas.

II.B.1.c.(iii) Surface area disturbed shall be minimized as described in the information submitted by the applicant with the permit application.

III. General Recordkeeping

III.A. The records in this section shall be maintained on site.

III.B. The current version of this general construction permit.

III.C. The most recently submitted Air Pollutant Emission Notice (APEN).

III.D. The general permit registration approval letter.

IV. General Permit Terms and Administration

IV.A. General Terms

IV.A.1. Land development owner/operator agreement to Particulate Emissions Control Plan (II.B.1) will result in issuance of general permit approval letter.

IV.A.2. A land development general permit will be valid for five (5) years from the initial date of the approval letter issuance. Any project exceeding five years will be required to file an APEN update after five years.

IV.A.3. One APEN will be submitted per project. Multiple phases may be covered under a single APEN provided that the entire project is less than the 1850 acres.

IV.A.4. APEN and General Permit Fees

IV.A.4.a. Total fees for a land development APEN and General Permit will be \$202.90. These fees will arise from two sources:

IV.A.4.a.(i) An APEN filing fee in the amount of \$152.90 per APEN filed (Please note that the APEN filing fee is subject to change by the Colorado State Legislature) and

IV.A.4.a.(ii) A general permit fee of \$50.00 for each APEN filed.

IV.A.5. A revised Air Pollutant Emission Notice (APEN) shall be filed: (Reference: Regulation No. 3, Part A, Section II.C.)

IV.A.5.a. Whenever there is a change in the owner or operator of any facility, process, or activity; or

IV.A.5.b. No later than 30 days before the five-year term of the existing APEN expires.

IV.A.6. This permit is granted subject to all rules and regulations of the Colorado Air Quality Control Commission and the Colorado Air Pollution Prevention And Control Act C.R.S. (25-7-101 et seq), to those general and specific terms and conditions included in this document.

IV.A.7. Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the Division to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.

IV.A.8. Each and every condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of, a condition hereof shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied ab initio.

IV.A.9. Violation of the terms of a permit or of the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.

IV.A.10. Registration under this permit is approved in reliance upon the accuracy and completeness of information supplied by the applicant and is conditioned upon operation of the source, in accordance with this information and with representations made by the applicant or applicant's agents. It is valid only for the equipment and operations or activity specifically identified on the general permit registration.

IV.B. Registration Certification

IV.B.1. Conditional certification of a registration under this general permit is effective from the date the complete registration request is received by the Division. A complete registration request consists of all General Permit application materials required by the Division including, but not limited to, an impact analysis that demonstrates, that the APEN requested emissions from the proposed source or modification will not cause or contribute to concentrations of air pollutants in ambient air in violation of any applicable state or national ambient air quality standard. The owner or operator may commence construction and operation of the land development project as represented in the registration upon submission of the completed registration request. In the

event the land development project does not qualify for registration under the general permit or is demonstrated to violate an applicable ambient air quality standard, the owner or operator accepts the liability of commencing these activities.

IV.C. Registration Modification

IV.C.1. In order to modify operations under the general permit, the owner or operator must submit a new general permit application and APEN to the Division. This application will detail the changes being made to the project. Reasons for submitting a modification include, but are not limited to:

- IV.C.1.a. Increase in project size resulting in greater emission.
- IV.C.1.b. Increase in the duration of the project resulting in fugitive particulates being released longer than initially reported.
- IV.C.1.c. An increase in the amount of paving being performed on the site.
- IV.C.1.d. A decrease in dust control measures being implemented from those initially reported.

IV.D. Registration Revision / Termination

- IV.D.1. The Division may deny or revoke registration under the general permit under the circumstances specified in Regulation No. 3, Part B, Section III.I.3.c.
- IV.D.2. A registration under this general permit may be reissued to a new owner by the Division as provided in Regulation No. 3, Part B, Section II.B. upon a request for transfer of ownership and the submittal of a revised APEN and the required fees.
- IV.D.3. Registration under this general permit is voluntary. The permittee may withdraw or cancel a registration under this general permit at any time by notifying the Division in writing.

IV.E. General Permit Revision / Termination

- IV.E.1. This general permit remains in effect until revised or terminated by the Division in accordance with the provisions of Regulation No. 3.
- IV.E.2. After public notice and comment as provided by Regulation No. 3, Part B, Section III.I.7., the Division may revise this general permit in order to add or delete requirements or limitations to the permit. This public notice shall be conducted in a manner consistent with the provisions of Regulation No. 3, Part B, Section III.C.4.
- IV.E.3. If a revised general permit is issued by the Division, any existing registration to use the general permit will be automatically converted to a registration to use the revised general permit, provided that the permittee continues to meet all requirements of the revised general permit. Persons not wishing to continue coverage under the revised general permit shall have the option of applying for an individual permit as required by Regulation No. 3, Part B.
- IV.E.4. If the Division terminates this general permit, it will provide written notice to affected registrants prior to the termination of the general permit. The notice will advise registrants that they must apply for an individual permit as required by Regulation No. 3, Part B.

Permit History

Final Approval issued October 17, 2008.

Modification 1: Removal of requirement that owner or operator receive Division approval prior to commencement of project.

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

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

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<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

January 3, 2012

Jake Michel, Corp Sec
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

RE: Certification, Colorado Discharge Permit System - Construction Dewatering Operations
Permit Number COG070000 Certification Number: COG073934

Dear Mr. Michel;

Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.
Please read the enclosed permit and certification.

The Water Quality Control Division (the Division) has reviewed the application submitted for the CSU Southern Delivery System #S1 Raw Water Pipeline facility and determined that it qualifies for coverage under the CDPS General Permit for **Construction Dewatering Operations** (the permit).

Discharge Specific Information

The discharge is to Arkansas River within Segment 02 of the Middle Arkansas River Sub-basin, Arkansas River Basin, found in the Classifications and Numeric Standards for the Arkansas River Basin (Regulation No. 32) (**COARMA02**). Segment 02 is Reviewable, and is classified for the following beneficial uses: Aquatic Life, Class 1 Cold; Water Supply; and Agriculture.

General Information

- **Permit Action Fees:** The Annual Fee for this certification is \$500 [category 7, subcat 2 – Construction Dewatering per CRS 25-8-502] is invoiced every July. Do Not Pay This Now. The initial invoice will be prorated and sent to the legal contact shortly.
- **Changes to the Certification:** Any changes that need to be made to the certification page – changes in outfalls, monitoring requirements, etc., must be submitted using the "Permit and Certification Modification form" available on our website: coloradowaterpermits.com, and signed by the legal contact.
- **Sampling Requirements:** Sampling shall occur at the frequency established in the permit certification at a point after treatment, or after the implementation of any Best Management Practices (BMPs) for each discharge location (outfall). If BMPs or treatment are not implemented, sampling shall occur where the discharge leaves control of the permittee, and prior to entering the receiving stream or prior to discharge to land. Samples must be representative of what is entering the receiving stream. A minimum of one sample must be collected for discharges lasting less than one week.
- **Discharge Monitoring Reports (DMRs) for Undefined Discharge Locations to both Surface Water and Groundwater:** DMRs will be mailed to the permittee within the next month for each of the numbered undefined discharge outfalls identified in the permit certification. Each outfall identified in the permit certification, and the associated DMR forms for that outfall shall only authorize and be used for reporting discharges at a single outfall at a specific location. In accordance with Part I.E.4 of the permit, the permittee shall establish and maintain records that identify, among other information, the exact place for each outfall for which monitoring has occurred. The information must include the approximate location of the discharge (e.g. "discharge will occur between 5th Avenue and 20th Avenue", or "the discharge will enter the storm sewer located at the corner of Speer Blvd and 8th Ave., which eventually flows to Cherry Creek") and the latitude/longitude of the outfall.

DMRs for all outfalls must be submitted **monthly** as long as the certification is in effect. DMRs must be submitted for each outfall even if there was not a discharge from the outfall in a given month. For each outfall where no discharge occurs in a given month, the permittee shall mark 'No Discharge' on the DMR form(s). The permittee shall provide the Division with any additional monitoring data on the permitted discharge collected for entities other than the Division. If forms have not been received, please contact the Division at 303-692-3517.

Sampling is required at the frequency established in the permit certification for each undefined discharge location. As discharges occur chronologically to **surface water**, the data collected from the sampling event(s) in a given month from the

REC'D JAN 09 2011

first discharge location shall be summarized and reported on the pre-printed DMR for Discharge Number **001A**. The data collected from the sampling event(s) in a given month from the second discharge location shall be summarized and reported on the pre-printed DMR for Discharge Number **002A**; etc.

As discharges occur chronologically to **groundwater**, the data collected from the sampling event(s) in a given month from the first discharge location to groundwater shall be summarized and reported on the pre-printed DMR for Discharge Number **G001A**. The data collected from the sampling event(s) in a given month from the second discharge location to groundwater shall be summarized and reported on the pre-printed DMR for Discharge Number **G002A**; etc.

The Division now has the ability to allow facility's to submit their DMRs electronically. For more information, please call the NetDMR team at 303-691-4046 or CDPH.WQNetDMRHelp@state.co.us

- **Termination requirements:** This certification to discharge is effective long term, even though construction and dewatering discharge are only expected to be temporary. For termination of permit coverage, the permittee must initiate this by sending the "CDPS Permits and Authorization Termination Form." This form is also available on our web site and must be signed by the legal contact.
- **Groundwater Contamination:** If groundwater contamination is encountered, then the permittee is to contact the Division, the permit writer, cease all discharges, and if appropriate, contact the owner of the collection system receiving the discharge. If the dewatering can be treated to meet surface water or groundwater numeric limitations, the certification will be amended to include sampling and monitoring for additional parameters representative of the groundwater contamination. **The discharge of contaminated groundwater, above surface water or groundwater standards, is not authorized under this permit.**
- **Certification Records Information:** The following information is what the Division records show for this certification.
For any changes to Contacts – Legal, Local, Billing, or DMR – a "Notice of Change of Contacts form" must be submitted to the Division. This form is also available on our web site and must be signed by the legal contact.
Facility: CSU Southern Delivery System #S1 Raw Water Pipeline **County:** El Paso Upper
Industrial Activities: installation raw waterline **SIC Code:** 1799
Legal Contact *Receives all legal documentation, pertaining to the permit certification. [including invoice; is contacted for any questions relating to the facility; and receives DMRs.]*

Jake Michel, Corp Sec
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

Phone number: 719-647-2821
Email: jake@asiconstructors.com

Facility Contact *Contacted for general inquiries regarding the facility*

Justin Kurdupski, Supt
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

Phone number: 719-240-3126
Email: jkurdupski@hcpconstructors.com

Billing Contact

Santosh Verma AP
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

Phone number: 719-647-2821
Email: skverma@asiconstructors.com

DMR Contact

Shannon Steiner, Env Rep
Kodiak Development Group Inc
PO Box 15985
Colorado Springs, CO 80935

Phone number: 719-201-0003
Email: steinershan@hotmail.com

For answers to common questions surrounding construction dewatering, please review the Construction Dewatering FAQ available on our website at:

<http://www.cdphe.state.co.us/wq/PermitsUnit/POLICYGUIDANCEFACTSHEETS/factsheets/CDWFAQ.pdf>

If you have any other questions please contact me at 303-692-3392.

Sincerely,



Maura McGovern, Permit Writer

WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit

c: Regional Council of Government

El Paso Upper County, Local County Health Department



Colorado Department
of Public Health
and Environment

**CERTIFICATION TO DISCHARGE
UNDER
CDPS GENERAL PERMIT COG070000
CONSTRUCTION DEWATERING OPERATIONS**

Certification Number: COG073934

This Certification to Discharge specifically authorizes:

H C P Constructors Inc
to discharge from the facility identified as

CSU Southern Delivery System #S1 Raw Water Pipeline
to:
Arkansas River

Facility Located at: Juniper Rd & Pueblo Dam Access Rd, El Paso Upper County, Pueblo West, CO 81007
Facility Location Latitude 38.271, Longitude -104.722

Undefined Discharge Outfall(s) to Surface Water	Discharge Outfall(s) Description
Discharge Number 001-A	The project consists of the installation of 22,499 linear feet of 66' raw water line using an open trench method. Dewatering will be pumped and filtered by dewatering bags. The discharges will go to an unnamed ditch that flows to the Arkansas river with a maximum flow of 750 GPM. The dewatering locations can be anywhere along the project area. The project area extends in a north- northeasterly direction through Lake Pueblo State Park and Pueblo Motorsports Park motocross recreation area approximately 140 feet south of Juniper Road near Pueblo Reservoir Dam to approximately 50 feet north of the intersection of east Spaulding Avenue and South Ashford Drive in Pueblo West, Colorado.
Discharge Number 002-A	

*All discharges must comply with the lawful requirements of federal agencies municipalities, counties, drainage districts and other local agencies regarding any discharges to storm drain systems, conveyances, or other watercourses under their jurisdiction.

Facility Located at: Juniper Rd & Pueblo Dam Access Rd, El Paso Upper County, Pueblo West, CO 81007
Facility Location Latitude 38.271, Longitude -104.722

Undefined Discharge Outfall(s) to Groundwater	Discharge Outfall(s) Description
Discharge Number G001-A	The project consists of the installation of 22,499 linear feet of 66' raw water line using an open trench method. Dewatering will be pumped and filtered by dewatering bags. The discharges will be land applied with a maximum flow of 750 GPM. The dewatering locations can be anywhere along the project area. The project area extends in a north- northeasterly direction through Lake Pueblo State Park and Pueblo Motorsports Park motocross recreation area approximately 140 feet south of Juniper Road near Pueblo Reservoir Dam to approximately 50 feet north of the intersection of east Spaulding Avenue and South Ashford Drive in Pueblo West, Colorado.
Discharge Number G002-A	

Permit Limitations and Monitoring Requirements apply to 001A-002A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT						
pH, (Minimum-Maximum) 00400	s.u.	NA	NA	6.5-9.0	Weekly	In-situ
Total Suspended Solids, 00530	mg/l	30	45	NA	Weekly	Grab
Oil and Grease, 03582	mg/l	NA	NA	10*	Weekly	Grab*
Flow, 50050	MGD	Report	NA	Report	Weekly	Instantaneous or Continuous
Oil and Grease Visual 84066		NA	NA	NA	Weekly	Visual

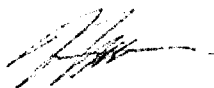
* If a visible sheen is observed, a grab sample shall be collected and analyzed for oil and grease.

Permit Limitations and Monitoring Requirements apply to G001A-G002A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT						
pH, (Minimum-Maximum) 00400	s.u.	NA	NA	6.5-8.5	Weekly	In-situ
Oil and Grease, 03582	mg/l	NA	NA	10*	Weekly	Grab*
Flow, 50050	MGD	Report	NA	Report	Weekly	Instantaneous or Continuous
Oil and Grease Visual 84066		NA	NA	NA	Weekly	Visual

Certification is issued 1/3/2012 Effective 1/3/2012 Certification Expires: 11/30/2011 Administratively Continued
 This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,



Nathan Moore
 Construction, MS4, & Pretreatment Unit Manager
 Water Quality Control Division

CDPS GENERAL PERMIT
FOR CONSTRUCTION DEWATERING ACTIVITIES
AUTHORIZATION TO DISCHARGE UNDER THE
COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act (25-8-101 et. seq. CRS, 1973 as amended), and the Clean Water Act (33 U.S.C. 1251 et. seq. as amended; the "Act"), entities engaged in construction dewatering of groundwater and/or stormwater (excluding mine dewatering activities), are authorized to discharge from approved locations throughout the State of Colorado to waters of the State. Such discharges shall be in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

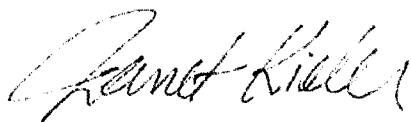
This permit specifically authorizes the identified entity to discharge from their wastewater treatment facilities, at the described location, to identified waters of the state, as stated in the certification which is on page one of this permit.

The authorization to discharge under this permit is in effect from the date of certification (page one of this permit) until the expiration date identified below.

This permit becomes effective on December 1, 2006, and shall expire at midnight, **November 30, 2011**

Reissued and signed this 5th day of **June, 2008**

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Janet Kieler, Permits Section Manager
WATER QUALITY CONTROL DIVISION

Permit Action Summary:

**Amendment #1 – Issued June 5, 2008, Effective August 1, 2008
Originally Issued November 01, 2006, Effective December 1, 2006**

ADMINISTRATIVELY CONTINUED Effective 12-1-2011

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PART I

A. COVERAGE UNDER THIS PERMIT

1. Eligibility

In order to be eligible for authorization to discharge under the terms and conditions of this permit, the owner and/or operator of any construction dewatering operation, the water being groundwater or groundwater mixed with stormwater, that discharges to waters of the State, which can meet the conditions identified at Part I.A.3., below, must submit a complete permit application form obtained from the Water Quality Control Division ("Division"). If application applies such application shall be submitted at least thirty (30) days prior to the anticipated date of first discharge to:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Attention: Industrial Permits Unit

The application form can be obtained from the Division or from the website at www.cdphe.state.co/wq/PermitsUnit/landD070000DewateringApplication.pdf or by calling 303-692-3500. A summary of the information required in the application is provided below in Part I.A.2.

The Division shall have up to thirty (30) days after receipt of the application to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information the Division shall have an additional 30 days to issue or deny authorization for any particular discharge.

If the Division determines that the operation does not fall under the authority of the general permit, then the information received will be treated as an individual permit application.

Authorization to discharge under this general permit shall commence immediately and shall expire on **November 30, 2011**. The Division must evaluate this general permit at least once every five (5) years and must also recertify the applicant's authority to discharge under the general permit at such time. Therefore, a permittee desiring continued coverage under this general permit must re-apply by **May 1, 2011**. The Division will determine if the applicant is eligible to continue to operate under the terms of the general permit. An application for an individual permit will be required for any point source discharge not reauthorized to discharge under the reissued general permit.

2. Application Requirements

The application referenced in Part I.A.1., above, will require the following information:

- a. The name, address, and descriptive location of the operation along with an accompanying USGS map, or a map of similar quality, which shows the location of all pertinent activities and the site boundary;
- b. The name of the principal in charge of operation, address, and phone number of the owner and of the field superintendent in responsible charge;
- c. A detailed site map that identifies all discharge points, and a schematic diagram showing the general area and/or routing of the activity;
- d. The name of water(s) receiving the discharge(s) and a listing of any downstream waters into which the receiving stream flows within five miles of the point of discharge;
- e. Description of the type of activity resulting in the discharge including the anticipated duration of activity and/or the discharge, anticipated volume, and rate of discharge, and the source of water which is to be discharged;
- f. Description of any wastewater treatment system and recycle/reuse utilized;
- g. A description of the methods and equipment to be used to measure flows and to analyze for pollutants of concern in the discharge; and,
- h. Storage of petroleum or chemicals on site.
- i. Discharge cannot be shown to be capable of causing new or increased loadings of parameters cited in Colorado's 303(d) list (<http://www.cdphe.state.co.us/regulations/wqccregs/100293wqlimitedscgtmdls.pdf>) for impairment for next receiving downstream State waters;

3. Certification Requirements

The applicant must certify that the following conditions exist at the operation or the operation will not be allowed to discharge under the authority of the general permit:

- a. This permit does not constitute authorization under 33 U.S.C. 1344 (Section 404 of the Clean Water Act) of any stream dredging or filling operations;
- b. The operation does not accept for treatment and discharge, by truck, rail, or dedicated pipeline, any hazardous waste as defined at Part 261, 6 CCR 1007-3, under the Hazardous Waste Commission Regulations;
- c. The certification does not allow for a mixing zone and all limits are end of pipe.

B. TERMS AND CONDITIONS

1. Effluent Parameters

In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4,) and the Colorado Discharge Permit System Regulations, Section 61.8(2), the following limitations will be applicable to all discharges.

Parameter	Discharge Limitations Maximum Concentrations		
	30-Day Avg	7-Day Average	Daily Max.
Flow, MGD	Report	NA	Report
Total Suspended Solids, mg/l	30	45	NA
Oil and Grease, mg/l	NA	NA	10*
pH, s.u. (Minimum-Maximum)	NA	NA	6.5-9.0
Total Dissolved Solids, mg/l**	NA	NA	Report
Total Phosphorus, mg/l, as P***	NA	NA	Report
Site Specific			
Metals, ug/l****	Varies	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin.

*** Applicable only to waters with a control regulation for P.

****Applicable on a site by site basis.

2. Site-specific Limitations

Site-specific limitations for a parameter may be added on a case-by-case basis that are equivalent to the Basic Standards and Methodologies for Surface Water, or Regulation for Effluent Limitations, or any other applicable regulation, and would be specified in the certification along with the appropriate monitoring frequencies.

3. Onetime Sampling Analysis for Metals

The Division may request a onetime sampling and analysis for specific or all inclusive metals parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

4. Onetime Sampling Analysis for Organics

The Division may request a onetime sampling and analysis for specific or all inclusive organics parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

5. Other Site-specific Permit Conditions

Specific permit conditions may be added due to Division compliance order on consent, cease and desist order, or an EPA administrative order, or similar decree promulgated by the Division or EPA.

C. MONITORING REQUIREMENTS

1. Effluent Parameters

In order to obtain an indication of compliance or non-compliance with the effluent limitations specified in Part I, Section B.1, the permittee shall normally monitor the effluent parameters at the following required frequencies, however changes to these frequencies may be made on a site specific and/or discharge specific basis, as identified in the certification on page one of this permit, the results to be reported on the Discharge Monitoring Report ("DMR") (See Part I, Section F.2.):

Effluent Parameter	Measurement Frequency	Sample Type
Flow, MGD	Weekly	Instantaneous or Continuous
Total Suspended Solids, mg/l	Weekly	Grab
Oil and Grease, mg/l	Weekly	Visual*
pH, s.u. (Minimum-Maximum)	Weekly	In-situ
Total Dissolved Solids, mg/l **	Monthly	Grab
Total Phosphorus, mg/l, as P ***	Monthly	Grab
Site Specific		
Metals, ug/l****	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin.

*** Applicable only to waters with a control regulation for P.

****Applicable on a site by site basis.

D. DEFINITIONS OF TERMS

1. "Continuous" measurement is a measurement obtained from an automatic recording device, which continually provides measurements.

2. "Daily Maximum limitation" means the limitation for this parameter shall be applied as an instantaneous maximum (or, for pH or DO, instantaneous minimum) value. The instantaneous value is defined as the analytical result of any individual sample. DMRs shall include the maximum (and/or minimum) of all instantaneous values within the calendar month. Any instantaneous value beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit.
3. "Grab" sample, is a single "dip and take" sample so as to be representative of the parameter being monitored.
4. "In-situ" measurement is defined as a single reading, observation or measurement taken in the field at the point of discharge.
5. "Instantaneous" measurement is a single reading, observation, or measurement performed on site using existing monitoring facilities.
6. "Material handling activities" include: storage, loading and unloading of any raw material, intermediate product, finished product, by-product, or waste product where such products could come in contact with precipitation.
7. "Seven (7) day average" means the arithmetic mean of all samples collected in a seven (7) consecutive day period. Such seven (7) day averages shall be calculated for all calendar weeks, which are defined as beginning on Sunday and ending on Saturday. If the calendar week overlaps two months (i.e. the Sunday is in one month and the Saturday in the following month), the seven (7) day average calculated for that calendar week shall be associated with the month that contains the Saturday. Samples may not be used for more than one (1) reporting period.
8. "Significant materials" include but are not limited to: raw materials; fuels; materials such as metallic products; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of SARA III; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
9. "Stormwater discharge associated with industrial activity" means any point source which is used for collecting and conveying stormwater, and which is located at an industrial site or directly related to manufacturing, processing or raw materials storage areas at an industrial site. The term includes, but is not limited to, stormwater discharges from drainage areas in which are located: industrial site yards; immediate access roads and rail lines; drainage ponds; material handling sites; refuse sites; sites used for the application or disposal of process waters; sites used for storage and maintenance of material handling equipment; sites that are or have been used for residual treatment, storage or disposal; dust or particulate generating processes; shipping and receiving areas; manufacturing buildings; and storage areas (including tank farms) for raw materials, and intermediate and finished products.
10. "Thirty (30) day average" means the arithmetic mean of all samples collected during a thirty (30) consecutive-day period. The permittee shall report the appropriate mean of all self-monitoring sample data collected during the calendar month on the Discharge Monitoring Reports. Samples shall not be used for more than one (1) reporting period.
11. "Visual" observation is observing the discharge to check for the presence of a visible sheen or floating oil.
12. "Water Quality Control Division" or "Division" means the state Water Quality Control Division as established in 25-8-101 et al.)

Additional relevant definitions are found in the Colorado Water Quality Control Act, CRS §§ 25-8-101 et seq., the Regulations for the State Discharge Permit System, 5 CCR 1002-2, § 6.1.0 et seq and other applicable regulations.

E. ADDITIONAL MONITORING REQUIREMENTS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by the Division.

2. Discharge Sampling Point

Discharge points shall be so designed or modified so that a sample of the effluent can be obtained at a point after the final treatment process and prior to discharge to state waters. The permittee shall provide access to the Division to sample the discharge at these points.

3. Analytical and Sampling Methods for Monitoring

The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant-monitoring methods. Analytical and sampling methods utilized by the discharger shall be approved methods as defined by Colorado Regulations for Effluent Limitations (5 CCR 1002-3, 62.5), Federal regulations (40 CFR 136) and any other applicable State or Federal regulations.

When requested in writing, the Water Quality Control Division may approve an alternative analytical procedure or any significant modification to an approved procedure.

4. Records

- a) The permittee shall establish and maintain records. Those records shall include, but not be limited to, the following:

- (i) The date, type, exact place, and time of sampling or measurements;
 - (ii) The individual(s) who performed the sampling or measurements;
 - (iii) The date(s) the analyses were performed;
 - (iv) The individual(s) who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
- b) The permittee shall retain for a minimum of three (3) years records of all monitoring information, including all original strip chart recordings for continuous monitoring instrumentation, all calibration and maintenance records, copies of all reports required by this permit and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Division.

5. Additional Monitoring by Permittee

If the permittee, using the approved analytical methods, monitors any parameter more frequently than required by this permit, then the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form or other forms as required by the Division. Such increased frequency shall also be indicated.

6. Flow Measuring Devices

Flow measuring and metering shall be provided to give representative values of throughput and treatment of the wastewater system. Unless specifically waived in the certification, the metering device shall be equipped with a local flow indication instrument and a flow indication-recording-totalization device suitable for providing permanent flow records, which should be in the plant control building.

At the request of the Director of the State Water Quality Control Division, the permittee must be able to show proof of the accuracy of any flow-measuring device used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate values within ten (10) percent of the actual flow discharging from the point source.

7. Contamination:

If groundwater contamination is encountered, then the permittee is to contact the Division and, if appropriate, the owner of the collection system receiving the discharge. Since the discharge of contaminated groundwater is not covered under this permit, the permittee shall immediately apply for a groundwater remediation certification, http://www.cdphc.state.co.us/wq/PermitsUnit/landD/31000gasolinecleanup_application.pdf which will include appropriate requirements for additional discharge monitoring and on-site environmental response capabilities?

F. REPORTING

1. Signatory Requirements

All reports, applications, or information required for submittal shall be signed and certified for accuracy by the permittee in accord with the following criteria:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the operation from which the discharge described in the form originates;
- b) In the case of a partnership, by a general partner;
- c) In the case of a sole proprietorship, by the proprietor;
- d) In the case of a municipal, state, or other public operation, by either a principal executive officer, ranking elected official, or other duly authorized employee.

2. Monthly Reports

Monitoring results shall be for each calendar month and reported on the DMR forms (EPA forms 3320-1). DMR forms shall normally be submitted on a monthly basis; however the Division may determine a different frequency. The forms shall be mailed to the Division at the address listed below so that they are received by the Division no later than the 28th day of the following month. If no discharge occurs during the reporting period, "No Discharge" shall be reported.

The DMR forms shall be filled out accurately and completely in accordance with the requirements of this permit and the instructions on the forms, and shall be signed by an authorized person as identified in the preceding section, Part I.F.1.

The DMR forms consist of four pages - the top "original" copy, and three attached no-carbon-required copies. After the DMR form has been filled out and signed, the four copies must be separated and distributed as follows.

The top, original copy of each form shall be submitted to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-PE-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

The additional copies are for the permittee's records.

3. Special Notifications

a) Definitions

- (i) Bypass: The intentional diversion of waste streams from any portion of a treatment facility.
- (ii) Severe Property Damage: 1) Substantial physical damage to property at the treatment facilities to cause them to become inoperable, or 2) substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- (iii) Spill: An incident in which flows or solid materials are accidentally or unintentionally allowed to flow or escape so as to be lost from the domestic wastewater treatment works as defined in the Colorado Water Quality Control Act, which may cause pollution of state waters.
- (iv) Upset: An exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b) Noncompliance Notification

- (i) If, for any reason, the permittee does not comply with or will be unable to comply with any maximum discharge limitations, standards or conditions specified in this permit, the permittee shall, at a minimum, provide the Division and EPA with the following information:
 - (1) A description of the discharge and cause of non-compliance.
 - (2) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and
 - (3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.
- (ii) The following instances of noncompliance shall be reported orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and a written report mailed within five (5) days of the time the permittee becomes aware of the circumstances. Oral notifications should be made by calling the Environmental Release and Incident Reporting Line at 877-518-5608. Written reports should be sent to Colorado Department of Public Health and Environment, Water Quality Control Division, WQCD-District Engineer, 4300 Cherry Creek Drive South, Denver, CO 80246-1530,
 - (1) Any instance of noncompliance, which may endanger human health or the environment, regardless of the cause for the incident.
 - (2) Any unanticipated bypass, or any upset or spill, which causes any permit limitation to be violated.
 - (3) Any suspected significant discharges of toxic pollutants or hazardous substances, which are listed in Part III. of this permit, regardless of the cause for the incident.
- (iii) The permittee shall report all other instances of noncompliance, which are not required to be reported within twenty-four (24) hours, at the time DMRs are submitted, except as required in (iv) below. The reports shall contain the information listed in "Noncompliance Notification" (paragraph (i) above).
- (iv) If the permittee knows in advance of the need for a bypass, it shall submit written notification to the Division of the need for such bypass at least ten days before the date of the contemplated bypass.

c) Submission of Incorrect or Incomplete Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, it shall promptly submit such facts or information.

d) Change in Discharge or Wastewater Treatment Facility

The permittee shall inform the Division (Technical Services Unit) in writing of any intent to construct, install, or alter any process, facility, or activity that is likely to result in a new or altered discharge either in terms of location or effluent quality prior to the occurrence of the new or altered discharge, and shall furnish the Division such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream.

If the Division finds that such new or altered discharge might be inconsistent with the conditions of the permit, the Division shall require a new or revised permit application and shall follow the procedures specified in Colorado State Discharge Permit System Regulations, 5CCR 1002.2, Sections 61.5 through 61.9(2), and 61.15 prior to the effective date of the new or altered discharge.

e) Deactivation

The permittee shall notify the Division (Permits Section) within thirty (30) days before deactivation of the permitted operation. Deactivation includes ceasing operation of the facility, ceasing all discharges to State Waters for the remaining term of the existing permit and/or the connection to another wastewater treatment facility.

PART II

A. MANAGEMENT REQUIREMENTS AND RESPONSIBILITIES

1. Bypass

- a) The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Division notification is not required.
- b) A bypass, which causes effluent limitations to be exceeded, is prohibited, and the Division may take enforcement action against a permittee for such a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (iii) The permittee submitted notices as required in "Non-Compliance Notification," Part I.F. 3(b) (iv)

2. Upsets

a) Effect of an Upset

An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based (process-related) permit effluent limitations if the requirements of paragraph (b) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b) Conditions Necessary for a Demonstration of Upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- (i) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
- (ii) The permitted operation was at the time being properly operated; and
- (iii) The permittee submitted notice of the upset as required in Part I, Section C of this permit (24-hour notice).
- (iv) The permittee complied with any remedial measures required under 40 CFR 122.7(d).

c) Burden of proof

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

3. Reduction, Loss, or Failure of Treatment

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. Upon reduction, loss, or failure of the treatment, the permittee shall, to the extent necessary to maintain compliance with this permit, control sources of wastewater, or all discharges, or both until the treatment is restored or an alternative method of treatment is provided. This provision also applies to power failures, unless an alternative power source sufficient to operate the wastewater control facilities is provided.

In an enforcement action a permittee shall not use a defense that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

5. Minimization of Adverse Impacts

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any effluent limitations specified in this permit. As necessary, accelerated or additional monitoring of the influent or effluent will be required to determine the nature and impact of noncompliance.

6. Discharge Point

Any discharge to the waters of the State from a point source other than specifically authorized herein is prohibited.

7. Inspections and Right to Entry

The permittee shall allow the Division's Director, the EPA Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to inspect and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises in a reasonable manner and at a reasonable time to inspect and/or investigate any actual, suspected, or potential source of water pollution, or to ascertain compliance or noncompliance with any applicable state or federal statute or regulation or any order promulgated by the Division. The investigation may include, but is not limited to the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing of any persons having any knowledge related to the discharge permit or alleged violation, access to any and all facilities or areas within the permittee's premises that may have any affect on the discharge, permit, or alleged violation.
- d) The Division shall split samples taken by the Division during any investigation with the permittee if requested to do so by the permittee.

8. Duty to Provide Information

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act and the Colorado Discharge Permit System Regulations 5 CCR 1002-2, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division and the EPA's Regional Administrator.

As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act, and Section 25-8-610 C.R.S.

10. Transfer of Ownership or Control

A permit may be transferred to a new permittee only upon the completion of the following:

- a) The current permittee notifies the Division in writing 30 days in advance of the proposed transfer date;
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) Fee requirements of the Colorado Discharge Permit System Regulations (Section 61.15) have been met.

B. ADDITIONAL CONDITIONS

1. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

2. Civil and Criminal Liability

Except as provided in Part I, Section C and Part II, Section A, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance (See 40 CFR 122.60)

3. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

4. Division Emergency Power

Nothing in this permit shall be construed to prevent or limit application of any emergency power of the Division.

5. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit in any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 (Oil and Hazardous Substance Liability) of the Act, except as recognized by federal law.

7. Property Rights

The issuance of this permit does not convey any property or water rights in either real or personal property or stream flow or any exclusive privileges, nor does it authorize any injury to private property, any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.-

8. Modification, Suspension, or Revocation of Permit

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

All permit modification, termination or revocation and reissuance actions shall be subject to the requirements of the Colorado Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.8, and 61.15 except for minor modifications.

Minor modifications may only correct typographical errors, require a change in the frequency of monitoring or reporting by the permittee, change an interim date in a schedule of compliance or allow for a change in ownership or operational control of an activity including addition, deactivation or relocation of discharge points where the Division determines that no other change in the permit is necessary.

- a) This permit may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
- (i) Violation of any terms or conditions of the permit;
 - (ii) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit; or
 - (iii) Materially false or inaccurate statements or information in the permit application of the permit; or
 - (iv) Toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.

- b) This permit may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - (i) The water quality standards applicable to such waters; or
 - (ii) Effluent limitations or other applicable requirements pursuant to the state act or federal requirements; or
- c) This permit may be modified in whole or in part to include any condition set forth in the approval of the site location for the facility per Regulations for the Site Application Process, 5 CCR 1002-22, and Sections 22.1 through 22.14.
- d) At the request of a permittee, the Division may modify or terminate this permit and issue a new permit if the following conditions are met:
 - (i) EPA's Regional Administrator has been notified of the proposed modification of termination and does not object in writing within thirty (30) days of receipt of notification;
 - (ii) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modifications or termination;
 - (iii) Fee requirements of Section 61.15 of Colorado Discharge Permit System Regulations have been met; and
 - (iv) Requirements of public notice have been met.
- e) This permit may be modified to reflect any new requirements for handling and disposal of biosolids as required by State or Federal regulations.
- f) This permit shall be modified or alternatively, revoked and reissued, to incorporate an approved Domestic Wastewater Treatment Works Pretreatment Program into the terms and conditions of this permit.
- g) If, during the term of this permit, industrial contributions to the DWTW are interfering, inhibiting or incompatible with the operation of the treatment works, then the permit may be modified to require the permittee to specify, by ordinance, contract, or other enforce- able means, the type of pollutant(s) and the maximum amount which may be discharged to the permittee's facility for treatment.

9. Permit Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least one hundred eighty (180) days before this permit expires. If the permittee anticipates there will be no discharge after the expiration date of this permit, the Division must be promptly notified so that it can terminate the permit in accordance with Part II Section B.8.

10. Confidentiality

Any information relating to any secret process, method of manufacture or production, or sales or marketing data, which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this Subsection (10) shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

11. Fees

The permittee is required to submit an annual fee as set forth in the 1983 amendments to the Water Quality Control Act, Section 25-8-502 (1) (b), and Colorado Discharge Permit System Regulations 5CCR 1002-2, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

PART III

PRIORITY POLLUTANTS AND HAZARDOUS SUBSTANCES
ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS
IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GC/MS)
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

Volatiles

acrolein
acrylonitrile
benzene
bromoform
carbon tetrachloride
chlorobenzene
chlorodibromomethane
chloroethane
2-chloroethylvinyl ether
chloroform
dichlorobromomethane
1,1-dichloroethane
1,2-dichloroethane
1,1-dichloroethylene
1,2-dichloropropane
1,3-dichloropropylene
ethylbenzene
methyl bromide
methyl chloride
methylene chloride
1,1,2,2-tetrachloroethane
tetrachloroethylene
toluene
1,2-trans-dichloroethylene
1,1,1-trichloroethane
1,1,2-trichloroethane
trichloroethylene
vinyl chloride

Base/Neutral

acenaphthene
acenaphthylene
anthracene
benzidine
benzo(a)anthracene
benzo(a)pyrene
3,4-benzofluoranthene
benzo(ghi)perylene
benzo(k)fluoranthene
bis(2-chloroethoxy)methane
bis(2-chloroethyl)ether
bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate
4-bromophenyl phenyl ether
butylbenzyl phthalate
2-chloronaphthalene
4-chlorophenyl phenyl ether
chrysene
dibenzo(a,h)anthracene
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3-dichlorobenzidine
diethyl phthalate
dimethyl phthalate
di-n-butyl phthalate
2,4-dinitrotoluene
2,6-dinitrotoluene
di-n-octyl phthalate
1,2-diphenylhydrazine (as azobenzene)
fluorene
fluoranthene
hexachlorobenzene
hexachlorobutadiene
hexachlorocyclopentadiene
hexachloroethane
indeno(1,2,3-cd)pyrene
isophorone
naphthalene
nitrobenzene
N-nitrosodimethylamine
N-nitrosodi-n-propylamine
N-nitrosodiphenylamine
phenanthrene
pyrene
1,2,4-trichlorobenzene

Acid Compounds

2-chlorophenol
2,4-dichlorophenol
2,4,-dimethylphenol
4,6-dinitro-o-cresol
2,4-dinitrophenol
2-nitrophenol
4-nitrophenol
p-chloro-m-cresol
pentachlorophenol
phenol
2,4,6-trichlorophenol

Pesticides

aldrin
alpha-BHC
beta-BHC
gamma-BHC
delta-BHC
chlordane
4,4'-DDT
4,4'-DDE
4,4'-DDD
dieldrin
alpha-endosulfan
beta-endosulfan
endosulfan sulfate
endrin
endrin aldehyde
heptachlor
heptachlor epoxide
PCB-1242
PCB-1254
PCB-1221
PCB-1232
PCB-1248
PCB-1260
PCB-1016
toxaphene

OTHER TOXIC POLLUTANTS
(METALS AND CYANIDE) AND TOTAL PHENOLS
(SEE TABLE III, OF 40 CFR 122 APPENDIX D)

Antimony, Total
Arsenic, Total
Beryllium, Total
Cadmium, Total
Chromium, Total
Copper, Total
Lead, Total
Mercury, Total
Nickel, Total
Selenium, Total
Total Recoverable Thallium, mg/l
Silver, Total
Thallium, Total
Zinc, Total
Cyanide, Total
Phenols, Total

TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES
REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS
IF EXPECTED TO BE PRESENT
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

Toxic Pollutants

Asbestos

Hazardous Substances

Acetaldehyde

Allyl alcohol

Allyl chloride

Amyl acetate

Aniline

Benzonitrile

Benzyl chloride

Butyl acetate

Butylamine

Captan

Carbaryl

Carbofuran

Carbon disulfide

Chlorpyrifos

Coumaphos

Cresol

Crotonaldehyde

Cyclohexane

2,4-D(2,4-Dichlorophenoxy acetic acid)

Diazinon

Dicamba

Dichlobenil

Dichlone

2,2-Dichloropropionic acid

Dichlorvos

Diethyl amine

Dimethyl amine

Dinitrobenzene

Diquat

Disulfoton

Diuron

Epichlorohydrin

Ethanolamine

Ethion

Ethylene diamine

Ethylene dibromide

Formaldehyde

Furfural

Guthion

Isoprene

Isopropanolamine

Keithane

Kepone

Malathion

Mercaptodimethur

Methoxychlor

Methyl mercaptan

Methyl methacrylate

Methyl parathion

Mexacarbate

Monoethyl amine

Monomethyl amine

Naled

Napthenic acid

Nitrotoluene

Parathion

Phenolsulfanate

Phosgene

Propargite

Propylene oxide

Pyrethrins

Quinoline

Resorcinol

Strontium

Strychnine

Styrene

TDE (Tetrachlorodiphenylethane)

2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)

2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]

Trichlorofan

Triethylamine

Trimethylamine

Uranium

Vandium

Vinyl Acetate

Xylene

Xylenol

Zirconium

RATIONALE for AMENDMENT I

CDPS GENERAL PERMIT FOR CONSTRUCTION DEWATERING ACTIVITIES

CDPS NO. COG-070000, STATEWIDE COVERAGE

Update (April 2008)

This is the first amendment of the general permit for wastewater associated with construction dewatering which discharge to waters of the State.

The most significant changes in this renewal are summarized below.

- A. The ability of the Division to request a onetime sampling analysis for metals, as well as organics, has been added. The permit writer may request the additional monitoring if information about the facility indicates the potential for groundwater contamination. The Division will review the results of the requested sampling to determine if additional parameters need to be added for permit limitations and monitoring in the certification. Should contamination be detected based on the sampling results, the permittee will be required to instigate remedial activities to become compliant with all relevant stream standards for all parameters and may be required to apply for a Groundwater Remediation Permit, COG-315000. Discharge of contaminated groundwater is not covered under this permit.*
- B. The monitoring frequency of total suspended solids has been changed from monthly to weekly and the monitoring frequency of total dissolved solids from weekly to monthly.*
- C. The ability of the Division to change the monitoring frequencies of the specified effluent limitations has been added. The monitoring frequency may be changed based on site specific and/or discharge specific basis.*

*Maura McGovern
April 9, 2008*

PUBLIC NOTICE COMMENTS

No Comments were received during the Public Notice Period.

*Maura McGovern
June 5, 2008*

Amended: June 5, 2008 Effective: August 1, 2008 Expiration: November 30, 2011



United States Department of the Interior

BUREAU OF RECLAMATION
Great Plains Region
Eastern Colorado Area Office
11056 West County Road 18E
Loveland, Colorado 80537-9711

IN REPLY REFER TO:

EC-1310
LND-6.00 (SDS)

NOV - 4 2011

Keith Riley
Colorado Springs Utilities
P.O. Box 1103 MC: 930
Colorado Springs, CO 80947

Subject: Master Consent No. 11-LM-60-0782 - Encroach Upon and Easement Crossing of the
Fountain Valley Authority Conduit - Bureau of Reclamation - Southern Delivery
System Project, Colorado

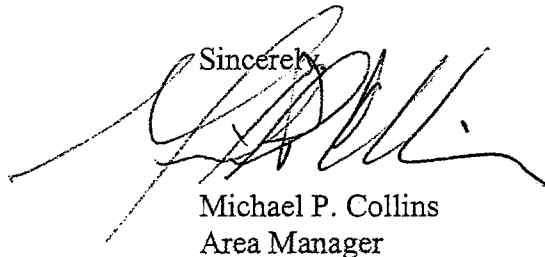
Dear Mr. Riley:

Enclosed is a fully executed original of the Master Consent (Consent) document No. 11-LM-60-0782. The Consent authorizes Colorado Springs Utilities conditional consent for activities associated with installation of the Southern Delivery System on and across Reclamation's easement for the Fountain Valley Authority Conduit (FVC), a feature of the Fryingpan-Arkansas Project.

Please note the Standard and Special Consent Agreement Terms and Conditions. These conditions ensure that Reclamation's interests in the area are not compromised and it is critically important that these conditions are strictly followed.

Thank you for your cooperation and assistance on this matter. Should you have any questions, please contact Tara Piper at 970-962-4381.

Sincerely,



Michael P. Collins
Area Manager

Enclosure -1

cc: Eric Spain
P.O. Box 1103
Mail Code 0045
Colorado Springs, CO 80947-0045
w/copy of enclosure

Master Consent Document No. 11-LM-60-0782
Encroach Upon and Easement Crossing of the Fountain Valley Authority Conduit -
Bureau of Reclamation - Fryingpan - Arkansas Project, Colorado

Colorado Springs Utilities (Applicant) is hereby issued conditional consent for activities associated with installation of the Southern Delivery System (SDS) on and across Reclamation's easement for the Fountain Valley Authority Conduit (FVC), a feature of the Fryingpan-Arkansas (Fry-Ark) Project. The Fountain Valley Authority (FVA) performs the operation and maintenance on the FVC within the easement. Components of the overall SDS project that will encroach upon or cross the FVA includes: Raw Water South 1 Pipeline (S1) approximately 4.3 miles of 66 inch welded steel pipe; Raw Water South 2 Pipeline (S2) approximately 6.4 miles of 66 inch welded steel pipe; and Raw Water South 3 Pipeline (S3) approximately 2,700 feet of 66 inch welded steel pipe. The Raw Water Pipeline portion of the SDS system begins at Pueblo Dam in Pueblo County, Colorado and runs north approximately 53 miles to the proposed water treatment plant South of Colorado Springs, El Paso County, Colorado. The general locations of proposed activities along each segment are shown in Figures 1 and 2 (Enclosed).

Reclamation and the FVA will not object to the proposed easement crossing and encroachment upon the execution and acceptance by the Applicant, of the terms and conditions contained in the paragraphs below, for construction, operation and maintenance, and repair of the SDS pipeline. Proposed activities not included in this master permit that may impact the FVC, include but are not limited to; FVC crossings (by SDS pipeline and/or vehicle), blasting, placement of blow-off structures, and cathodic protection, as they have potential to negatively affect the FVC (See Special Consent Agreement Terms and Conditions), and may require additional notification, review and written approval from Reclamation and the FVA. In these situations, the Applicant must request authorization in writing to be approved by Reclamation and the FVA.

The proposed activities include crossing and/or encroaching upon portions of FVA's easement for temporary pre-construction and construction purposes for installation of the SDS pipeline. Temporary pre-construction may include minimally ground-disturbing surveys and inventories (civil, biological, and cultural), site assessments, potholing, and geotechnical investigations. Construction may include stockpiling of excavated materials, storage of equipment, restoration activities and other construction uses. The proposed activities also include utilization of portions of FVA's easement for operations and maintenance (O&M) of the SDS pipeline. This may include crossing areas, access to crossings, and use of an existing maintenance road that is also used by FVA and other public utilities.

Any crossings or encroachments proposed on Reclamation-owned lands will be submitted through a separate land use authorization process (Standard Form 299-Application for Transportation and Utility Systems and Facilities on Federal Lands).

Reclamation does not own fee title to the subject lands, but holds only easement interest on and across a portion of privately owned property for purposes of the Fry-Ark Project. Please note that execution of this consent letter does not change or modify Reclamation's existing easement rights and Reclamation's or FVA's use of said easement. All pre-existing rights remain in full force and effect. In the event the Applicant is not the underlying fee title owner, it shall be incumbent on the Applicant to secure separate permission of the underlying fee owner(s) for approval to cross the fee lands, including access roads. This obligation also applies when third party land use authorizations for roads, highways, public utilities, railroads, pipelines, and other uses are involved. The Applicant must comply with the following terms and conditions in order to protect the FVC from damage and avoid interference with the operations and maintenance of the FVC:

Standard Consent Agreement Terms and Conditions:

1. Reclamation shall not be responsible for any loss or damages to property arising from the crossing, encroachment, or existence of the SDS pipeline and appurtenances within the said easement area. The Applicant agrees to indemnify and save Reclamation or FVA or any of its assigns or agencies harmless to the extent allowable by law from any and all claims for damages or losses that may arise from or be incident to any activity associated with said facilities.
2. The above referenced SDS pipeline and appurtenances shall not in any way interfere or increase costs associated with Reclamation's future use of Reclamation's easement, or any operation, maintenance, or administration of the Fry-Ark Project. In the event that said SDS pipeline and appurtenances in the FVA easement must be removed for operation, maintenance, repair, or administration of the Fry-Ark Project related water conveyance facilities, the Applicant shall do so as scheduled, following coordination with Reclamation. In the event that the Applicant, its successors or assigns fail to remove the facilities at the request of Reclamation, the facilities or portions thereof will be removed at the Applicant's expense. Reclamation reserves the right to pursue reimbursement for any additional repairs, maintenance, or expense to the Fry-Ark Project which are directly or indirectly caused by or the result of said SDS pipeline and appurtenance.
3. The crossing, encroachment, and future use of the said easement shall at all times be accomplished in a manner and by means that will not create a hazard to the public or to the officials, employees, and contractors of Reclamation or FVA. On-going FVC O&M activities shall not be disrupted during any pre-construction or construction activities.
4. Reclamation reserves the right to object to and demand the immediate cessation of any future activities that in any way interfere with or threaten to interfere with the use of Reclamation's easement for the FVA on the subject lands or the O&M, or administration of the Fry-Ark Project.

Special Consent Agreement Terms and Conditions:

Crossings:

The Applicant shall notify Reclamation and provide detailed plans of crossing activities for engineering review and approval. Work will be performed and all excavations conducted in such a manner so as to prevent any damage to the FVC. Activities will be in accordance with Reclamation Engineering and O&M Guidelines for Crossings, 2008 (Enclosure). All vehicles and equipment crossing the centerline of the FVC must comply with the American Association State Highway Transport Officials (AASHTO) load bearing standard of H-15. H-15 represents a 12,000 pound per wheel load and is a medium duty traffic rating. Planned crossing activities where weight of vehicles and/or equipment exceeds this standard must be reviewed by Reclamation on a case-by-case basis and may require additional protection measures. This notification also applies to any post-construction activities that involve vehicle/equipment traffic that exceed the H-15 load bearing standard crossing over the centerline of the FVC.

Blasting:

The Applicant must notify Reclamation 14 days in advance of any planned blasting activities. Explosives shall not be used during the construction process without Reclamation approval of a blast plan and appropriate testing. Results of testing shall be reviewed and approved by Reclamation. Blasting shall be designed by a competent blasting technical expert in compliance with sound engineering practice.

Blow-off & Vent Structures:

The Applicant must obtain Reclamation approval on locations of proposed blow-off structures prior to construction.

Access:

The majority of the proposed SDS pipeline discussed in this consent can be accessed by perpendicular public road crossings outside of the FVC easement. Use of the existing maintenance roads adjacent to the FVC alignment for operations and maintenance of the SDS pipeline is allowed for H-15 compliant loads only. It shall be incumbent on the Applicant to secure separate permission of the underlying fee owner(s) for approval to cross the fee lands, on which the access roads occur.

Under circumstances where normal public road access is limited and crossing the FVC centerline may be necessary for construction or major maintenance activities on SDS, such as but, not limited to replacement of pipe sections that require carrying heavy loads, use of the existing maintenance roads to access SDS is allowed with Reclamation notification, approval, and under the stipulations described above concerning FVC crossings.

Cathodic Protection:

Cathodic protection consistent with National Association of Corrosion Engineers (NACE) and sound engineering practice will be required where the SDS pipeline crosses Reclamation's FVA easement. A synopsis of the plan shall be provided to Reclamation to ensure there is no interference with FVA cathodic protection.

Miscellaneous:

In general, the SDS permanent easement will match to or be outside of but, not overlap into the FVA easement. However, in areas where the temporary SDS construction work limits do overlap into the FVA easement, it shall be delineated by a temporary construction fence that will be installed to ensure there are no activities outside the work limits that could affect the FVA.

Upon completion of the SDS pipeline, the said easement shall be restored to pre-existing conditions in a good and workman-like manner. Excess materials will be removed and existing fences shall be repaired. Existing lines and grades will be restored as practicable, including drainage systems. Suitable erosion control measures, including re-vegetation, shall comply with restoration commitments in the SDS Record of Decision and the 1041 permit.

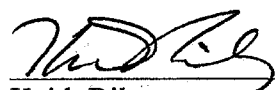
Following completion of the work, the Applicant shall provide copies of as-built drawings of their facilities on Reclamation's easement.

Please direct future communication or correspondence regarding this consent to:

Bureau of Reclamation, Eastern Colorado Area Office (attn: EC-1310, Tara Piper), 11056 West County Road 18-E, Loveland, Colorado 80537; Phone: 970-667-4381; Fax: 970-663-3212

In addition please provide a copy to:

Right-of Way Department, Fountain Valley Authority, 13250 Ray Nixon Road Fountain, Colorado 80817

COLORADO SPRINGS UTILITIES


Keith Riley
Southern Delivery System Project Manager

10-25-11

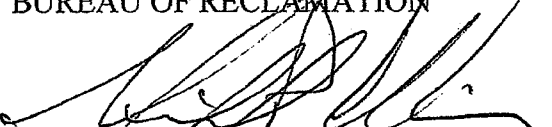
Date

FOUNTAIN VALLEY AUTHORITY


Michael Urban ERIC J. SPAIN
Engineering Support Specialist, Sr. SUPERINTENDENT

10/27/11

Date

BUREAU OF RECLAMATION


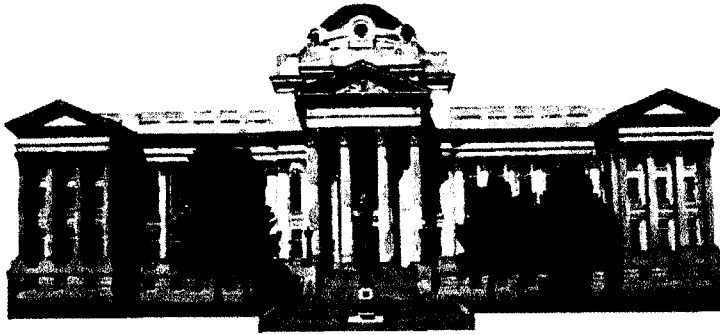
Michael P. Collins
Area Manager Eastern Colorado Area Office
Enclosures

11/9/2011

Date

JOHN B. CORDOVA SR
CHAIRMAN
DISTRICT 2

ANTHONY NUÑEZ
CHAIR PRO-TEM
DISTRICT 1



J. E. CHOSTNER
DISTRICT 3

BOB SCHMIDT
County Engineer/Director of Public Works
schmidt@co.pueblo.co.us

PUEBLO COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS
Engineering Division ♦ Road and Bridge Division ♦ Parks Division ♦ Recreation Division

November 1, 2011

Colorado Springs Utilities
C/O Allison Mosser
121 South Tejon St
PO Box 1103, Mail Code 930
Colorado Springs, Colorado 80947-0930

Re: Roadway Access Permit Southern Delivery System South 1

Ms. Mosser,

We have reviewed the Access Permit applications for access onto the County road system for the Southern Delivery System South 1 project. The road accesses will be temporary and are required to be removed upon completion of the project and the surrounding infrastructure restored to original, or better, condition existing prior to the installation. The typical installation will be a swale construction; a culvert pipe may be used as necessary. The access point south on Spaulding Avenue, as the main point of access, will require that it be constructed to a minimum width of 24 feet with 20 foot radius. Access construction shall not inhibit stormwater movement or significantly alter the drainage channel as to cause damage or erosion to the road or adjacent property. The installation shall adhere to the plans and specifications as submitted with the application, the SDS-1 project and the Pueblo County Roadway Design and Construction Standards. You are required to notify this office 72-hours prior to starting any work within the road right-of-way.

Please do not hesitate to contact me if you have any questions or concerns regarding this matter.

Cordially,

A handwritten signature in dark ink, appearing to read "DAVID BENBOW". The signature is fluid and cursive, with the first name "DAVID" in all caps and "BENBOW" in a mix of caps and lowercase.

David Benbow
General Services Engineer

c: Robert C. Schmidt II, County Engineer/Director of Public Works
Gary Raso, Special Assistant County Attorney
Joan Armstrong, Senior Planner
Jeffrey Woeber, Planner II
File

PUEBLO COUNTY ROADWAY ACCESS PERMIT

DATE: 10

PERMIT NUMBER: _____

APPLICANT: NAME Colorado Springs Utilities c/o Allison Mosser PHONE (719) 668-8667

MAILING ADDRESS 121 South Tejon Street, P.O. Box 1103, Mail Code 930
number street name

Colorado Springs, Colorado 80947-0930
city state zip code

OWNER: NAME Colorado Springs Utilities c/o Allison Mosser PHONE (719) 668-8667

MAILING ADDRESS 121 South Tejon Street, P.O. Box 1103, Mail Code 930
number street name

Colorado Springs, Colorado 80947-0930
city state zip code

SITE LOCATION (ADDRESS IF KNOWN) SDS Pipeline; Pueblo West; Spaulding Avenue and Grouse Drive

LEGAL DESCRIPTION T.20S, R.65W, Section 8 Pueblo West Metropolitan District
Township, Range, Section or Subdivision Name, Lot & Block

The proposed access will be located on which side of the road: South (See Attached Maps)

The closest intersection is: See Attached List of Roadway Access Points Distance to intersection: _____

LAND USE TO BE SERVED BY THE ACCESS (circle one)

	Residential	<u>Commercial</u>	Industrial	Agricultural
Application Fee:	\$25	\$50	\$50	\$25

Construction of the access, if permitted, must comply with Article 7- "Roadway Access" of the Pueblo County Roadway Design and Construction Standards. A copy of said Article 7 and applicable standard details is provided to the applicant. By signing this application the applicant acknowledges receipt of a copy of Article 7 and related standard details, and that he/she will comply with the requirements listed therein. This application shall be valid for one year from the date shown above. Within 5 working days of the above date, the Public works Department will conduct a field inspection of the proposed access site and advise the applicant in writing of the specific requirements that will apply to this site.

APPLICANT'S SIGNATURE Allison Mosser DATE 10-27-11

OWNER'S SIGNATURE Allison Mosser DATE 10-27-11

APPLICATION ISSUED BY DAVID BEAUREAU DATE 10-27-11

This application is not a valid permit until the required improvements are constructed by the applicant and inspected and approved by the Public Works Department; and until the approval is acknowledged below. Public Works must be notified 72 hours prior to completion of the improvements for a final inspection to be scheduled. Public Works office hours are Monday through Thursday from 6:30 a.m. to 5:00 p.m. No certificate of occupancy sign-offs will be available on Fridays.

Permit granted on: _____

Approved by: _____

PUEBLO COUNTY ROADWAY ACCESS PERMIT APPLICATION
(SDS Pipeline Installation – S1Work Package)

Roadway Access Points

(Northward along the pipeline alignment between East Spaulding Avenue and Grouse Drive in Pueblo West)

- 1) East Spaulding Avenue, south side; approximately 75 feet southeast of intersection with South Ashford Drive (Gravel Construction Entrance)
- 2) Grouse Drive, south side; approximately 0.18 mile west-northwest of intersection with South Birchwood Drive (Gravel Construction Entrance)

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090
<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

November 29, 2011

Jake Michel, Corp Sec
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

RE: **Certification, Colorado Discharge Permit System**
Permit No., COR030000, Certification Number: COR031471

Dear Mr./Ms. Michel;

The Water Quality Control Division (the Division) has reviewed the application submitted for the **CSU Southern Delivery System #S1 Raw Water Pipeline** facility and determined that it qualifies for coverage under the CDPS General Permit for Stormwater Discharges Associated with Construction Activities (the permit). Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.

Facility: CSU Southern Delivery System #S1 Raw Water Pipeline

Pueblo County

Construction Activities:

Legal Contact (*receives all legal documentation pertaining to the permit certification*):

Jake Michel, Corp Sec
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

Phone number: 719-647-2821

Email: jake@asiconstructors.com

Facility Contact (*contacted for general inquiries regarding the facility*):

Justin Kurdupski, Supt

Phone number: 719-240-3126

Email: jkurdupski@hcpconstructors.com

Billing Contact (*receives the invoice pertaining to the permit certification*):

Santosh Verma, AP
H C P Constructors Inc
1850 Platteville Blvd
Pueblo West, CO 81007

Phone number: 719-647-2821

Email: skverma@asiconstructors.com

Any changes to the contacts listed above must be provided to the Division on a Change of Contact form. This form is available on the Division's website at coloradowaterpermits.com.

The Annual Fee for this certification is \$245.00, and is invoiced every July. Do Not Pay This Now. The initial prorated invoice will be sent to the legal contact shortly.

Please read the enclosed permit and certification. If you have any questions please contact Matt Czahor, Environmental Protection Specialist, at (303) 692-3575.

Sincerely,

Debbie Jessop, Program Assistant

WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit; Highlight Sheet; Termination form

xc: Regional Council of Government

Pueblo County, Local County Health Department

D.E., Technical Services Unit, WQCD

Permit File

/dkj cert

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
TELEPHONE: (303) 692-3500



**CERTIFICATION TO DISCHARGE
UNDER
CDPS GENERAL PERMIT COR-0300000
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

Certification Number: **COR03I471**

This Certification to Discharge specifically authorizes:

H C P Constructors Inc

to discharge stormwater from the facility identified as

CSU Southern Delivery System #S1 Raw Water Pipeline

to:

- Arkansas River

Construction Activities :

Facility Located at: Juniper Rd & Pueblo Dam Access Rd, Pueblo West, Pueblo County,
CO 81007
Latitude: 38.271, Longitude: -104.722

Certification is effective: 11/29/2011

Certification Expires: 6/30/2012

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,

Nathan Moore
Construction/MS4/Pretreatment Unit Manager
Water Quality Control Division

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PART I

A. COVERAGE UNDER THIS PERMIT

1. **Authority to Discharge**

Under this permit, facilities are granted authorization to discharge stormwater associated with construction activities into waters of the state of Colorado. This permit also authorizes the discharge of specific allowable non-stormwater discharges, in accordance with Part I.D.3 of the permit, which includes discharges to the ground. This includes stormwater discharges from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site (i.e., borrow or fill areas). This permit also authorizes stormwater discharges from dedicated asphalt batch plants and dedicated concrete batch plants. (Coverage under the construction site permit is not required for batch plants if they have alternate CDPS permit coverage.) This permit does not authorize the discharge of mine water or process water from such areas.

- a) **Applicable Sections:** In accordance with Part I.A.3 of this permit, some parts of this permit do not apply to sites covered under a Qualifying Local Program, as defined in I.A.2.d. For sites not covered by a Qualifying Local Program, all parts of the permit apply except Part I.A.3. The permittee will be responsible for determining and then complying with the applicable sections.
- b) **Oil and Gas Construction:** Stormwater discharges associated with construction activities directly related to oil and gas exploration, production, processing, and treatment operations or transmission facilities are regulated under the Colorado Discharge Permit System Regulations (5CCR 1002-61), and require coverage under this permit in accordance with that regulation. However, references in this permit to specific authority under the Federal Clean Water Act (CWA) do not apply to stormwater discharges associated with these oil and gas related construction activities, to the extent that the references are limited by the federal Energy Policy Act of 2005.

2. **Definitions**

- a) **Stormwater:** Stormwater is precipitation-induced surface runoff.
- b) **Construction activity:** Construction activity refers to ground surface disturbing activities, which include, but are not limited to, clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Construction does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility.
- c) **Small construction activity:** Stormwater discharge associated with small construction activity means the discharge of stormwater from construction activities that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one and less than five acres.
- d) **Qualifying Local Program:** This permit includes conditions that incorporate qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division.

Other Definitions: Definitions of additional terms can be found in Part I.E. of this permit.

3. **Permit Coverage Without Application** – for small construction activities under a Qualifying Local Program only

If a small construction site is within the jurisdiction of a Qualifying Local Program, the operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit without the submittal of an application to the Division.

- a) **Applicable Sections:** For sites covered by a Qualifying Local Program, only Parts 1.A.1, 1.A.2, 1.A.3, I.D.1, I.D.2, I.D.3, I.D.4, I.D.7, I.D.8, I.D.11, I.E and Part II of this permit, with the exception of Parts II.A.1, II.B.3, II.B.8, and II.B10, apply.

A. COVERAGE UNDER THIS PERMIT (cont.)

- b) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.
- c) **Permit Coverage Termination:** When a site under a Qualifying Local Program has been finally stabilized, coverage under this permit is automatically terminated.
- d) **Compliance with Qualifying Local Program:** A construction site operator that has authorization to discharge under this permit under Part I.A.3 shall comply with the requirements of the Qualifying Local Program with jurisdiction over the site.
- e) **Full Permit Applicability:** The Division may require any operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit. The operator must be notified in writing that an application for full coverage is required. When a permit certification under this permit is issued to an operator that would otherwise be covered under Part I.A.3 of this permit, the full requirements of this permit replace the requirements as per Part I.A.3 of this permit, upon the effective date of the permit certification. A site brought under the full requirements of this permit must still comply with local stormwater management requirements, policies or guidelines as required by Part I.D.1.g of this permit.

4. Application, Due Dates

- a) **Application Due Dates:** At least **ten calendar days** prior to the commencement of construction activities, the applicant shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete.

One original completed discharge permit application shall be submitted, by mail or hand delivery, to:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-Permits-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

- b) **Summary of Application:** The application requires, at a minimum, the following:
 - 1) The applicant's company name; address; telephone number; and email address (if available); whether the applicant is the owner, developer, or contractor; and local contact information;
 - 2) Project name, address, county and location of the construction site, including the latitude and longitude to the nearest 15 seconds of the approximate center of the construction activity;
 - 3) Legal description or map of the construction site;
 - 4) Estimates of: the total area of the site, the area of the site that is expected to be disturbed, and the total area of the larger common plan of development or sale to undergo disturbance;
 - 5) The nature of the construction activity;
 - 6) The anticipated start date and final stabilization date for the project;
 - 7) The name of the receiving water(s), or the municipal separate storm sewer system and the ultimate (i.e., named) receiving water(s);
 - 8) Certification that the SWMP for the construction site is complete (see Part I.C. below); and
 - 9) The signature of the applicant, signed in accordance with Part I.F.1 of this permit.

5. Permit Certification Procedures

If this general permit is appropriate for the applicant's operation, then a certification will be developed and the applicant will be authorized to discharge stormwater under this general permit.

- a) **Request for Additional Information:** The Division shall have up to **ten calendar days** after receipt of the above information to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information, the Division shall have an additional **ten calendar days** to issue or deny authorization for the particular discharge. (Notification of denial shall be by letter, in cases where coverage under an alternate general permit or an individual permit is required, instead of coverage under this permit.)

A. COVERAGE UNDER THIS PERMIT (cont.)

- b) **Automatic Coverage:** If the applicant does not receive a request for additional information or a notification of denial from the Division dated within ten calendar days of receipt of the application by the Division, authorization to discharge in accordance with the conditions of this permit shall be deemed granted.
- c) **Individual Permit Required:** If, after evaluation of the application (or additional information, such as the SWMP), it is found that this general permit is not appropriate for the operation, then the application will be processed as one for an individual permit. The applicant will be notified of the Division's decision to deny certification under this general permit. For an individual permit, additional information may be requested, and 180 days may be required to process the application and issue the permit. At the Division's discretion, temporary coverage under this general permit may be allowed until the individual permit goes into effect.
- d) **General vs. Individual Permit Coverage:** Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual CDPS permit. The permittee shall submit an individual application, with reasons supporting the request, to the Division at least 180 days prior to any discharge.
- e) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

6. **Inactivation Notice**

When a site has been finally stabilized in accordance with the SWMP, the permittee must submit an **Inactivation Notice** form that is signed in accordance with Part I.F.1. of this permit. The Inactivation Notice form is available from the Division and includes:

- a) Permit certification number;
- b) The permittee's name, address, telephone number;
- c) Name, location, and county for the construction site for which the inactivation notice is being submitted; and
- d) Certification that the site has been finally stabilized, and a description of the final stabilization method(s).

7. **Transfer of Permit**

When responsibility for stormwater discharges at a construction site changes from one entity to another, the permittee shall submit a completed **Notice of Transfer and Acceptance of Terms** form that is signed in accordance with Part I.F.1. of this permit. The Notice of Transfer form is available from the Division and includes:

- a) Permit certification number;
- b) Name, location, and county for the construction site for which the Notice of Transfer is being submitted;
- c) Identifying information for the new permittee;
- d) Identifying information for the current permittee; and
- e) Effective date of transfer.

If the new responsible party will not complete the transfer form, the permit may be inactivated upon written request to the Division and completion of the Inactivation Notice if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new owner or operator would be required to obtain permit coverage separately.

8. **Reassignment of Permit**

When a permittee no longer has control of a specific portion of a permitted site, and wishes to transfer coverage of that portion of the site to a second party, the permittee shall submit a completed **Notice of Reassignment of Permit Coverage** form that is signed in accordance with Part I.F.1. of this permit. The Notice of Reassignment of Permit Coverage form is available from the Division and includes:

- a) Current permit certification number;
- b) Identifying information and certification as required by Part I.A.4.b for the new permittee;
- c) Identifying information for the current permittee, revised site information and certification for reassignment; and
- d) Effective date of reassignment.

A. COVERAGE UNDER THIS PERMIT (cont.)

If the new responsible party will not complete the reassignment form, the applicable portion of the permitted site may be removed from permit coverage upon written request to the Division if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the portion of the site. In this case, the new owner or operator would be required to obtain permit coverage separately.

9. Sale of Residence to Homeowners

For residential construction only, when a residential lot **has been conveyed to a homeowner** and all criteria in paragraphs a through c, below, are met, coverage under this permit is no longer required and the conveyed lot may be removed from coverage under the permittee's certification. At such time, the permittee is no longer responsible for meeting the terms and conditions of this permit for the conveyed lot, including the requirement to transfer or reassign permit coverage. The permittee remains responsible for inactivation of the original certification.

- a) The lot has been sold to the homeowner(s) for private residential use;
- b) the lot is less than one acre of disturbed area;
- c) all construction activity conducted by the permittee on the lot is completed;
- d) a certificate of occupancy (or equivalent) has been awarded to the home owner; and
- e) the SWMP has been amended to indicate the lot is no longer covered by permit.

Lots not meeting all of the above criteria require continued permit coverage. However, this permit coverage may be transferred (Part I.A.7, above) or reassigned (Part I.A.8, above) to a new owner or operator.

10. Permit Expiration Date

Authorization to discharge under this general permit shall expire on June 30, 2012. The Division must evaluate and reissue this general permit at least once every five years and must recertify the permittee's authority to discharge under the general permit at such time. Therefore, a permittee desiring continued coverage under the general permit must reapply by March 31, 2012. The Division will initiate the renewal process; however, it is ultimately the permittee's responsibility to ensure that the renewal is submitted. The Division will determine if the permittee may continue to operate under the terms of the general permit. An individual permit may be required for any facility not reauthorized to discharge under the reissued general permit.

11. Individual Permit Criteria

Various criteria can be used in evaluating whether or not an individual (or alternate general) permit is required instead of this general permit. This information may come from the application, SWMP, or additional information as requested by the Division, and includes, but is not limited to, the following:

- a) the quality of the receiving waters (i.e., the presence of downstream drinking water intakes or a high quality fishery, or for preservation of high quality water);
- b) the size of the construction site;
- c) evidence of noncompliance under a previous permit for the operation;
- d) the use of chemicals within the stormwater system; or
- e) discharges of pollutants of concern to waters for which there is an established Total Maximum Daily Load (TMDL).

In addition, an individual permit may be required when the Division has shown or has reason to suspect that the stormwater discharge may contribute to a violation of a water quality standard.

B. STORMWATER MANAGEMENT PLAN (SWMP) – GENERAL REQUIREMENTS

- 1. A SWMP shall be developed for each facility covered by this permit. The SWMP shall be prepared in accordance with good engineering, hydrologic and pollution control practices. (The SWMP need not be prepared by a registered engineer.)

B. STORMWATER MANAGEMENT PLAN (SWMP) – **GENERAL REQUIREMENTS** (cont.)

2. The SWMP shall:
 - a) Identify all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility;
 - b) Describe the practices to be used to reduce the pollutants in stormwater discharges associated with construction activity at the facility; and ensure the practices are selected and described in accordance with good engineering practices, including the installation, implementation and maintenance requirements; and
 - c) Be properly prepared, and updated in accordance with Part I.D.5.c, to ensure compliance with the terms and conditions of this permit.
3. Facilities must implement the provisions of the SWMP as written and updated, from commencement of construction activity until final stabilization is complete, as a condition of this permit. The Division reserves the right to review the SWMP, and to require the permittee to develop and implement additional measures to prevent and control pollution as needed.
4. The SWMP may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under section 311 of the CWA, or Best Management Practices (BMPs) Programs otherwise required by a separate CDPS permit, and may incorporate any part of such plans into the SWMP by reference, provided that the relevant sections of such plans are available as part of the SWMP consistent with Part I.D.5.b.
5. For any sites with permit coverage before June 30, 2007, the permittee's SWMP must meet the new SWMP requirements as summarized in Section II.I of the rationale. Any needed changes must be made by **October 1, 2007**.

C. STORMWATER MANAGEMENT PLAN (SWMP) – **CONTENTS**

The SWMP shall include the following items, at a minimum.

1. **Site Description.** The SWMP shall clearly describe the construction activity, to include:
 - a) The nature of the construction activity at the site.
 - b) The proposed sequence for major activities.
 - c) Estimates of the total area of the site, and the area and location expected to be disturbed by clearing, excavation, grading, or other construction activities.
 - d) A summary of any existing data used in the development of the site construction plans or SWMP that describe the soil or existing potential for soil erosion.
 - e) A description of the existing vegetation at the site and an estimate of the percent vegetative ground cover.
 - f) The location and description of all potential pollution sources, including ground surface disturbing activities (see Part I.A.2.b), vehicle fueling, storage of fertilizers or chemicals, etc.
 - g) The location and description of any anticipated allowable sources of non-stormwater discharge at the site, e.g., uncontaminated springs, landscape irrigation return flow, construction dewatering, and concrete washout.
 - h) The name of the receiving water(s) and the size, type and location of any outfall(s). If the stormwater discharge is to a municipal separate storm sewer system, the name of that system, the location of the storm sewer discharge, and the ultimate receiving water(s).
2. **Site Map.** The SWMP shall include a legible site map(s), showing the entire site, identifying:
 - a) construction site boundaries;
 - b) all areas of ground surface disturbance;
 - c) areas of cut and fill;
 - d) areas used for storage of building materials, equipment, soil, or waste;
 - e) locations of dedicated asphalt or concrete batch plants;
 - f) locations of all structural BMPs;
 - g) locations of non-structural BMPs as applicable; and
 - h) locations of springs, streams, wetlands and other surface waters.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

3. **Stormwater Management Controls.**

The SWMP must include a description of all stormwater management controls that will be implemented as part of the construction activity to control pollutants in stormwater discharges. The appropriateness and priorities of stormwater management controls in the SWMP shall reflect the potential pollutant sources identified at the facility.

The description of stormwater management controls shall address the following components, at a minimum:

- a) **SWMP Administrator** - The SWMP shall identify a specific individual(s), position or title who is responsible for developing, implementing, maintaining, and revising the SWMP. The activities and responsibilities of the administrator shall address all aspects of the facility's SWMP.
- b) **Identification of Potential Pollutant Sources** - All potential pollutant sources, including materials and activities, at a site must be evaluated for the potential to contribute pollutants to stormwater discharges. The SWMP shall identify and describe those sources determined to have the potential to contribute pollutants to stormwater discharges, and the sources must be controlled through BMP selection and implementation, as required in paragraph (c), below.

At a minimum, each of the following sources and activities shall be evaluated for the potential to contribute pollutants to stormwater discharges, and identified in the SWMP if found to have such potential:

- 1) all disturbed and stored soils;
 - 2) vehicle tracking of sediments;
 - 3) management of contaminated soils;
 - 4) loading and unloading operations;
 - 5) outdoor storage activities (building materials, fertilizers, chemicals, etc.);
 - 6) vehicle and equipment maintenance and fueling;
 - 7) significant dust or particulate generating processes;
 - 8) routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, oils, etc.;
 - 9) on-site waste management practices (waste piles, liquid wastes, dumpsters, etc.);
 - 10) concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment;
 - 11) dedicated asphalt and concrete batch plants;
 - 12) non-industrial waste sources such as worker trash and portable toilets; and
 - 13) other areas or procedures where potential spills can occur.
- c) **Best Management Practices (BMPs) for Stormwater Pollution Prevention** - The SWMP shall identify and describe appropriate BMPs, including, but not limited to, those required by paragraphs 1 through 8 below, that will be implemented at the facility to reduce the potential of the sources identified in Part I.C.3.b to contribute pollutants to stormwater discharges. The SWMP shall clearly describe the installation and implementation specifications for each BMP identified in the SWMP to ensure proper implementation, operation and maintenance of the BMP.
- 1) **Structural Practices for Erosion and Sediment Control.** The SWMP shall clearly describe and locate all structural practices implemented at the site to minimize erosion and sediment transport. Practices may include, but are not limited to: straw bales, wattles/sediment control logs, silt fences, earth dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions, and temporary or permanent sediment basins.
 - 2) **Non-Structural Practices for Erosion and Sediment Control.** The SWMP shall clearly describe and locate, as applicable, all non-structural practices implemented at the site to minimize erosion and sediment transport. Description must include interim and permanent stabilization practices, and site-specific scheduling for implementation of the practices. The SWMP should include practices to ensure that existing vegetation is preserved where possible. Non-structural practices may include, but are not limited to: temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, vegetative buffer strips, protection of trees, and preservation of mature vegetation.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

- 3) Phased BMP Implementation. The SWMP shall clearly describe the relationship between the phases of construction, and the implementation and maintenance of both structural and non-structural stormwater management controls. The SWMP must identify the stormwater management controls to be implemented during the project phases, which can include, but are not limited to, clearing and grubbing; road construction; utility and infrastructure installation; vertical construction; final grading; and final stabilization.
- 4) Materials Handling and Spill Prevention. The SWMP shall clearly describe and locate all practices implemented at the site to minimize impacts from procedures or significant materials (see definitions at Part I.E.) that could contribute pollutants to runoff. Such procedures or significant materials could include: exposed storage of building materials; paints and solvents; fertilizers or chemicals; waste material; and equipment maintenance or fueling procedures.

Areas or procedures where potential spills can occur must have spill prevention and response procedures identified in the SWMP.

- 5) Dedicated Concrete or Asphalt Batch Plants. The SWMP shall clearly describe and locate all practices implemented at the site to control stormwater pollution from dedicated concrete batch plants or dedicated asphalt batch plants covered by this certification.
- 6) Vehicle Tracking Control. The SWMP shall clearly describe and locate all practices implemented at the site to control potential sediment discharges from vehicle tracking. Practices must be implemented for all areas of potential vehicle tracking, and can include: minimizing site access; street sweeping or scraping; tracking pads; graveled parking areas; requiring that vehicles stay on paved areas on-site; wash racks; contractor education; and/or sediment control BMPs, etc.
- 7) Waste Management and Disposal, Including Concrete Washout.
 - i) The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from all construction site wastes (liquid and solid), including concrete washout activities.
 - ii) The practices used for concrete washout must ensure that these activities do not result in the contribution of pollutants associated with the washing activity to stormwater runoff.
 - iii) Part I.D.3.c of the permit authorizes the conditional discharge of concrete washout water to the ground. The SWMP shall clearly describe and locate the practices to be used that will ensure that no washout water from concrete washout activities is discharged from the site as surface runoff or to surface waters.
- 8) Groundwater and Stormwater Dewatering.
 - i) The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from the dewatering of groundwater or stormwater from excavations, wells, etc.
 - ii) Part I.D.3.d of the permit authorizes the conditional discharge of construction dewatering to the ground. For any construction dewatering of groundwater not authorized under a separate CDPS discharge permit, the SWMP shall clearly describe and locate the practices to be used that will ensure that no groundwater from construction dewatering is discharged from the site as surface runoff or to surface waters.

4. Final Stabilization and Long-term Stormwater Management

- a) The SWMP shall clearly describe the practices used to achieve final stabilization of all disturbed areas at the site, and any planned practices to control pollutants in stormwater discharges that will occur after construction operations have been completed at the site.
- b) Final stabilization practices for obtaining a vegetative cover should include, as appropriate: seed mix selection and application methods; soil preparation and amendments; soil stabilization practices (e.g., crimped straw, hydro mulch or rolled erosion control products); and appropriate sediment control BMPs as needed until final stabilization is achieved; etc.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

- c) Final stabilization is reached when all ground surface disturbing activities at the site have been completed, and uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

The Division may, after consultation with the permittee and upon good cause, amend the final stabilization criteria in this section for specific operations.

5. **Inspection and Maintenance**

Part I.D.6 of the permit includes requirements for site inspections. Part I.D.7 of the permit includes requirements for BMP maintenance. The SWMP shall clearly describe the inspection and maintenance procedures implemented at the site to maintain all erosion and sediment control practices and other protective practices identified in the SWMP, in good and effective operating condition.

D. TERMS AND CONDITIONS

1. **General Limitations**

The following limitations shall apply to all discharges covered by this permit:

- a) Stormwater discharges from construction activities shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any water quality standard, including narrative standards for water quality.
- b) Concrete washout water shall not be discharged to state surface waters or to storm sewer systems. On-site permanent disposal of concrete washout waste is not authorized by this permit. Discharge to the ground of concrete washout waste that will subsequently be disposed of off-site is authorized by this permit. See Part I.D.3.c of the permit.
- c) Bulk storage structures for petroleum products and any other chemicals shall have secondary containment or equivalent adequate protection so as to contain all spills and prevent any spilled material from entering State waters.
- d) No chemicals are to be added to the discharge unless permission for the use of a specific chemical is granted by the Division. In granting the use of such chemicals, special conditions and monitoring may be addressed by separate correspondence.
- e) The Division reserves the right to require sampling and testing, on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent. Such monitoring may include Whole Effluent Toxicity testing.
- f) All site wastes must be properly managed to prevent potential pollution of State waters. This permit does not authorize on-site waste disposal.
- g) All dischargers must comply with the lawful requirements of federal agencies, municipalities, counties, drainage districts and other local agencies regarding any discharges of stormwater to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal stormwater management programs developed to comply with CDPS permits. Dischargers must comply with local stormwater management requirements, policies or guidelines including erosion and sediment control.

2. **BMP Implementation and Design Standards**

Facilities must select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. BMPs implemented at the site must be adequately designed to provide control for all potential pollutant sources associated with construction activity to prevent pollution or degradation of State waters.

D. TERMS AND CONDITIONS (cont.)

3. **Prohibition of Non-Stormwater Discharges**

- a) Except as provided in paragraphs b, c, and d below, **all discharges covered by this permit shall be composed entirely of stormwater associated with construction activity.** Discharges of material other than stormwater must be addressed in a separate CDPS permit issued for that discharge.
- b) Discharges from the following sources that are combined with stormwater discharges associated with construction activity may be authorized by this permit, provided that the non-stormwater component of the discharge is identified in the SWMP (see Part I.C.1.g of this permit):
- emergency fire fighting activities
 - landscape irrigation return flow
 - uncontaminated springs
- c) Discharges to the ground of concrete washout water from washing of tools and concrete mixer chutes may be authorized by this permit, provided that:
- 1) the source is identified in the SWMP;
 - 2) BMPs are included in the SWMP in accordance with Part I.C.3(c)(7) and to prevent pollution of groundwater in violation of Part I.D.1.a; and
 - 3) these discharges do not leave the site as surface runoff or to surface waters
- d) Discharges to the ground of water from construction dewatering activities may be authorized by this permit, provided that:
- 1) the source is groundwater and/or groundwater combined with stormwater that does not contain pollutants in concentrations exceeding the State groundwater standards in Regulations 5 CCR 1002-41 and 42;
 - 2) the source is identified in the SWMP;
 - 3) BMPs are included in the SWMP, as required by Part I.C.3(c)(8); and
 - 4) these discharges do not leave the site as surface runoff or to surface waters.

Discharges to the ground from construction dewatering activities that do not meet the above criteria must be covered under a separate CDPS discharge permit. Contaminated groundwater requiring coverage under a separate CDPS discharge permit may include groundwater contaminated with pollutants from a landfill, mining activity, industrial pollutant plume, underground storage tank, or other source.

4. **Releases in Excess of Reportable Quantities**

This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 or 40 CFR 302. Any discharge of hazardous material must be handled in accordance with the Division's Noncompliance Notification Requirements (see Part II.A.3 of the permit).

5. **SWMP Requirements**

- a) **SWMP Preparation and Implementation:** The SWMP shall be prepared prior to applying for coverage under the general permit, and certification of its completion submitted with the application. The SWMP shall be implemented prior to commencement of construction activities. The plan shall be updated as appropriate (see paragraph c, below), below). SWMP provisions shall be implemented until expiration or inactivation of permit coverage.
- b) **SWMP Retention Requirements:** A copy of the SWMP must be retained on site unless another location, specified by the permittee, is approved by the Division.
- c) **SWMP Review/Changes:** The permittee shall amend the SWMP:
- 1) when there is a change in design, construction, operation, or maintenance of the site, which would require the implementation of new or revised BMPs; or
 - 2) if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity; or

D. TERMS AND CONDITIONS (cont.)

- 3) when BMPs are no longer necessary and are removed.

SWMP changes shall be made prior to changes in the site conditions, except as allowed for in paragraph d, below. SWMP revisions may include, but are not limited to: potential pollutant source identification; selection of appropriate BMPs for site conditions; BMP maintenance procedures; and interim and final stabilization practices. The SWMP changes may include a schedule for further BMP design and implementation, provided that, if any interim BMPs are needed to comply with the permit, they are also included in the SWMP and implemented during the interim period.

- d) **Responsive SWMP Changes:** SWMP changes addressing BMP installation and/or implementation are often required to be made in response to changing conditions, or when current BMPs are determined ineffective. The majority of SWMP revisions to address these changes can be made immediately with quick in-the-field revisions to the SWMP. In the less common scenario where more complex development of materials to modify the SWMP is necessary, SWMP revisions shall be made in accordance with the following requirements:
 - 1) the SWMP shall be revised as soon as practicable, but in no case more than 72 hours after the change(s) in BMP installation and/or implementation occur at the site, and
 - 2) a notation must be included in the SWMP prior to the site change(s) that includes the time and date of the change(s) in the field, an identification of the BMP(s) removed or added, and the location(s) of those BMP(s).

6. **Inspections**

Site inspections must be conducted in accordance with the following requirements and minimum schedules. The required minimum inspection schedules do not reduce or eliminate the permittee's responsibility to implement and maintain BMPs in good and effective operational condition, and in accordance with the SWMP, which could require more frequent inspections.

- a) **Minimum Inspection Schedule:** The permittee shall, at a minimum, make a thorough inspection, in accordance with the requirements in I.D.6.b below, at least once every 14 calendar days. Also, post-storm event inspections must be conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. Provided the timing is appropriate, the post-storm inspections may be used to fulfill the 14-day routine inspection requirement. A more frequent inspection schedule than the minimum inspections described may be necessary, to ensure that BMPs continue to operate as needed to comply with the permit. The following conditional modifications to this Minimum Inspection Schedule are allowed:
 - 1) **Post-Storm Event Inspections at Temporarily Idle Sites** – If no construction activities will occur following a storm event, post-storm event inspections shall be conducted prior to re-commencing construction activities, but no later than 72 hours following the storm event. The occurrence of any such delayed inspection must be documented in the inspection record. Routine inspections still must be conducted at least every 14 calendar days.
 - 2) **Inspections at Completed Sites/Areas** – For sites or portions of sites that meet the following criteria, but final stabilization has not been achieved due to a vegetative cover that has not become established, the permittee shall make a thorough inspection of their stormwater management system at least once every month, and post-storm event inspections are not required. This reduced inspection schedule is *only* allowed if:
 - i) all construction activities that will result in surface ground disturbance are completed;
 - ii) all activities required for final stabilization, in accordance with the SWMP, have been completed, with the exception of the application of seed that has not occurred due to seasonal conditions or the necessity for additional seed application to augment previous efforts; and
 - iii) the SWMP has been amended to indicate those areas that will be inspected in accordance with the reduced schedule allowed for in this paragraph.

D. TERMS AND CONDITIONS (cont.)

- 3) **Winter Conditions Inspections Exclusion** -- Inspections are not required at sites where construction activities are temporarily halted, snow cover exists over the entire site for an extended period, and melting conditions posing a risk of surface erosion do not exist. This exception is applicable only during the period where melting conditions do not exist, and applies to the routine 14-day and monthly inspections, as well as the post-storm-event inspections. The following information must be documented in the inspection record for use of this exclusion: dates when snow cover occurred, date when construction activities ceased, and date melting conditions began. Inspections, as described above, are required at all other times.

When site conditions make the schedule required in this section impractical, the permittee may petition the Division to grant an alternate inspection schedule.

b) **Inspection Requirements**

- 1) **Inspection Scope** - The construction site perimeter, all disturbed areas, material and/or waste storage areas that are exposed to precipitation, discharge locations, and locations where vehicles access the site shall be inspected for evidence of, or the potential for, pollutants leaving the construction site boundaries, entering the stormwater drainage system, or discharging to state waters. All erosion and sediment control practices identified in the SWMP shall be evaluated to ensure that they are maintained and operating correctly.
- 2) **Inspection Report/Records** - The permittee shall keep a record of inspections. Inspection reports must identify any incidents of non-compliance with the terms and conditions of this permit. Inspection records must be retained for three years from expiration or inactivation of permit coverage. At a minimum, the inspection report must include:
- i) The inspection date;
 - ii) Name(s) and title(s) of personnel making the inspection;
 - iii) Location(s) of discharges of sediment or other pollutants from the site;
 - iv) Location(s) of BMPs that need to be maintained;
 - v) Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
 - vi) Location(s) where additional BMPs are needed that were not in place at the time of inspection;
 - vii) Deviations from the minimum inspection schedule as provided in Part I.D.6.a above;
 - vii) Description of corrective action for items iii, iv, v, and vi, above, dates corrective action(s) taken, and measures taken to prevent future violations, including requisite changes to the SWMP, as necessary; and
 - viii) After adequate corrective action(s) has been taken, or where a report does not identify any incidents requiring corrective action, the report shall contain a signed statement indicating the site is in compliance with the permit to the best of the signer's knowledge and belief.
- c) **Required Actions Following Site Inspections** -- Where site inspections note the need for BMP maintenance activities, BMPs must be maintained in accordance with the SWMP and Part I.D.7 of the permit. Repair, replacement, or installation of new BMPs determined necessary during site inspections to address ineffective or inadequate BMPs must be conducted in accordance with Part I.D.8 of the permit. SWMP updates required as a result of deficiencies in the SWMP noted during site inspections shall be made in accordance with Part I.D.5.c of the permit.

7. **BMP Maintenance**

All erosion and sediment control practices and other protective measures identified in the SWMP must be maintained in effective operating condition. Proper selection and installation of BMPs and implementation of comprehensive Inspection and Maintenance procedures, in accordance with the SWMP, should be adequate to meet this condition. BMPs that are not adequately maintained in accordance with good engineering, hydrologic and pollution control practices, including removal of collected sediment outside the acceptable tolerances of the BMPs, are considered to be no longer operating effectively and must be addressed in accordance with Part I.D.8, below. A specific timeline for implementing maintenance procedures is not included in this permit because BMP maintenance is expected to be proactive, not responsive. Observations resulting in BMP maintenance activities can be made during a site inspection, or during general observations of site conditions.

D. TERMS AND CONDITIONS (cont.)

8. **Replacement and Failed BMPs**

Adequate site assessment must be performed as part of comprehensive Inspection and Maintenance procedures, to assess the adequacy of BMPs at the site, and the necessity of changes to those BMPs to ensure continued effective performance. Where site assessment results in the determination that new or replacement BMPs are necessary, the BMPs must be installed to ensure on-going implementation of BMPs as per Part I.D.2.

Where BMPs have failed, resulting in noncompliance with Part I.D.2, they must be addressed as soon as possible, immediately in most cases, to minimize the discharge of pollutants.

When new BMPs are installed or BMPs are replaced, the SWMP must be updated in accordance with Part I.D.5(c).

9. **Reporting**

No scheduled reporting requirements are included in this permit; however, the Division reserves the right to request that a copy of the inspection reports be submitted.

10. **SWMP Availability**

A copy of the SWMP shall be provided upon request to the Division, EPA, or any local agency in charge of approving sediment and erosion plans, grading plans or stormwater management plans, and within the time frame specified in the request. If the SWMP is required to be submitted to any of these entities, it must include a signed certification in accordance with Part I.F.1 of the permit, certifying that the SWMP is complete and meets all permit requirements.

All SWMPs required under this permit are considered reports that shall be available to the public under Section 308(b) of the CWA and Section 61.5(4) of the Colorado Discharge Permit System Regulations. The permittee shall make plans available to members of the public upon request. However, the permittee may claim any portion of a SWMP as confidential in accordance with 40 CFR Part 2.

11. **Total Maximum Daily Load (TMDL)**

If a TMDL has been approved for any waterbody into which the permittee discharges, and stormwater discharges associated with construction activity have been assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the Division will either:

- a) Ensure that the WLA is being implemented properly through alternative local requirements, such as by a municipal stormwater permit; or
- b) Notify the permittee of the WLA, and amend the permittee's certification to add specific BMPs and/or other requirements, as appropriate. The permittee may be required to do the following:
 - 1) Under the permittee's SWMP, implement specific management practices based on requirements of the WLA, and evaluate whether the requirements are being met through implementation of existing stormwater BMPs or if additional BMPs are necessary. Document the calculations or other evidence that show that the requirements are expected to be met; and
 - 2) If the evaluation shows that additional or modified BMPs are necessary, describe the type and schedule for the BMP additions/revisions.

Discharge monitoring may also be required. The permittee may maintain coverage under the general permit provided they comply with the applicable requirements outlined above. The Division reserves the right to require individual or alternate general permit coverage.

E. ADDITIONAL DEFINITIONS

For the purposes of this permit:

1. **Best Management Practices (BMPs):** schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, pollution prevention, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.
2. **Dedicated asphalt plants and concrete plants:** portable asphalt plants and concrete plants that are located on or adjacent to a construction site and that provide materials only to that specific construction site.
3. **Final stabilization:** when all ground surface disturbing activities at the site have been completed, and uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. For purposes of this permit, establishment of a vegetative cover capable of providing erosion control equivalent to pre-existing conditions at the site will be considered final stabilization.
4. **Municipal separate storm sewer system:** a conveyance or system of conveyances (including: roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), owned or operated by a State, city, town, county, district, or other public body (created by state law), having jurisdiction over disposal of sewage, industrial waste, stormwater, or other wastes; designed or used for collecting or conveying stormwater.
5. **Operator:** the entity that has day-to-day supervision and control of activities occurring at the construction site. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of 'operator' and that the permit may be transferred as the roles change.
6. **Outfall:** a point source at the point where stormwater leaves the construction site and discharges to a receiving water or a stormwater collection system.
7. **Part of a larger common plan of development or sale:** a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules.
8. **Point source:** any discernible, confined and discrete conveyance from which pollutants are or may be discharged. Point source discharges of stormwater result from structures which increase the imperviousness of the ground which acts to collect runoff, with runoff being conveyed along the resulting drainage or grading pattern.
9. **Pollutant:** dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, municipal or agricultural waste.
10. **Process water:** any water which, during manufacturing or processing, comes into contact with or results from the production of any raw material, intermediate product, finished product, by product or waste product. This definition includes mine drainage.
11. **Receiving Water:** any classified stream segment (including tributaries) in the State of Colorado into which stormwater related to construction activities discharges. This definition includes all water courses, even if they are usually dry, such as borrow ditches, arroyos, and other unnamed waterways.
12. **Significant Materials** include, but are not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
13. **Stormwater:** precipitation-induced surface runoff.

F. GENERAL REQUIREMENTS

1. **Signatory Requirements**

- a) All reports required for submittal shall be signed and certified for accuracy by the permittee in accordance with the following criteria:
 - 1) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates;
 - 2) In the case of a partnership, by a general partner;
 - 3) In the case of a sole proprietorship, by the proprietor;
 - 4) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates.
- b) **Changes to authorization.** If an authorization under paragraph a) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph a) of this section must be submitted to the Division, prior to or together with any reports, information, or applications to be signed by an authorized representative.
- c) **Certification.** Any person signing a document under paragraph a) of this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

2. **Retention of Records**

- a) The permittee shall retain copies of the SWMP and all reports required by this permit and records of all data used to complete the application to be covered by this permit, for three years after expiration or inactivation of permit coverage.
- b) The permittee shall retain a copy of the SWMP required by this permit at the construction site from the date of project initiation to the date of expiration or inactivation of permit coverage, unless another location, specified by the permittee, is approved by the Division.

3. **Monitoring**

The Division reserves the right to require sampling and testing, on a case-by-case basis (see Part I.D.1.e), for example to implement the provisions of a TMDL (see Part I.D.11 of the permit). Reporting procedures for any monitoring data collected will be included in the notification by the Division of monitoring requirements.

If monitoring is required, the following definitions apply:

- a) The **thirty (30) day average** shall be determined by the arithmetic mean of all samples collected during a thirty (30) consecutive-day period.
- b) A **grab** sample, for monitoring requirements, is a single “dip and take” sample.

PART II

A. MANAGEMENT REQUIREMENTS

1. Amending a Permit Certification

The permittee shall inform the Division (Permits Section) in writing of changes to the information provided in the permit application, including the legal contact, the project legal description or map originally submitted with the application, or the planned total disturbed acreage. The permittee shall furnish the Division with any plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream. If applicable, this notification may be accomplished through submittal of an application for a CDPS process water permit authorizing the discharge. The SWMP shall be updated and implemented prior to the changes (see Part I.D.5.c).

Any discharge to the waters of the State from a point source other than specifically authorized by this permit or a different CDPS permit is prohibited.

2. Special Notifications - Definitions

- a) **Spill:** An unintentional release of solid or liquid material which may cause pollution of state waters.
- b) **Upset:** An exceptional incident in which there is unintentional and temporary noncompliance with permit discharge limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

3. Noncompliance Notification

- a) The permittee shall report the following instances of noncompliance:
 - 1) Any noncompliance which may endanger health or the environment;
 - 2) Any spill or discharge of hazardous substances or oil which may cause pollution of the waters of the state.
 - 3) Any discharge of stormwater which may cause an exceedance of a water quality standard.
- b) For all instances of noncompliance based on environmental hazards and chemical spills and releases, all needed information must be provided orally to the Colorado Department of Public Health and Environment spill reporting line (24-hour number for environmental hazards and chemical spills and releases: 1-877-518-5608) within 24 hours from the time the permittee becomes aware of the circumstances.

For all other instances of noncompliance as defined in this section, all needed information must be provided orally to the Water Quality Control Division within 24 hours from the time the permittee becomes aware of the circumstances.

For all instances of noncompliance identified here, a written submission shall also be provided within 5 calendar days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of:

- 1) The noncompliance and its cause;
- 2) The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue;
- 3) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

A. **MANAGEMENT REQUIREMENTS (cont.)**

4. **Submission of Incorrect or Incomplete Information**

Where the permittee failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, or relevant new information becomes available, the permittee shall promptly submit the relevant application information which was not submitted or any additional information needed to correct any erroneous information previously submitted.

5. **Bypass**

- a) A bypass, which causes effluent limitations (i.e., requirements to implement BMPs in accordance with Parts I.B.3 and I.D.2 of the permit) to be exceeded is prohibited, and the Division may take enforcement action against a permittee for such a bypass, unless:
- 1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities (e.g., alternative BMPs), retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment (e.g., implemented additional BMPs) to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - 3) The permittee submitted notices as required in "Non-Compliance Notification," Part II.A.3.

6. **Upsets**

- a) **Effect of an Upset:** An upset constitutes an affirmative defense to an action brought for noncompliance with permit limitations and requirements if the requirements of paragraph b of this section are met. (No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.)
- b) **Conditions Necessary for a Demonstration of Upset:** A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:
- 1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
 - 2) The permitted facility was at the time being properly operated;
 - 3) The permittee submitted notice of the upset as required in Part II.A.3. of this permit (24-hour notice); and
 - 4) The permittee complied with any remedial measures required under 40 CFR Section 122.41(d) of the federal regulations or Section 61.8(3)(h) of the Colorado Discharge Permit System Regulations.
- c) **Burden of Proof:** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

7. **Removed Substances**

Solids, sludges, or other pollutants removed in the course of treatment or control of discharges shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

8. **Minimization of Adverse Impact**

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any terms and conditions specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

A. MANAGEMENT REQUIREMENTS (cont.)

9. **Reduction, Loss, or Failure of Stormwater Controls**

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the permit requirements. Upon reduction, loss, or failure of any stormwater controls, the permittee shall, to the extent necessary to maintain compliance with its permit, control production, or remove all pollutant sources from exposure to stormwater, or both, until the stormwater controls are restored or an alternative method of treatment/control is provided. It shall not be a defense for a permittee in an enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

10. **Proper Operation and Maintenance**

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

B. RESPONSIBILITIES

1. **Inspections and Right to Entry**

The permittee shall allow the Director of the State Water Quality Control Division, the EPA Regional Administrator, and/or their authorized representative(s), upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises to investigate, within reason, any actual, suspected, or potential source of water pollution, or any violation of the Colorado Water Quality Control Act. The investigation may include, but is not limited to, the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing permittee staff on alleged violations and other matters related to the permit, and access to any and all facilities or areas within the permittee's premises that may have any effect on the discharge, permit, or any alleged violation.

2. **Duty to Provide Information**

The permittee shall furnish to the Division, within the time frame specified by the Division, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or inactivating coverage under this permit, or to determine compliance with this permit. The permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

3. **Transfer of Ownership or Control**

Certification under this permit may be transferred to a new permittee if:

- a) The current permittee notifies the Division in writing when the transfer is desired as outlined in Part I.A.7; and
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) The current permittee has met all fee requirements of the Colorado Discharge Permit System Regulations, Section 61.15.

B. RESPONSIBILITIES (cont.)

4. **Modification, Suspension, or Revocation of Permit By Division**

All permit modification, inactivation or revocation and reissuance actions shall be subject to the requirements of the Colorado Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.7 and 61.15, 5 C.C.R. 1002-61, except for minor modifications.

- a) This permit, and/or certification under this permit, may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
 - 1) Violation of any terms or conditions of the permit;
 - 2) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit;
 - 3) Materially false or inaccurate statements or information in the application for the permit;
 - 4) Promulgation of toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307 of the Clean Water Act, where such a toxic pollutant is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.
- b) This permit, and/or certification under this permit, may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - 1) Promulgation of Water Quality Standards applicable to waters affected by the permitted discharge; or
 - 2) Effluent limitations or other requirements applicable pursuant to the State Act or federal requirements; or
 - 3) Control regulations promulgated; or
 - 4) Other available information indicates a potential for violation of adopted Water Quality Standards or stream classifications.
- c) This permit, or certification under this permit, may be modified in whole or in part to include new effluent limitations and other appropriate permit conditions where data submitted pursuant to Part I indicate that such effluent limitations and permit conditions are necessary to ensure compliance with applicable water quality standards and protection of classified uses.
- d) At the request of the permittee, the Division may modify or inactivate certification under this permit if the following conditions are met:
 - 1) In the case of inactivation, the permittee notifies the Division of its intent to inactivate the certification, and certifies that the site has been finally stabilized;
 - 2) In the case of inactivation, the permittee has ceased any and all discharges to state waters and demonstrates to the Division there is no probability of further uncontrolled discharge(s) which may affect waters of the State.
 - 3) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modification, amendment or inactivation;
 - 4) Fee requirements of Section 61.15 of the Colorado Discharge Permit System Regulations have been met; and
 - 5) Applicable requirements of public notice have been met.

For small construction sites covered by a Qualifying Local Program, coverage under this permit is automatically terminated when a site has been finally stabilized.

B. RESPONSIBILITIES (cont.)

5. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit.

Dischargers of stormwater associated with industrial activity, as defined in the EPA Stormwater Regulation (40 CFR 122.26(b)(14) and Section 61.3(2) of the Colorado Discharge Permit System Regulations, which do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101, as amended. Failure to comply with CDPS permit requirements will also constitute a violation.

6. Legal Responsibilities

The issuance of this permit does not convey any property or water rights in either real or personal property, or stream flows, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority granted by Section 510 of the Clean Water Act.

7. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

8. Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least ninety (90) days before this permit expires. If the permittee anticipates that there will be no discharge after the expiration date of this permit, the Division should be promptly notified so that it can inactivate the certification in accordance with Part II.B.4.d.

9. Confidentiality

Except for data determined to be confidential under Section 308 of the Federal Clean Water Act and Colorado Discharge Permit System Regulations, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division. The permittee must state what is confidential at the time of submittal.

Any information relating to any secret process, method of manufacture or production, or sales or marketing data which has been declared confidential by the permittee, and which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the Commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this section shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

10. Fees

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

B. RESPONSIBILITIES (cont.)

11. **Requiring an Individual CDPS Permit**

The Director may require the permittee to apply for and obtain an individual or alternate general CDPS permit if:

- a) The discharger is not in compliance with the conditions of this general permit;
- b) Conditions or standards have changed so that the discharge no longer qualifies for a general permit; or
- c) Data/information become available which indicate water quality standards may be violated.

The permittee must be notified in writing that an application for an individual or alternate general CDPS permit is required. When an individual or alternate general CDPS permit is issued to an operator otherwise covered under this general permit, the applicability of this general permit to that operator is automatically inactivated upon the effective date of the individual or alternate general CDPS permit.

RATIONALE

**STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITY**

**GENERAL PERMIT IN COLORADO
THIRD RENEWAL
COLORADO DISCHARGE PERMIT NUMBER COR-030000**

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I. INTRODUCTION

This permit is for the regulation of stormwater runoff from construction activities, and specific allowable non-stormwater discharges in accordance with Part I.D.3 of the permit. The term "construction activity" includes ground surface disturbing activities, including, but not limited to, clearing, grading, excavation, demolition, installation of new or improved haul and access roads, staging areas, stockpiling of fill materials, and borrow areas. "Stormwater" is precipitation-induced surface runoff. This rationale will explain the background of the Stormwater program, activities which are covered under this permit, how to apply for coverage under this permit, and the requirements of this permit.

The forms discussed in the rationale and permit are available on the Water Quality Control Division's website at: www.cdphe.state.co.us/wq/PermitsUnit

II. CHANGES IN THIS GENERAL PERMIT

Several notable changes from the previous General Permit for Construction Activities have been incorporated into this permit. Significant changes are listed below. Numerous other minor changes were made for clarification purposes only.

A. Authority to Discharge

This section has been restructured to list all of the types of activities covered by this permit, and to be consistent with the definition of "construction activity." The definition of construction activity has been expanded to provide clarification. See Part I.A.1 of the permit.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

B. Authority to Discharge – Oil and Gas Construction

This section has been added, to take into account a regulatory change. The federal Energy Policy Act of 2005 exempts nearly all oil and gas construction activities from federal requirements under the Clean Water Act's NPDES stormwater discharge permit program. In January 2006, the Colorado Water Quality Control Commission held a hearing to determine what effects, if any, the change in federal law would have upon Colorado's stormwater regulations. The Commission determined that oil and gas construction sites in Colorado that disturb one or more acres are still required to be covered under Colorado's stormwater permitting regulations (Colorado Discharge Permit System (CDPS) regulations (5CCR 1002-61)). In practice, oil and gas construction sites have the same requirements under this permit as do other types of construction. However, this permit contains some references to the federal Clean Water Act; generally these references are not applicable to oil and gas construction sites to the extent that the references are limited by the federal Energy Policy Act of 2005. See Part I.A.1(b) of the permit.

C. Application Requirements

The permit application requirements have changed slightly, including the addition of an email address, if available. See Part I.A.4(b).

The applicant must be either the owner and/or operator of the construction site. An operator at a construction site that is not covered by a certification held by an appropriate entity may be held liable for operating without the necessary permit coverage.

D. Temporary Coverage

Part I.A.5(d) of the previous permit (effective July 1, 2002) dealt with temporarily covering a facility under the general permit even if an individual permit is more appropriate. This permit section essentially duplicated the previous section (see Part I.A.5(c)), and so it has been deleted.

E. Reassignment of Permit Coverage

Procedures have been added to clarify the requirements for the transfer of coverage of specific portions of a permitted site to a second party. See Section VIII.I.3 of the rationale and Part I.A.8 of the permit.

F. Individual Permit Criteria

This section has been modified to include situations involving a Total Maximum Daily Load (TMDL). See Part I.A.11 of the permit.

G. Stormwater Management Plan (SWMP)

The Stormwater Management Plan section has been divided into two parts: Stormwater Management Plan (SWMP) – General Requirements, which provides the basic framework and general requirements for the SWMP, and Stormwater Management Plan (SWMP) – Contents, which specifically identifies each item that must be addressed in the SWMP. See Parts I.B and I.C of the permit.

H. Stormwater Management Plan (SWMP) – General Requirements

The SWMP General Requirements section has been modified to require that the SWMP be updated in accordance with Parts I.D.5(c) and I.D.5(d) of the permit (SWMP Review/Changes). This additional requirement ensures that the SWMP provisions reflect current site conditions. See Part I.B.2(c) of the permit.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

I. Stormwater Management Plan (SWMP) – Contents

*The SWMP Contents section has been modified. Some of the changes are limited to organization of information, which does not require modification of an existing permittee's current SWMP. Most of the SWMP changes involve either clarifications, reformatting, or taking recommendations from the Division's SWMP guide and making them permit requirements (e.g., vehicle tracking controls, BMP installation specifications). If an **existing permittee (i.e., those with permit coverage before June 30, 2007)** followed the recommendations in the SWMP guide (Appendix A of the permit application), then their SWMP will presumably meet the new requirements. However, for any existing permittees who did not follow the applicable SWMP guide recommendations, their SWMP must be amended to include the new required items:*

-SWMP Administrator

-Identification of potential pollutant sources

-Best Management Practices descriptions and installation specifications, including dedicated concrete or asphalt batch plants; vehicle tracking control; and waste management and disposal (including concrete washout activities).

*For existing permittees, any SWMP changes based on the change in permit requirements must be completed by **October 1, 2007**. The plan is not to be submitted to the Division unless requested, but must be available on site as outlined in Part I.D.5(b) of the permit.*

The BMP requirement clarifications included in this renewed permit in no way imply that adequate BMPs to address all pollutant sources at a permitted site were not required in previous permits. The revised requirements are intended only to better clarify SWMP content requirements and provide improved direction to permittees.

The SWMP changes are listed below. All new applicants (after June 30, 2007) for permit coverage for their sites must fully comply with the new SWMP organization, plan requirements, and implementation.

- 1. **Site Description:** The requirement to provide an estimate of the run-off coefficient has been removed. The run-off coefficient as currently utilized in the SWMP may not contribute sufficiently to permit compliance to justify the effort in determining accurate values. See Part I.C.1 of the permit. However, the Division still encourages use of the coefficient as needed to adequately evaluate site-specific BMP selection and design criteria (e.g., pond capacities, BMP location, etc.) See Section C.2 of the SWMP guidance (Appendix A of the permit application).*
- 2. **Site Map:** The requirement to identify boundaries of the 100-year flood plain has been removed. The boundaries as currently utilized in the SWMP may not contribute sufficiently to permit compliance to justify the effort in determining their location. See Part I.C.2 of the permit.*
- 3. **Stormwater Management Controls:** This section has been modified to require identification of a SWMP Administrator and all potential pollutants sources in the SWMP. See Part I.C.3 of the permit.*
 - a) The SWMP Administrator is a specific individual(s), position or title who is responsible for the process of developing, implementing, maintaining, and revising the SWMP. This individual serves as the comprehensive point of contact for all aspects of the facility's SWMP. **This requirement may necessitate changes to existing permittees' SWMPs.***

II. CHANGES IN THIS GENERAL PERMIT (cont.)

- b) *The requirement to identify Potential Pollutant Sources has been expanded to include more details for the evaluation of such sources. This evaluation allows for the appropriate selection of BMPs for implementation at a facility or site. Additionally, this section was added to be consistent with the SWMP guide. **This requirement may necessitate changes to existing permittees' SWMPs.***
- c) *Best Management Practices (BMPs) for Stormwater Pollution Prevention: This section was modified to require the following items to be addressed in the SWMP. **These requirements may necessitate changes to existing permittees' SWMPs.** This section also requires that the SWMP provide installation and implementation specifications for each BMP identified in the SWMP. For structural BMPs, in most cases, this must include a technical drawing to provide adequate installation specifications. See Part I.C.3(c).*
 - i) *Dedicated concrete or asphalt batch plants. This section requires that the practices used to reduce the pollutants in stormwater discharges associated with dedicated concrete or asphalt batch plants be identified in the SWMP. (Coverage under the construction site SWMP and permit is not required for batch plants if they have alternate CDPS permit coverage.)*
 - ii) *Vehicle tracking control. This section requires that practices be implemented to control sediment from vehicle tracking, and that all such practices implemented at the site be clearly described in the SWMP.*
 - iii) *Waste management and disposal. This section requires that the practices implemented at the site to control stormwater pollution from construction site waste, including concrete washout activities, be clearly described in the SWMP. It also requires that concrete washout activities be conducted in a manner that does not contribute pollutants to surface waters or stormwater runoff.*
 - iv) *Concrete Washout Water. Part I.D.3(c) of the permit has been revised to conditionally authorize discharges to the ground of concrete wash water from washing of tools and concrete mixer chutes when appropriate BMPs are implemented. The permit prohibits the discharge of concrete washout water to surface waters and to storm sewer systems. Part I.C.3(c)(7) of the permit requires that BMPs be in place to prevent surface discharges of concrete washout water from the site.*

The use of unlined pits to contain concrete washout water is a common practice in Colorado. The Division has further evaluated the need for a permit for discharge of concrete washout water to the ground. The Division has determined that the use of appropriate BMPs for on-site washing of tools and concrete mixer chutes would prevent any significant discharge to groundwater. BMPs to protect groundwater are required by Part I.C.3(c)(7) of the permit. Because pH is a pollutant of concern for washout activities, the soil must have adequate buffering capacity to result in protection of the groundwater standard, or a liner/containment must be used. The following management practices are recommended to prevent an impact from unlined pits to groundwater:

- (1) the use of the washout site should be temporary (less than 1 year), and*
- (2) the washout site should be not be located in an area where shallow groundwater may be present, such as near natural drainages, springs, or wetlands.*

II. CHANGES IN THIS GENERAL PERMIT (cont.)

Where adequate management practices are not followed to protect groundwater quality, the Department may require discharges to unlined pits to cease, or require the entity to obtain alternate regulatory approval through notice from either the Water Quality Control Division or the Hazardous Materials and Waste Management Division.

In addition, Part I.D.1(b) of the permit has been revised to clearly state that the permit does not authorize on-site permanent disposal of concrete washout waste, only temporary containment of concrete washout water from washing of tools and concrete mixer chutes. Upon termination of use of the washout site, accumulated solid waste, including concrete waste and any contaminated soils, must be removed from the site to prevent on-site disposal of solid waste.

- v) *Construction Dewatering. Part I.D.3(d) of the permit has been revised to conditionally authorize discharges to the ground of water from construction dewatering activities when appropriate BMPs are implemented. The permit does not authorize the discharge of groundwater from construction dewatering to surface waters or to storm sewer systems. Part I.C.3(c)(8) of the permit requires that BMPs be in place to prevent surface discharges. The permittee may apply for coverage under a separate CDPS discharge permit, such as the Construction Dewatering general permit, if there is a potential for discharges to surface waters.*

The Division has determined that potential pollutant sources introduced into groundwater from construction dewatering operations do not have a reasonable potential to result in exceedance of groundwater standards when the discharge is to the ground. The primary pollutant of concern in uncontaminated groundwater is sediment. Although technology-based standards for sediment do exist in 5 CCR 1002-41, the discharge of sediment to the ground as part of construction dewatering does not have the reasonable potential to result in transport of sediment to the groundwater table so as to result in an exceedance of those standards.

For a discharge of water contaminated with other pollutants that are present in concentrations that may cause an exceedance of groundwater standards, separate CDPS discharge permit coverage is required. Contaminated groundwater may include that contaminated with pollutants from a landfill, mining activity, industrial pollutant plume, underground storage tank, or other source of human-induced groundwater pollution and exceeding the State groundwater standards in Regulations 5 CCR 1002-41 and 42.

J. Terms and Conditions, General Limitations and Design Standards

This section reiterates the requirement that facilities select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. In addition, requirements for protection of water quality standards (see Part I.D.1.(a) of the permit) and requirements to adequately design BMPs to prevent pollution or degradation of State waters (see Part I.D.2 of the permit) have been revised and are fully discussed in Part III.B of the rationale, below. Additional language was also added to Section III.B of the rationale further clarifying the expectations for compliance with this permit.

1. Management of Site Waste

This section has been modified to clarify that on-site waste must be properly managed to prevent potential pollution of State waters, and that this permit does not authorize on-site waste disposal. Solid waste disposal is regulated by the Hazardous Materials and Waste Management Division.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

K. Terms and Conditions, SWMP Requirements

1. **SWMP Review/Changes:** *This section now requires that when changes are made to site conditions, the SWMP must be revised immediately, except for some BMP description changes which conditionally may occur within 72 hours. This requirement is included to both ensure that the SWMP be kept accurate and up-to-date, and to clarify that stormwater management at a site typically should be proactive instead of responsive, and be integrated into site management to ensure it is calibrated with those changes. The section was also clarified to state that only changes in site conditions that do not require new or modified BMPs do not need to be addressed in the SWMP. See Part I.D.5(c) of the permit.*
2. **SWMP Certification:** *The previous permit was unclear on a requirement that the copy of SWMP that remains at the facility had to be signed in accordance with permit signatory requirements. This requirement has been deleted. The signatory requirement of Part I.F.1 only applies to the SWMP if it is to be submitted to the Division or to EPA. See Part I.F.1 of the permit.*

L. Terms and Conditions, Post-Storm Inspections

The previous permit required post-storm inspections, but did not specify the timing of inspections. This section now requires that post-storm event inspections generally be conducted within 24 hours of the event. An alternative timeline has been allowed, only for sites where there are no construction activities occurring following a storm event. For this condition, post-storm event inspections shall instead be conducted prior to commencing construction activities, but no later than 72 hours following the storm event, and the delay noted in the inspection report.

Any exception from the minimum inspection schedule is temporary, and does not eliminate the requirement to perform routine maintenance due to the effects of a storm event, including maintaining vehicle tracking controls and removing sediment from impervious areas. In many cases, maintenance needs will require a more frequent inspection schedule than the minimum inspections required in the permit, to ensure that BMPs continue to operate as needed to comply with the permit. See Part I.D.6(a) of the permit.

M. Terms and Conditions, Inspections

1. *The Winter Conditions Inspection Exclusion section has been modified to include documentation requirements for this exclusion. See Part I.D.6(a) of the permit. The Inspection Scope has been modified to include the requirement to inspect waste storage areas during inspections conducted in accordance with the permit. See Part I.D.6(b) of the permit.*
2. *The requirements for sites to qualify for reduced inspection frequencies for completed sites have been slightly modified (see Part I.D.6(a)(2) of the permit.). The requirement now is that only construction activities that disturb the ground surface must be completed. Construction activities that can be conducted without disturbance of the ground surface; for example, interior building construction, and some oil well activities, would not prohibit a site from otherwise qualifying for the reduced inspection frequency. In addition, the requirement for the site to be prepared for final stabilization has been slightly modified to allow for sites that have not yet been seeded to qualify, as long as the site has otherwise been prepared for final stabilization, including completion of appropriate soil preparation, amendments and stabilization practice. This will allow for sites with seasonal seeding limitations or where additional seed application may be needed in the future to still qualify.*

II. CHANGES IN THIS GENERAL PERMIT (cont.)

3. *The Inspection Report/Records section (Part I.D.6(b)(2)) was added to clarify requirements for inspection reports generated during an inspection conducted in accordance with Part I.D.6 of the permit. Inspection reports must be signed by the inspector, or the individual verifying the corrective action indicated in the inspection report, on behalf of the permittee. Inspection reports are not typically required to be submitted to the Division, and therefore, are not required to be signed and certified for accuracy in accordance with Part I.F.1 of the permit. However, any inspection reports that are submitted to the Division must follow the signatory requirements contained in that section.*

N. Terms and Conditions, Maintenance, Repair, and Replacement of Control Practices

These sections have been added to clarify requirements for maintaining the BMPs identified in the SWMP and for addressing ineffective or failed BMPs. BMP maintenance and site assessment to determine the overall adequacy of stormwater quality management at the site must occur proactively, in order to ensure adequate control of pollutant sources at the site. In most cases, if BMPs are already not operating effectively, or have failed, the issue must be addressed immediately, to prevent discharge of pollutants. See Parts I.D.7 and I.D.8 of the permit.

O. Total Maximum Daily Load (TMDL)

A section on TMDLs has been added. This section gives a general outline of the additional requirements that may be imposed by the Division if the facility discharges to a waterbody for which a stormwater-related TMDL is in place. See Section VIII.C of the rationale and Part I.D.11 of the permit.

P. Additional Definitions

Part I.E of the permit has been modified to remove the definition of runoff coefficient, as it is no longer a permit requirement. The definition for state waters has also been deleted, but can be found in Regulation 61.

Q. Changes in Discharge

The section on the types of discharge or facility changes that necessitate Division notification has been clarified. See Part II.A.1 of the permit.

R. Non-Compliance Notification

The section on notification to the Division regarding instances of non-compliance has been amended to clarify which types of noncompliance require notification. See Part II.A.3 of the permit.

S. Short Term Certifications

The previous permit allowed small short-term construction activities to be authorized for a predetermined period from 3 to 12 months, and then automatically expire (an inactivation request did not need to be submitted). The issuance of these certifications has led to significant confusion and incidents of noncompliance resulting from permittees unintentionally letting their certifications expire prior to final stabilization, as well as issues regarding billing. Therefore, the provisions for short-term certifications have been deleted.

T. Bypass

The Division has revised the Bypass conditions in Part II.A.5 of the permit to be consistent with the requirements of Regulation 61.8(3)(i). The revised language addresses under what rare occurrences BMPs may be bypassed at a site.

III. BACKGROUND

As required under the Clean Water Act amendments of 1987, the Environmental Protection Agency (EPA) has established a framework for regulating municipal and industrial stormwater discharges. This framework is under the National Pollutant Discharge Elimination System (NPDES) program (Note: The Colorado program is referred to as the Colorado Discharge Permit System, or CDPS, instead of NPDES.) The Water Quality Control Division ("the Division") has stormwater regulations (5CCR 1002-61) in place. These regulations require specific types of industrial facilities that discharge stormwater associated with industrial activity (industrial stormwater), to obtain a CDPS permit for such discharge. The regulations specifically include construction activities that disturb one acre of land or more as industrial facilities. Construction activities that are part of a larger common plan of development which disturb one acre or more over a period of time are also included.

A. General Permits

The Division has determined that the use of general permits is the appropriate procedure for handling most of the thousands of industrial stormwater applications within the State.

B. Permit Requirements

This permit does not impose numeric effluent limits or require submission of effluent monitoring data in the permit application or in the permit itself. The permit instead imposes practice-based effluent limitations for stormwater discharges through the requirement to develop and implement a Stormwater Management Plan (SWMP). The narrative permit requirements include prohibitions against discharges of non-stormwater (e.g., process water). See Part I.D.3 of the permit.

The permit conditions for the SWMP include the requirement for dischargers to select, implement and maintain Best Management Practices (BMPs) at a permitted construction site that adequately minimize pollutants in the discharges to assure compliance with the terms and conditions of the permit. Part I.D.2 of the permit includes basic design standards for BMPs implemented at the site. Facilities must select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. BMPs implemented at the site must be adequately designed to control all potential pollutant sources associated with construction activity to prevent pollution or degradation of State waters. Pollution is defined in CDPS regulations (5CCR 1002-61) as man-made or man-induced, or natural alteration of the physical, chemical, biological, and radiological integrity of water. Utilizing industry-accepted standards for BMP selection that are appropriate for the conditions and pollutant sources present will typically be adequate to meet these criteria, since construction BMPs are intended to prevent the discharge of all but minimal amounts of sediment or other pollutants that would not result in actual pollution of State waters, as defined above. However, site-specific design, including ongoing assessment of BMPs and pollutant sources, is necessary to ensure that BMPs operate as intended.

The permit further requires that stormwater discharges from construction activities shall not cause, have the reasonable potential to cause, or measurably contribute to an excursion above any water quality standard, including narrative standards for water quality. This condition is the basis for all CDPS Discharge permits, and addresses the need to ensure that waters of the State maintain adequate water quality, in accordance with water quality standards, to continue to meet their designated uses. It is believed that, in most cases, BMPs can be adequate to meet applicable water quality standards. If water quality impacts are noted, or the Division otherwise determines that additional permit requirements are necessary, they are typically imposed as follows: 1) at the renewal of this general permit or through a general permit specific to an industrial sector (if the issue is sector-based); 2) through direction from the Division based on the implementation of a TMDL (if the issue is watershed-based); or 3) if the issue is site-specific, through a revision to the certification from the Division based on an inspection or SWMP review, or through an individual permit.

III. BACKGROUND (cont.)

Some construction sites may be required to comply with a Qualifying Local Program in place of meeting several of the specific requirements in this permit. Sites covered by a Qualifying Local Program may not be required to submit an application for coverage or a notice of inactivation and may not be required to pay the Division's annual fee. See Section VII of the rationale.

C. Violations/Penalties

Dischargers of stormwater associated with industrial activity, as defined in the CDPS regulations (5CCR 1002-61), that do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the Federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101. For facilities covered under a CDPS permit, failure to comply with any CDPS permit requirement constitutes a violation. As of the time of permit issuance, civil penalties for violations of the Act or CDPS permit requirements may be up to \$10,000 per day, and criminal pollution of state waters is punishable by fines of up to \$25,000 per day.

IV. STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY

The stormwater regulations (CDPS regulations (5CCR 1002-61)), require that stormwater discharges associated with certain industrial activities be covered under the permit program. Construction activity that disturbs one acre or more during the life of the project is specifically included in the listed industrial activities. This permit is intended to cover most stormwater discharges from construction facilities required by State regulation to obtain a permit.

A. Construction Activity

Construction activity includes ground surface disturbing activities including, but not limited to, clearing, grading, excavation, demolition, installation of new or improved haul and access roads, staging areas, stockpiling of fill materials, and dedicated borrow/fill areas. Construction does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility. (The maintenance exclusion is intended for projects such as road resurfacing, and where there will be less than one acre of additional ground disturbed. Improvements or upgrades to existing facilities or roads, where at least one acre is disturbed, would not qualify as "routine maintenance.")

Definitions of additional terms can be found in Part I.E of the permit.

Stormwater discharges from all construction activity require permit coverage, except for operations that result in the disturbance of less than one acre of total land area and which are not part of a larger common plan of development or sale. A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules.

B. Types of Discharges/Activities Covered

1. **Stormwater:** *This permit is intended to cover most new or existing discharges composed **entirely** of stormwater from construction activities that are required by State regulation to obtain a permit. This includes stormwater discharges associated with areas that are dedicated to producing earthen materials, such as soils, sand, and gravel, for use at a single construction site. These areas may be located at the construction site or at some other location. This permit does not authorize the discharge of mine water or process water from borrow areas. This permit may also cover stormwater discharges associated with dedicated asphalt plants and concrete plants located at a specific construction site.*

IV. STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (cont.)

2. **Process water:** Under certain restrictions, discharges to the ground from construction dewatering, and from concrete washout activities, are also covered (see Parts I.C.3(c)(7), I.C.3(c)(8), I.D.3(c) and I.D.3(d) of the permit).

C. Types of Activities NOT Covered

1. **Stormwater:** Aside from the sources listed in subparagraph B.1, above, this permit does not cover stormwater discharged from construction sites that is mixed with stormwater from other types of industrial activities, or process water of any kind. Other types of industrial activities that require stormwater discharge permits pursuant to different sections of the regulations (Regulation 5 CCR 1002-61, Section 61.2(e)(iii)(A-I, K)], are not covered by this permit.
2. **Process water:** This permit also does not cover any discharge of process water to surface waters. If the construction activity encounters groundwater, in order to discharge this groundwater to surface waters, a Construction Dewatering Discharge Permit (permit number COG-070000) must also be obtained. An application for this permit can be obtained from the Division at the address listed in Part I.A.4(a) of the permit, or at the website in Section I of the rationale.

V. COVERAGE UNDER THIS GENERAL PERMIT

Under this general permit, owners or operators of stormwater discharges associated with construction activity may be granted authorization to discharge stormwater into waters of the State of Colorado. This includes stormwater discharges associated with industrial activity from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site, and dedicated asphalt plants and dedicated concrete plants.

This permit does not pre-empt or supersede the authority of other local, state or federal agencies to prohibit, restrict or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

Authorization to discharge under the permit requires submittal of a completed application form and a certification that the SWMP is complete, unless the site is covered by a Qualifying Local Program. Upon receipt of all required information, the Division may allow or disallow coverage under the general permit.

VI. APPLICATION AND CERTIFICATION

At least **ten days** prior to the commencement of construction activities, the owner or operator of the construction site shall submit an original completed application which includes the signed certification that the SWMP is complete. Original signatures are required for the application to be considered complete. For small construction sites only, if the site is covered by a Qualifying Local Program (see below), submittal of an application is not required.

For the purposes of this permit, the "operator" is the person who has day-to-day control over the project. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. At different times during a construction project, different types of parties may satisfy the definition of "operator" and the certification may be transferred as roles change.

(Note - Under the Federal regulations, this application process is referred to as a Notice of Intent, or NOI. For internal consistency with its current program, the Division will continue to use the term "application.") A summary of the permit application requirements is found in the permit at Part I.A.4(b).

If coverage under this general permit is appropriate, then a certification will be developed and the applicant will be certified under this general permit.

VII. QUALIFYING LOCAL PROGRAMS

For stormwater discharges associated with small construction activity (i.e., one to five acre disturbed area sites), the permit includes conditions that incorporate approved qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division. The requirements for Qualifying Local Programs are outlined in Part 61.8(12) of the Colorado Discharger Permit System Regulations (also see the Division's "Qualifying Local Programs for Small Construction Sites - Application Guidance"). Such programs must impose requirements to protect water quality that are at least as stringent as those required in this permit.

A. Approval Termination

A Qualifying Local Program may be terminated by either the Division or the municipality. Upon termination of Division approval of a Qualifying Local Program, any small construction activity required to obtain permit coverage under Section 61.3(2)(h) of the CDPS regulations (5CCR 1002-61), shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete as required by Part I.A.3 of the permit, within 30 days of Division notification.

B. Approval Expiration

Division approval of a Qualifying Local Program will expire with this general permit on June 30, 2012. Any municipality desiring to continue Division approval of their program must reapply by March 31, 2012. The Division will determine if the program may continue as a approved Qualifying Local Program.

VIII. TERMS AND CONDITIONS OF PERMIT

A. Coverage under a Qualifying Local Program – For Small Construction Sites Only

For small construction sites (disturbing less than 5 acres) covered under a Qualifying Local Program (see Section VII, above), only certain permit requirements apply, as outlined below. The local program must have been formally designated by the Division to qualify. Most municipalities have some type of local program and may require permits and fees. However, simply having a program in place does not necessarily mean that it is a qualifying program and that a State permit is not required. The local municipality is responsible for notifying operators and/or owners that they are covered by a Qualifying Local Program. As of May 31, 2007, the only approved Qualifying Local Programs within the state are for Golden, Durango and Lakewood. An updated list of municipalities with Qualifying Local Programs, including contact information, is available on the Division's website at: <http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/construction.html>.

The Division reserves the right to require any construction owner or operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit.

1. **Permit Coverage:** *If a construction site is within the jurisdiction of a Qualifying Local Program, the owner or operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit **without** the submittal of an application to the Division. The permittee also is not required to submit an inactivation notice or payment of an annual fee to the Division.*

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

2. **Permit Terms and Conditions:** *The permittee covered by a Qualifying Local Program must comply with the requirements of that Qualifying Local Program. In addition, the following permit sections are applicable:*
- a) *Parts 1.A.1, 1.A.2, and 1.A.3: Authorization to discharge and discussion of coverage under the permit.*
 - b) *Part I.D.1: General limitations that must be met in addition to local requirements.*
 - c) *Parts I.D.2, I.D.3, I.D.4: BMP implementation, prohibition of non-stormwater discharges unless addressed in a separate CDPS permit, and requirements related to releases of reportable quantities.*
 - d) *Part I.D.11: Potential coverage under a Total Maximum Daily Load (TMDL).*
 - e) *Part I.E: Additional definitions.*
 - f) *Part II (except for Parts II.A.1, II.B.3, II.B.8, and II.B.10): Specifically includes, but is not limited to, provisions applicable in the case of noncompliance with permit requirements, and requirements to provide information and access.*

B. Stormwater Management Plans (SWMPs)

Prior to commencement of construction, a stormwater management plan (SWMP) shall be developed and implemented for each facility covered by this permit. A certification that the SWMP is complete must be submitted with the permit application. The SWMP shall identify potential sources of pollution (including sediment) which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility. In addition, the plan shall describe the Best Management Practices (BMPs) which will be used to reduce the pollutants in stormwater discharges from the construction site. (Note that permanent stormwater controls, such as ponds, that are used as temporary construction BMPs must be adequately covered in the SWMP.) Facilities must implement the provisions of their SWMP as a condition of this permit. The SWMP shall include the following items:

- 1. *Site Description*
- 2. *Site Map*
- 3. *Stormwater Management Controls*
- 4. *Long-term Stormwater Management*
- 5. *Inspection and Maintenance*

(See Parts I.B. and I.C of the permit for a more detailed description of SWMP requirements.) The Division has a guidance document available on preparing a SWMP. The document is included as Appendix A of the permit application, and is available on the Division's website at www.cdphe.state.co.us/vwq/PermitsUnit.

Some changes have been made to the SWMP requirements. See Section II.I of the rationale for a discussion on permittee responsibilities regarding those changes.

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

Master SWMP

Often, a large construction project will involve multiple smaller construction sites that are within a common plan of development, or multiple well pads under construction within an oil and gas well field. Pollutant sources and the types of BMPs used can be relatively consistent in such cases. A permittee could significantly streamline the SWMP development process through the use of a master SWMP. SWMP information must be developed and maintained for all construction activities that exceed one acre (or are part of a common plan of development exceeding one acre) conducted within the permitted area. By developing a single master plan, the permittee can eliminate the need to develop repetitive information in separate plans. Such a plan could include two sections, one containing a reference section with information applicable to all sites (e.g., installation details and maintenance requirements for many standard BMPs, such as silt fence and erosion blankets), and the second containing all of the information specific to each site (e.g., site BMP map, drainage plans, details for BMPs requiring site specific design, such as retention ponds).

As new activities begin, information required in the SWMP is added to the plan, and as areas become finally stabilized, the related information is removed. Records of information related to areas that have been finally stabilized that are removed from the active plan must be maintained for a period of at least three years from the date that the associated site is finally stabilized.

C. Total Maximum Daily Load (TMDL)

If the designated use of a stream or water body has been impaired by the presence of a pollutant(s), development of a Total Maximum Daily Load (TMDL) may be required. A TMDL is an estimate of allowable loading in the waterbody for the pollutant in question. Types of discharges that are or have the potential to be a significant source of the pollutant are also identified. If a TMDL has been approved for any waterbody into which the permittee discharges, and stormwater discharges associated with construction activity have been assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the Division will either:

1. Notify the permittee of the TMDL, and amend the permittee's certification to add specific BMPs and/or other requirements, as appropriate; or
2. Ensure that the TMDL is being implemented properly through alternative local requirements, such as by a municipal stormwater permit. (The only current example of this is the Cherry Creek Reservoir Control Regulation (72.0), which mandates that municipalities within the basin require specific BMPs for construction sites.)

See Part I.D.11 of the permit for further information.

D. Monitoring

Sampling and testing of stormwater for specific parameters is not required on a routine basis under this permit. However, the Division reserves the right to require sampling and testing on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent. See Part I.D.1(e) of the permit.

E. Facility Inspections

Construction sites typically must inspect their stormwater management controls at least every 14 days and within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. At sites or portions of sites where ground-disturbing construction has been completed but a vegetative cover has not been established, these inspections must occur at least once per month. (At sites where persistent snow cover conditions exist, inspections are not required during the period that melting conditions do not exist. These

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

conditions are only expected to occur at high elevations within the Colorado mountains.) For all of these inspections, records must be kept on file. Exceptions to the inspection requirements are detailed in Part I.D.6 of the permit.

F. SWMP Revisions

The permittee shall amend the SWMP whenever there is a change in design, construction, operation, or maintenance of the site, which would require the implementation of new or revised BMPs. The SWMP shall also be amended if it proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity. The timing for completion of SWMP changes is detailed in Parts I.D.5(c) and I.D.5(d) of the permit.

SWMP revisions shall be made prior to change in the field, or in accordance with Part I.D.5(d) of the permit.

G. Reporting

The inspection record shall be made available to the Division upon request. Regular submittal of an annual report is not required in this permit. See Part I.D.9 of the permit.

H. Annual Fee

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Permittees will be billed for the initial permit fee within a few weeks of permit issuance and then annually, based on a July 1 through June 30 billing cycle.

I. Responsibility for Permit

The permit certification for a site may be inactivated, once coverage is no longer needed. The certification may be transferred, if another party is assuming responsibility for the entire area covered by the certification. In addition, permit responsibility for **part** of the area covered by the certification may be reassigned to another party. These actions are summarized below. The Stormwater Program construction fact sheet explains these actions in further detail under the section on Multiple Owner/Developer Sites, and is available on the Division website at <http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/ConstFactSheet.PDF>, Section F.

1. **Inactivation Notice:** When a site has been finally stabilized in accordance with the SWMP, the permittee shall submit an **Inactivation Notice** that is signed in accordance with Part I.F.1 of the permit. A summary of the Inactivation Notice content is described in Part I.A.6 of the permit. A copy of the Inactivation Notice form will be mailed to the permittee along with the permit certification. Additional copies are available from the Division.

For sites where all areas have been removed from permit coverage, the permittee may submit an inactivation notice and terminate permit coverage. In such cases the permittee would no longer have any land covered under their permit certification, and therefore there would be no areas remaining to finally stabilize. Areas may be removed from permit coverage by:

- reassignment of permit coverage (Part I.A.8 of the permit);
- sale to homeowner(s) (Part I.A.9 of the permit); or
- amendment by the permittee, in accordance with Division guidance for areas where permit coverage has been obtained by a new operator or returned to agricultural use.

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

2. **Transfer of Permit:** When responsibility for stormwater discharges for an entire construction site changes from one individual to another, the permit shall be transferred in accordance with Part I.A.7 of the permit. The permittee shall submit a completed **Notice of Transfer form**, which is available from the Division, and at www.cdphe.state.co.us/wq/PermitsUnit. If the new responsible party will not complete the transfer form, the permit may be inactivated if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new owner or operator would be required to obtain permit coverage separately.
3. **Reassignment of Permit:** When a permittee no longer has control of a specific portion of a permitted site, and wishes to transfer coverage of that portion of the site to a second party, the permittee shall submit a completed **Notice of Reassignment of Permit Coverage form**, which is available from the Division, and at www.cdphe.state.co.us/wq/PermitsUnit. The form requires that both the existing permittee and new permittee complete their respective sections. See Part I.A.8 of the permit.

J. Duration of Permit

The general permit will expire on June 30, 2012. The permittee's authority to discharge under this permit is approved until the expiration date of the general permit. Any permittee desiring continued coverage under the general permit past the expiration date must apply for recertification under the general permit at least 90 days prior to its expiration date.

Kathleen Rosow
December 18, 2006

IX. PUBLIC NOTICE – 12/22/06

The permit was sent to public notice on December 22, 2006. A public meeting was requested, and was held on February 2, 2007. Numerous comments were received on the draft permit. Responses to those comments, and a summary of changes made to the draft permit, are in a separate document entitled "Division Response To Public Comments." The permit will be sent to a second public notice on March 23, 2007. Any changes resulting from the second public notice will be summarized in the rationale.

Kathleen Rosow
March 22, 2007

X. PUBLIC NOTICE – 3/23/07

The permit was sent to public notice for a second time on March 23, 2007. Numerous comments were received on the second draft permit. Responses to those comments, and a summary of the additional changes made to the draft permit, are contained in a separate document entitled "Division Response To Public Comments Part II". This document is part of the rationale. Any changes based on the Division response are incorporated into the rationale and permit. The response document is available online at <http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/construction.html>, or by emailing cdphe.wqstorm@state.co.us, or by calling the Division at 303-692-3517.

Kathleen Rosow
May 31, 2007

HIGHLIGHTS

CONSTRUCTION ACTIVITY STORMWATER GENERAL PERMIT

PERMIT REQUIREMENTS:

- * ***Inspections:*** Inspection of stormwater management system required at least every 14 days **and** after any precipitation or snowmelt event that causes surface erosion. (See Inspections, page 12 of the permit, enclosed.)
- * ***Records:*** Records of inspections must be kept and be available for review by the Division.
- * ***Stormwater Management Plan (SWMP):*** A copy of the SWMP must be kept on the construction site at all times.

PERMIT FEE:

- * Send payment only when you receive an invoice (sent once a year).

PERMIT TERMINATION AND TRANSFER:

- * If the facility is *finally stabilized*, you may inactivate the permit, using the enclosed Division form.
- * “*Final stabilization*” is reached when all the construction is complete, paving is finished, and the vegetation (grass, etc.) is established, ***not just reseeded***. See permit, page 9.
- * If the ***entire*** site changes ownership, you should transfer the permit to the new owner.
- * If ***part*** of the site will be sold to a new owner, you will need to reassign permit coverage.
- * Forms for these actions are available on our website, below. Also see page 5 of the permit.

QUESTIONS?

- * www.coloradowaterpermits.com
- * Email cdphe.wqstorm@state.co.us
- * Or call (303)692-3517, ask for Matt Czahor or Kathy Rosow



ADVANCING WATER

SDS S2

Water Control Plan

Garney Construction will remove and control ground water as necessary to properly accomplish the Work as specified.

OVERALL APPROACH

In areas where ground water will accumulate in the trench or excavation, Garney will maintain dewatering systems of sufficient size and capacity to permit excavation and subsequent construction in dry conditions. Ground water will be maintained a minimum of 2 feet below the lowest point of the excavations. Excavations will be maintained free of water, regardless of sources, until backfilled.

Because of the minimum amount of dewatering anticipated and existing soil conditions, dewatering will be completed by the use of sumps constructed during the excavation process. Water will be removed by placing submersible pumps in the sumps. Water will be transported by hose to an area away from the work (but within the ROW) and discharged into a sediment containment system prior to release.

Dewatering systems will be installed and operated to:

- Prevent loss of ground.
- Avoid inducing settlement or damage to facilities.
- Prevent instability of faces of excavations.
- Relieve artesian pressures which could result in uplift of excavation bottom.

PERMITS

Garney has obtained a Dewatering Permit through the Colorado Department of Public Health and Environment (CDPHE), permitting Garney to remove ground water from the work areas on the S2 site. This permit # is: COG073937.

DMRs will be completed and submitted to CDPHE as required by the permit. Copies of these documents will be submitted to Document Control for the record.



ADVANCING WATER

DEWATERING SYSTEMS

Garney will place submersible pumps in sumps at the bottom of the excavation in order to remove ground water. The water will be transported by hose to an area away from the work (but within the ROW) to be discharged into a sediment containment system prior to release.

Anticipated dewatering systems will include submersible pumps with appropriately sized generators. The exact dewatering requirements cannot be determined until the ground water is exposed in the excavation and flow rate is determined. Therefore design calculations, equipment, locations, dimensions and relationships of elements of each system cannot be determined at this time.

Garney will update this plan to include detailed dewatering equipment and flow calculations at the time each dewatering systems is installed.

SEDIMENT CONTROL

Sediment control BMPs will be installed so that no sediment will be transferred by the dewatering activities. These BMPs will include but are not limited to: Filter Rock, Straw Bales, Dewatering Bags (Sediment Bags) and or Settling Ponds.

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

December 12, 2011

Bill Williams, PM
Garney Construction
1333 NW Vivion Rd
Kansas City, MO 64118

RE: Certification, Colorado Discharge Permit System - Construction Dewatering Operations
Permit Number COG070000 Certification Number: COG073929

Dear Mr/Ms Williams;

Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.
Please read the enclosed permit and certification.

The Water Quality Control Division (the Division) has reviewed the application submitted for the S D S Siygt 2 Raw Water Pipeline facility and determined that it qualifies for coverage under the CDPS General Permit for **Construction Dewatering Operations** (the permit).

Discharge Specific Information

The defined discharges are to Dry Creek and a unnamed tributary to Dry Creek within Segment 4d of the Middle Arkansas River Sub-basin, Arkansas River Basin, found in the Classifications and Numeric Standards for the Arkansas River Basin (Regulation No. 32) (**COARMA04d**). Segment 4d is Use Protected, and is classified for the following beneficial uses: Aquatic Life, Class 2 Warm; Recreation Class E; and Agriculture.

General Information

- **Permit Action Fees:** The Annual Fee for this certification is \$500 [category 7, subcat 2 – Construction Dewatering per CRS 25-8-502] is invoiced every July. Do Not Pay This Now. The initial invoice will be **prorated** and sent to the legal contact shortly.
- **Changes to the Certification:** Any changes that need to be made to the certification page – changes in outfalls, monitoring requirements, etc., must be submitted using the "Permit and Certification Modification form" available on our website: coloradowaterpermits.com, and signed by the legal contact.
- **Sampling Requirements:** Sampling shall occur at the frequency established in the permit certification at a point after treatment, or after the implementation of any Best Management Practices (BMPs) for each discharge location (outfall). If BMPs or treatment are not implemented, sampling shall occur where the discharge leaves control of the permittee, and prior to entering the receiving stream or prior to discharge to land. Samples must be representative of what is entering the receiving stream. A minimum of one sample must be collected for discharges lasting less than one week.
- **Discharge Monitoring Reports (DMRs):** DMRs will be mailed out within the next month. DMRs for all outfalls must be submitted **monthly** as long as the certification is in effect. DMRs must be submitted for each outfall even if there was not a discharge from the outfall in given month. For each outfall where no discharge occurs in a given month, the permittee shall mark 'No Discharge' on the DMR form(s). The permittee shall provide the Division with any additional monitoring data on the permitted discharge collected for entities other than the Division. If forms have not been received, please contact the Division at 303-692-3517.

The Division now has the ability to allow facility's to submit their DMRs electronically. For more information, please call the NetDMR team at 303-691-4046 or CDPH.WQNetDMRHelp@state.co.us.

- **Termination requirements:** This certification to discharge is effective long term, even though construction and dewatering discharge are only expected to be temporary. For termination of permit coverage, the permittee must initiate this by sending the "CDPS Permits and Authorization Termination Form." This form is also available on our web site and must be signed by the legal contact.
- **Groundwater Contamination:** If groundwater contamination is encountered, then the permittee is to contact the Division, the permit writer, cease all discharges, and if appropriate, contact the owner of the collection system receiving the discharge. If the dewatering can be treated to meet surface water or groundwater numeric limitations, the certification will be amended to include sampling and monitoring for additional parameters representative of the groundwater contamination. The discharge of contaminated groundwater, above surface water or groundwater standards, is not authorized under this permit.
- **Certification Records Information:** The following information is what the Division records show for this certification. For any changes to Contacts – Legal, Local, Billing, or DMR – a "Notice of Change of Contacts form" must be submitted to the Division. This form is also available on our web site and must be signed by the legal contact.

Facility: S D S Siygt 2 Raw Water Pipeline

County: Pueblo

Industrial Activities: Installation of Pipeline

SIC Code: 1799

Other CDPS Permits for this Facility: Stormwater Discharges Associated with Construction Activity: COR03H997

Legal Contact Receives all legal documentation, pertaining to the permit certification. [including invoice; is contacted for any questions relating to the facility; and receives DMRs.]

Bill Williams, PM
Garney Construction
1333 NW Vivion Rd
Kansas City, MO 64118

Phone number: 816-509-5779
Email: bwilliams@garney.com

Facility Contact Contacted for general inquiries regarding the facility
Ryan Schulte, Proj Admin

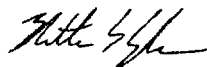
Phone number: 816-260-6562
Email: rschulte@garney.com

For answers to common questions surrounding construction dewatering, please review the Construction Dewatering FAQ available on our website at:

<http://www.cdphe.state.co.us/wq/PermitsUnit/POLICYGUIDANCEFACTSHEETS/factsheets/CDWFAQ.pdf>

If you have any other questions please contact me at 303-692-3575.

Sincerely,



Matthew Czahor, Permit Writer
WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit

xc: Regional Council of Government
Pueblo County, Local County Health Department
D.E., Technical Services Unit, WQCD
Permit File

/dkj
cdw cert 2010



Colorado Department
of Public Health
and Environment

**CERTIFICATION TO DISCHARGE
UNDER
CDPS GENERAL PERMIT COG070000
CONSTRUCTION DEWATERING OPERATIONS**

Certification Number: COG073929

This Certification to Discharge specifically authorizes:

Garney Construction
to discharge from the facility identified as

S D S Siygt 2 Raw Water Pipeline

to:

Dry Creek, unnamed tributary to Dry Creek

Facility Located at:

Spaulding Ave & Ashford Dr, Pueblo County, Pueblo, CO 81007

Facility Location

Latitude 38.364, Longitude -104.690

Defined Discharge Outfall(s) to Surface Water	Discharge Outfall(s) Description
Discharge Number 001A	The dewatering discharges to Dry Creek approximately 2,000 feet south of the intersection of Platteville Blvd. and Laramie Ln.. The estimated discharge flow rate is 200 GPM.
Discharge Number 002A	The dewatering discharges to a unnamed tributary to Dry Creek approximately 700 feet north of the intersection of East Spaulding Ave. and South Ashford Dr.. The estimated discharge flow rate is 200 GPM.

Permit Limitations and Monitoring Requirements apply to 001A and 002A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT						
pH, (Minimum-Maximum) 00400	s.u.	NA	NA	6.5-9.0	Weekly	In-situ
Total Suspended Solids, 00530	mg/l	30	45	NA	Weekly	Grab
Oil and Grease, 03582	mg/l	NA	NA	10*	Weekly	Grab*
Flow, 50050	MGD	Report	NA	Report	Weekly	Instantaneous or Continuous
Oil and Grease Visual 84066		NA	NA	NA	Weekly	Visual

* If a visible sheen is observed, a grab sample shall be collected and analyzed for oil and grease.

Certification is issued 12/9/2011

Effective 12/9/2011

Certification Expires: 11/30/2011

Administratively Extended

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,

Nathan Moore
Construction, MS4, & Pretreatment Unit Manager
Water Quality Control Division

CDPS GENERAL PERMIT
FOR CONSTRUCTION DEWATERING ACTIVITIES
AUTHORIZATION TO DISCHARGE UNDER THE
COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act (25-8-101 et. seq. CRS, 1973 as amended), and the Clean Water Act (33 U.S.C. 1251 et. seq. as amended; the "Act"), entities engaged in construction dewatering of groundwater and/or stormwater (excluding mine dewatering activities), are authorized to discharge from approved locations throughout the State of Colorado to waters of the State. Such discharges shall be in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit specifically authorizes the identified entity to discharge from their wastewater treatment facilities, at the described location, to identified waters of the state, as stated in the certification which is on page one of this permit.

The authorization to discharge under this permit is in effect from the date of certification (page one of this permit) until the expiration date identified below.

This permit becomes effective on December 1, 2006, and shall expire at midnight, **November 30, 2011**

Reissued and signed this 5th day of **June, 2008**

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Janet Kieler, Permits Section Manager
WATER QUALITY CONTROL DIVISION

Permit Action Summary:

Amendment #1 – Issued June 5, 2008, Effective August 1, 2008
Originally Issued November 01, 2006, Effective December 1, 2006

ADMINISTRATIVELY CONTINUED Effective 12-1-2011

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PART I

A. COVERAGE UNDER THIS PERMIT

1. Eligibility

In order to be eligible for authorization to discharge under the terms and conditions of this permit, the owner and/or operator of any construction dewatering operation, the water being groundwater or groundwater mixed with stormwater, that discharges to waters of the State, which can meet the conditions identified at Part I.A.3., below, must submit a complete permit application form obtained from the Water Quality Control Division ("Division"). If application applies such application shall be submitted at least thirty (30) days prior to the anticipated date of first discharge to:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Attention: Industrial Permits Unit

The application form can be obtained from the Division or from the website at www.cdphe.state.co/wq/PermitsUnit/landD070000DewateringApplication.pdf or by calling 303-692-3500. A summary of the information required in the application is provided below in Part I.A.2.

The Division shall have up to thirty (30) days after receipt of the application to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information the Division shall have an additional 30 days to issue or deny authorization for any particular discharge.

If the Division determines that the operation does not fall under the authority of the general permit, then the information received will be treated as an individual permit application.

Authorization to discharge under this general permit shall commence immediately and shall expire on **November 30, 2011**. The Division must evaluate this general permit at least once every five (5) years and must also recertify the applicant's authority to discharge under the general permit at such time. Therefore, a permittee desiring continued coverage under this general permit must re-apply by **May 1, 2011**. The Division will determine if the applicant is eligible to continue to operate under the terms of the general permit. An application for an individual permit will be required for any point source discharge not reauthorized to discharge under the reissued general permit.

2. Application Requirements

The application referenced in Part I.A.1., above, will require the following information:

- a. The name, address, and descriptive location of the operation along with an accompanying USGS map, or a map of similar quality, which shows the location of all pertinent activities and the site boundary;
- b. The name of the principal in charge of operation, address, and phone number of the owner and of the field superintendent in responsible charge;
- c. A detailed site map that identifies all discharge points, and a schematic diagram showing the general area and/or routing of the activity;
- d. The name of water(s) receiving the discharge(s) and a listing of any downstream waters into which the receiving stream flows within five miles of the point of discharge;
- e. Description of the type of activity resulting in the discharge including the anticipated duration of activity and/or the discharge, anticipated volume, and rate of discharge, and the source of water which is to be discharged;
- f. Description of any wastewater treatment system and recycle/reuse utilized;
- g. A description of the methods and equipment to be used to measure flows and to analyze for pollutants of concern in the discharge; and,
- h. Storage of petroleum or chemicals on site.
- i. Discharge cannot be shown to be capable of causing new or increased loadings of parameters cited in Colorado's 303(d) list (<http://www.cdphe.state.co.us/regulations/wqccregs/100293wqlimitedsegtmdls.pdf>) for impairment for next receiving downstream State waters;

3. Certification Requirements

The applicant must certify that the following conditions exist at the operation or the operation will not be allowed to discharge under the authority of the general permit:

- a. This permit does not constitute authorization under 33 U.S.C. 1344 (Section 404 of the Clean Water Act) of any stream dredging or filling operations;
- b. The operation does not accept for treatment and discharge, by truck, rail, or dedicated pipeline, any hazardous waste as defined at Part 261, 6 CCR 1007-3, under the Hazardous Waste Commission Regulations;
- c. The certification does not allow for a mixing zone and all limits are end of pipe.

B. TERMS AND CONDITIONS

1. Effluent Parameters

In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4,) and the Colorado Discharge Permit System Regulations, Section 61.8(2), the following limitations will be applicable to all discharges.

Parameter	Discharge Limitations Maximum Concentrations		
	30-Day Avg	7-Day Average	Daily Max.
Flow, MGD	Report	NA	Report
Total Suspended Solids, mg/l	30	45	NA
Oil and Grease, mg/l	NA	NA	10*
pH, s.u. (Minimum-Maximum)	NA	NA	6.5-9.0
Total Dissolved Solids, mg/l**	NA	NA	Report
Total Phosphorus, mg/l, as P***	NA	NA	Report
Site Specific			
Metals, ug/l****	Varies	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin.

*** Applicable only to waters with a control regulation for P.

**** Applicable on a site by site basis.

2. Site-specific Limitations

Site-specific limitations for a parameter may be added on a case-by-case basis that are equivalent to the Basic Standards and Methodologies for Surface Water, or Regulation for Effluent Limitations, or any other applicable regulation, and would be specified in the certification along with the appropriate monitoring frequencies.

3. Onetime Sampling Analysis for Metals

The Division may request a onetime sampling and analysis for specific or all inclusive metals parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

4. Onetime Sampling Analysis for Organics

The Division may request a onetime sampling and analysis for specific or all inclusive organics parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

5. Other Site-specific Permit Conditions

Specific permit conditions may be added due to Division compliance order on consent, cease and desist order, or an EPA administrative order, or similar decree promulgated by the Division or EPA.

C. MONITORING REQUIREMENTS

1. Effluent Parameters

In order to obtain an indication of compliance or non-compliance with the effluent limitations specified in Part I, Section B.1, the permittee shall normally monitor the effluent parameters at the following required frequencies, however changes to these frequencies may be made on a site specific and/or discharge specific basis, as identified in the certification on page one of this permit, the results to be reported on the Discharge Monitoring Report ("DMR") (See Part I, Section F.2.):

Effluent Parameter	Measurement Frequency	Sample Type
Flow, MGD	Weekly	Instantaneous or Continuous
Total Suspended Solids, mg/l	Weekly	Grab
Oil and Grease, mg/l	Weekly	Visual*
pH, s.u. (Minimum-Maximum)	Weekly	In-situ
Total Dissolved Solids, mg/l **	Monthly	Grab
Total Phosphorus, mg/l, as P ***	Monthly	Grab
Site Specific		
Metals, ug/l****	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin

*** Applicable only to waters with a control regulation for P.

**** Applicable on a site by site basis.

D. DEFINITIONS OF TERMS

1. "Continuous" measurement is a measurement obtained from an automatic recording device, which continually provides measurements.

2. "Daily Maximum limitation" means the limitation for this parameter shall be applied as an instantaneous maximum (or, for pH or DO, instantaneous minimum) value. The instantaneous value is defined as the analytical result of any individual sample. DMRs shall include the maximum (and/or minimum) of all instantaneous values within the calendar month. Any instantaneous value beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit.
3. "Grab" sample, is a single "dip and take" sample so as to be representative of the parameter being monitored.
4. "In-situ" measurement is defined as a single reading, observation or measurement taken in the field at the point of discharge.
5. "Instantaneous" measurement is a single reading, observation, or measurement performed on site using existing monitoring facilities.
6. "Material handling activities" include: storage, loading and unloading of any raw material, intermediate product, finished product, by-product, or waste product where such products could come in contact with precipitation.
7. "Seven (7) day average" means the arithmetic mean of all samples collected in a seven (7) consecutive day period. Such seven (7) day averages shall be calculated for all calendar weeks, which are defined as beginning on Sunday and ending on Saturday. If the calendar week overlaps two months (i.e. the Sunday is in one month and the Saturday in the following month), the seven (7) day average calculated for that calendar week shall be associated with the month that contains the Saturday. Samples may not be used for more than one (1) reporting period.
8. "Significant materials" include but are not limited to: raw materials; fuels; materials such as metallic products; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of SARA III; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
9. "Stormwater discharge associated with industrial activity" means any point source which is used for collecting and conveying stormwater, and which is located at an industrial site or directly related to manufacturing, processing or raw materials storage areas at an industrial site. The term includes, but is not limited to, stormwater discharges from drainage areas in which are located: industrial site yards; immediate access roads and rail lines; drainage ponds; material handling sites; refuse sites; sites used for the application or disposal of process waters; sites used for storage and maintenance of material handling equipment; sites that are or have been used for residual treatment, storage or disposal; dust or particulate generating processes; shipping and receiving areas; manufacturing buildings; and storage areas (including tank farms) for raw materials, and intermediate and finished products.
10. "Thirty (30) day average" means the arithmetic mean of all samples collected during a thirty (30) consecutive-day period. The permittee shall report the appropriate mean of all self-monitoring sample data collected during the calendar month on the Discharge Monitoring Reports. Samples shall not be used for more than one (1) reporting period.
11. "Visual" observation is observing the discharge to check for the presence of a visible sheen or floating oil.
12. "Water Quality Control Division" or "Division" means the state Water Quality Control Division as established in 25-8-101 et al.)

Additional relevant definitions are found in the Colorado Water Quality Control Act, CRS §§ 25-8-101 et seq., the Regulations for the State Discharge Permit System, 5 CCR 1002-2, § 6.1.0 et seq and other applicable regulations.

E. ADDITIONAL MONITORING REQUIREMENTS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by the Division.

2. Discharge Sampling Point

Discharge points shall be so designed or modified so that a sample of the effluent can be obtained at a point after the final treatment process and prior to discharge to state waters. The permittee shall provide access to the Division to sample the discharge at these points.

3. Analytical and Sampling Methods for Monitoring

The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant-monitoring methods. Analytical and sampling methods utilized by the discharger shall be approved methods as defined by Colorado Regulations for Effluent Limitations (5 CCR 1002-3, 62.5), Federal regulations (40 CFR 136) and any other applicable State or Federal regulations.

When requested in writing, the Water Quality Control Division may approve an alternative analytical procedure or any significant modification to an approved procedure.

4. Records

- a) The permittee shall establish and maintain records. Those records shall include, but not be limited to, the following:

- (i) The date, type, exact place, and time of sampling or measurements;
 - (ii) The individual(s) who performed the sampling or measurements;
 - (iii) The date(s) the analyses were performed;
 - (iv) The individual(s) who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
- b) The permittee shall retain for a minimum of three (3) years records of all monitoring information, including all original strip chart recordings for continuous monitoring instrumentation, all calibration and maintenance records, copies of all reports required by this permit and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Division.

5. Additional Monitoring by Permittee

If the permittee, using the approved analytical methods, monitors any parameter more frequently than required by this permit, then the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form or other forms as required by the Division. Such increased frequency shall also be indicated.

6. Flow Measuring Devices

Flow measuring and metering shall be provided to give representative values of throughput and treatment of the wastewater system. Unless specifically waived in the certification, the metering device shall be equipped with a local flow indication instrument and a flow indication-recording-totalization device suitable for providing permanent flow records, which should be in the plant control building.

At the request of the Director of the State Water Quality Control Division, the permittee must be able to show proof of the accuracy of any flow-measuring device used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate values within ten (10) percent of the actual flow discharging from the point source.

7. Contamination:

If groundwater contamination is encountered, then the permittee is to contact the Division and, if appropriate, the owner of the collection system receiving the discharge. Since the discharge of contaminated groundwater is not covered under this permit, the permittee shall immediately apply for a groundwater remediation certification, <http://www.cdphe.state.co.us/wq/PermitsUnit/landD/31000gasolinecleanupapplication.pdf> which will include appropriate requirements for additional discharge monitoring and on-site environmental response capabilities?

F. REPORTING

1. Signatory Requirements

All reports, applications, or information required for submittal shall be signed and certified for accuracy by the permittee in accord with the following criteria:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the operation from which the discharge described in the form originates;
- b) In the case of a partnership, by a general partner;
- c) In the case of a sole proprietorship, by the proprietor;
- d) In the case of a municipal, state, or other public operation, by either a principal executive officer, ranking elected official, or other duly authorized employee.

2. Monthly Reports

Monitoring results shall be for each calendar month and reported on the DMR forms (EPA forms 3320-1). DMR forms shall normally be submitted on a monthly basis; however the Division may determine a different frequency. The forms shall be mailed to the Division at the address listed below so that they are received by the Division no later than the 28th day of the following month. If no discharge occurs during the reporting period, "No Discharge" shall be reported.

The DMR forms shall be filled out accurately and completely in accordance with the requirements of this permit and the instructions on the forms, and shall be signed by an authorized person as identified in the preceding section, Part I.F.1.

The DMR forms consist of four pages - the top "original" copy, and three attached no-carbon-required copies. After the DMR form has been filled out and signed, the four copies must be separated and distributed as follows.

The top, original copy of each form shall be submitted to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-PE-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

The additional copies are for the permittee's records.

3. Special Notifications

a) Definitions

- (i) Bypass: The intentional diversion of waste streams from any portion of a treatment facility.
- (ii) Severe Property Damage: 1) Substantial physical damage to property at the treatment facilities to cause them to become inoperable, or 2) substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- (iii) Spill: An incident in which flows or solid materials are accidentally or unintentionally allowed to flow or escape so as to be lost from the domestic wastewater treatment works as defined in the Colorado Water Quality Control Act, which may cause pollution of state waters.
- (iv) Upset: An exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b) Noncompliance Notification

- (i) If, for any reason, the permittee does not comply with or will be unable to comply with any maximum discharge limitations, standards or conditions specified in this permit, the permittee shall, at a minimum, provide the Division and EPA with the following information:
 - (1) A description of the discharge and cause of non-compliance.
 - (2) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and
 - (3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.
- (ii) The following instances of noncompliance shall be reported orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and a written report mailed within five (5) days of the time the permittee becomes aware of the circumstances. Oral notifications should be made by calling the Environmental Release and Incident Reporting Line at 877-518-5608. Written reports should be sent to Colorado Department of Public Health and Environment, Water Quality Control Division, WQCD-District Engineer, 4300 Cherry Creek Drive South, Denver, CO 80246-1530,
 - (1) Any instance of noncompliance, which may endanger human health or the environment, regardless of the cause for the incident.
 - (2) Any unanticipated bypass, or any upset or spill, which causes any permit limitation to be violated.
 - (3) Any suspected significant discharges of toxic pollutants or hazardous substances, which are listed in Part III. of this permit, regardless of the cause for the incident.
- (iii) The permittee shall report all other instances of noncompliance, which are not required to be reported within twenty-four (24) hours, at the time DMRs are submitted, except as required in (iv) below. The reports shall contain the information listed in "Noncompliance Notification" (paragraph (i) above).
- (iv) If the permittee knows in advance of the need for a bypass, it shall submit written notification to the Division of the need for such bypass at least ten days before the date of the contemplated bypass.

c) Submission of Incorrect or Incomplete Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, it shall promptly submit such facts or information.

d) Change in Discharge or Wastewater Treatment Facility

The permittee shall inform the Division (Technical Services Unit) in writing of any intent to construct, install, or alter any process, facility, or activity that is likely to result in a new or altered discharge either in terms of location or effluent quality prior to the occurrence of the new or altered discharge, and shall furnish the Division such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream.

If the Division finds that such new or altered discharge might be inconsistent with the conditions of the permit, the Division shall require a new or revised permit application and shall follow the procedures specified in Colorado State Discharge Permit System Regulations, 5CCR 1002.2, Sections 61.5 through 61.9(2), and 61.15 prior to the effective date of the new or altered discharge.

e) **Deactivation**

The permittee shall notify the Division (Permits Section) within thirty (30) days before deactivation of the permitted operation. Deactivation includes ceasing operation of the facility, ceasing all discharges to State Waters for the remaining term of the existing permit and/or the connection to another wastewater treatment facility.

PART II

A. MANAGEMENT REQUIREMENTS AND RESPONSIBILITIES

1. Bypass

- a) The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Division notification is not required.
- b) A bypass, which causes effluent limitations to be exceeded, is prohibited, and the Division may take enforcement action against a permittee for such a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (iii) The permittee submitted notices as required in "Non-Compliance Notification," Part I.F. 3(b) (iv)

2. Upsets

a) **Effect of an Upset**

An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based (process-related) permit effluent limitations if the requirements of paragraph (b) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b) **Conditions Necessary for a Demonstration of Upset**

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- (i) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
- (ii) The permitted operation was at the time being properly operated; and
- (iii) The permittee submitted notice of the upset as required in Part I, Section C of this permit (24-hour notice).
- (iv) The permittee complied with any remedial measures required under 40 CFR 122.7(d).

c) **Burden of proof**

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

3. Reduction, Loss, or Failure of Treatment

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. Upon reduction, loss, or failure of the treatment, the permittee shall, to the extent necessary to maintain compliance with this permit, control sources of wastewater, or all discharges, or both until the treatment is restored or an alternative method of treatment is provided. This provision also applies to power failures, unless an alternative power source sufficient to operate the wastewater control facilities is provided.

In an enforcement action a permittee shall not use a defense that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

5. Minimization of Adverse Impacts

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any effluent limitations specified in this permit. As necessary, accelerated or additional monitoring of the influent or effluent will be required to determine the nature and impact of noncompliance.

6. Discharge Point

Any discharge to the waters of the State from a point source other than specifically authorized herein is prohibited.

7. Inspections and Right to Entry

The permittee shall allow the Division's Director, the EPA Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to inspect and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises in a reasonable manner and at a reasonable time to inspect and/or investigate any actual, suspected, or potential source of water pollution, or to ascertain compliance or noncompliance with any applicable state or federal statute or regulation or any order promulgated by the Division. The investigation may include, but is not limited to the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing of any persons having any knowledge related to the discharge permit or alleged violation, access to any and all facilities or areas within the permittee's premises that may have any affect on the discharge, permit, or alleged violation.
- d) The Division shall split samples taken by the Division during any investigation with the permittee if requested to do so by the permittee.

8. Duty to Provide Information

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act and the Colorado Discharge Permit System Regulations 5 CCR 1002-2, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division and the EPA's Regional Administrator.

As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act, and Section 25-8-610 C.R.S.

10. Transfer of Ownership or Control

A permit may be transferred to a new permittee only upon the completion of the following:

- a) The current permittee notifies the Division in writing 30 days in advance of the proposed transfer date;
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) Fee requirements of the Colorado Discharge Permit System Regulations (Section 61.15) have been met.

B. ADDITIONAL CONDITIONS

1. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

2. Civil and Criminal Liability

Except as provided in Part I, Section C and Part II, Section A, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance (See 40 CFR 122.60)

3. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

4. Division Emergency Power

Nothing in this permit shall be construed to prevent or limit application of any emergency power of the Division.

5. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit in any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 (Oil and Hazardous Substance Liability) of the Act, except as recognized by federal law.

7. Property Rights

The issuance of this permit does not convey any property or water rights in either real or personal property or stream flow or any exclusive privileges, nor does it authorize any injury to private property, any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.-

8. Modification, Suspension, or Revocation of Permit

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

All permit modification, termination or revocation and reissuance actions shall be subject to the requirements of the Colorado Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.8, and 61.15 except for minor modifications.

Minor modifications may only correct typographical errors, require a change in the frequency of monitoring or reporting by the permittee, change an interim date in a schedule of compliance or allow for a change in ownership or operational control of an activity including addition, deactivation or relocation of discharge points where the Division determines that no other change in the permit is necessary.

- a) This permit may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
 - (i) Violation of any terms or conditions of the permit;
 - (ii) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit; or
 - (iii) Materially false or inaccurate statements or information in the permit application of the permit; or
 - (iv) Toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.

- b) This permit may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - (i) The water quality standards applicable to such waters; or
 - (ii) Effluent limitations or other applicable requirements pursuant to the state act or federal requirements; or
- c) This permit may be modified in whole or in part to include any condition set forth in the approval of the site location for the facility per Regulations for the Site Application Process, 5 CCR 1002-22, and Sections 22.1 through 22.14.
- d) At the request of a permittee, the Division may modify or terminate this permit and issue a new permit if the following conditions are met:
 - (i) EPA's Regional Administrator has been notified of the proposed modification of termination and does not object in writing within thirty (30) days of receipt of notification;
 - (ii) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modifications or termination;
 - (iii) Fee requirements of Section 61.15 of Colorado Discharge Permit System Regulations have been met; and
 - (iv) Requirements of public notice have been met.
- e) This permit may be modified to reflect any new requirements for handling and disposal of biosolids as required by State or Federal regulations.
- f) This permit shall be modified or alternatively, revoked and reissued, to incorporate an approved Domestic Wastewater Treatment Works Pretreatment Program into the terms and conditions of this permit.
- g) If, during the term of this permit, industrial contributions to the DWTW are interfering, inhibiting or incompatible with the operation of the treatment works, then the permit may be modified to require the permittee to specify, by ordinance, contract, or other enforce- able means, the type of pollutant(s) and the maximum amount which may be discharged to the permittee's facility for treatment.

9. Permit Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least one hundred eighty (180) days before this permit expires. If the permittee anticipates there will be no discharge after the expiration date of this permit, the Division must be promptly notified so that it can terminate the permit in accordance with Part II Section B.8.

10. Confidentiality

Any information relating to any secret process, method of manufacture or production, or sales or marketing data, which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this Subsection (10) shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

11. Fees

The permittee is required to submit an annual fee as set forth in the 1983 amendments to the Water Quality Control Act, Section 25-8-502 (1) (b), and Colorado Discharge Permit System Regulations 5CCR 1002-2, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

PART III

PRIORITY POLLUTANTS AND HAZARDOUS SUBSTANCES
ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS
IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GC/MS)
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

<u>Volatiles</u>	<u>Base/Neutral</u>	<u>Acid Compounds</u>	<u>Pesticides</u>
acrolein	acenaphthene	2-chlorophenol	aldrin
acrylonitrile	acenaphthylene	2,4-dichlorophenol	alpha-BHC
benzene	anthracene	2,4-dimethylphenol	beta-BHC
bromoform	benzidine	4,6-dinitro-o-cresol	gamma-BHC
carbon tetrachloride	benzo(a)anthracene	2,4-dinitrophenol	delta-BHC
chlorobenzene	benzo(a)pyrene	2-nitrophenol	chlordane
chlorodibromomethane	3,4-benzofluoranthene	4-nitrophenol	4,4'-DDT
chloroethane	benzo(ghi)perylene	p-chloro-m-cresol	4,4'-DDE
2-chloroethylvinyl ether	benzo(k)fluoranthene	pentachlorophenol	4,4'-DDD
chloroform	bis(2-chloroethoxy)methane	phenol	dieldrin
dichlorobromomethane	bis(2-chloroethyl)ether	2,4,6-trichlorophenol	alpha-endosulfan
1,1-dichlorethane	bis(2-chloroisopropyl)ether		beta-endosulfan
1,2-dichlorethane	bis(2-ethylhexyl)phthalate		endosulfan sulfate
1,1-dichlorethylene	4-bromophenyl phenyl ether		endrin
1,2-dichloropropane	butylbenzyl phthalate		endrin aldehyde
1,3-dichloropropylene	2-chloronaphthalene		heptachlor
ethylbenzene	4-chlorophenyl phenyl ether		heptachlor epoxide
methyl bromide	chrysene		PCB-1242
methyl chloride	dibenzo(a,h)anthracene		PCB-1254
methylene chloride	1,2-dichlorobenzene		PCB-1221
1,1,2,2-tetrachloroethane	1,3-dichlorobenzene		PCB-1232
tetrachloroethylene	1,4-dichlorobenzene		PCB-1248
toluene	3,3-dichlorobenzidine		PCB-1260
1,2-trans-dichloroethylene	diethyl phthalate		PCB-1016
1,1,1-trichloroethane	dimethyl phthalate		toxaphene
1,1,2-trichloroethane	di-n-butyl phthalate		
trichloroethylene	2,4-dinitrotoluene		
vinyl chloride	2,6-dinitrotoluene		
	di-n-octyl phthalate		
	1,2-diphenylhydrazine (as azobenzene)		
	fluorene		
	fluoranthene		
	hexachlorobenzene		
	hexachlorobutadiene		
	hexachlorocyclopentadiene		
	hexachloroethane		
	indeno(1,2,3-cd)pyrene		
	isophorone		
	naphthalene		
	nitrobenzene		
	N-nitrosodimethylamine		
	N-nitrosodi-n-propylamine		
	N-nitrosodiphenylamine		
	phenanthrene		
	pyrene		
	1,2,4-trichlorobenzene		

OTHER TOXIC POLLUTANTS
(METALS AND CYANIDE) AND TOTAL PHENOLS
(SEE TABLE III, OF 40 CFR 122 APPENDIX D)

Antimony, Total
Arsenic, Total
Beryllium, Total
Cadmium, Total
Chromium, Total
Copper, Total
Lead, Total
Mercury, Total
Nickel, Total
Selenium, Total
Total Recoverable Thallium, mg/l
Silver, Total
Thallium, Total
Zinc, Total
Cyanide, Total
Phenols, Total

TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES
REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS
IF EXPECTED TO BE PRESENT
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

Toxic Pollutants

Asbestos

Hazardous Substances

Acetaldehyde

Allyl alcohol

Allyl chloride

Amyl acetate

Aniline

Benzonitrile

Benzyl chloride

Butyl acetate

Butylamine

Captan

Carbaryl

Carbofuran

Carbon disulfide

Chlorpyrifos

Coumaphos

Cresol

Crotonaldehyde

Cyclohexane

2,4-D(2,4-Dichlorophenoxy acetic acid)

Diazinon

Dicamba

Dichlobenil

Dichlone

2,2-Dichloropropionic acid

Dichlorvos

Diethyl amine

Dimethyl amine

Dinitrobenzene

Diquat

Disulfoton

Diuron

Epichlorohydrin

Ethanolamine

Ethion

Ethylene diamine

Ethylene dibromide

Formaldehyde

Furfural

Guthion

Isoprene

Isopropanolamine

Keithane

Kepone

Malathion

Mercaptodimethur

Methoxychlor

Methyl mercaptan

Methyl methacrylate

Methyl parathion

Mexacarbate

Monoethyl amine

Monomethyl amine

Naled

Napthenic acid

Nitrotoluene

Parathion

Phenolsulfonate

Phosgene

Propargite

Propylene oxide

Pyrethrins

Quinoline

Resorcinol

Strontium

Strychnine

Styrene

TDE (Tetrachlorodiphenylethane)

2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)

2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]

Trichlorofan

Triethylamine

Trimethylamine

Uranium

Vandium

Vinyl Acetate

Xylene

Xylenol

Zirconium

RATIONALE for AMENDMENT I

CDPS GENERAL PERMIT FOR CONSTRUCTION DEWATERING ACTIVITIES

CDPS NO. COG-070000, STATEWIDE COVERAGE

Update (April 2008)

This is the first amendment of the general permit for wastewater associated with construction dewatering which discharge to waters of the State.

The most significant changes in this renewal are summarized below.

- A. The ability of the Division to request a onetime sampling analysis for metals, as well as organics, has been added. The permit writer may request the additional monitoring if information about the facility indicates the potential for groundwater contamination. The Division will review the results of the requested sampling to determine if additional parameters need to be added for permit limitations and monitoring in the certification. Should contamination be detected based on the sampling results, the permittee will be required to instigate remedial activities to become compliant with all relevant stream standards for all parameters and may be required to apply for a Groundwater Remediation Permit, COG-315000. Discharge of contaminated groundwater is not covered under this permit.*
- B. The monitoring frequency of total suspended solids has been changed from monthly to weekly and the monitoring frequency of total dissolved solids from weekly to monthly.*
- C. The ability of the Division to change the monitoring frequencies of the specified effluent limitations has been added. The monitoring frequency may be changed based on site specific and/or discharge specific basis.*

*Maura McGovern
April 9, 2008*

PUBLIC NOTICE COMMENTS

No Comments were received during the Public Notice Period.

*Maura McGovern
June 5, 2008*

Amended: June 5, 2008 Effective: August 1, 2008 Expiration: November 30, 2011

STATE OF COLORADO

Bill Ritter, Jr., Governor
Martha E. Rudolph, Executive Director

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
TDD Line (303) 691-7700 (303) 692-3090
Located in Glendale, Colorado

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

Enclosed is an electronic file of pre-printed and dated Discharge Monitoring Report forms (DMRs).

If you are receiving these forms, our database has you listed as the DMR Contact. If you are no longer the person who should be receiving the DMRs, please have the legal contact (shown on the permit) send a Notice of Change of Contact form (available on our website coloradowaterpermits.com) to CDPHE-WQCD, Attn: Leslie Simpson, 4300 Cherry Creek Drive South, Denver, CO 80246 notifying us of the change.

Instructions for completing the forms follow on this page. These reporting forms are being sent to you for one of the following reasons:

- You have recently been issued a new permit, or
- Your existing permit has been administratively extended, or
- Your permit has been renewed, or
- Your existing permit has been amended or corrected.

DMRs are specific for the monitoring periods identified in your current permit. All other forms for the same outfall(s) and monitoring periods should be discarded.

It is imperative that these forms are completed accurately, completely, and legibly. All required data must be submitted; all blanks must be filled in. Please be advised that failure to submit a complete and accurate DMR may constitute a permit violation and warrant an enforcement response. In order to comply with the record retention requirements of your permit, please be sure to retain a copy of the completed DMR in your records. The original copy of each completed DMR must be received by the Division at the following address by no later than the 28th day of the month following the monitoring period.

Colorado Department of Public Health and Environment
Water Quality Control Division
Attn: WQCD-B2 - DMR Receipt
4300 Cherry Creek South Drive
Denver, CO 80246-1530

Please verify your DMRs against the limitations and monitoring requirements in your permit. Should you find any discrepancies, or if you would like use your own self generated DMR's please contact Tania Watson at (303) 692-3595.

The Water Quality Control Division is also offering to provide your DMRs in a pdf format via electronic mail. If you would like to receive future DMRs by E-mail, please send an Email to leslie.simpson@state.co.us. Please include contact name, title, phone number and the email address.

Paperwork Reduction Act Notice

Public Reporting Burden for this collection information is estimated to vary from a range of 10 hours as an average per response for some minor facilities, to 110 hours as an average per response for some major facilities, with a weighted average for major and minor facilities of 18 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to ICR Coordinator, Office of Wastewater Management (MC4201M), US Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

General Instructions

1. If form has been partially completed by preprinting, disregard instructions directed at entry of that information already preprinted.
2. Enter "*Permittee Name/Mailing Address* (and facility name/location, if different)," "*Permit Number*," and "*Discharge Number*" where indicated. (A separate form is required for each discharge.)
3. Enter dates beginning and ending "*Monitoring Period*" covered by form where indicated.
4. Enter each "*Parameter*" as specified in monitoring requirements of permit.
5. Enter "*Sample Measurement*" data for each parameter under "*Quantity*" and "*Quality*" in units specified in permit.
6. Enter "*Permit Requirement*" for each parameter under "*Quantity*" and "*Quality*" as specified in permit.
7. Under "*No Ex*" enter number of sample measurements during monitoring period that exceed maximum (and/or minimum or 7-day average as appropriate) permit requirement for each parameter. If none, enter "0".
8. Enter "*Frequency of Analysis*" both as "*Sample Measurement*" (actual sample type used during monitoring period) and as "*Permit Requirement*," specified in permit. (e.g., Enter "*Cont*," for continuous monitoring, "*1/7*" for one day per week, "*1/30*" for one day per month, "*1/90*" for one day per quarter, etc.)
9. Enter "*Sample Type*" both as "*Sample Measurement*" (actual sample type used during monitoring period) and as "*Permit Requirement*," (e.g., Enter "*Grab*" for individual sample, "*24HC*" for 24-hour composite, "*N/A*" for continuous monitoring, etc.)
10. Where violations of permit requirements are reported, attach a brief explanation to describe cause and corrective actions taken, and reference each violation by date.
11. If "no discharge" occurs during monitoring period, enter "*No Discharge*" across form in place of data entry.
12. Enter "*Name/Title of Principal Executive Officer*" with "*Signature of Principal Executive Officer of Authorized Agent*," "*Telephone Number*," and "*Date*" at bottom of form.
13. Mail signed Report to Office(s) by date(s) specified in permit. Retain copy for your records.
14. More detailed Instructions for use of this *Discharge Monitoring Report (DMR)* form may be obtained from Office(s) specified in permit.

Legal Notice

This report is required by law (33 U.S.C. 1318; 40 C.F.R. 125.27). Failure to report or failure to report truthfully can result in civil penalties not to exceed \$ 10,000 per day of violation; or in criminal penalties not to exceed \$25,000 per day of violation, or by imprisonment for not more than one year, or by both.

EPA Form 3320-1 (Rev. 1/06)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the interse
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
12/09/2011 TO 12/31/2011

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT										
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****		*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
12/09/2011 TO 12/31/2011

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	VALUE	VALUE	UNITS	VALUE	VALUE	UNITS	UNITS			
pH	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	*****	*****	*****	6.5 MINIMUM	*****	*****	SU		Weekly	INSITU
Solids, total suspended	*****	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross	*****	*****	*****	*****	30 30DA AVG	*****	mg/L		Weekly	GRAB
Oil and grease	*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	*****	*****	*****	*****	*****	*****	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	*****	*****	*****	*****	*****	*****				
50050 1 0 Effluent Gross	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED	AREA Code		NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	001-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
01/01/2012	01/31/2012

FROM TO

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	002-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
01/01/2012	01/31/2012
FROM	TO

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER	QUANTITY OR LOADING		QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	*****	Req. Mon. INST MAX	Y-1,N=0	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	<small>I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and analyze the information submitted and that this document and all attachments are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.</small>	TELEPHONE	DATE
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA Code
		MM/DD/YYYY	

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

FROM 02/01/2012 TO 02/29/2012
MONITORING PERIOD
MM/DD/YYYY

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross		*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended		*****	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross		*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease		*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross		*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant		*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross		*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual		*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross		*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED				AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part 1.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY
02/01/2012 TO 02/29/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	*****	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSITU
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here) Oil & grease - see Part I.D.11, page 6.				

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including penalties for submitting false information, including the possibility of fine and imprisonment for allowing violations).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vision Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
FROM 03/01/2012	TO 03/31/2012

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

No Discharge

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Contingent	GRAB
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Weekly	INSTAN
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE	DATE
TYPED OR PRINTED		AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	002-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
03/01/2012	03/31/2012
FROM	TO

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****			Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	MM/DD/YYYY

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system and my knowledge of the person or persons who provided the information, the information submitted is true, accurate, and complete. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	001-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
04/01/2012	04/30/2012
FROM	TO

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

ATTN: Bill Williams, PM

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT									
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****		*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY
04/01/2012 TO 04/30/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****					
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT						*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****		*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
FROM 05/01/2012	TO 05/31/2012

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	*****

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
05/01/2012 TO 05/31/2012

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here) Oil & grease - see Part I.D.11, page 6.				

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
06/01/2012 TO 06/30/2012

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross		*****	*****	*****	6.5 MINIMUM	9 MAXIMUM		SU		Weekly	INSITU
Solids, total suspended		*****	*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross		*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease		*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross		*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant											
50050 1 0 Effluent Gross		Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual		*****	*****		*****	*****	*****	*****			
84066 1 0 Effluent Gross		*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
			AREA Code	NUMBER
TYPED OR PRINTED				

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
06/01/2012 TO 06/30/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE

LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
07/01/2012 TO 07/31/2012

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	002-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
07/01/2012	07/31/2012
FROM	TO

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****			Weekly	INSITU
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****			Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
08/01/2012 TO 08/31/2012

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

No Discharge ☐

ATTN: Bill Williams, PM

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU				
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****				Weekly	INSITU
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT										
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****				INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****		*****	*****	*****				
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
08/01/2012 TO 08/31/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross		*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			
Solids, total suspended		*****	*****	*****	*****	*****			Weekly	INSITU
00530 1 0 Effluent Gross		*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease		*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross		*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant		*****	*****	*****	*****	*****				
50050 1 0 Effluent Gross		Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****			Weekly	INSTAN
Oil and grease visual		*****	*****	*****	*****	*****				
84066 1 0 Effluent Gross		*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
09/01/2012 TO 09/30/2012

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM		SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****					
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****					
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT										
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
09/01/2012 TO 09/30/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	*****	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INST/TU
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, and my review of the information submitted, I believe the information is true and accurate. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.		TELEPHONE	DATE
	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		AREA Code	NUMBER
	TYPED OR PRINTED		MM/DD/YYYY	

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

FROM 10/01/2012 TO 10/31/2012
MONITORING PERIOD
MM/DD/YYYY

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross		*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			Weekly	INSITU
Solids, total suspended		*****	*****	*****	*****	*****					
00530 1 0 Effluent Gross		*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L			Weekly	GRAB
Oil and grease		*****	*****	*****	*****	*****					
03582 1 0 Effluent Gross		*****	*****	*****	*****	10 INST MAX	mg/L			Contingent	GRAB
Flow, in conduit or thru treatment plant											
50050 1 0 Effluent Gross		Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****			Weekly	INSTAN
Oil and grease visual		*****	*****	*****	*****	*****	*****				
84066 1 0 Effluent Gross		*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
10/01/2012 TO 10/31/2012

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS	VALUE			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	*****		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	NUMBER
MM/DD/YYYY				

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
11/01/2012 TO 11/30/2012

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Contingent	GRAB
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Weekly	INSTAN
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
11/01/2012 TO 11/30/2012

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSTU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	45 MX 7D AV	mg/L	Weekly		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L	Contingent		Contingent	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		*****	

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE	DATE
		AREA Code	NUMBER
TYPED OR PRINTED		MM/DD/YYYY	

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
12/01/2012 TO 12/31/2012

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****					
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L			Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT				*****	*****	*****				
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****			Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****			Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

FROM 12/01/2012 TO 12/31/2012
MONITORING PERIOD
MM/DD/YYYY

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 10 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 10 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 10 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 10 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 10 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here) Oil & grease - see Part I.D.11, page 6.				

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system and of those persons immediately responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
01/01/2013 TO 01/31/2013

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly			INSITU
00400 1 0 Effluent Gross Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
00530 1 0 Effluent Gross Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
03582 1 0 Effluent Gross Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
50050 1 0 Effluent Gross Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	NUMBER

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
01/01/2013 TO 01/31/2013

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	*****	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSITU
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE		
					AREA Code	NUMBER
TYPED OR PRINTED						

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

FROM 02/01/2013 TO 02/28/2013
MONITORING PERIOD
MM/DD/YYYY

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	NUMBER
MM/DD/YYYY				

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	002-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
FROM 02/01/2013	TO 02/28/2013

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****		Weekly	INSITU
	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
03/01/2013	03/31/2013
FROM	TO

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Contingent	GRAB
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Weekly	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	NUMBER
				MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929	002-A
PERMIT NUMBER	DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD	
MM/DD/YYYY	MM/DD/YYYY
03/01/2013	03/31/2013
FROM	TO

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)				

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
04/01/2013 TO 04/30/2013

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge

ATTN: Bill Williams, PM

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH		*****	*****	*****	*****	*****				
00400 1 0 Effluent Gross		*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended		*****	*****	*****	*****	*****				
00530 1 0 Effluent Gross		*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease		*****	*****	*****	*****	*****				
03582 1 0 Effluent Gross		*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant										
50050 1 0 Effluent Gross		Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****		Weekly	INSTAN
Oil and grease visual		*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross		*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	NUMBER
				MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
04/01/2013 TO 04/30/2013

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here) Oil & grease - see Part 1.D.11, page 6.				

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is true, accurate, and complete. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations).

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
05/01/2013 TO 05/31/2013

PARAMETER	QUANTITY OR LOADING	QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****			
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****			
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****			
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****			
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****			

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
			AREA Code	NUMBER
TYPED OR PRINTED				

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
05/01/2013 TO 05/31/2013

Discharge to unnamed trib to Dry Creek appx 70X
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly			INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
06/01/2013 TO 06/30/2013

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge ☐

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU			Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****				
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT				*****	*****	*****	*****			
	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
06/01/2013 TO 06/30/2013

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
00530 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Contingent	GRAB
03582 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	INSTAN
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	VISUAL
50050 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
Oil and grease visual	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB
84066 1 0 Effluent Gross	SAMPLE MEASUREMENT PERMIT REQUIREMENT	*****	*****	*****	*****	*****	*****	*****		Weekly	GRAB

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Gamey Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
07/01/2013 TO 07/31/2013

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	*****	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT										
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

Form Approved
OMB No. 2040-0004

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivian Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

FROM 07/01/2013 TO 07/31/2013
MONITORING PERIOD
MM/DD/YYYY

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS	VALUE			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	*****		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED			AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to Dry Creek appx 2000' S of the inters
External Outfall

No Discharge ☐

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
08/01/2013 TO 08/31/2013

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT				*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	NUMBER
COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here) Oil & grease - see Part I.D.11, page 6.				

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge

FROM

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
08/01/2013 TO 08/31/2013

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	UNITS	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	*****		Weekly	INSITU
Solids, total suspended	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	*****	10 INST MAX	mg/L		Contingent	GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system and my review of the information submitted, I declare that the information is true and accurate to the best of my knowledge and belief, and I am not aware of any person who furnished false or misleading information. I understand that anyone who furnishes false or misleading information on this report or who omits material or information requested on the report may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties) for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE	DATE
		AREA Code	NUMBER
		MM/DD/YYYY	

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
Kansas City, MO 64118

COG073929
PERMIT NUMBER

001-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
09/01/2013 TO 09/30/2013

Discharge to Dry Creek appx 2000' S of the inter:
External Outfall

ATTN: Bill Williams, PM

No Discharge

PARAMETER		QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	*****	9 MAXIMUM	SU		Weekly	INSITU
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Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
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Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1,N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
TYPED OR PRINTED	AREA Code		NUMBER	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME: Garney Construction
ADDRESS: 1333 NW Vivion Rd
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FACILITY: S D S SOUTH 2 RAW WATER PIPELINE
LOCATION: SPAULDING AVE & ASHFORD DR
PUEBLO, CO 81007

ATTN: Bill Williams, PM

COG073929
PERMIT NUMBER

002-A
DISCHARGE NUMBER

DMR Mailing ZIP CODE: 64118
MINOR

MONITORING PERIOD
MM/DD/YYYY TO MM/DD/YYYY
09/01/2013 TO 09/30/2013

Discharge to unnamed trib to Dry Creek appx 700
External Outfall

No Discharge ☐

PARAMETER	SAMPLE MEASUREMENT PERMIT REQUIREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		VALUE	VALUE	UNITS	VALUE	VALUE	VALUE	UNITS			
pH	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
00400 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	6.5 MINIMUM	9 MAXIMUM	SU	Weekly		Weekly	INSITU
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00530 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	30 30DA AVG	45 MX 7D AV	mg/L		Weekly	GRAB
Oil and grease	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
03582 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	*****	*****	*****	10 INST MAX	mg/L	Contingent			GRAB
Flow, in conduit or thru treatment plant	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
50050 1 0 Effluent Gross	PERMIT REQUIREMENT	Req. Mon. 30DA AVG	Req. Mon. DAILY MX	Mgal/d	*****	*****	*****	*****		Weekly	INSTAN
Oil and grease visual	SAMPLE MEASUREMENT	*****	*****	*****	*****	*****	*****	*****			
84066 1 0 Effluent Gross	PERMIT REQUIREMENT	*****	Req. Mon. INST MAX	Y=1;N=0	*****	*****	*****	*****		Weekly	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		TELEPHONE	DATE
	TYPED OR PRINTED		AREA Code	MM/DD/YYYY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

Oil & grease - see Part I.D.11, page 6.



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
Southern Colorado Regulatory office
200 S. Santa Fe Avenue, Suite 301
Pueblo, Colorado 81003

November 3, 2011

REPLY TO
ATTENTION OF

Regulatory Division

SUBJECT: Action No. SPA-2011-00515-SCO, Southern Delivery System, temporary road crossing, Steel's Hollow, Pueblo, County, Colorado

Allison Mosser
Colorado Springs Utilities
P.O. Box 1103 MC940

Colorado Springs, CO 80902

Dear Ms. Mosser:

We received your e-mail dated October 28, 2011 concerning your proposed temporary access crossing over Steel's Hollow. I have assigned Action No. SPA-2011-00515-SCO to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

We have reviewed this project in accordance with Section 404 of the Clean Water Act. Under Section 404, the Corps regulates the discharge of dredged and fill material into waters of the United States (U.S.), including wetlands. We have determined that the proposed project will involve activities subject to Section 404. Therefore, a Department of the Army permit is required.

We have determined that this project is authorized by Nationwide Permit No. 33 for Temporary Access Roads. A summary of this permit and the regional conditions for Colorado are available on our website at www.spa.usace.army.mil/reg/. You are only authorized to conduct the work described in your submittal. To use this permit, you must ensure that the work complies with the terms and conditions listed in the permit.

Our review of this project also addressed its effects on threatened and endangered species

and historic properties in accordance with general conditions 17 and 18. Based on the information provided, we have determined that this project will not affect any species listed as threatened or endangered by the U.S. Fish and Wildlife Service within the permit area. We have also determined that this project will not affect historic properties listed, or eligible for listing, in the National Register of Historic Places. However, please note that you are responsible for meeting the requirements of general condition 17 on endangered species and general condition 18 on historic properties.

This verification is valid until March 18, 2012, unless the nationwide permit is modified, suspended, revoked or reissued prior to that date. The Corps will issue a public notice when the nationwide permits are reissued. If you commence or are under contract to commence the authorized activity before the date that the relevant nationwide permit(s) is modified, reissued or revoked you will have twelve (12) months from the date of the modification, reissuance, or revocation of the nationwide permits to complete the activity under the present terms and conditions of the nationwide permits. Continued confirmation that an activity complies with the terms and conditions, and any changes to the nationwide permit, is the responsibility of the permittee.

The Corps based this decision on a preliminary jurisdictional determination (JD) that there may be waters of the United States on the project site. Preliminary JDs are advisory in nature and may not be appealed. An approved JD is an official Corps determination that "waters of the U.S." and/or "navigable waters of the U.S." are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the CWA or RHA. If you wish, you may request that the USACE reevaluate this case and issue an approved JD. If you request an approved JD, you may not begin work until the approved JD, which may require coordination with the Environmental Protection Agency, is completed. Please contact me if you wish to request an approved JD for this case.

You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the nationwide permit.

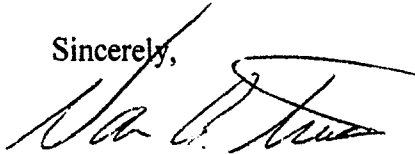
You must sign and submit to us the enclosed certification that the work, including any required mitigation, was completed in compliance with the nationwide permit. You should submit your certification within 30 days of the completion of work.

This permit is not an approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit does not authorize any injury to property or invasion of rights or any infringement of Federal, state or local laws or regulations.

You must possess the authority, including property rights, to undertake the proposed work.

If you have any questions concerning our regulatory program, please contact me at 719-543-6915 or by e-mail at Van.A.Truan@usace.army.mil. At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Van A. Truan', with a stylized flourish extending from the end.

Van Truan
Chief, Southern Colorado
Regulatory Branch

**Certification of Compliance
with Department of the Army Nationwide Permit**

Action Number: SPA-2011-00515-SCO

Name of Permittee: Allison Mosser, Colorado Springs Utilities

Nationwide Permit:

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

Van Truan
Albuquerque District, U.S. Army Corps of Engineers

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Please enclose photographs showing the completed project (if available).

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

Date Work Started _____

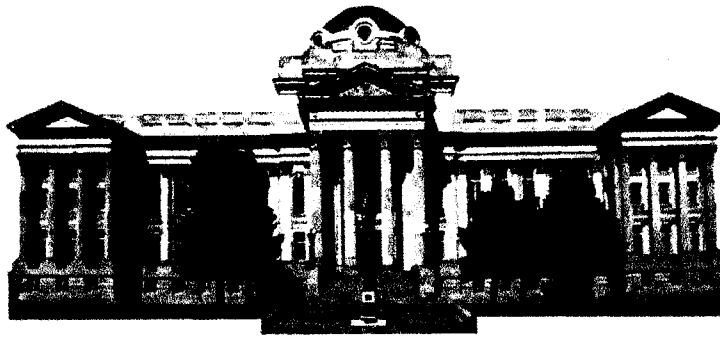
Date Work Completed _____

Date

Signature of Permittee

JOHN B. CORDOVA SR
CHAIRMAN
DISTRICT 2

ANTHONY NUÑEZ
CHAIR PRO-TEM
DISTRICT 1



J. E. CHOSTNER
DISTRICT 3

BOB SCHMIDT
County Engineer/Director of Public Works
schmidt@co.pueblo.co.us

PUEBLO COUNTY DEPARTMENT OF ENGINEERING AND PUBLIC WORKS
Engineering Division ♦ Road and Bridge Division ♦ Parks Division ♦ Recreation Division

November 7, 2011

Colorado Springs Utilities
C/O Keith A. Riley
121 South Tejon St
PO Box 1103, Mail Code 930
Colorado Springs, Colorado 80947-0930

Re: Southern Delivery System South-3

Mr. Riley,

Pueblo County Engineering has reviewed the 100% complete Plans and Specifications for the Southern Delivery System, South – 3 project, dated October 20, 2011. The 100% Plans and Specifications as submitted are approved for construction. Any revisions of the 100% plans and specifications shall conform to the basic concept of the 100% plans. Any major deviation which may affect Pueblo County infrastructure shall be submitted for review by this department prior to being implemented.

Please do not hesitate to contact me if you have any questions or concerns regarding this matter.

Cordially,

A handwritten signature in black ink, appearing to read 'Robert C. Schmidt II', is written over a horizontal line.

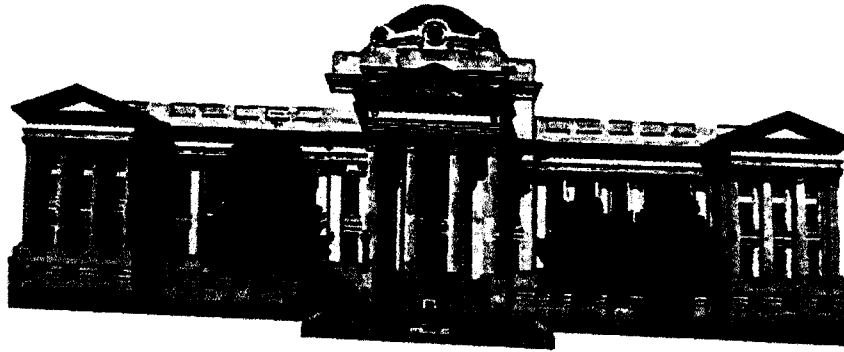
Robert C. Schmidt II
County Engineer/Director of Public Works

c: Gary Raso, Special Assistant County Attorney
Joan Armstrong, Interim Director Planning and Development
File

11-10-11A07:46 RCVD

JOHN B. CORDOVA, SR.
CHAIRMAN
DISTRICT 2

ANTHONY NUÑEZ
CHAIR PRO TEM
DISTRICT 1



J.E. CHOSTNER
COMMISSIONER
DISTRICT 3

JULIE ANN WOODS
DIRECTOR
planning@co.pueblo.co.us

DEPARTMENT OF PLANNING AND DEVELOPMENT

December 14, 2011

Mr. Paul Karam
MK1 Construction Services
4111 Factory Hill Road
San Antonio, Texas 78219

Re: PUEBLO COUNTY PLANNING COMMISSION
Special Use Permit No. 2011-012 Allowing an Onsite Concrete Batch Plant for a Duration
of 66 Working Days on a Portion of Tract No. 2, Midway Ranches Filing No. 1, Amended,
in an A-1 Zone District

Dear Mr. Karam:

Please be advised the Pueblo County Planning Commission, at its public hearing held on
December 13, 2011, voted to approve Special Use Permit No. 2011-012 with the following
conditions and Directive to Staff:

1. The Department of Planning and Development shall be provided with a copy of any and all local, State, and federal permits pertaining to Special Use Permit No. 2011-012.
2. The concrete batch plant is for 66 working days from commencement of operation following approval from Pueblo County and the necessary State Agency/Department, whichever occurs last. The applicant shall notify the Department of Planning and Development the date of operation commencement.
3. The hours of operation for the temporary concrete batch plant shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m. During emergency situations, including risks to public health and safety, work may proceed followed by notification to the Department of Planning and Development by the end of the next business day. Under extenuating circumstances (e.g., inclement weather, request from property owner, the Midway Ranches Property Owners' Association, equipment failure, or others as approved by the Department of Planning and Development), the days and time can be revised following approval by the Department of Planning and Development with no less than a 48-hour advance notification. Owners within 500 feet of the concrete batch plant shall also be given a 48-hour advance notice of working days and hours outside of Monday through Friday, 7:00 a.m. to 6:00 p.m. The 48-hour advance notification is in compliance with the 1041 No. 2008-002 Permit.
4. The use/operation of the temporary concrete batch plant shall be consistent with the description and site plan for Special Use Permit No. 2011-012, attached to the Department of Planning and Development staff's memorandum dated November 30, 2011 as Exhibits 1 and 4h.

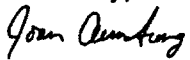
5. Upon completion of the project and removal of the portable concrete batch plant, MK 1 Construction Services, as applicant and Cynthia Surniak, as owner, shall initiate rescission of Special Use Permit No. 2011-012 with the Department of Planning and Development.

DIRECTIVE TO STAFF: The Department of Planning and Development is directed to conduct an administrative review of the property during the month of December, 2012 and to present a report to the Pueblo County Planning Commission at its December, 2012 meeting. If the use is not established and/or the property is not in full compliance with the Pueblo County Code and/or all of the conditions of approval, the Commission may, at its discretion, direct staff to schedule the permit for a public hearing at the January, 2013 meeting. The Commission, at its discretion, may also direct staff to conduct an administrative review and/or schedule the permit for public hearing at an earlier date, if deemed necessary. **THIS DIRECTIVE TO STAFF IS NOT INTENDED AS A CONDITION OF APPROVAL.**

If you disagree with the decision of the Planning Commission on the Special Use Permit you may, upon the specific terms and conditions set forth in the Pueblo County Code, Title 17, Chapter 17.140, Sections 17.140.100 through 105, appeal the decision to the Board of County Commissioners. The request for an appeal must be filed within ten days of the decision of the Planning Commission. The decision on whether or not to hear the appeal lies within the sole discretion of the Board of County Commissioners.

If you should have any questions, please do not hesitate to contact this Department at (719) 583-6100.

Sincerely,


Joan Armstrong
Senior Planner

LRS

- c: Cynthia Surniak
Bruce Spott, Superintendent, Reynolds, Inc.
Stephanie Smeltzer, Project Coordinator, Reynolds, Inc.
Kevin Binkley, Permitting and Compliance Specialist, Southern Delivery System, Colorado Springs Utilities
Keith Riley, SDS Permitting, Land, Risk, and Administration Manager, Southern Delivery System, Colorado Springs Utilities
John Fredell, Program Director, Southern Delivery System, Colorado Springs Utilities
Allison Mosser, Southern Delivery System, Colorado Springs Utilities
Tickler File

STATE OF COLORADO

John W. Hickenlooper, Governor
 Christopher E. Urbina, MD, MPH
 Executive Director and Chief Medical Officer

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

4300 Cherry Creek Dr. S. Laboratory Services Division
 Denver, Colorado 80246-1530 8100 Lowry Blvd.
 Phone (303) 692-2000 Denver, Colorado 80230-6928
 Located in Glendale, Colorado (303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
 of Public Health
 and Environment

October 18, 2011

Kurt Sittner, PM
 Reynolds Inc
 1775 E 69 Ave
 Denver, CO 80229

RE: Certification, Colorado Discharge Permit System
Permit No., COR030000, Certification Number: COR031299

Dear Mr./Ms. Sittner;

The Water Quality Control Division (the Division) has reviewed the application submitted for the **Southern Delivery Raw Water Pipeline S3** facility and determined that it qualifies for coverage under the CDPS General Permit for Stormwater Discharges Associated with Construction Activities (the permit). Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.

Facility: Southern Delivery Raw Water Pipeline S3

Pueblo County

Construction Activities: Highway/Road Development,

Legal Contact (*receives all legal documentation pertaining to the permit certification*):

Kurt Sittner, PM
 Reynolds Inc
 1775 E 69 Ave
 Denver, CO 80229

Phone number: 303-287-7700
 Email: ksittner@reynoldsinc.com

Facility Contact (*contacted for general inquiries regarding the facility*):

Bruce Spott, Supt

Phone number: 303-886-3023
 Email: bspott@reynoldsinc.com

Billing Contact (*receives the invoice pertaining to the permit certification*):

Kurt Sittner, PM
 Reynolds Inc
 1775 E 69 Ave
 Denver, CO 80229

Phone number: 303-287-7700
 Email: ksittner@reynoldsinc.com

Any changes to the contacts listed above must be provided to the Division on a Change of Contact form. This form is available on the Division's website at coloradowaterpermits.com.

The Annual Fee for this certification is \$245.00, and is invoiced every July. Do Not Pay This Now. The initial prorated invoice will be sent to the legal contact shortly.

Please read the enclosed permit and certification. If you have any questions please contact Matt Czahor, Environmental Protection Specialist, at (303) 692-3575.

Sincerely,

Debbie Jessop, Program Assistant
 WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit; Highlight Sheet; Termination form

xc: Regional Council of Government
 Pueblo County, Local County Health Department
 D.E., Technical Services Unit, WQCD
 Permit File

/dkj cert

STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
TELEPHONE: (303) 692-3500



**CERTIFICATION TO DISCHARGE
UNDER
CDPS GENERAL PERMIT COR-0300000
STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES**

Certification Number: **COR03I299**

This Certification to Discharge specifically authorizes:

Reynolds Inc

to discharge stormwater from the facility identified as

Southern Delivery Raw Water Pipeline S3

to:

Fountain Creek - Arkansas River

Construction Activities : Highway/Road Development,

Facility Located at: Young Hallow Rd & Antelope Rd, Pueblo, Pueblo County, CO 81008
Latitude: 38/29/25.52, Longitude: -104/41/17.70

Certification is effective: 10/18/2011

Certification Expires: 6/30/2012

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,

Nathan Moore
Construction/MS4/Pretreatment Unit Manager
Water Quality Control Division

HIGHLIGHTS

RECEIVED OCT 26 2011

CONSTRUCTION ACTIVITY STORMWATER GENERAL PERMIT

PERMIT REQUIREMENTS:

- * ***Inspections:*** Inspection of stormwater management system required at least every 14 days **and** after any precipitation or snowmelt event that causes surface erosion. (See Inspections, page 12 of the permit, enclosed.)
- * ***Records:*** Records of inspections must be kept and be available for review by the Division.
- * ***Stormwater Management Plan (SWMP):*** A copy of the SWMP must be kept on the construction site at all times.

PERMIT FEE:

- * Send payment only when you receive an invoice (sent once a year).

PERMIT TERMINATION AND TRANSFER:

- * If the facility is *finally stabilized*, you may inactivate the permit, using the enclosed Division form.
- * “*Final stabilization*” is reached when all the construction is complete, paving is finished, and the vegetation (grass, etc.) is established, ***not just reseeded***. See permit, page 9.
- * If the ***entire*** site changes ownership, you should transfer the permit to the new owner.
- * If ***part*** of the site will be sold to a new owner, you will need to reassign permit coverage.
- * Forms for these actions are available on our website, below. Also see page 5 of the permit.

QUESTIONS?

- * www.coloradowaterpermits.com
- * Email cdphe.wqstorm@state.co.us
- * Or call (303)692-3517, ask for Matt Czahor or Kathy Rosow

STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

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

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

Colorado Water Quality Control Division Notice of Termination **Construction Stormwater Inactivation Notice**

www.coloradowaterpermits.com

Print or type all information. All items must be filled out completely and correctly. If the form is not complete, it will be returned. All permit terminations dates are effective on the date approved by the Division.

MAIL ORIGINAL FORM WITH INK SIGNATURES TO THE FOLLOWING ADDRESS:

**Colorado Dept of Public Health and Environment
Water Quality Control Division
4300 Cherry Creek Dr South, WQCD-P-B2
Denver, CO 80246-1530**

FAXED OR EMAILED FORMS WILL NOT BE ACCEPTED.

- **PART A. IDENTIFICATION OF PERMIT** Please write the permit certification number to be terminated

Permit Certification Number (four digits, not "0000"): **COR03** _ _ _ _

- **PART B. PERMITTEE INFORMATION**

Company Name _____

Mailing Address _____

City _____ State _____ Zip code _____

Legal Contact Name _____ Phone number _____

Title _____ Email _____

- **PART C. FACILITY/PROJECT INFORMATION**

Facility/Project Name _____

Location (address) _____

City _____ County _____ Zip code _____

Local Contact Name _____ Phone number _____

Title _____ Email _____

• **PART D. TERMINATION VALIDATION CRITERIA**

One of the criteria (1 or 2) below must be met, the appropriate box checked, and the required additional information provided. Part E includes a certification that the criteria indicated has been met.

1: Finally Stabilized or Construction Not Started - The permitted activities covered under the certification listed in Part A meet the requirements for **FINAL STABILIZATION in accordance with the permit, the Stormwater Management Plan, and as described below**. This criterion should also be selected if construction was never started and no land was disturbed, and an explanation of this condition provided in the description below.

Final stabilization is reached when: all ground surface disturbing activities at the site have been completed including removal of all temporary erosion and sediment control measure, and uniform vegetative cover has been established with an individual plant density of at least 70 percent of predisturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

REQUIRED for Criteria 1 - Describe the methods used to meet the final stabilization c described above:

Include an attachment if additional space is required.

-OR-

2: Separate Permit Coverage or Full Reassignment - All ongoing construction activities, including all disturbed areas, covered under the permit certification listed in Part A have coverage under a separate CDPS stormwater construction permit, including the permit certification issued when Division's Reassignment Form was used by the permittee to reassign all areas/activities.

REQUIRED for Criteria 2 – Provide the permit certification number covering the ongoing activities:

COR03 _ _ _ _

STOP!

One of the two criteria above **MUST BE CHECKED** and the required information for that criterion provided, or this form will not be processed and the permit will remain active.

• **PART E. CERTIFICATION SIGNATURE (Required for all Termination Requests)**

I understand that by submitting this notice of inactivation, I am no longer authorized to discharge stormwater associated with construction activity by the general permit. I understand that discharging pollutants in stormwater associated with construction activities to the waters of the State of Colorado, where such discharges are not authorized by a CDPS permit, is unlawful under the Colorado Water Quality Control Act and the Clean Water Act.

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. (See 18 U.S.C 1001 and 33 U.S.C. 1319.)

I also certify that I am a duly authorized representative of the permittee named in Part B.

Signature of Legally Responsible Party

Date Signed

Name (printed)

Title

Signatory requirements: This form shall be signed, dated, and certified for accuracy by the permittee in accordance with the following criteria:

1. In the case of a corporation, by a principal executive officer of at least the level of vice-president, or his or her duly authorized representative, if such representative is responsible for the overall operation of the operation from which the discharge described herein originates;
2. In the case of a partnership, by a general partner;
3. In the case of a sole proprietorship, by the proprietor;
4. In the case of a municipal, state, or other public operation, by wither a principal executive officer, ranking elected official, or other duly authorized employee.

CDPS GENERAL PERMIT
STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITY
AUTHORIZATION TO DISCHARGE UNDER THE
COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), this permit authorizes the discharge of stormwater associated with construction activities (and specific allowable non-stormwater discharges in accordance with Part I.D.3 of the permit) certified under this permit, from those locations specified throughout the State of Colorado to specified waters of the State. Such discharges shall be in accordance with the conditions of this permit.

This permit specifically authorizes the facility listed on page 1 of this permit to discharge, as of this date, in accordance with permit requirements and conditions set forth in Parts I and II hereof. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

This permit and the authorization to discharge shall expire at midnight, **June 30, 2012.**

Issued and Signed this 31st day of May, 2007

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Janet S. Kieler
Permits Section Manager
Water Quality Control Division

SIGNED AND ISSUED MAY 31, 2007

EFFECTIVE JULY 1, 2007

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PART I

A. COVERAGE UNDER THIS PERMIT

1. **Authority to Discharge**

Under this permit, facilities are granted authorization to discharge stormwater associated with construction activities into waters of the state of Colorado. This permit also authorizes the discharge of specific allowable non-stormwater discharges, in accordance with Part I.D.3 of the permit, which includes discharges to the ground. This includes stormwater discharges from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site (i.e., borrow or fill areas). This permit also authorizes stormwater discharges from dedicated asphalt batch plants and dedicated concrete batch plants. (Coverage under the construction site permit is not required for batch plants if they have alternate CDPS permit coverage.) This permit does not authorize the discharge of mine water or process water from such areas.

- a) **Applicable Sections:** In accordance with Part I.A.3 of this permit, some parts of this permit do not apply to sites covered under a Qualifying Local Program, as defined in I.A.2.d. For sites not covered by a Qualifying Local Program, all parts of the permit apply except Part I.A.3. The permittee will be responsible for determining and then complying with the applicable sections.
- b) **Oil and Gas Construction:** Stormwater discharges associated with construction activities directly related to oil and gas exploration, production, processing, and treatment operations or transmission facilities are regulated under the Colorado Discharge Permit System Regulations (5CCR 1002-61), and require coverage under this permit in accordance with that regulation. However, references in this permit to specific authority under the Federal Clean Water Act (CWA) do not apply to stormwater discharges associated with these oil and gas related construction activities, to the extent that the references are limited by the federal Energy Policy Act of 2005.

2. **Definitions**

- a) **Stormwater:** Stormwater is precipitation-induced surface runoff.
- b) **Construction activity:** Construction activity refers to ground surface disturbing activities, which include, but are not limited to, clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Construction does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility.
- c) **Small construction activity:** Stormwater discharge associated with small construction activity means the discharge of stormwater from construction activities that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale, if the larger common plan will ultimately disturb equal to or greater than one and less than five acres.
- d) **Qualifying Local Program:** This permit includes conditions that incorporate qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division.

Other Definitions: Definitions of additional terms can be found in Part I.E. of this permit.

3. **Permit Coverage Without Application – for small construction activities under a Qualifying Local Program only**

If a small construction site is within the jurisdiction of a Qualifying Local Program, the operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit without the submittal of an application to the Division.

- a) **Applicable Sections:** For sites covered by a Qualifying Local Program, only Parts 1.A.1, 1.A.2, 1.A.3, I.D.1, I.D.2, I.D.3, I.D.4, I.D.7, I.D.8, I.D.11, I.E and Part II of this permit, with the exception of Parts II.A.1, II.B.3, II.B.8, and II.B10, apply.

A. COVERAGE UNDER THIS PERMIT (cont.)

- b) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.
- c) **Permit Coverage Termination:** When a site under a Qualifying Local Program has been finally stabilized, coverage under this permit is automatically terminated.
- d) **Compliance with Qualifying Local Program:** A construction site operator that has authorization to discharge under this permit under Part I.A.3 shall comply with the requirements of the Qualifying Local Program with jurisdiction over the site.
- e) **Full Permit Applicability:** The Division may require any operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit. The operator must be notified in writing that an application for full coverage is required. When a permit certification under this permit is issued to an operator that would otherwise be covered under Part I.A.3 of this permit, the full requirements of this permit replace the requirements as per Part I.A.3 of this permit, upon the effective date of the permit certification. A site brought under the full requirements of this permit must still comply with local stormwater management requirements, policies or guidelines as required by Part I.D.1.g of this permit.

4. **Application, Due Dates**

- a) **Application Due Dates:** At least **ten calendar days** prior to the commencement of construction activities, the applicant shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete.

One original completed discharge permit application shall be submitted, by mail or hand delivery, to:

Colorado Department of Public Health and Environment
Water Quality Control Division
WQCD-Permits-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

- b) **Summary of Application:** The application requires, at a minimum, the following:
 - 1) The applicant's company name; address; telephone number; and email address (if available); whether the applicant is the owner, developer, or contractor; and local contact information;
 - 2) Project name, address, county and location of the construction site, including the latitude and longitude to the nearest 15 seconds of the approximate center of the construction activity;
 - 3) Legal description or map of the construction site;
 - 4) Estimates of: the total area of the site, the area of the site that is expected to be disturbed, and the total area of the larger common plan of development or sale to undergo disturbance;
 - 5) The nature of the construction activity;
 - 6) The anticipated start date and final stabilization date for the project;
 - 7) The name of the receiving water(s), or the municipal separate storm sewer system and the ultimate (i.e., named) receiving water(s);
 - 8) Certification that the SWMP for the construction site is complete (see Part I.C. below); and
 - 9) The signature of the applicant, signed in accordance with Part I.F.1 of this permit.

5. **Permit Certification Procedures**

If this general permit is appropriate for the applicant's operation, then a certification will be developed and the applicant will be authorized to discharge stormwater under this general permit.

- a) **Request for Additional Information:** The Division shall have up to **ten calendar days** after receipt of the above information to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information, the Division shall have an additional **ten calendar days** to issue or deny authorization for the particular discharge. (Notification of denial shall be by letter, in cases where coverage under an alternate general permit or an individual permit is required, instead of coverage under this permit.)

A. COVERAGE UNDER THIS PERMIT (cont.)

- b) **Automatic Coverage:** If the applicant does not receive a request for additional information or a notification of denial from the Division dated within ten calendar days of receipt of the application by the Division, authorization to discharge in accordance with the conditions of this permit shall be deemed granted.
- c) **Individual Permit Required:** If, after evaluation of the application (or additional information, such as the SWMP), it is found that this general permit is not appropriate for the operation, then the application will be processed as one for an individual permit. The applicant will be notified of the Division's decision to deny certification under this general permit. For an individual permit, additional information may be requested, and 180 days may be required to process the application and issue the permit. At the Division's discretion, temporary coverage under this general permit may be allowed until the individual permit goes into effect.
- d) **General vs. Individual Permit Coverage:** Any permittee authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual CDPS permit. The permittee shall submit an individual application, with reasons supporting the request, to the Division at least 180 days prior to any discharge.
- e) **Local Agency Authority:** This permit does not pre-empt or supersede the authority of local agencies to prohibit, restrict, or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

6. **Inactivation Notice**

When a site has been finally stabilized in accordance with the SWMP, the permittee must submit an **Inactivation Notice** form that is signed in accordance with Part I.F.1. of this permit. The Inactivation Notice form is available from the Division and includes:

- a) Permit certification number;
- b) The permittee's name, address, telephone number;
- c) Name, location, and county for the construction site for which the inactivation notice is being submitted; and
- d) Certification that the site has been finally stabilized, and a description of the final stabilization method(s).

7. **Transfer of Permit**

When responsibility for stormwater discharges at a construction site changes from one entity to another, the permittee shall submit a completed **Notice of Transfer and Acceptance of Terms** form that is signed in accordance with Part I.F.1. of this permit. The Notice of Transfer form is available from the Division and includes:

- a) Permit certification number;
- b) Name, location, and county for the construction site for which the Notice of Transfer is being submitted;
- c) Identifying information for the new permittee;
- d) Identifying information for the current permittee; and
- e) Effective date of transfer.

If the new responsible party will not complete the transfer form, the permit may be inactivated upon written request to the Division and completion of the Inactivation Notice if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new owner or operator would be required to obtain permit coverage separately.

8. **Reassignment of Permit**

When a permittee no longer has control of a specific portion of a permitted site, and wishes to transfer coverage of that portion of the site to a second party, the permittee shall submit a completed **Notice of Reassignment of Permit Coverage** form that is signed in accordance with Part I.F.1. of this permit. The Notice of Reassignment of Permit Coverage form is available from the Division and includes:

- a) Current permit certification number;
- b) Identifying information and certification as required by Part I.A.4.b for the new permittee;
- c) Identifying information for the current permittee, revised site information and certification for reassignment; and
- d) Effective date of reassignment.

A. COVERAGE UNDER THIS PERMIT (cont.)

If the new responsible party will not complete the reassignment form, the applicable portion of the permitted site may be removed from permit coverage upon written request to the Division if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the portion of the site. In this case, the new owner or operator would be required to obtain permit coverage separately.

9. **Sale of Residence to Homeowners**

For residential construction only, when a residential lot **has been conveyed to a homeowner** and all criteria in paragraphs a through e, below, are met, coverage under this permit is no longer required and the conveyed lot may be removed from coverage under the permittee's certification. At such time, the permittee is no longer responsible for meeting the terms and conditions of this permit for the conveyed lot, including the requirement to transfer or reassign permit coverage. The permittee remains responsible for inactivation of the original certification.

- a) The lot has been sold to the homeowner(s) for private residential use;
- b) the lot is less than one acre of disturbed area;
- c) all construction activity conducted by the permittee on the lot is completed;
- d) a certificate of occupancy (or equivalent) has been awarded to the home owner; and
- e) the SWMP has been amended to indicate the lot is no longer covered by permit.

Lots not meeting all of the above criteria require continued permit coverage. However, this permit coverage may be transferred (Part I.A.7, above) or reassigned (Part I.A.8, above) to a new owner or operator.

10. **Permit Expiration Date**

Authorization to discharge under this general permit shall expire on June 30, 2012. The Division must evaluate and reissue this general permit at least once every five years and must recertify the permittee's authority to discharge under the general permit at such time. Therefore, a permittee desiring continued coverage under the general permit must reapply by March 31, 2012. The Division will initiate the renewal process; however, it is ultimately the permittee's responsibility to ensure that the renewal is submitted. The Division will determine if the permittee may continue to operate under the terms of the general permit. An individual permit may be required for any facility not reauthorized to discharge under the reissued general permit.

11. **Individual Permit Criteria**

Various criteria can be used in evaluating whether or not an individual (or alternate general) permit is required instead of this general permit. This information may come from the application, SWMP, or additional information as requested by the Division, and includes, but is not limited to, the following:

- a) the quality of the receiving waters (i.e., the presence of downstream drinking water intakes or a high quality fishery, or for preservation of high quality water);
- b) the size of the construction site;
- c) evidence of noncompliance under a previous permit for the operation;
- d) the use of chemicals within the stormwater system; or
- e) discharges of pollutants of concern to waters for which there is an established Total Maximum Daily Load (TMDL).

In addition, an individual permit may be required when the Division has shown or has reason to suspect that the stormwater discharge may contribute to a violation of a water quality standard.

B. STORMWATER MANAGEMENT PLAN (SWMP) – **GENERAL REQUIREMENTS**

- 1. A SWMP shall be developed for each facility covered by this permit. The SWMP shall be prepared in accordance with good engineering, hydrologic and pollution control practices. (The SWMP need not be prepared by a registered engineer.)

B. STORMWATER MANAGEMENT PLAN (SWMP) – **GENERAL REQUIREMENTS** (cont.)

2. The SWMP shall:
 - a) Identify all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility;
 - b) Describe the practices to be used to reduce the pollutants in stormwater discharges associated with construction activity at the facility; and ensure the practices are selected and described in accordance with good engineering practices, including the installation, implementation and maintenance requirements; and
 - c) Be properly prepared, and updated in accordance with Part I.D.5.c, to ensure compliance with the terms and conditions of this permit.
3. Facilities must implement the provisions of the SWMP as written and updated, from commencement of construction activity until final stabilization is complete, as a condition of this permit. The Division reserves the right to review the SWMP, and to require the permittee to develop and implement additional measures to prevent and control pollution as needed.
4. The SWMP may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans under section 311 of the CWA, or Best Management Practices (BMPs) Programs otherwise required by a separate CDPS permit, and may incorporate any part of such plans into the SWMP by reference, provided that the relevant sections of such plans are available as part of the SWMP consistent with Part I.D.5.b.
5. For any sites with permit coverage before June 30, 2007, the permittee's SWMP must meet the new SWMP requirements as summarized in Section II.I of the rationale. Any needed changes must be made by **October 1, 2007**.

C. STORMWATER MANAGEMENT PLAN (SWMP) – **CONTENTS**

The SWMP shall include the following items, at a minimum.

1. **Site Description.** The SWMP shall clearly describe the construction activity, to include:
 - a) The nature of the construction activity at the site.
 - b) The proposed sequence for major activities.
 - c) Estimates of the total area of the site, and the area and location expected to be disturbed by clearing, excavation, grading, or other construction activities.
 - d) A summary of any existing data used in the development of the site construction plans or SWMP that describe the soil or existing potential for soil erosion.
 - e) A description of the existing vegetation at the site and an estimate of the percent vegetative ground cover.
 - f) The location and description of all potential pollution sources, including ground surface disturbing activities (see Part I.A.2.b), vehicle fueling, storage of fertilizers or chemicals, etc.
 - g) The location and description of any anticipated allowable sources of non-stormwater discharge at the site, e.g., uncontaminated springs, landscape irrigation return flow, construction dewatering, and concrete washout.
 - h) The name of the receiving water(s) and the size, type and location of any outfall(s). If the stormwater discharge is to a municipal separate storm sewer system, the name of that system, the location of the storm sewer discharge, and the ultimate receiving water(s).
2. **Site Map.** The SWMP shall include a legible site map(s), showing the entire site, identifying:
 - a) construction site boundaries;
 - b) all areas of ground surface disturbance;
 - c) areas of cut and fill;
 - d) areas used for storage of building materials, equipment, soil, or waste;
 - e) locations of dedicated asphalt or concrete batch plants;
 - f) locations of all structural BMPs;
 - g) locations of non-structural BMPs as applicable; and
 - h) locations of springs, streams, wetlands and other surface waters.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

3. **Stormwater Management Controls.**

The SWMP must include a description of all stormwater management controls that will be implemented as part of the construction activity to control pollutants in stormwater discharges. The appropriateness and priorities of stormwater management controls in the SWMP shall reflect the potential pollutant sources identified at the facility.

The description of stormwater management controls shall address the following components, at a minimum:

- a) **SWMP Administrator** - The SWMP shall identify a specific individual(s), position or title who is responsible for developing, implementing, maintaining, and revising the SWMP. The activities and responsibilities of the administrator shall address all aspects of the facility's SWMP.
- b) **Identification of Potential Pollutant Sources** - All potential pollutant sources, including materials and activities, at a site must be evaluated for the potential to contribute pollutants to stormwater discharges. The SWMP shall identify and describe those sources determined to have the potential to contribute pollutants to stormwater discharges, and the sources must be controlled through BMP selection and implementation, as required in paragraph (c), below.

At a minimum, each of the following sources and activities shall be evaluated for the potential to contribute pollutants to stormwater discharges, and identified in the SWMP if found to have such potential:

- 1) all disturbed and stored soils;
 - 2) vehicle tracking of sediments;
 - 3) management of contaminated soils;
 - 4) loading and unloading operations;
 - 5) outdoor storage activities (building materials, fertilizers, chemicals, etc.);
 - 6) vehicle and equipment maintenance and fueling;
 - 7) significant dust or particulate generating processes;
 - 8) routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, oils, etc.;
 - 9) on-site waste management practices (waste piles, liquid wastes, dumpsters, etc.);
 - 10) concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment;
 - 11) dedicated asphalt and concrete batch plants;
 - 12) non-industrial waste sources such as worker trash and portable toilets; and
 - 13) other areas or procedures where potential spills can occur.
- c) **Best Management Practices (BMPs) for Stormwater Pollution Prevention** - The SWMP shall identify and describe appropriate BMPs, including, but not limited to, those required by paragraphs 1 through 8 below, that will be implemented at the facility to reduce the potential of the sources identified in Part I.C.3.b to contribute pollutants to stormwater discharges. The SWMP shall clearly describe the installation and implementation specifications for each BMP identified in the SWMP to ensure proper implementation, operation and maintenance of the BMP.
 - 1) **Structural Practices for Erosion and Sediment Control.** The SWMP shall clearly describe and locate all structural practices implemented at the site to minimize erosion and sediment transport. Practices may include, but are not limited to: straw bales, wattles/sediment control logs, silt fences, earth dikes, drainage swales, sediment traps, subsurface drains, pipe slope drains, inlet protection, outlet protection, gabions, and temporary or permanent sediment basins.
 - 2) **Non-Structural Practices for Erosion and Sediment Control.** The SWMP shall clearly describe and locate, as applicable, all non-structural practices implemented at the site to minimize erosion and sediment transport. Description must include interim and permanent stabilization practices, and site-specific scheduling for implementation of the practices. The SWMP should include practices to ensure that existing vegetation is preserved where possible. Non-structural practices may include, but are not limited to: temporary vegetation, permanent vegetation, mulching, geotextiles, sod stabilization, slope roughening, vegetative buffer strips, protection of trees, and preservation of mature vegetation.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

- 3) Phased BMP Implementation. The SWMP shall clearly describe the relationship between the phases of construction, and the implementation and maintenance of both structural and non-structural stormwater management controls. The SWMP must identify the stormwater management controls to be implemented during the project phases, which can include, but are not limited to, clearing and grubbing; road construction; utility and infrastructure installation; vertical construction; final grading; and final stabilization.
- 4) Materials Handling and Spill Prevention. The SWMP shall clearly describe and locate all practices implemented at the site to minimize impacts from procedures or significant materials (see definitions at Part I.E.) that could contribute pollutants to runoff. Such procedures or significant materials could include: exposed storage of building materials; paints and solvents; fertilizers or chemicals; waste material; and equipment maintenance or fueling procedures.

Areas or procedures where potential spills can occur must have spill prevention and response procedures identified in the SWMP.

- 5) Dedicated Concrete or Asphalt Batch Plants. The SWMP shall clearly describe and locate all practices implemented at the site to control stormwater pollution from dedicated concrete batch plants or dedicated asphalt batch plants covered by this certification.
- 6) Vehicle Tracking Control. The SWMP shall clearly describe and locate all practices implemented at the site to control potential sediment discharges from vehicle tracking. Practices must be implemented for all areas of potential vehicle tracking, and can include: minimizing site access; street sweeping or scraping; tracking pads; graveled parking areas; requiring that vehicles stay on paved areas on-site; wash racks; contractor education; and/or sediment control BMPs, etc.
- 7) Waste Management and Disposal, Including Concrete Washout.
 - i) The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from all construction site wastes (liquid and solid), including concrete washout activities.
 - ii) The practices used for concrete washout must ensure that these activities do not result in the contribution of pollutants associated with the washing activity to stormwater runoff.
 - iii) Part I.D.3.c of the permit authorizes the conditional discharge of concrete washout water to the ground. The SWMP shall clearly describe and locate the practices to be used that will ensure that no washout water from concrete washout activities is discharged from the site as surface runoff or to surface waters.
- 8) Groundwater and Stormwater Dewatering.
 - i) The SWMP shall clearly describe and locate the practices implemented at the site to control stormwater pollution from the dewatering of groundwater or stormwater from excavations, wells, etc.
 - ii) Part I.D.3.d of the permit authorizes the conditional discharge of construction dewatering to the ground. For any construction dewatering of groundwater not authorized under a separate CDPS discharge permit, the SWMP shall clearly describe and locate the practices to be used that will ensure that no groundwater from construction dewatering is discharged from the site as surface runoff or to surface waters.

4. Final Stabilization and Long-term Stormwater Management

- a) The SWMP shall clearly describe the practices used to achieve final stabilization of all disturbed areas at the site, and any planned practices to control pollutants in stormwater discharges that will occur after construction operations have been completed at the site.
- b) Final stabilization practices for obtaining a vegetative cover should include, as appropriate: seed mix selection and application methods; soil preparation and amendments; soil stabilization practices (e.g., crimped straw, hydro mulch or rolled erosion control products); and appropriate sediment control BMPs as needed until final stabilization is achieved; etc.

C. STORMWATER MANAGEMENT PLAN (SWMP) – CONTENTS (cont.)

- c) Final stabilization is reached when all ground surface disturbing activities at the site have been completed, and uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

The Division may, after consultation with the permittee and upon good cause, amend the final stabilization criteria in this section for specific operations.

5. **Inspection and Maintenance**

Part I.D.6 of the permit includes requirements for site inspections. Part I.D.7 of the permit includes requirements for BMP maintenance. The SWMP shall clearly describe the inspection and maintenance procedures implemented at the site to maintain all erosion and sediment control practices and other protective practices identified in the SWMP, in good and effective operating condition.

D. TERMS AND CONDITIONS

1. **General Limitations**

The following limitations shall apply to all discharges covered by this permit:

- a) Stormwater discharges from construction activities shall not cause, have the reasonable potential to cause, or measurably contribute to an exceedance of any water quality standard, including narrative standards for water quality.
- b) Concrete washout water shall not be discharged to state surface waters or to storm sewer systems. On-site permanent disposal of concrete washout waste is not authorized by this permit. Discharge to the ground of concrete washout waste that will subsequently be disposed of off-site is authorized by this permit. See Part I.D.3.c of the permit.
- c) Bulk storage structures for petroleum products and any other chemicals shall have secondary containment or equivalent adequate protection so as to contain all spills and prevent any spilled material from entering State waters.
- d) No chemicals are to be added to the discharge unless permission for the use of a specific chemical is granted by the Division. In granting the use of such chemicals, special conditions and monitoring may be addressed by separate correspondence.
- e) The Division reserves the right to require sampling and testing, on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent. Such monitoring may include Whole Effluent Toxicity testing.
- f) All site wastes must be properly managed to prevent potential pollution of State waters. This permit does not authorize on-site waste disposal.
- g) All dischargers must comply with the lawful requirements of federal agencies, municipalities, counties, drainage districts and other local agencies regarding any discharges of stormwater to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal stormwater management programs developed to comply with CDPS permits. Dischargers must comply with local stormwater management requirements, policies or guidelines including erosion and sediment control.

2. **BMP Implementation and Design Standards**

Facilities must select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. BMPs implemented at the site must be adequately designed to provide control for all potential pollutant sources associated with construction activity to prevent pollution or degradation of State waters.

D. TERMS AND CONDITIONS (cont.)

3. **Prohibition of Non-Stormwater Discharges**

- a) Except as provided in paragraphs b, c, and d below, **all discharges covered by this permit shall be composed entirely of stormwater associated with construction activity.** Discharges of material other than stormwater must be addressed in a separate CDPS permit issued for that discharge.
- b) Discharges from the following sources that are combined with stormwater discharges associated with construction activity may be authorized by this permit, provided that the non-stormwater component of the discharge is identified in the SWMP (see Part I.C.1.g of this permit):
 - emergency fire fighting activities
 - landscape irrigation return flow
 - uncontaminated springs
- c) Discharges to the ground of concrete washout water from washing of tools and concrete mixer chutes may be authorized by this permit, provided that:
 - 1) the source is identified in the SWMP;
 - 2) BMPs are included in the SWMP in accordance with Part I.C.3(c)(7) and to prevent pollution of groundwater in violation of Part I.D.1.a; and
 - 3) these discharges do not leave the site as surface runoff or to surface waters
- d) Discharges to the ground of water from construction dewatering activities may be authorized by this permit, provided that:
 - 1) the source is groundwater and/or groundwater combined with stormwater that does not contain pollutants in concentrations exceeding the State groundwater standards in Regulations 5 CCR 1002-41 and 42;
 - 2) the source is identified in the SWMP;
 - 3) BMPs are included in the SWMP, as required by Part I.C.3(c)(8); and
 - 4) these discharges do not leave the site as surface runoff or to surface waters.

Discharges to the ground from construction dewatering activities that do not meet the above criteria must be covered under a separate CDPS discharge permit. Contaminated groundwater requiring coverage under a separate CDPS discharge permit may include groundwater contaminated with pollutants from a landfill, mining activity, industrial pollutant plume, underground storage tank, or other source.

4. **Releases in Excess of Reportable Quantities**

This permit does not relieve the permittee of the reporting requirements of 40 CFR 110, 40 CFR 117 or 40 CFR 302. Any discharge of hazardous material must be handled in accordance with the Division's Noncompliance Notification Requirements (see Part II.A.3 of the permit).

5. **SWMP Requirements**

- a) **SWMP Preparation and Implementation:** The SWMP shall be prepared prior to applying for coverage under the general permit, and certification of its completion submitted with the application. The SWMP shall be implemented prior to commencement of construction activities. The plan shall be updated as appropriate (see paragraph c, below), below). SWMP provisions shall be implemented until expiration or inactivation of permit coverage.
- b) **SWMP Retention Requirements:** A copy of the SWMP must be retained on site unless another location, specified by the permittee, is approved by the Division.
- c) **SWMP Review/Changes:** The permittee shall amend the SWMP:
 - 1) when there is a change in design, construction, operation, or maintenance of the site, which would require the implementation of new or revised BMPs; or
 - 2) if the SWMP proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity; or

D. TERMS AND CONDITIONS (cont.)

- 3) when BMPs are no longer necessary and are removed.

SWMP changes shall be made prior to changes in the site conditions, except as allowed for in paragraph d, below. SWMP revisions may include, but are not limited to: potential pollutant source identification; selection of appropriate BMPs for site conditions; BMP maintenance procedures; and interim and final stabilization practices. The SWMP changes may include a schedule for further BMP design and implementation, provided that, if any interim BMPs are needed to comply with the permit, they are also included in the SWMP and implemented during the interim period.

- d) **Responsive SWMP Changes:** SWMP changes addressing BMP installation and/or implementation are often required to be made in response to changing conditions, or when current BMPs are determined ineffective. The majority of SWMP revisions to address these changes can be made immediately with quick in-the-field revisions to the SWMP. In the less common scenario where more complex development of materials to modify the SWMP is necessary, SWMP revisions shall be made in accordance with the following requirements:
 - 1) the SWMP shall be revised as soon as practicable, but in no case more than 72 hours after the change(s) in BMP installation and/or implementation occur at the site, and
 - 2) a notation must be included in the SWMP prior to the site change(s) that includes the time and date of the change(s) in the field, an identification of the BMP(s) removed or added, and the location(s) of those BMP(s).

6. **Inspections**

Site inspections must be conducted in accordance with the following requirements and minimum schedules. The required minimum inspection schedules do not reduce or eliminate the permittee's responsibility to implement and maintain BMPs in good and effective operational condition, and in accordance with the SWMP, which could require more frequent inspections.

- a) **Minimum Inspection Schedule:** The permittee shall, at a minimum, make a thorough inspection, in accordance with the requirements in I.D.6.b below, at least once every 14 calendar days. Also, post-storm event inspections must be conducted within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. Provided the timing is appropriate, the post-storm inspections may be used to fulfill the 14-day routine inspection requirement. A more frequent inspection schedule than the minimum inspections described may be necessary, to ensure that BMPs continue to operate as needed to comply with the permit. The following conditional modifications to this Minimum Inspection Schedule are allowed:
 - 1) **Post-Storm Event Inspections at Temporarily Idle Sites** – If no construction activities will occur following a storm event, post-storm event inspections shall be conducted prior to re-commencing construction activities, but no later than 72 hours following the storm event. The occurrence of any such delayed inspection must be documented in the inspection record. Routine inspections still must be conducted at least every 14 calendar days.
 - 2) **Inspections at Completed Sites/Areas** – For sites or portions of sites that meet the following criteria, but final stabilization has not been achieved due to a vegetative cover that has not become established, the permittee shall make a thorough inspection of their stormwater management system at least once every month, and post-storm event inspections are not required. This reduced inspection schedule is *only* allowed if:
 - i) all construction activities that will result in surface ground disturbance are completed;
 - ii) all activities required for final stabilization, in accordance with the SWMP, have been completed, with the exception of the application of seed that has not occurred due to seasonal conditions or the necessity for additional seed application to augment previous efforts; and
 - iii) the SWMP has been amended to indicate those areas that will be inspected in accordance with the reduced schedule allowed for in this paragraph.

D. TERMS AND CONDITIONS (cont.)

- 3) **Winter Conditions Inspections Exclusion** – Inspections are not required at sites where construction activities are temporarily halted, snow cover exists over the entire site for an extended period, and melting conditions posing a risk of surface erosion do not exist. This exception is applicable only during the period where melting conditions do not exist, and applies to the routine 14-day and monthly inspections, as well as the post-storm-event inspections. The following information must be documented in the inspection record for use of this exclusion: dates when snow cover occurred, date when construction activities ceased, and date melting conditions began. Inspections, as described above, are required at all other times.

When site conditions make the schedule required in this section impractical, the permittee may petition the Division to grant an alternate inspection schedule.

b) **Inspection Requirements**

- 1) **Inspection Scope** - The construction site perimeter, all disturbed areas, material and/or waste storage areas that are exposed to precipitation, discharge locations, and locations where vehicles access the site shall be inspected for evidence of, or the potential for, pollutants leaving the construction site boundaries, entering the stormwater drainage system, or discharging to state waters. All erosion and sediment control practices identified in the SWMP shall be evaluated to ensure that they are maintained and operating correctly.
- 2) **Inspection Report/Records** - The permittee shall keep a record of inspections. Inspection reports must identify any incidents of non-compliance with the terms and conditions of this permit. Inspection records must be retained for three years from expiration or inactivation of permit coverage. At a minimum, the inspection report must include:
- i) The inspection date;
 - ii) Name(s) and title(s) of personnel making the inspection;
 - iii) Location(s) of discharges of sediment or other pollutants from the site;
 - iv) Location(s) of BMPs that need to be maintained;
 - v) Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
 - vi) Location(s) where additional BMPs are needed that were not in place at the time of inspection;
 - vii) Deviations from the minimum inspection schedule as provided in Part I.D.6.a above;
 - viii) Description of corrective action for items iii, iv, v, and vi, above, dates corrective action(s) taken, and measures taken to prevent future violations, including requisite changes to the SWMP, as necessary; and
 - viii) After adequate corrective action(s) has been taken, or where a report does not identify any incidents requiring corrective action, the report shall contain a signed statement indicating the site is in compliance with the permit to the best of the signer's knowledge and belief.
- c) **Required Actions Following Site Inspections** – Where site inspections note the need for BMP maintenance activities, BMPs must be maintained in accordance with the SWMP and Part I.D.7 of the permit. Repair, replacement, or installation of new BMPs determined necessary during site inspections to address ineffective or inadequate BMPs must be conducted in accordance with Part I.D.8 of the permit. SWMP updates required as a result of deficiencies in the SWMP noted during site inspections shall be made in accordance with Part I.D.5.c of the permit.

7. **BMP Maintenance**

All erosion and sediment control practices and other protective measures identified in the SWMP must be maintained in effective operating condition. Proper selection and installation of BMPs and implementation of comprehensive Inspection and Maintenance procedures, in accordance with the SWMP, should be adequate to meet this condition. BMPs that are not adequately maintained in accordance with good engineering, hydrologic and pollution control practices, including removal of collected sediment outside the acceptable tolerances of the BMPs, are considered to be no longer operating effectively and must be addressed in accordance with Part I.D.8, below. A specific timeline for implementing maintenance procedures is not included in this permit because BMP maintenance is expected to be proactive, not responsive. Observations resulting in BMP maintenance activities can be made during a site inspection, or during general observations of site conditions.

D. TERMS AND CONDITIONS (cont.)

8. **Replacement and Failed BMPs**

Adequate site assessment must be performed as part of comprehensive Inspection and Maintenance procedures, to assess the adequacy of BMPs at the site, and the necessity of changes to those BMPs to ensure continued effective performance. Where site assessment results in the determination that new or replacement BMPs are necessary, the BMPs must be installed to ensure on-going implementation of BMPs as per Part I.D.2.

Where BMPs have failed, resulting in noncompliance with Part I.D.2, they must be addressed as soon as possible, immediately in most cases, to minimize the discharge of pollutants.

When new BMPs are installed or BMPs are replaced, the SWMP must be updated in accordance with Part I.D.5(c).

9. **Reporting**

No scheduled reporting requirements are included in this permit; however, the Division reserves the right to request that a copy of the inspection reports be submitted.

10. **SWMP Availability**

A copy of the SWMP shall be provided upon request to the Division, EPA, or any local agency in charge of approving sediment and erosion plans, grading plans or stormwater management plans, and within the time frame specified in the request. If the SWMP is required to be submitted to any of these entities, it must include a signed certification in accordance with Part I.F.1 of the permit, certifying that the SWMP is complete and meets all permit requirements.

All SWMPs required under this permit are considered reports that shall be available to the public under Section 308(b) of the CWA and Section 61.5(4) of the Colorado Discharge Permit System Regulations. The permittee shall make plans available to members of the public upon request. However, the permittee may claim any portion of a SWMP as confidential in accordance with 40 CFR Part 2.

11. **Total Maximum Daily Load (TMDL)**

If a TMDL has been approved for any waterbody into which the permittee discharges, and stormwater discharges associated with construction activity have been assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the Division will either:

- a) Ensure that the WLA is being implemented properly through alternative local requirements, such as by a municipal stormwater permit; or
- b) Notify the permittee of the WLA, and amend the permittee's certification to add specific BMPs and/or other requirements, as appropriate. The permittee may be required to do the following:
 - 1) Under the permittee's SWMP, implement specific management practices based on requirements of the WLA, and evaluate whether the requirements are being met through implementation of existing stormwater BMPs or if additional BMPs are necessary. Document the calculations or other evidence that show that the requirements are expected to be met; and
 - 2) If the evaluation shows that additional or modified BMPs are necessary, describe the type and schedule for the BMP additions/revisions.

Discharge monitoring may also be required. The permittee may maintain coverage under the general permit provided they comply with the applicable requirements outlined above. The Division reserves the right to require individual or alternate general permit coverage.

E. ADDITIONAL DEFINITIONS

For the purposes of this permit:

1. **Best Management Practices (BMPs):** schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, pollution prevention, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from material storage.
2. **Dedicated asphalt plants and concrete plants:** portable asphalt plants and concrete plants that are located on or adjacent to a construction site and that provide materials only to that specific construction site.
3. **Final stabilization:** when all ground surface disturbing activities at the site have been completed, and uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. For purposes of this permit, establishment of a vegetative cover capable of providing erosion control equivalent to pre-existing conditions at the site will be considered final stabilization.
4. **Municipal separate storm sewer system:** a conveyance or system of conveyances (including: roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), owned or operated by a State, city, town, county, district, or other public body (created by state law), having jurisdiction over disposal of sewage, industrial waste, stormwater, or other wastes; designed or used for collecting or conveying stormwater.
5. **Operator:** the entity that has day-to-day supervision and control of activities occurring at the construction site. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. It is anticipated that at different phases of a construction project, different types of parties may satisfy the definition of 'operator' and that the permit may be transferred as the roles change.
6. **Outfall:** a point source at the point where stormwater leaves the construction site and discharges to a receiving water or a stormwater collection system.
7. **Part of a larger common plan of development or sale:** a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules.
8. **Point source:** any discernible, confined and discrete conveyance from which pollutants are or may be discharged. Point source discharges of stormwater result from structures which increase the imperviousness of the ground which acts to collect runoff, with runoff being conveyed along the resulting drainage or grading pattern.
9. **Pollutant:** dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, or any industrial, municipal or agricultural waste.
10. **Process water:** any water which, during manufacturing or processing, comes into contact with or results from the production of any raw material, intermediate product, finished product, by product or waste product. This definition includes mine drainage.
11. **Receiving Water:** any classified stream segment (including tributaries) in the State of Colorado into which stormwater related to construction activities discharges. This definition includes all water courses, even if they are usually dry, such as borrow ditches, arroyos, and other unnamed waterways.
12. **Significant Materials** include, but are not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
13. **Stormwater:** precipitation-induced surface runoff.

F. GENERAL REQUIREMENTS

1. **Signatory Requirements**

- a) All reports required for submittal shall be signed and certified for accuracy by the permittee in accordance with the following criteria:
 - 1) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates;
 - 2) In the case of a partnership, by a general partner;
 - 3) In the case of a sole proprietorship, by the proprietor;
 - 4) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates.
- b) **Changes to authorization.** If an authorization under paragraph a) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph a) of this section must be submitted to the Division, prior to or together with any reports, information, or applications to be signed by an authorized representative.
- c) **Certification.** Any person signing a document under paragraph a) of this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

2. **Retention of Records**

- a) The permittee shall retain copies of the SWMP and all reports required by this permit and records of all data used to complete the application to be covered by this permit, for three years after expiration or inactivation of permit coverage.
- b) The permittee shall retain a copy of the SWMP required by this permit at the construction site from the date of project initiation to the date of expiration or inactivation of permit coverage, unless another location, specified by the permittee, is approved by the Division.

3. **Monitoring**

The Division reserves the right to require sampling and testing, on a case-by-case basis (see Part I.D.1.e), for example to implement the provisions of a TMDL (see Part I.D.11 of the permit). Reporting procedures for any monitoring data collected will be included in the notification by the Division of monitoring requirements.

If monitoring is required, the following definitions apply:

- a) The **thirty (30) day average** shall be determined by the arithmetic mean of all samples collected during a thirty (30) consecutive-day period.
- b) A **grab** sample, for monitoring requirements, is a single “dip and take” sample.

PART II

A. MANAGEMENT REQUIREMENTS

1. Amending a Permit Certification

The permittee shall inform the Division (Permits Section) in writing of changes to the information provided in the permit application, including the legal contact, the project legal description or map originally submitted with the application, or the planned total disturbed acreage. The permittee shall furnish the Division with any plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream. If applicable, this notification may be accomplished through submittal of an application for a CDPS process water permit authorizing the discharge. The SWMP shall be updated and implemented prior to the changes (see Part I.D.5.c).

Any discharge to the waters of the State from a point source other than specifically authorized by this permit or a different CDPS permit is prohibited.

2. Special Notifications - Definitions

- a) **Spill:** An unintentional release of solid or liquid material which may cause pollution of state waters.
- b) **Upset:** An exceptional incident in which there is unintentional and temporary noncompliance with permit discharge limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

3. Noncompliance Notification

- a) The permittee shall report the following instances of noncompliance:
 - 1) Any noncompliance which may endanger health or the environment;
 - 2) Any spill or discharge of hazardous substances or oil which may cause pollution of the waters of the state.
 - 3) Any discharge of stormwater which may cause an exceedance of a water quality standard.
- b) For all instances of noncompliance based on environmental hazards and chemical spills and releases, all needed information must be provided orally to the Colorado Department of Public Health and Environment spill reporting line (24-hour number for environmental hazards and chemical spills and releases: 1-877-518-5608) within 24 hours from the time the permittee becomes aware of the circumstances.

For all other instances of noncompliance as defined in this section, all needed information must be provided orally to the Water Quality Control Division within 24 hours from the time the permittee becomes aware of the circumstances.

For all instances of noncompliance identified here, a written submission shall also be provided within 5 calendar days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of:

- 1) The noncompliance and its cause;
- 2) The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue;
- 3) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

A. MANAGEMENT REQUIREMENTS (cont.)

4. **Submission of Incorrect or Incomplete Information**

Where the permittee failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, or relevant new information becomes available, the permittee shall promptly submit the relevant application information which was not submitted or any additional information needed to correct any erroneous information previously submitted.

5. **Bypass**

- a) A bypass, which causes effluent limitations (i.e., requirements to implement BMPs in accordance with Parts I.B.3 and I.D.2 of the permit) to be exceeded is prohibited, and the Division may take enforcement action against a permittee for such a bypass, unless:
 - 1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - 2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities (e.g., alternative BMPs), retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment (e.g., implemented additional BMPs) to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - 3) The permittee submitted notices as required in "Non-Compliance Notification," Part II.A.3.

6. **Upsets**

- a) **Effect of an Upset:** An upset constitutes an affirmative defense to an action brought for noncompliance with permit limitations and requirements if the requirements of paragraph b of this section are met. (No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.)
- b) **Conditions Necessary for a Demonstration of Upset:** A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:
 - 1) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
 - 2) The permitted facility was at the time being properly operated;
 - 3) The permittee submitted notice of the upset as required in Part II.A.3. of this permit (24-hour notice); and
 - 4) The permittee complied with any remedial measures required under 40 CFR Section 122.41(d) of the federal regulations or Section 61.8(3)(h) of the Colorado Discharge Permit System Regulations.
- c) **Burden of Proof:** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

7. **Removed Substances**

Solids, sludges, or other pollutants removed in the course of treatment or control of discharges shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

8. **Minimization of Adverse Impact**

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any terms and conditions specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

A. **MANAGEMENT REQUIREMENTS (cont.)**

9. **Reduction, Loss, or Failure of Stormwater Controls**

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the permit requirements. Upon reduction, loss, or failure of any stormwater controls, the permittee shall, to the extent necessary to maintain compliance with its permit, control production, or remove all pollutant sources from exposure to stormwater, or both, until the stormwater controls are restored or an alternative method of treatment/control is provided.

It shall not be a defense for a permittee in an enforcement action that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

10. **Proper Operation and Maintenance**

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

B. **RESPONSIBILITIES**

1. **Inspections and Right to Entry**

The permittee shall allow the Director of the State Water Quality Control Division, the EPA Regional Administrator, and/or their authorized representative(s), upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises to investigate, within reason, any actual, suspected, or potential source of water pollution, or any violation of the Colorado Water Quality Control Act. The investigation may include, but is not limited to, the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing permittee staff on alleged violations and other matters related to the permit, and access to any and all facilities or areas within the permittee's premises that may have any effect on the discharge, permit, or any alleged violation.

2. **Duty to Provide Information**

The permittee shall furnish to the Division, within the time frame specified by the Division, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or inactivating coverage under this permit, or to determine compliance with this permit. The permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

3. **Transfer of Ownership or Control**

Certification under this permit may be transferred to a new permittee if:

- a) The current permittee notifies the Division in writing when the transfer is desired as outlined in Part I.A.7; and
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) The current permittee has met all fee requirements of the Colorado Discharge Permit System Regulations, Section 61.15.

B. RESPONSIBILITIES (cont.)

4. **Modification, Suspension, or Revocation of Permit By Division**

All permit modification, inactivation or revocation and reissuance actions shall be subject to the requirements of the Colorado Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.7 and 61.15, 5 C.C.R. 1002-61, except for minor modifications.

- a) This permit, and/or certification under this permit, may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
 - 1) Violation of any terms or conditions of the permit;
 - 2) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit;
 - 3) Materially false or inaccurate statements or information in the application for the permit;
 - 4) Promulgation of toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307 of the Clean Water Act, where such a toxic pollutant is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.
- b) This permit, and/or certification under this permit, may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - 1) Promulgation of Water Quality Standards applicable to waters affected by the permitted discharge; or
 - 2) Effluent limitations or other requirements applicable pursuant to the State Act or federal requirements; or
 - 3) Control regulations promulgated; or
 - 4) Other available information indicates a potential for violation of adopted Water Quality Standards or stream classifications.
- c) This permit, or certification under this permit, may be modified in whole or in part to include new effluent limitations and other appropriate permit conditions where data submitted pursuant to Part I indicate that such effluent limitations and permit conditions are necessary to ensure compliance with applicable water quality standards and protection of classified uses.
- d) At the request of the permittee, the Division may modify or inactivate certification under this permit if the following conditions are met:
 - 1) In the case of inactivation, the permittee notifies the Division of its intent to inactivate the certification, and certifies that the site has been finally stabilized;
 - 2) In the case of inactivation, the permittee has ceased any and all discharges to state waters and demonstrates to the Division there is no probability of further uncontrolled discharge(s) which may affect waters of the State.
 - 3) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modification, amendment or inactivation;
 - 4) Fee requirements of Section 61.15 of the Colorado Discharge Permit System Regulations have been met; and
 - 5) Applicable requirements of public notice have been met.

For small construction sites covered by a Qualifying Local Program, coverage under this permit is automatically terminated when a site has been finally stabilized.

B. RESPONSIBILITIES (cont.)

5. **Permit Violations**

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit.

Dischargers of stormwater associated with industrial activity, as defined in the EPA Stormwater Regulation (40 CFR 122.26(b)(14) and Section 61.3(2) of the Colorado Discharge Permit System Regulations, which do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101, as amended. Failure to comply with CDPS permit requirements will also constitute a violation.

6. **Legal Responsibilities**

The issuance of this permit does not convey any property or water rights in either real or personal property, or stream flows, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority granted by Section 510 of the Clean Water Act.

7. **Severability**

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

8. **Renewal Application**

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least ninety (90) days before this permit expires. If the permittee anticipates that there will be no discharge after the expiration date of this permit, the Division should be promptly notified so that it can inactivate the certification in accordance with Part II.B.4.d.

9. **Confidentiality**

Except for data determined to be confidential under Section 308 of the Federal Clean Water Act and Colorado Discharge Permit System Regulations, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division. The permittee must state what is confidential at the time of submittal.

Any information relating to any secret process, method of manufacture or production, or sales or marketing data which has been declared confidential by the permittee, and which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the Commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this section shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

10. **Fees**

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

B. RESPONSIBILITIES (cont.)

11. **Requiring an Individual CDPS Permit**

The Director may require the permittee to apply for and obtain an individual or alternate general CDPS permit if:

- a) The discharger is not in compliance with the conditions of this general permit;
- b) Conditions or standards have changed so that the discharge no longer qualifies for a general permit; or
- c) Data/information become available which indicate water quality standards may be violated.

The permittee must be notified in writing that an application for an individual or alternate general CDPS permit is required. When an individual or alternate general CDPS permit is issued to an operator otherwise covered under this general permit, the applicability of this general permit to that operator is automatically inactivated upon the effective date of the individual or alternate general CDPS permit.

RATIONALE

STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY

GENERAL PERMIT IN COLORADO THIRD RENEWAL COLORADO DISCHARGE PERMIT NUMBER COR-030000

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I. INTRODUCTION

This permit is for the regulation of stormwater runoff from construction activities, and specific allowable non-stormwater discharges in accordance with Part I.D.3 of the permit. The term "construction activity" includes ground surface disturbing activities, including, but not limited to, clearing, grading, excavation, demolition, installation of new or improved haul and access roads, staging areas, stockpiling of fill materials, and borrow areas. "Stormwater" is precipitation-induced surface runoff. This rationale will explain the background of the Stormwater program, activities which are covered under this permit, how to apply for coverage under this permit, and the requirements of this permit.

The forms discussed in the rationale and permit are available on the Water Quality Control Division's website at: www.cdphe.state.co.us/wq/PermitsUnit

II. CHANGES IN THIS GENERAL PERMIT

Several notable changes from the previous General Permit for Construction Activities have been incorporated into this permit. Significant changes are listed below. Numerous other minor changes were made for clarification purposes only.

A. Authority to Discharge

This section has been restructured to list all of the types of activities covered by this permit, and to be consistent with the definition of "construction activity." The definition of construction activity has been expanded to provide clarification. See Part I.A.1 of the permit.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

B. Authority to Discharge – Oil and Gas Construction

This section has been added, to take into account a regulatory change. The federal Energy Policy Act of 2005 exempts nearly all oil and gas construction activities from federal requirements under the Clean Water Act's NPDES stormwater discharge permit program. In January 2006, the Colorado Water Quality Control Commission held a hearing to determine what effects, if any, the change in federal law would have upon Colorado's stormwater regulations. The Commission determined that oil and gas construction sites in Colorado that disturb one or more acres are still required to be covered under Colorado's stormwater permitting regulations (Colorado Discharge Permit System (CDPS) regulations (5CCR 1002-61)). In practice, oil and gas construction sites have the same requirements under this permit as do other types of construction. However, this permit contains some references to the federal Clean Water Act; generally these references are not applicable to oil and gas construction sites to the extent that the references are limited by the federal Energy Policy Act of 2005. See Part I.A.1(b) of the permit.

C. Application Requirements

The permit application requirements have changed slightly, including the addition of an email address, if available. See Part I.A.4(b).

The applicant must be either the owner and/or operator of the construction site. An operator at a construction site that is not covered by a certification held by an appropriate entity may be held liable for operating without the necessary permit coverage.

D. Temporary Coverage

Part I.A.5(d) of the previous permit (effective July 1, 2002) dealt with temporarily covering a facility under the general permit even if an individual permit is more appropriate. This permit section essentially duplicated the previous section (see Part I.A.5(c)), and so it has been deleted.

E. Reassignment of Permit Coverage

Procedures have been added to clarify the requirements for the transfer of coverage of specific portions of a permitted site to a second party. See Section VIII.I.3 of the rationale and Part I.A.8 of the permit.

F. Individual Permit Criteria

This section has been modified to include situations involving a Total Maximum Daily Load (TMDL). See Part I.A.11 of the permit.

G. Stormwater Management Plan (SWMP)

The Stormwater Management Plan section has been divided into two parts: Stormwater Management Plan (SWMP) – General Requirements, which provides the basic framework and general requirements for the SWMP, and Stormwater Management Plan (SWMP) – Contents, which specifically identifies each item that must be addressed in the SWMP. See Parts I.B and I.C of the permit.

H. Stormwater Management Plan (SWMP) – General Requirements

The SWMP General Requirements section has been modified to require that the SWMP be updated in accordance with Parts I.D.5(c) and I.D.5(d) of the permit (SWMP Review/Changes). This additional requirement ensures that the SWMP provisions reflect current site conditions. See Part I.B.2(c) of the permit.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

I. Stormwater Management Plan (SWMP) – Contents

The SWMP Contents section has been modified. Some of the changes are limited to organization of information, which does not require modification of an existing permittee's current SWMP. Most of the SWMP changes involve either clarifications, reformatting, or taking recommendations from the Division's SWMP guide and making them permit requirements (e.g., vehicle tracking controls, BMP installation specifications). If an **existing permittee (i.e., those with permit coverage before June 30, 2007)** followed the recommendations in the SWMP guide (Appendix A of the permit application), then their SWMP will presumably meet the new requirements. However, for any existing permittees who did not follow the applicable SWMP guide recommendations, their SWMP must be amended to include the new required items:

- SWMP Administrator
- Identification of potential pollutant sources
- Best Management Practices descriptions and installation specifications, including dedicated concrete or asphalt batch plants; vehicle tracking control; and waste management and disposal (including concrete washout activities).

For existing permittees, any SWMP changes based on the change in permit requirements must be completed by **October 1, 2007**. The plan is not to be submitted to the Division unless requested, but must be available on site as outlined in Part I.D.5(b) of the permit.

The BMP requirement clarifications included in this renewed permit in no way imply that adequate BMPs to address all pollutant sources at a permitted site were not required in previous permits. The revised requirements are intended only to better clarify SWMP content requirements and provide improved direction to permittees.

The SWMP changes are listed below. All new applicants (after June 30, 2007) for permit coverage for their sites must fully comply with the new SWMP organization, plan requirements, and implementation.

1. **Site Description:** The requirement to provide an estimate of the run-off coefficient has been removed. The run-off coefficient as currently utilized in the SWMP may not contribute sufficiently to permit compliance to justify the effort in determining accurate values. See Part I.C.1 of the permit. However, the Division still encourages use of the coefficient as needed to adequately evaluate site-specific BMP selection and design criteria (e.g., pond capacities, BMP location, etc.) See Section C.2 of the SWMP guidance (Appendix A of the permit application).
2. **Site Map:** The requirement to identify boundaries of the 100-year flood plain has been removed. The boundaries as currently utilized in the SWMP may not contribute sufficiently to permit compliance to justify the effort in determining their location. See Part I.C.2 of the permit.
3. **Stormwater Management Controls:** This section has been modified to require identification of a SWMP Administrator and all potential pollutants sources in the SWMP. See Part I.C.3 of the permit.
 - a) The SWMP Administrator is a specific individual(s), position or title who is responsible for the process of developing, implementing, maintaining, and revising the SWMP. This individual serves as the comprehensive point of contact for all aspects of the facility's SWMP. **This requirement may necessitate changes to existing permittees' SWMPs.**

II. CHANGES IN THIS GENERAL PERMIT (cont.)

- b) *The requirement to identify Potential Pollutant Sources has been expanded to include more details for the evaluation of such sources. This evaluation allows for the appropriate selection of BMPs for implementation at a facility or site. Additionally, this section was added to be consistent with the SWMP guide. **This requirement may necessitate changes to existing permittees' SWMPs.***
- c) *Best Management Practices (BMPs) for Stormwater Pollution Prevention: This section was modified to require the following items to be addressed in the SWMP. **These requirements may necessitate changes to existing permittees' SWMPs.** This section also requires that the SWMP provide installation and implementation specifications for each BMP identified in the SWMP. For structural BMPs, in most cases, this must include a technical drawing to provide adequate installation specifications. See Part I.C.3(c).*
 - i) *Dedicated concrete or asphalt batch plants. This section requires that the practices used to reduce the pollutants in stormwater discharges associated with dedicated concrete or asphalt batch plants be identified in the SWMP. (Coverage under the construction site SWMP and permit is not required for batch plants if they have alternate CDPS permit coverage.)*
 - ii) *Vehicle tracking control. This section requires that practices be implemented to control sediment from vehicle tracking, and that all such practices implemented at the site be clearly described in the SWMP.*
 - iii) *Waste management and disposal. This section requires that the practices implemented at the site to control stormwater pollution from construction site waste, including concrete washout activities, be clearly described in the SWMP. It also requires that concrete washout activities be conducted in a manner that does not contribute pollutants to surface waters or stormwater runoff.*
 - iv) *Concrete Washout Water. Part I.D.3(c) of the permit has been revised to conditionally authorize discharges to the ground of concrete wash water from washing of tools and concrete mixer chutes when appropriate BMPs are implemented. The permit prohibits the discharge of concrete washout water to surface waters and to storm sewer systems. Part I.C.3(c)(7) of the permit requires that BMPs be in place to prevent surface discharges of concrete washout water from the site.*

The use of unlined pits to contain concrete washout water is a common practice in Colorado. The Division has further evaluated the need for a permit for discharge of concrete washout water to the ground. The Division has determined that the use of appropriate BMPs for on-site washing of tools and concrete mixer chutes would prevent any significant discharge to groundwater. BMPs to protect groundwater are required by Part I.C.3(c)(7) of the permit. Because pH is a pollutant of concern for washout activities, the soil must have adequate buffering capacity to result in protection of the groundwater standard, or a liner/containment must be used. The following management practices are recommended to prevent an impact from unlined pits to groundwater:

- (1) the use of the washout site should be temporary (less than 1 year), and*
- (2) the washout site should be not be located in an area where shallow groundwater may be present, such as near natural drainages, springs, or wetlands.*

II. CHANGES IN THIS GENERAL PERMIT (cont.)

Where adequate management practices are not followed to protect groundwater quality, the Department may require discharges to unlined pits to cease, or require the entity to obtain alternate regulatory approval through notice from either the Water Quality Control Division or the Hazardous Materials and Waste Management Division.

In addition, Part I.D.1(b) of the permit has been revised to clearly state that the permit does not authorize on-site permanent disposal of concrete washout waste, only temporary containment of concrete washout water from washing of tools and concrete mixer chutes. Upon termination of use of the washout site, accumulated solid waste, including concrete waste and any contaminated soils, must be removed from the site to prevent on-site disposal of solid waste.

- v) *Construction Dewatering. Part I.D.3(d) of the permit has been revised to conditionally authorize discharges to the ground of water from construction dewatering activities when appropriate BMPs are implemented. The permit does not authorize the discharge of groundwater from construction dewatering to surface waters or to storm sewer systems. Part I.C.3(c)(8) of the permit requires that BMPs be in place to prevent surface discharges. The permittee may apply for coverage under a separate CDPS discharge permit, such as the Construction Dewatering general permit, if there is a potential for discharges to surface waters.*

The Division has determined that potential pollutant sources introduced into groundwater from construction dewatering operations do not have a reasonable potential to result in exceedance of groundwater standards when the discharge is to the ground. The primary pollutant of concern in uncontaminated groundwater is sediment. Although technology-based standards for sediment do exist in 5 CCR 1002-41, the discharge of sediment to the ground as part of construction dewatering does not have the reasonable potential to result in transport of sediment to the groundwater table so as to result in an exceedance of those standards.

For a discharge of water contaminated with other pollutants that are present in concentrations that may cause an exceedance of groundwater standards, separate CDPS discharge permit coverage is required. Contaminated groundwater may include that contaminated with pollutants from a landfill, mining activity, industrial pollutant plume, underground storage tank, or other source of human-induced groundwater pollution and exceeding the State groundwater standards in Regulations 5 CCR 1002-41 and 42.

J. Terms and Conditions, General Limitations and Design Standards

This section reiterates the requirement that facilities select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. In addition, requirements for protection of water quality standards (see Part I.D.1.(a) of the permit) and requirements to adequately design BMPs to prevent pollution or degradation of State waters (see Part I.D.2 of the permit) have been revised and are fully discussed in Part III.B of the rationale, below. Additional language was also added to Section III.B of the rationale further clarifying the expectations for compliance with this permit.

1. Management of Site Waste

This section has been modified to clarify that on-site waste must be properly managed to prevent potential pollution of State waters, and that this permit does not authorize on-site waste disposal. Solid waste disposal is regulated by the Hazardous Materials and Waste Management Division.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

K. Terms and Conditions, SWMP Requirements

1. **SWMP Review/Changes:** This section now requires that when changes are made to site conditions, the SWMP must be revised immediately, except for some BMP description changes which conditionally may occur within 72 hours. This requirement is included to both ensure that the SWMP be kept accurate and up-to-date, and to clarify that stormwater management at a site typically should be proactive instead of responsive, and be integrated into site management to ensure it is calibrated with those changes. The section was also clarified to state that only changes in site conditions that do not require new or modified BMPs do not need to be addressed in the SWMP. See Part I.D.5(c) of the permit.
2. **SWMP Certification:** The previous permit was unclear on a requirement that the copy of SWMP that remains at the facility had to be signed in accordance with permit signatory requirements. This requirement has been deleted. The signatory requirement of Part I.F.1 only applies to the SWMP if it is to be submitted to the Division or to EPA. See Part I.F.1 of the permit.

L. Terms and Conditions, Post-Storm Inspections

The previous permit required post-storm inspections, but did not specify the timing of inspections. This section now requires that post-storm event inspections generally be conducted within 24 hours of the event. An alternative timeline has been allowed, only for sites where there are no construction activities occurring following a storm event. For this condition, post-storm event inspections shall instead be conducted prior to commencing construction activities, but no later than 72 hours following the storm event, and the delay noted in the inspection report.

Any exception from the minimum inspection schedule is temporary, and does not eliminate the requirement to perform routine maintenance due to the effects of a storm event, including maintaining vehicle tracking controls and removing sediment from impervious areas. In many cases, maintenance needs will require a more frequent inspection schedule than the minimum inspections required in the permit, to ensure that BMPs continue to operate as needed to comply with the permit. See Part I.D.6(a) of the permit.

M. Terms and Conditions, Inspections

1. The Winter Conditions Inspection Exclusion section has been modified to include documentation requirements for this exclusion. See Part I.D.6(a) of the permit. The Inspection Scope has been modified to include the requirement to inspect waste storage areas during inspections conducted in accordance with the permit. See Part I.D.6(b) of the permit.
2. The requirements for sites to qualify for reduced inspection frequencies for completed sites have been slightly modified (see Part I.D.6(a)(2) of the permit.). The requirement now is that only construction activities that disturb the ground surface must be completed. Construction activities that can be conducted without disturbance of the ground surface; for example, interior building construction, and some oil well activities, would not prohibit a site from otherwise qualifying for the reduced inspection frequency. In addition, the requirement for the site to be prepared for final stabilization has been slightly modified to allow for sites that have not yet been seeded to qualify, as long as the site has otherwise been prepared for final stabilization, including completion of appropriate soil preparation, amendments and stabilization practice. This will allow for sites with seasonal seeding limitations or where additional seed application may be needed in the future to still qualify.

II. CHANGES IN THIS GENERAL PERMIT (cont.)

3. *The Inspection Report/Records section (Part I.D.6(b)(2)) was added to clarify requirements for inspection reports generated during an inspection conducted in accordance with Part I.D.6 of the permit. Inspection reports must be signed by the inspector, or the individual verifying the corrective action indicated in the inspection report, on behalf of the permittee. Inspection reports are not typically required to be submitted to the Division, and therefore, are not required to be signed and certified for accuracy in accordance with Part I.F.1 of the permit. However, any inspection reports that are submitted to the Division must follow the signatory requirements contained in that section.*

N. Terms and Conditions, Maintenance, Repair, and Replacement of Control Practices

These sections have been added to clarify requirements for maintaining the BMPs identified in the SWMP and for addressing ineffective or failed BMPs. BMP maintenance and site assessment to determine the overall adequacy of stormwater quality management at the site must occur proactively, in order to ensure adequate control of pollutant sources at the site. In most cases, if BMPs are already not operating effectively, or have failed, the issue must be addressed immediately, to prevent discharge of pollutants. See Parts I.D.7 and I.D.8 of the permit.

O. Total Maximum Daily Load (TMDL)

A section on TMDLs has been added. This section gives a general outline of the additional requirements that may be imposed by the Division if the facility discharges to a waterbody for which a stormwater-related TMDL is in place. See Section VIII.C of the rationale and Part I.D.11 of the permit.

P. Additional Definitions

Part I.E of the permit has been modified to remove the definition of runoff coefficient, as it is no longer a permit requirement. The definition for state waters has also been deleted, but can be found in Regulation 61.

Q. Changes in Discharge

The section on the types of discharge or facility changes that necessitate Division notification has been clarified. See Part II.A.1 of the permit.

R. Non-Compliance Notification

The section on notification to the Division regarding instances of non-compliance has been amended to clarify which types of noncompliance require notification. See Part II.A.3 of the permit.

S. Short Term Certifications

The previous permit allowed small short-term construction activities to be authorized for a predetermined period from 3 to 12 months, and then automatically expire (an inactivation request did not need to be submitted). The issuance of these certifications has led to significant confusion and incidents of noncompliance resulting from permittees unintentionally letting their certifications expire prior to final stabilization, as well as issues regarding billing. Therefore, the provisions for short-term certifications have been deleted.

T. Bypass

The Division has revised the Bypass conditions in Part II.A.5 of the permit to be consistent with the requirements of Regulation 61.8(3)(i). The revised language addresses under what rare occurrences BMPs may be bypassed at a site.

III. BACKGROUND

As required under the Clean Water Act amendments of 1987, the Environmental Protection Agency (EPA) has established a framework for regulating municipal and industrial stormwater discharges. This framework is under the National Pollutant Discharge Elimination System (NPDES) program (Note: The Colorado program is referred to as the Colorado Discharge Permit System, or CDPS, instead of NPDES.) The Water Quality Control Division ("the Division") has stormwater regulations (5CCR 1002-61) in place. These regulations require specific types of industrial facilities that discharge stormwater associated with industrial activity (industrial stormwater), to obtain a CDPS permit for such discharge. The regulations specifically include construction activities that disturb one acre of land or more as industrial facilities. Construction activities that are part of a larger common plan of development which disturb one acre or more over a period of time are also included.

A. General Permits

The Division has determined that the use of general permits is the appropriate procedure for handling most of the thousands of industrial stormwater applications within the State.

B. Permit Requirements

This permit does not impose numeric effluent limits or require submission of effluent monitoring data in the permit application or in the permit itself. The permit instead imposes practice-based effluent limitations for stormwater discharges through the requirement to develop and implement a Stormwater Management Plan (SWMP). The narrative permit requirements include prohibitions against discharges of non-stormwater (e.g., process water). See Part I.D.3 of the permit.

The permit conditions for the SWMP include the requirement for dischargers to select, implement and maintain Best Management Practices (BMPs) at a permitted construction site that adequately minimize pollutants in the discharges to assure compliance with the terms and conditions of the permit. Part I.D.2 of the permit includes basic design standards for BMPs implemented at the site. Facilities must select, install, implement, and maintain appropriate BMPs, following good engineering, hydrologic and pollution control practices. BMPs implemented at the site must be adequately designed to control all potential pollutant sources associated with construction activity to prevent pollution or degradation of State waters. Pollution is defined in CDPS regulations (5CCR 1002-61) as man-made or man-induced, or natural alteration of the physical, chemical, biological, and radiological integrity of water. Utilizing industry-accepted standards for BMP selection that are appropriate for the conditions and pollutant sources present will typically be adequate to meet these criteria, since construction BMPs are intended to prevent the discharge of all but minimal amounts of sediment or other pollutants that would not result in actual pollution of State waters, as defined above. However, site-specific design, including ongoing assessment of BMPs and pollutant sources, is necessary to ensure that BMPs operate as intended.

The permit further requires that stormwater discharges from construction activities shall not cause, have the reasonable potential to cause, or measurably contribute to an excursion above any water quality standard, including narrative standards for water quality. This condition is the basis for all CDPS Discharge permits, and addresses the need to ensure that waters of the State maintain adequate water quality, in accordance with water quality standards, to continue to meet their designated uses. It is believed that, in most cases, BMPs can be adequate to meet applicable water quality standards. If water quality impacts are noted, or the Division otherwise determines that additional permit requirements are necessary, they are typically imposed as follows: 1) at the renewal of this general permit or through a general permit specific to an industrial sector (if the issue is sector-based); 2) through direction from the Division based on the implementation of a TMDL (if the issue is watershed-based); or 3) if the issue is site-specific, through a revision to the certification from the Division based on an inspection or SWMP review, or through an individual permit.

III. BACKGROUND (cont.)

Some construction sites may be required to comply with a Qualifying Local Program in place of meeting several of the specific requirements in this permit. Sites covered by a Qualifying Local Program may not be required to submit an application for coverage or a notice of inactivation and may not be required to pay the Division's annual fee. See Section VII of the rationale.

C. Violations/Penalties

Dischargers of stormwater associated with industrial activity, as defined in the CDPS regulations (5CCR 1002-61), that do not obtain coverage under this or other Colorado general permits, or under an individual CDPS permit regulating industrial stormwater, will be in violation of the Federal Clean Water Act and the Colorado Water Quality Control Act, 25-8-101. For facilities covered under a CDPS permit, failure to comply with any CDPS permit requirement constitutes a violation. As of the time of permit issuance, civil penalties for violations of the Act or CDPS permit requirements may be up to \$10,000 per day, and criminal pollution of state waters is punishable by fines of up to \$25,000 per day.

IV. STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY

The stormwater regulations (CDPS regulations (5CCR 1002-61)), require that stormwater discharges associated with certain industrial activities be covered under the permit program. Construction activity that disturbs one acre or more during the life of the project is specifically included in the listed industrial activities. This permit is intended to cover most stormwater discharges from construction facilities required by State regulation to obtain a permit.

A. Construction Activity

Construction activity includes ground surface disturbing activities including, but not limited to, clearing, grading, excavation, demolition, installation of new or improved haul and access roads, staging areas, stockpiling of fill materials, and dedicated borrow/fill areas. Construction does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility. (The maintenance exclusion is intended for projects such as road resurfacing, and where there will be less than one acre of additional ground disturbed. Improvements or upgrades to existing facilities or roads, where at least one acre is disturbed, would not qualify as "routine maintenance.")

Definitions of additional terms can be found in Part I.E of the permit.

Stormwater discharges from all construction activity require permit coverage, except for operations that result in the disturbance of less than one acre of total land area and which are not part of a larger common plan of development or sale. A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules.

B. Types of Discharges/Activities Covered

1. **Stormwater:** *This permit is intended to cover most new or existing discharges composed **entirely** of stormwater from construction activities that are required by State regulation to obtain a permit. This includes stormwater discharges associated with areas that are dedicated to producing earthen materials, such as soils, sand, and gravel, for use at a single construction site. These areas may be located at the construction site or at some other location. This permit does not authorize the discharge of mine water or process water from borrow areas. This permit may also cover stormwater discharges associated with dedicated asphalt plants and concrete plants located at a specific construction site.*

IV. *STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (cont.)*

2. **Process water:** Under certain restrictions, discharges to the ground from construction dewatering, and from concrete washout activities, are also covered (see Parts I.C.3(c)(7), I.C.3(c)(8), I.D.3(c) and I.D.3(d) of the permit).

C. Types of Activities NOT Covered

1. **Stormwater:** Aside from the sources listed in subparagraph B.1, above, this permit does not cover stormwater discharged from construction sites that is mixed with stormwater from other types of industrial activities, or process water of any kind. Other types of industrial activities that require stormwater discharge permits pursuant to different sections of the regulations (Regulation 5 CCR 1002-61, Section 61.2(e)(iii)(A-I, K)], are not covered by this permit.
2. **Process water:** This permit also does not cover any discharge of process water to surface waters. If the construction activity encounters groundwater, in order to discharge this groundwater to surface waters, a Construction Dewatering Discharge Permit (permit number COG-070000) must also be obtained. An application for this permit can be obtained from the Division at the address listed in Part I.A.4(a) of the permit, or at the website in Section I of the rationale.

V. *COVERAGE UNDER THIS GENERAL PERMIT*

Under this general permit, owners or operators of stormwater discharges associated with construction activity may be granted authorization to discharge stormwater into waters of the State of Colorado. This includes stormwater discharges associated with industrial activity from areas that are dedicated to producing earthen materials, such as soils, sand and gravel, for use at a single construction site, and dedicated asphalt plants and dedicated concrete plants.

This permit does not pre-empt or supersede the authority of other local, state or federal agencies to prohibit, restrict or control discharges of stormwater to storm drain systems or other water courses within their jurisdiction.

Authorization to discharge under the permit requires submittal of a completed application form and a certification that the SWMP is complete, unless the site is covered by a Qualifying Local Program. Upon receipt of all required information, the Division may allow or disallow coverage under the general permit.

VI. *APPLICATION AND CERTIFICATION*

*At least **ten days** prior to the commencement of construction activities, the owner or operator of the construction site shall submit an original completed application which includes the signed certification that the SWMP is complete. Original signatures are required for the application to be considered complete. For small construction sites only, if the site is covered by a Qualifying Local Program (see below), submittal of an application is not required.*

For the purposes of this permit, the "operator" is the person who has day-to-day control over the project. This can be the owner, the developer, the general contractor or the agent of one of these parties, in some circumstances. At different times during a construction project, different types of parties may satisfy the definition of "operator" and the certification may be transferred as roles change.

(Note - Under the Federal regulations, this application process is referred to as a Notice of Intent, or NOI. For internal consistency with its current program, the Division will continue to use the term "application.") A summary of the permit application requirements is found in the permit at Part I.A.4(b).

If coverage under this general permit is appropriate, then a certification will be developed and the applicant will be certified under this general permit.

VII. QUALIFYING LOCAL PROGRAMS

For stormwater discharges associated with small construction activity (i.e., one to five acre disturbed area sites), the permit includes conditions that incorporate approved qualifying local erosion and sediment control program (Qualifying Local Program) requirements by reference. A Qualifying Local Program is a municipal stormwater program for stormwater discharges associated with small construction activity that has been formally approved by the Division. The requirements for Qualifying Local Programs are outlined in Part 61.8(12) of the Colorado Discharger Permit System Regulations (also see the Division's "Qualifying Local Programs for Small Construction Sites - Application Guidance"). Such programs must impose requirements to protect water quality that are at least as stringent as those required in this permit.

A. Approval Termination

A Qualifying Local Program may be terminated by either the Division or the municipality. Upon termination of Division approval of a Qualifying Local Program, any small construction activity required to obtain permit coverage under Section 61.3(2)(h) of the CDPS regulations (5CCR 1002-61), shall submit an application form as provided by the Division, with a certification that the Stormwater Management Plan (SWMP) is complete as required by Part I.A.3 of the permit, within 30 days of Division notification.

B. Approval Expiration

Division approval of a Qualifying Local Program will expire with this general permit on June 30, 2012. Any municipality desiring to continue Division approval of their program must reapply by March 31, 2012. The Division will determine if the program may continue as a approved Qualifying Local Program.

VIII. TERMS AND CONDITIONS OF PERMIT

A. Coverage under a Qualifying Local Program – For Small Construction Sites Only

*For small construction sites (disturbing less than 5 acres) covered under a Qualifying Local Program (see Section VII, above), only certain permit requirements apply, as outlined below. The local program must have been formally designated by the Division to qualify. Most municipalities have some type of local program and may require permits and fees. However, simply having a program in place does not necessarily mean that it is a qualifying program and that a State permit is not required. The local municipality is responsible for notifying operators and/or owners that they are covered by a Qualifying Local Program. As of May 31, 2007, the only approved Qualifying Local Programs within the state are for Golden, Durango and Lakewood. An updated list of municipalities with Qualifying Local Programs, including contact information, is available on the Division's website at:
<http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/construction.html>.*

The Division reserves the right to require any construction owner or operator within the jurisdiction of a Qualifying Local Program covered under this permit to apply for and obtain coverage under the full requirements of this permit.

1. **Permit Coverage:** *If a construction site is within the jurisdiction of a Qualifying Local Program, the owner or operator of the construction activity is authorized to discharge stormwater associated with small construction activity under this general permit **without** the submittal of an application to the Division. The permittee also is not required to submit an inactivation notice or payment of an annual fee to the Division.*

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

2. **Permit Terms and Conditions:** *The permittee covered by a Qualifying Local Program must comply with the requirements of that Qualifying Local Program. In addition, the following permit sections are applicable:*
- a) *Parts I.A.1, I.A.2, and I.A.3: Authorization to discharge and discussion of coverage under the permit.*
 - b) *Part I.D.1: General limitations that must be met in addition to local requirements.*
 - c) *Parts I.D.2, I.D.3, I.D.4: BMP implementation, prohibition of non-stormwater discharges unless addressed in a separate CDPS permit, and requirements related to releases of reportable quantities.*
 - d) *Part I.D.11: Potential coverage under a Total Maximum Daily Load (TMDL).*
 - e) *Part I.E: Additional definitions.*
 - f) *Part II (except for Parts II.A.1, II.B.3, II.B.8, and II.B.10): Specifically includes, but is not limited to, provisions applicable in the case of noncompliance with permit requirements, and requirements to provide information and access.*

B. Stormwater Management Plans (SWMPs)

Prior to commencement of construction, a stormwater management plan (SWMP) shall be developed and implemented for each facility covered by this permit. A certification that the SWMP is complete must be submitted with the permit application. The SWMP shall identify potential sources of pollution (including sediment) which may reasonably be expected to affect the quality of stormwater discharges associated with construction activity from the facility. In addition, the plan shall describe the Best Management Practices (BMPs) which will be used to reduce the pollutants in stormwater discharges from the construction site. (Note that permanent stormwater controls, such as ponds, that are used as temporary construction BMPs must be adequately covered in the SWMP.) Facilities must implement the provisions of their SWMP as a condition of this permit. The SWMP shall include the following items:

- 1. *Site Description*
- 2. *Site Map*
- 3. *Stormwater Management Controls*
- 4. *Long-term Stormwater Management*
- 5. *Inspection and Maintenance*

(See Parts I.B. and I.C of the permit for a more detailed description of SWMP requirements.) The Division has a guidance document available on preparing a SWMP. The document is included as Appendix A of the permit application, and is available on the Division's website at www.cdphe.state.co.us/wq/PermitsUnit.

Some changes have been made to the SWMP requirements. See Section II.I of the rationale for a discussion on permittee responsibilities regarding those changes.

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

Master SWMP

Often, a large construction project will involve multiple smaller construction sites that are within a common plan of development, or multiple well pads under construction within an oil and gas well field. Pollutant sources and the types of BMPs used can be relatively consistent in such cases. A permittee could significantly streamline the SWMP development process through the use of a master SWMP. SWMP information must be developed and maintained for all construction activities that exceed one acre (or are part of a common plan of development exceeding one acre) conducted within the permitted area. By developing a single master plan, the permittee can eliminate the need to develop repetitive information in separate plans. Such a plan could include two sections, one containing a reference section with information applicable to all sites (e.g., installation details and maintenance requirements for many standard BMPs, such as silt fence and erosion blankets), and the second containing all of the information specific to each site (e.g., site BMP map, drainage plans, details for BMPs requiring site specific design, such as retention ponds).

As new activities begin, information required in the SWMP is added to the plan, and as areas become finally stabilized, the related information is removed. Records of information related to areas that have been finally stabilized that are removed from the active plan must be maintained for a period of at least three years from the date that the associated site is finally stabilized.

C. Total Maximum Daily Load (TMDL)

If the designated use of a stream or water body has been impaired by the presence of a pollutant(s), development of a Total Maximum Daily Load (TMDL) may be required. A TMDL is an estimate of allowable loading in the waterbody for the pollutant in question. Types of discharges that are or have the potential to be a significant source of the pollutant are also identified. If a TMDL has been approved for any waterbody into which the permittee discharges, and stormwater discharges associated with construction activity have been assigned a pollutant-specific Wasteload Allocation (WLA) under the TMDL, the Division will either:

1. Notify the permittee of the TMDL, and amend the permittee's certification to add specific BMPs and/or other requirements, as appropriate; or
2. Ensure that the TMDL is being implemented properly through alternative local requirements, such as by a municipal stormwater permit. (The only current example of this is the Cherry Creek Reservoir Control Regulation (72.0), which mandates that municipalities within the basin require specific BMPs for construction sites.)

See Part I.D.11 of the permit for further information.

D. Monitoring

Sampling and testing of stormwater for specific parameters is not required on a routine basis under this permit. However, the Division reserves the right to require sampling and testing on a case-by-case basis, in the event that there is reason to suspect that compliance with the SWMP is a problem, or to measure the effectiveness of the BMPs in removing pollutants in the effluent. See Part I.D.1(e) of the permit.

E. Facility Inspections

Construction sites typically must inspect their stormwater management controls at least every 14 days and within 24 hours after the end of any precipitation or snowmelt event that causes surface erosion. At sites or portions of sites where ground-disturbing construction has been completed but a vegetative cover has not been established, these inspections must occur at least once per month. (At sites where persistent snow cover conditions exist, inspections are not required during the period that melting conditions do not exist. These

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

conditions are only expected to occur at high elevations within the Colorado mountains.) For all of these inspections, records must be kept on file. Exceptions to the inspection requirements are detailed in Part I.D.6 of the permit.

F. SWMP Revisions

The permittee shall amend the SWMP whenever there is a change in design, construction, operation, or maintenance of the site, which would require the implementation of new or revised BMPs. The SWMP shall also be amended if it proves to be ineffective in achieving the general objectives of controlling pollutants in stormwater discharges associated with construction activity. The timing for completion of SWMP changes is detailed in Parts I.D.5(c) and I.D.5(d) of the permit.

SWMP revisions shall be made prior to change in the field, or in accordance with Part I.D.5(d) of the permit.

G. Reporting

The inspection record shall be made available to the Division upon request. Regular submittal of an annual report is not required in this permit. See Part I.D.9 of the permit.

H. Annual Fee

The permittee is required to submit payment of an annual fee as set forth in the Water Quality Control Act. Permittees will be billed for the initial permit fee within a few weeks of permit issuance and then annually, based on a July 1 through June 30 billing cycle.

I. Responsibility for Permit

The permit certification for a site may be inactivated, once coverage is no longer needed. The certification may be transferred, if another party is assuming responsibility for the entire area covered by the certification. In addition, permit responsibility for **part** of the area covered by the certification may be reassigned to another party. These actions are summarized below. The Stormwater Program construction fact sheet explains these actions in further detail under the section on Multiple Owner/Developer Sites, and is available on the Division website at

<http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/ConstFactSheet.PDF>, Section F.

1. **Inactivation Notice:** When a site has been finally stabilized in accordance with the SWMP, the permittee shall submit an **Inactivation Notice** that is signed in accordance with Part I.F.1 of the permit. A summary of the Inactivation Notice content is described in Part I.A.6 of the permit. A copy of the Inactivation Notice form will be mailed to the permittee along with the permit certification. Additional copies are available from the Division.

For sites where all areas have been removed from permit coverage, the permittee may submit an inactivation notice and terminate permit coverage. In such cases the permittee would no longer have any land covered under their permit certification, and therefore there would be no areas remaining to finally stabilize. Areas may be removed from permit coverage by:

- reassignment of permit coverage (Part I.A.8 of the permit);
- sale to homeowner(s) (Part I.A.9 of the permit); or
- amendment by the permittee, in accordance with Division guidance for areas where permit coverage has been obtained by a new operator or returned to agricultural use.

VIII. TERMS AND CONDITIONS OF PERMIT (cont.)

2. **Transfer of Permit:** When responsibility for stormwater discharges for an entire construction site changes from one individual to another, the permit shall be transferred in accordance with Part I.A.7 of the permit. The permittee shall submit a completed **Notice of Transfer form**, which is available from the Division, and at www.cdphe.state.co.us/wq/PermitsUnit. If the new responsible party will not complete the transfer form, the permit may be inactivated if the permittee has no legal responsibility, through ownership or contract, for the construction activities at the site. In this case, the new owner or operator would be required to obtain permit coverage separately.
3. **Reassignment of Permit:** When a permittee no longer has control of a specific portion of a permitted site, and wishes to transfer coverage of that portion of the site to a second party, the permittee shall submit a completed **Notice of Reassignment of Permit Coverage form**, which is available from the Division, and at www.cdphe.state.co.us/wq/PermitsUnit. The form requires that both the existing permittee and new permittee complete their respective sections. See Part I.A.8 of the permit.

J. Duration of Permit

The general permit will expire on June 30, 2012. The permittee's authority to discharge under this permit is approved until the expiration date of the general permit. Any permittee desiring continued coverage under the general permit past the expiration date must apply for recertification under the general permit at least 90 days prior to its expiration date.

Kathleen Rosow
December 18, 2006

IX. PUBLIC NOTICE – 12/22/06

The permit was sent to public notice on December 22, 2006. A public meeting was requested, and was held on February 2, 2007. Numerous comments were received on the draft permit. Responses to those comments, and a summary of changes made to the draft permit, are in a separate document entitled "Division Response To Public Comments." The permit will be sent to a second public notice on March 23, 2007. Any changes resulting from the second public notice will be summarized in the rationale.

Kathleen Rosow
March 22, 2007

X. PUBLIC NOTICE – 3/23/07

The permit was sent to public notice for a second time on March 23, 2007. Numerous comments were received on the second draft permit. Responses to those comments, and a summary of the additional changes made to the draft permit, are contained in a separate document entitled "Division Response To Public Comments Part II". This document is part of the rationale. Any changes based on the Division response are incorporated into the rationale and permit. The response document is available online at <http://www.cdphe.state.co.us/wq/PermitsUnit/stormwater/construction.html>, or by emailing cdphe.wqstorm@state.co.us, or by calling the Division at 303-692-3517.

Kathleen Rosow
May 31, 2007

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer



Colorado Department
of Public Health
and Environment

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090
<http://www.cdphe.state.co.us>

November 7, 2011

Kurt Sittner, PM
Reynolds Inc
1775 E 69 Ave
Denver, CO 80229

RECEIVED NOV 10 2011

RE: Certification, Colorado Discharge Permit System - Construction Dewatering Operations
Permit Number COG070000 Certification Number: COG073899

Dear Mr/Ms Sittner;

Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.
Please read the enclosed permit and certification.

The Water Quality Control Division (the Division) has reviewed the application submitted for the Southern Delivery Raw Water Pipeline S3 facility and determined that it qualifies for coverage under the CDPS General Permit for **Construction Dewatering Operations** (the permit).

Discharge Specific Information

- The undefined discharges are to ground water and surface water. The standards for the discharge to ground water were taken directly from the Basic Standards for Ground Water, (Regulation No. 41).
- The surface water discharge is to an unnamed tributary to Fountain Creek within Segment 4 of the Fountain Creek Sub-basin, Arkansas River Basin, found in the Classifications and Numeric Standards for the Arkansas River Basin (Regulation No. 32) (**COARF004**). Segment 4 is Use Protected, and is classified for the following beneficial uses: Aquatic Life, Class 2 Warm; Recreation Class E; and Agriculture.

Basis for Site Specific Parameters

- Segment 4 of the Fountain Creek Sub-basin, Arkansas River Basin is on the 303(d) list as impaired for E. coli. Since E. coli has the potential to be in the dewatering discharge, sampling and reporting for E. coli is required.

General Information

- **Permit Action Fees:** The Annual Fee for this certification is \$500 [category 7, subcat 2 – Construction Dewatering per CRS 25-8-502] is invoiced every July. Do Not Pay This Now. The initial invoice will be prorated and sent to the legal contact shortly.
- **Changes to the Certification:** Any changes that need to be made to the certification page – changes in outfalls, monitoring requirements, etc., must be submitted using the "Permit and Certification Modification form" available on our website: coloradowaterpermits.com, and signed by the legal contact.
- **Sampling Requirements:** Sampling shall occur at the frequency established in the permit certification at a point after treatment, or after the implementation of any Best Management Practices (BMPs) for each discharge location (outfall). If BMPs or treatment are not implemented, sampling shall occur where the discharge leaves control of the permittee, and prior to entering the receiving stream or prior to discharge to land. Samples must be representative of what is entering the receiving stream. A minimum of one sample must be collected for discharges lasting less than one week.
- **Discharge Monitoring Reports (DMRs) for Undefined Discharge Locations to both Surface Water and Groundwater:** DMRs will be mailed to the permittee within the next month for each of the numbered undefined discharge outfalls identified in

the permit certification. Each outfall identified in the permit certification, and the associated DMR forms for that outfall shall only authorize and be used for reporting discharges at a single outfall at a specific location. In accordance with Part I.E.4 of the permit, the permittee shall establish and maintain records that identify, among other information, the exact place for each outfall for which monitoring has occurred. The information must include the approximate location of the discharge (e.g. "discharge will occur between 5th Avenue and 20th Avenue", or "the discharge will enter the storm sewer located at the corner of Speer Blvd and 8th Ave., which eventually flows to Cherry Creek") and the latitude/longitude of the outfall.

DMRs for all outfalls must be submitted **monthly** as long as the certification is in effect. DMRs must be submitted for each outfall even if there was not a discharge from the outfall in a given month. For each outfall where no discharge occurs in a given month, the permittee shall mark 'No Discharge' on the DMR form(s). The permittee shall provide the Division with any additional monitoring data on the permitted discharge collected for entities other than the Division. If forms have not been received, please contact the Division at 303-692-3517.

Sampling is required at the frequency established in the permit certification for each undefined discharge location. As discharges occur chronologically to **surface water**, the data collected from the sampling event(s) in a given month from the first discharge location shall be summarized and reported on the pre-printed DMR for Discharge Number **001A**. The data collected from the sampling event(s) in a given month from the second discharge location shall be summarized and reported on the pre-printed DMR for Discharge Number **002A**; etc.

As discharges occur chronologically to **groundwater**, the data collected from the sampling event(s) in a given month from the first discharge location to groundwater shall be summarized and reported on the pre-printed DMR for Discharge Number **G001A**. The data collected from the sampling event(s) in a given month from the second discharge location to groundwater shall be summarized and reported on the pre-printed DMR for Discharge Number **G002A**; etc.

The Division now has the ability to allow facility's to submit their DMRs electronically. For more information, please call the NetDMR team at 303-691-4046 or CDPH.WQNetDMRHelp@state.co.us

- **Using the Geometric Mean for Calculating the *E. coli* Concentrations:** The Geometric mean for *E. coli* bacteria concentrations, the thirty (30) day and seven (7) day averages shall be determined as the geometric mean of all samples collected in a thirty (30) day period and the geometric mean of all samples taken in a seven (7) consecutive day period respectively. The geometric mean may be calculated using two different methods. For the methods shown, a, b, c, d, etc. are individual sample results, and n is the total number of samples.

Method 1:

(1/n)

Geometric Mean = $(a \cdot b \cdot c \cdot d \cdot \dots)^{(1/n)}$ "*" - means multiply

Method 2:

Geometric Mean = $\text{antilog} \left(\frac{[\log(a) + \log(b) + \log(c) + \log(d) + \dots]}{n} \right)$

Graphical methods, even though they may also employ the use of logarithms, may introduce significant error and may not be used.

In calculating the geometric mean, for those individual sample results that are reported by the analytical laboratory to be "less than" a numeric value, a value of 1 should be used in the calculations. If all individual analytical results for the month are reported to be less than numeric values, then report "less than" the largest of those numeric values on the monthly DMR. Otherwise, report the calculated value.

For any individual analytical result of "too numerous to count" (TNTC), that analysis shall be considered to be invalid and another sample shall be promptly collected for analysis. If another sample cannot be collected within the same sampling period for which the invalid sample was collected (during the same month if monthly sampling is required, during the same week if weekly sampling is required, etc.), then the following procedures apply:

- i. A minimum of two samples shall be collected for *E. Coli* analysis within the next sampling period.
- ii. If the sampling frequency is monthly or less frequent: For the period with the invalid sample results, leave the spaces on the corresponding DMR for reporting *E. Coli* results empty and attach to the DMR a letter noting that a result of TNTC was obtained for that period, and explain why another sample for that period had not been collected.

• **Termination requirements:** This certification to discharge is effective long term, even though construction and dewatering discharge are only expected to be temporary. For termination of permit coverage, the permittee must initiate this by sending the "CDPS Permits and Authorization Termination Form." This form is also available on our web site and must be signed by the legal contact.

• **Groundwater Contamination:** If groundwater contamination is encountered, then the permittee is to contact the Division, the permit writer, cease all discharges, and if appropriate, contact the owner of the collection system receiving the discharge. If the dewatering can be treated to meet surface water or groundwater numeric limitations, the certification will be amended to include sampling and monitoring for additional parameters representative of the groundwater contamination. **The discharge of contaminated groundwater, above surface water or groundwater standards, is not authorized under this permit.**

• **Certification Records Information:** The following information is what the Division records show for this certification.

~~For any changes to Contacts – Legal, Local, Billing, or DMR – a "Notice of Change of Contacts form" must be submitted~~
to the Division. This form is also available on our web site and must be signed by the legal contact.

Facility: Southern Delivery Raw Water Pipeline S3

Industrial Activities: installation steel waterline

Legal Contact *Receives all legal documentation, pertaining to the permit certification. [including invoice; is contacted for any questions relating to the facility; and receives DMRs.]*

Kurt Sittner, PM
Reynolds Inc
1775 E 69 Ave
Denver, CO 80229

Facility Contact *Contacted for general inquiries regarding the facility*

Bruce Spott, Supt

DMR Contact

Stephanie Smeltzer, Project Coordinator
Reynolds Inc
1775 E 69 Ave
Denver, CO 80229

County: Pueblo

SIC Code: 1799

Phone number: 303-287-7700

Email: ksittner@reynoldsinc.com

Phone number: 303-886-3023

Email: bspott@reynoldsinc.com

Phone number: 303-287-7700

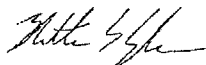
Email: ssmeltzer@reynoldsinc.com

For answers to common questions surrounding construction dewatering, please review the Construction Dewatering FAQ available on our website at:

<http://www.cdphe.state.co.us/wq/PermitsUnit/POLICYGUIDANCEFACTSHEETS/factsheets/CDWFAQ.pdf>

If you have any other questions please contact me at 303-692-3575.

Sincerely,



Matthew Czahor, Permit Writer
WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit

xc: Regional Council of Government
Pueblo County, Local County Health Department
D.E., Technical Services Unit, WQCD
Permit File

/dkj
cdw cert 2010



Colorado Department
of Public Health
and Environment

**CERTIFICATION TO DISCHARGE
UNDER
CDPS GENERAL PERMIT COG070000
CONSTRUCTION DEWATERING OPERATIONS**

Certification Number: COG073899

This Certification to Discharge specifically authorizes:

Reynolds Inc
to discharge from the facility identified as
Southern Delivery Raw Water Pipeline S3
to:
unnamed tributary to Fountain Creek and groundwater

Facility Located at: Young Hollow, Pueblo County, , CO 81008

Facility Location Latitude 38.490, Longitude -104.688

Undefined Discharge Outfall(s) to Surface Water	Discharge Outfall(s) Description
Discharge Number 001A	The center point of the project is located at Latitude: 39.490, Longitude: -104.688. The discharge is estimated at 500 GPM. The discharge is to the surface waters named above.

*All discharges must comply with the lawful requirements of federal agencies municipalities, counties, drainage districts and other local agencies regarding any discharges to storm drain systems, conveyances, or other water courses under their jurisdiction.

Facility Located at: Young Hollow, Pueblo County, , CO 81008

Facility Location Latitude 38.490, Longitude -104.688

Undefined Discharge Outfall(s) to Groundwater	Discharge Outfall(s) Description
Discharge Number G001A	The center point of the project is located at Latitude: 39.490, Longitude: -104.688. The discharge is estimated at 500 GPM. The discharge is to groundwater.

Permit Limitations and Monitoring Requirements apply to 001A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT						
pH, (Minimum-Maximum) 00400	s.u.	NA	NA	6.5-9.0	Weekly	In-situ
Total Suspended Solids, 00530	mg/l	30	45	NA	Weekly	Grab
Oil and Grease, 03582	mg/l	NA	NA	10*	Weekly	Grab*
Flow, 50050	MGD	Report	NA	Report	Weekly	Instantaneous or Continuous
Oil and Grease Visual 84066		NA	NA	NA	Weekly	Visual
SITE SPECIFIC PARAMETERS						
E. coli ** 51040	Per 100 ml	Report	Report	NA	Weekly	Grab

* If a visible sheen is observed, a grab sample shall be collected and analyzed for oil and grease.

**The E. coli values must be calculated using the Geometric Mean. See certification Fact Sheet for the Geometric Mean definition and instructions on how to calculate the E. coli Geometric Mean

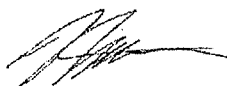
Permit Limitations and Monitoring Requirements apply to G001A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT						
pH, (Minimum-Maximum) 00400	s.u.	NA	NA	6.5-8.5	Weekly	In-situ
Oil and Grease, 03582	mg/l	NA	NA	10*	Weekly	Grab*
Flow, 50050	MGD	Report	NA	Report	Weekly	Instantaneous or Continuous
Oil and Grease Visual 84066		NA	NA	NA	Weekly	Visual

Certification is issued 11/7/2011 Effective 11/7/2011 Certification Expires: 11/30/2011

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,



Nathan Moore
Construction, MS4, & Pretreatment Unit Manager
Water Quality Control Division

CDPS GENERAL PERMIT
FOR CONSTRUCTION DEWATERING ACTIVITIES
AUTHORIZATION TO DISCHARGE UNDER THE
COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act (25-8-101 et. seq. CRS, 1973 as amended), and the Clean Water Act (33 U.S.C. 1251 et. seq. as amended; the "Act"), entities engaged in construction dewatering of groundwater and/or stormwater (excluding mine dewatering activities), are authorized to discharge from approved locations throughout the State of Colorado to waters of the State. Such discharges shall be in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

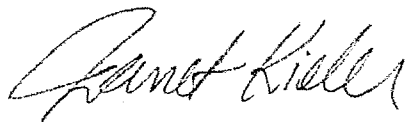
This permit specifically authorizes the identified entity to discharge from their wastewater treatment facilities, at the described location, to identified waters of the state, as stated in the certification which is on page one of this permit.

The authorization to discharge under this permit is in effect from the date of certification (page one of this permit) until the expiration date identified below.

This permit becomes effective on December 1, 2006, and shall expire at midnight, **November 30, 2011**

Reissued and signed this 5th day of **June, 2008**

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Janet Kieler, Permits Section Manager
WATER QUALITY CONTROL DIVISION

Permit Action Summary:

Amendment #1 – Issued June 5, 2008, Effective August 1, 2008
Originally Issued November 01, 2006, Effective December 1, 2006

ADMINISTRATIVELY CONTINUED Effective 12-1-2011

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PART I

A. COVERAGE UNDER THIS PERMIT

1. Eligibility

In order to be eligible for authorization to discharge under the terms and conditions of this permit, the owner and/or operator of any construction dewatering operation, the water being groundwater or groundwater mixed with stormwater, that discharges to waters of the State, which can meet the conditions identified at Part I.A.3., below, must submit a complete permit application form obtained from the Water Quality Control Division ("Division"). If application applies such application shall be submitted at least thirty (30) days prior to the anticipated date of first discharge to:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Attention: Industrial Permits Unit

The application form can be obtained from the Division or from the website at www.cdphe.state.co/wq/PermitsUnit/landD070000DewateringApplication.pdf or by calling 303-692-3500. A summary of the information required in the application is provided below in Part I.A.2.

The Division shall have up to thirty (30) days after receipt of the application to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information the Division shall have an additional 30 days to issue or deny authorization for any particular discharge.

If the Division determines that the operation does not fall under the authority of the general permit, then the information received will be treated as an individual permit application.

Authorization to discharge under this general permit shall commence immediately and shall expire on **November 30, 2011**. The Division must evaluate this general permit at least once every five (5) years and must also recertify the applicant's authority to discharge under the general permit at such time. Therefore, a permittee desiring continued coverage under this general permit must re-apply by **May 1, 2011**. The Division will determine if the applicant is eligible to continue to operate under the terms of the general permit. An application for an individual permit will be required for any point source discharge not reauthorized to discharge under the reissued general permit.

2. Application Requirements

The application referenced in Part I.A.1., above, will require the following information:

- a. The name, address, and descriptive location of the operation along with an accompanying USGS map, or a map of similar quality, which shows the location of all pertinent activities and the site boundary;
- b. The name of the principal in charge of operation, address, and phone number of the owner and of the field superintendent in responsible charge;
- c. A detailed site map that identifies all discharge points, and a schematic diagram showing the general area and/or routing of the activity;
- d. The name of water(s) receiving the discharge(s) and a listing of any downstream waters into which the receiving stream flows within five miles of the point of discharge;
- e. Description of the type of activity resulting in the discharge including the anticipated duration of activity and/or the discharge, anticipated volume, and rate of discharge, and the source of water which is to be discharged;
- f. Description of any wastewater treatment system and recycle/reuse utilized;
- g. A description of the methods and equipment to be used to measure flows and to analyze for pollutants of concern in the discharge; and,
- h. Storage of petroleum or chemicals on site.
- i. Discharge cannot be shown to be capable of causing new or increased loadings of parameters cited in Colorado's 303(d) list (<http://www.cdphe.state.co.us/regulations/wqccregs/100293wqlimitedsegmdls.pdf>) for impairment for next receiving downstream State waters;

3. Certification Requirements

The applicant must certify that the following conditions exist at the operation or the operation will not be allowed to discharge under the authority of the general permit:

- a. This permit does not constitute authorization under 33 U.S.C. 1344 (Section 404 of the Clean Water Act) of any stream dredging or filling operations;
- b. The operation does not accept for treatment and discharge, by truck, rail, or dedicated pipeline, any hazardous waste as defined at Part 261, 6 CCR 1007-3, under the Hazardous Waste Commission Regulations;
- c. The certification does not allow for a mixing zone and all limits are end of pipe.

B. TERMS AND CONDITIONS

1. Effluent Parameters

In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4,) and the Colorado Discharge Permit System Regulations, Section 61.8(2), the following limitations will be applicable to all discharges.

Parameter	Discharge Limitations Maximum Concentrations		
	30-Day Avg	7-Day Average	Daily Max.
Flow, MGD	Report	NA	Report
Total Suspended Solids, mg/l	30	45	NA
Oil and Grease, mg/l	NA	NA	10*
pH, s.u. (Minimum-Maximum)	NA	NA	6.5-9.0
Total Dissolved Solids, mg/l**	NA	NA	Report
Total Phosphorus, mg/l, as P***	NA	NA	Report
Site Specific			
Metals, ug/l****	Varies	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin.

*** Applicable only to waters with a control regulation for P.

****Applicable on a site by site basis.

2. Site-specific Limitations

Site-specific limitations for a parameter may be added on a case-by-case basis that are equivalent to the Basic Standards and Methodologies for Surface Water, or Regulation for Effluent Limitations, or any other applicable regulation, and would be specified in the certification along with the appropriate monitoring frequencies.

3. Onetime Sampling Analysis for Metals

The Division may request a onetime sampling and analysis for specific or all inclusive metals parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

4. Onetime Sampling Analysis for Organics

The Division may request a onetime sampling and analysis for specific or all inclusive organics parameters on a site specific/ discharge specific basis. The permittee will be required to submit these results to the permit writer identified on the certification. The Division will then review the data to determine if any certification amendments are necessary based on the effluent monitoring results.

5. Other Site-specific Permit Conditions

Specific permit conditions may be added due to Division compliance order on consent, cease and desist order, or an EPA administrative order, or similar decree promulgated by the Division or EPA.

C. MONITORING REQUIREMENTS

1. Effluent Parameters

In order to obtain an indication of compliance or non-compliance with the effluent limitations specified in Part I, Section B.1, the permittee shall normally monitor the effluent parameters at the following required frequencies, however changes to these frequencies may be made on a site specific and/or discharge specific basis, as identified in the certification on page one of this permit, the results to be reported on the Discharge Monitoring Report ("DMR") (See Part I, Section F.2.):

Effluent Parameter	Measurement Frequency	Sample Type
Flow, MGD	Weekly	Instantaneous or Continuous
Total Suspended Solids, mg/l	Weekly	Grab
Oil and Grease, mg/l	Weekly	Visual*
pH, s.u. (Minimum-Maximum)	Weekly	In-situ
Total Dissolved Solids, mg/l**	Monthly	Grab
Total Phosphorus, mg/l, as P***	Monthly	Grab
Site Specific		
Metals, ug/l****	Varies	Varies

*There shall be no visible sheen.

**Applicable only to waters of the Colorado River Basin.

*** Applicable only to waters with a control regulation for P.

****Applicable on a site by site basis.

D. DEFINITIONS OF TERMS

1. "Continuous" measurement is a measurement obtained from an automatic recording device, which continually provides measurements.

2. "Daily Maximum limitation" means the limitation for this parameter shall be applied as an instantaneous maximum (or, for pH or DO, instantaneous minimum) value. The instantaneous value is defined as the analytical result of any individual sample. DMRs shall include the maximum (and/or minimum) of all instantaneous values within the calendar month. Any instantaneous value beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit.
3. "Grab" sample, is a single "dip and take" sample so as to be representative of the parameter being monitored.
4. "In-situ" measurement is defined as a single reading, observation or measurement taken in the field at the point of discharge.
5. "Instantaneous" measurement is a single reading, observation, or measurement performed on site using existing monitoring facilities.
6. "Material handling activities" include: storage, loading and unloading of any raw material, intermediate product, finished product, by-product, or waste product where such products could come in contact with precipitation.
7. "Seven (7) day average" means the arithmetic mean of all samples collected in a seven (7) consecutive day period. Such seven (7) day averages shall be calculated for all calendar weeks, which are defined as beginning on Sunday and ending on Saturday. If the calendar week overlaps two months (i.e. the Sunday is in one month and the Saturday in the following month), the seven (7) day average calculated for that calendar week shall be associated with the month that contains the Saturday. Samples may not be used for more than one (1) reporting period.
8. "Significant materials" include but are not limited to: raw materials; fuels; materials such as metallic products; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of SARA III; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharge.
9. "Stormwater discharge associated with industrial activity" means any point source which is used for collecting and conveying stormwater, and which is located at an industrial site or directly related to manufacturing, processing or raw materials storage areas at an industrial site. The term includes, but is not limited to, stormwater discharges from drainage areas in which are located: industrial site yards; immediate access roads and rail lines; drainage ponds; material handling sites; refuse sites; sites used for the application or disposal of process waters; sites used for storage and maintenance of material handling equipment; sites that are or have been used for residual treatment, storage or disposal; dust or particulate generating processes; shipping and receiving areas; manufacturing buildings; and storage areas (including tank farms) for raw materials, and intermediate and finished products.
10. "Thirty (30) day average" means the arithmetic mean of all samples collected during a thirty (30) consecutive-day period. The permittee shall report the appropriate mean of all self-monitoring sample data collected during the calendar month on the Discharge Monitoring Reports. Samples shall not be used for more than one (1) reporting period.
11. "Visual" observation is observing the discharge to check for the presence of a visible sheen or floating oil.
12. "Water Quality Control Division" or "Division" means the state Water Quality Control Division as established in 25-8-101 et al.)

Additional relevant definitions are found in the Colorado Water Quality Control Act, CRS §§ 25-8-101 et seq., the Regulations for the State Discharge Permit System, 5 CCR 1002-2, § 6.1.0 et seq and other applicable regulations.

E. ADDITIONAL MONITORING REQUIREMENTS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by the Division.

2. Discharge Sampling Point

Discharge points shall be so designed or modified so that a sample of the effluent can be obtained at a point after the final treatment process and prior to discharge to state waters. The permittee shall provide access to the Division to sample the discharge at these points.

3. Analytical and Sampling Methods for Monitoring

The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant-monitoring methods. Analytical and sampling methods utilized by the discharger shall be approved methods as defined by Colorado Regulations for Effluent Limitations (5 CCR 1002-3, 62.5), Federal regulations (40 CFR 136) and any other applicable State or Federal regulations.

When requested in writing, the Water Quality Control Division may approve an alternative analytical procedure or any significant modification to an approved procedure.

4. Records

- a) The permittee shall establish and maintain records. Those records shall include, but not be limited to, the following:

- (i) The date, type, exact place, and time of sampling or measurements;
 - (ii) The individual(s) who performed the sampling or measurements;
 - (iii) The date(s) the analyses were performed;
 - (iv) The individual(s) who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
- b) The permittee shall retain for a minimum of three (3) years records of all monitoring information, including all original strip chart recordings for continuous monitoring instrumentation, all calibration and maintenance records, copies of all reports required by this permit and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Division.

5. Additional Monitoring by Permittee

If the permittee, using the approved analytical methods, monitors any parameter more frequently than required by this permit, then the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form or other forms as required by the Division. Such increased frequency shall also be indicated.

6. Flow Measuring Devices

Flow measuring and metering shall be provided to give representative values of throughput and treatment of the wastewater system. Unless specifically waived in the certification, the metering device shall be equipped with a local flow indication instrument and a flow indication-recording-totalization device suitable for providing permanent flow records, which should be in the plant control building.

At the request of the Director of the State Water Quality Control Division, the permittee must be able to show proof of the accuracy of any flow-measuring device used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate values within ten (10) percent of the actual flow discharging from the point source.

7. Contamination:

If groundwater contamination is encountered, then the permittee is to contact the Division and, if appropriate, the owner of the collection system receiving the discharge. Since the discharge of contaminated groundwater is not covered under this permit, the permittee shall immediately apply for a groundwater remediation certification, <http://www.cdphe.state.co.us/wq/PermitsUnit/landD/31000gasolinecleanupapplication.pdf> which will include appropriate requirements for additional discharge monitoring and on-site environmental response capabilities?

F. REPORTING

1. Signatory Requirements

All reports, applications, or information required for submittal shall be signed and certified for accuracy by the permittee in accord with the following criteria:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the operation from which the discharge described in the form originates;
- b) In the case of a partnership, by a general partner;
- c) In the case of a sole proprietorship, by the proprietor;
- d) In the case of a municipal, state, or other public operation, by either a principal executive officer, ranking elected official, or other duly authorized employee.

2. Monthly Reports

Monitoring results shall be for each calendar month and reported on the DMR forms (EPA forms 3320-1). DMR forms shall normally be submitted on a monthly basis; however the Division may determine a different frequency. The forms shall be mailed to the Division at the address listed below so that they are received by the Division no later than the 28th day of the following month. If no discharge occurs during the reporting period, "No Discharge" shall be reported.

The DMR forms shall be filled out accurately and completely in accordance with the requirements of this permit and the instructions on the forms, and shall be signed by an authorized person as identified in the preceding section, Part I.F.1.

The DMR forms consist of four pages - the top "original" copy, and three attached no-carbon-required copies. After the DMR form has been filled out and signed, the four copies must be separated and distributed as follows.

The top, original copy of each form shall be submitted to the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division, WQCD-PE-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

The additional copies are for the permittee's records.

3. Special Notifications

a) Definitions

- (i) Bypass: The intentional diversion of waste streams from any portion of a treatment facility.
- (ii) Severe Property Damage: 1) Substantial physical damage to property at the treatment facilities to cause them to become inoperable, or 2) substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- (iii) Spill: An incident in which flows or solid materials are accidentally or unintentionally allowed to flow or escape so as to be lost from the domestic wastewater treatment works as defined in the Colorado Water Quality Control Act, which may cause pollution of state waters.
- (iv) Upset: An exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b) Noncompliance Notification

- (i) If, for any reason, the permittee does not comply with or will be unable to comply with any maximum discharge limitations, standards or conditions specified in this permit, the permittee shall, at a minimum, provide the Division and EPA with the following information:
 - (1) A description of the discharge and cause of non-compliance.
 - (2) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and
 - (3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.
- (ii) The following instances of noncompliance shall be reported orally within twenty-four (24) hours from the time the permittee becomes aware of the circumstances, and a written report mailed within five (5) days of the time the permittee becomes aware of the circumstances. Oral notifications should be made by calling the Environmental Release and Incident Reporting Line at 877-518-5608. Written reports should be sent to Colorado Department of Public Health and Environment, Water Quality Control Division, WQCD-District Engineer, 4300 Cherry Creek Drive South, Denver, CO 80246-1530,
 - (1) Any instance of noncompliance, which may endanger human health or the environment, regardless of the cause for the incident.
 - (2) Any unanticipated bypass, or any upset or spill, which causes any permit limitation to be violated.
 - (3) Any suspected significant discharges of toxic pollutants or hazardous substances, which are listed in Part III. of this permit, regardless of the cause for the incident.
- (iii) The permittee shall report all other instances of noncompliance, which are not required to be reported within twenty-four (24) hours, at the time DMRs are submitted, except as required in (iv) below. The reports shall contain the information listed in "Noncompliance Notification" (paragraph (i) above).
- (iv) If the permittee knows in advance of the need for a bypass, it shall submit written notification to the Division of the need for such bypass at least ten days before the date of the contemplated bypass.

c) Submission of Incorrect or Incomplete Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, it shall promptly submit such facts or information.

d) Change in Discharge or Wastewater Treatment Facility

The permittee shall inform the Division (Technical Services Unit) in writing of any intent to construct, install, or alter any process, facility, or activity that is likely to result in a new or altered discharge either in terms of location or effluent quality prior to the occurrence of the new or altered discharge, and shall furnish the Division such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge and receiving stream.

If the Division finds that such new or altered discharge might be inconsistent with the conditions of the permit, the Division shall require a new or revised permit application and shall follow the procedures specified in Colorado State Discharge Permit System Regulations, 5CCR 1002.2, Sections 61.5 through 61.9(2), and 61.15 prior to the effective date of the new or altered discharge.

e) **Deactivation**

The permittee shall notify the Division (Permits Section) within thirty (30) days before deactivation of the permitted operation. Deactivation includes ceasing operation of the facility, ceasing all discharges to State Waters for the remaining term of the existing permit and/or the connection to another wastewater treatment facility.

PART II

A. MANAGEMENT REQUIREMENTS AND RESPONSIBILITIES

1. Bypass

- a) The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Division notification is not required.
- b) A bypass, which causes effluent limitations to be exceeded, is prohibited, and the Division may take enforcement action against a permittee for such a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (iii) The permittee submitted notices as required in "Non-Compliance Notification," Part I.F. 3(b) (iv)

2. Upsets

a) **Effect of an Upset**

An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based (process-related) permit effluent limitations if the requirements of paragraph (b) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b) **Conditions Necessary for a Demonstration of Upset**

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- (i) An upset occurred and that the permittee can identify the specific cause(s) of the upset;
- (ii) The permitted operation was at the time being properly operated; and
- (iii) The permittee submitted notice of the upset as required in Part I, Section C of this permit (24-hour notice).
- (iv) The permittee complied with any remedial measures required under 40 CFR 122.7(d).

c) **Burden of proof**

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

3. Reduction, Loss, or Failure of Treatment

The permittee has the duty to halt or reduce any activity if necessary to maintain compliance with the effluent limitations of the permit. Upon reduction, loss, or failure of the treatment, the permittee shall, to the extent necessary to maintain compliance with this permit, control sources of wastewater, or all discharges, or both until the treatment is restored or an alternative method of treatment is provided. This provision also applies to power failures, unless an alternative power source sufficient to operate the wastewater control facilities is provided.

In an enforcement action a permittee shall not use a defense that it would be necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the State.

5. Minimization of Adverse Impacts

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the State resulting from noncompliance with any effluent limitations specified in this permit. As necessary, accelerated or additional monitoring of the influent or effluent will be required to determine the nature and impact of noncompliance.

6. Discharge Point

Any discharge to the waters of the State from a point source other than specifically authorized herein is prohibited.

7. Inspections and Right to Entry

The permittee shall allow the Division's Director, the EPA Regional Administrator, and/or their authorized representatives, upon the presentation of credentials:

- a) To enter upon the permittee's premises where a regulated facility or activity is located or in which any records are required to be kept under the terms and conditions of this permit;
- b) At reasonable times to have access to inspect and copy any records required to be kept under the terms and conditions of this permit and to inspect any monitoring equipment or monitoring method required in the permit; and
- c) To enter upon the permittee's premises in a reasonable manner and at a reasonable time to inspect and/or investigate any actual, suspected, or potential source of water pollution, or to ascertain compliance or noncompliance with any applicable state or federal statute or regulation or any order promulgated by the Division. The investigation may include, but is not limited to the following: sampling of any discharge and/or process waters, the taking of photographs, interviewing of any persons having any knowledge related to the discharge permit or alleged violation, access to any and all facilities or areas within the permittee's premises that may have any affect on the discharge, permit, or alleged violation.
- d) The Division shall split samples taken by the Division during any investigation with the permittee if requested to do so by the permittee.

8. Duty to Provide Information

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

9. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act and the Colorado Discharge Permit System Regulations 5 CCR 1002-2, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division and the EPA's Regional Administrator.

As required by the Act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act, and Section 25-8-610 C.R.S.

10. Transfer of Ownership or Control

A permit may be transferred to a new permittee only upon the completion of the following:

- a) The current permittee notifies the Division in writing 30 days in advance of the proposed transfer date;
- b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and
- c) Fee requirements of the Colorado Discharge Permit System Regulations (Section 61.15) have been met.

B. ADDITIONAL CONDITIONS

1. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

2. Civil and Criminal Liability

Except as provided in Part I, Section C and Part II, Section A, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance (See 40 CFR 122.60)

3. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibility, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

4. Division Emergency Power

Nothing in this permit shall be construed to prevent or limit application of any emergency power of the Division.

5. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit in any circumstance, are held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 (Oil and Hazardous Substance Liability) of the Act, except as recognized by federal law.

7. Property Rights

The issuance of this permit does not convey any property or water rights in either real or personal property or stream flow or any exclusive privileges, nor does it authorize any injury to private property, any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.-

8. Modification, Suspension, or Revocation of Permit

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

All permit modification, termination or revocation and reissuance actions shall be subject to the requirements of the Colorado Discharge Permit System Regulations, Sections 61.5(2), 61.5(3), 61.8, and 61.15 except for minor modifications.

Minor modifications may only correct typographical errors, require a change in the frequency of monitoring or reporting by the permittee, change an interim date in a schedule of compliance or allow for a change in ownership or operational control of an activity including addition, deactivation or relocation of discharge points where the Division determines that no other change in the permit is necessary.

- a) This permit may be modified, suspended, or revoked in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
- (i) Violation of any terms or conditions of the permit;
 - (ii) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit; or
 - (iii) Materially false or inaccurate statements or information in the permit application of the permit; or
 - (iv) Toxic effluent standards or prohibitions (including any schedule of compliance specified in such effluent standard or prohibition) which are established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.

- b) This permit may be modified in whole or in part due to a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge, such as:
 - (i) The water quality standards applicable to such waters; or
 - (ii) Effluent limitations or other applicable requirements pursuant to the state act or federal requirements; or
- c) This permit may be modified in whole or in part to include any condition set forth in the approval of the site location for the facility per Regulations for the Site Application Process, 5 CCR 1002-22, and Sections 22.1 through 22.14.
- d) At the request of a permittee, the Division may modify or terminate this permit and issue a new permit if the following conditions are met:
 - (i) EPA's Regional Administrator has been notified of the proposed modification of termination and does not object in writing within thirty (30) days of receipt of notification;
 - (ii) The Division finds that the permittee has shown reasonable grounds consistent with the Federal and State statutes and regulations for such modifications or termination;
 - (iii) Fee requirements of Section 61.15 of Colorado Discharge Permit System Regulations have been met; and
 - (iv) Requirements of public notice have been met.
- e) This permit may be modified to reflect any new requirements for handling and disposal of biosolids as required by State or Federal regulations.
- f) This permit shall be modified or alternatively, revoked and reissued, to incorporate an approved Domestic Wastewater Treatment Works Pretreatment Program into the terms and conditions of this permit.
- g) If, during the term of this permit, industrial contributions to the DWTW are interfering, inhibiting or incompatible with the operation of the treatment works, then the permit may be modified to require the permittee to specify, by ordinance, contract, or other enforce- able means, the type of pollutant(s) and the maximum amount which may be discharged to the permittee's facility for treatment.

9. Permit Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least one hundred eighty (180) days before this permit expires. If the permittee anticipates there will be no discharge after the expiration date of this permit, the Division must be promptly notified so that it can terminate the permit in accordance with Part II Section B.8.

10. Confidentiality

Any information relating to any secret process, method of manufacture or production, or sales or marketing data, which may be acquired, ascertained, or discovered, whether in any sampling investigation, emergency investigation, or otherwise, shall not be publicly disclosed by any member, officer, or employee of the commission or the Division, but shall be kept confidential. Any person seeking to invoke the protection of this Subsection (10) shall bear the burden of proving its applicability. This section shall never be interpreted as preventing full disclosure of effluent data.

11. Fees

The permittee is required to submit an annual fee as set forth in the 1983 amendments to the Water Quality Control Act, Section 25-8-502 (1) (b), and Colorado Discharge Permit System Regulations 5CCR 1002-2, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the permit and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

PART III

PRIORITY POLLUTANTS AND HAZARDOUS SUBSTANCES
ORGANIC TOXIC POLLUTANTS IN EACH OF FOUR FRACTIONS
IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GC/MS)
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

<u>Volatiles</u>	<u>Base/Neutral</u>	<u>Acid Compounds</u>	<u>Pesticides</u>
acrolein	acenaphthene	2-chlorophenol	aldrin
acrylonitrile	acenaphthylene	2,4-dichlorophenol	alpha-BHC
benzene	anthracene	2,4,-dimethylphenol	beta-BHC
bromoform	benzidine	4,6-dinitro-o-cresol	gamma-BHC
carbon tetrachloride	benzo(a)anthracene	2,4-dinitrophenol	delta-BHC
chlorobenzene	benzo(a)pyrene	2-nitrophenol	chlordan
chlorodibromomethane	3,4-benzofluoranthene	4-nitrophenol	4,4'-DDT
chloroethane	benzo(ghi)perylene	p-chloro-m-cresol	4,4'-DDE
2-chloroethylvinyl ether	benzo(k)fluoranthene	pentachlorophenol	4,4'-DDD
chloroform	bis(2-chloroethoxy)methane	phenol	dieldrin
dichlorobromomethane	bis(2-chloroethyl)ether	2,4,6-trichlorophenol	alpha-endosulfan
1,1-dichlorethane	bis(2-chloroisopropyl)ether		beta-endosulfan
1,2-dichlorethane	bis(2-ethylhexyl)phthalate		endosulfan sulfate
1,1-dichlorethylene	4-bromophenyl phenyl ether		endrin
1,2-dichloropropane	butylbenzyl phthalate		endrin aldehyde
1,3-dichloropropylene	2-chloronaphthalene		heptachlor
ethylbenzene	4-chlorophenyl phenyl ether		heptachlor epoxide
methyl bromide	chrysene		PCB-1242
methyl chloride	dibenzo(a,h)anthracene		PCB-1254
methylene chloride	1,2-dichlorobenzene		PCB-1221
1,1,2,2-tetrachloroethane	1,3-dichlorobenzene		PCB-1232
tetrachloroethylene	1,4-dichlorobenzene		PCB-1248
toluene	3,3-dichlorobenzidine		PCB-1260
1,2-trans-dichloroethylene	diethyl phthalate		PCB-1016
1,1,1-trichloroethane	dimethyl phthalate		toxaphene
1,1,2-trichloroethane	di-n-butyl phthalate		
trichloroethylene	2,4-dinitrotoluene		
vinyl chloride	2,6-dinitrotoluene		
	di-n-octyl phthalate		
	1,2-diphenylhydrazine (as azobenzene)		
	fluorene		
	fluoranthene		
	hexachlorobenzene		
	hexachlorobutadiene		
	hexachlorocyclopentadiene		
	hexachloroethane		
	indeno(1,2,3-cd)pyrene		
	isophorone		
	naphthalene		
	nitrobenzene		
	N-nitrosodimethylamine		
	N-nitrosodi-n-propylamine		
	N-nitrosodiphenylamine		
	phenanthrene		
	pyrene		
	1,2,4-trichlorobenzene		

OTHER TOXIC POLLUTANTS
(METALS AND CYANIDE) AND TOTAL PHENOLS
(SEE TABLE III, OF 40 CFR 122 APPENDIX D)

Antimony, Total
Arsenic, Total
Beryllium, Total
Cadmium, Total
Chromium, Total
Copper, Total
Lead, Total
Mercury, Total
Nickel, Total
Selenium, Total
Total Recoverable Thallium, mg/l
Silver, Total
Thallium, Total
Zinc, Total
Cyanide, Total
Phenols, Total

TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES
REQUIRED TO BE IDENTIFIED BY EXISTING DISCHARGERS
IF EXPECTED TO BE PRESENT
(SEE TABLE II, OF 40 CFR 122 APPENDIX D)

Toxic Pollutants

Asbestos

Hazardous Substances

Acetaldehyde

Allyl alcohol

Allyl chloride

Amyl acetate

Aniline

Benzonitrile

Benzyl chloride

Butyl acetate

Butylamine

Captan

Carbaryl

Carbofuran

Carbon disulfide

Chlorpyrifos

Coumaphos

Cresol

Crotonaldehyde

Cyclohexane

2,4-D(2,4-Dichlorophenoxy acetic acid)

Diazinon

Dicamba

Dichlobenil

Dichlone

2,2-Dichloropropionic acid

Dichlorvos

Diethyl amine

Dimethyl amine

Dinitrobenzene

Diquat

Disulfoton

Diuron

Epichlorohydrin

Ethanolamine

Ethion

Ethylene diamine

Ethylene dibromide

Formaldehyde

Furfural

Guthion

Isoprene

Isopropanolamine

Keithane

Kepone

Malathion

Mercaptodimethur

Methoxychlor

Methyl mercaptan

Methyl methacrylate

Methyl parathion

Mexacarbate

Monoethyl amine

Monomethyl amine

Naled

Napthenic acid

Nitrotoluene

Parathion

Phenolsulfanate

Phosgene

Propargite

Propylene oxide

Pyrethrins

Quinoline

Resorcinol

Strontium

Strychnine

Styrene

TDE (Tetrachlorodiphenylethane)

2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)

2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]

Trichlorofan

Triethylamine

Trimethylamine

Uranium

Vandium

Vinyl Acetate

Xylene

Xylenol

Zirconium

RATIONALE for AMENDMENT 1

CDPS GENERAL PERMIT FOR CONSTRUCTION DEWATERING ACTIVITIES

CDPS NO. COG-070000, STATEWIDE COVERAGE

Update (April 2008)

This is the first amendment of the general permit for wastewater associated with construction dewatering which discharge to waters of the State.

The most significant changes in this renewal are summarized below.

- A. The ability of the Division to request a onetime sampling analysis for metals, as well as organics, has been added. The permit writer may request the additional monitoring if information about the facility indicates the potential for groundwater contamination. The Division will review the results of the requested sampling to determine if additional parameters need to be added for permit limitations and monitoring in the certification. Should contamination be detected based on the sampling results, the permittee will be required to instigate remedial activities to become compliant with all relevant stream standards for all parameters and may be required to apply for a Groundwater Remediation Permit, COG-315000. Discharge of contaminated groundwater is not covered under this permit.*
- B. The monitoring frequency of total suspended solids has been changed from monthly to weekly and the monitoring frequency of total dissolved solids from weekly to monthly.*
- C. The ability of the Division to change the monitoring frequencies of the specified effluent limitations has been added. The monitoring frequency may be changed based on site specific and/or discharge specific basis.*

*Maura McGovern
April 9, 2008*

PUBLIC NOTICE COMMENTS

No Comments were received during the Public Notice Period.

*Maura McGovern
June 5, 2008*

Amended: June 5, 2008 Effective: August 1, 2008 Expiration: November 30, 2011

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer



Colorado Department
of Public Health
and Environment

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

4300 Cherry Creek Dr. S. Laboratory Services Division
Denver, Colorado 80246-1530 8100 Lowry Blvd.
Phone (303) 692-2000 Denver, Colorado 80230-6928
Located in Glendale, Colorado (303) 692-3090
<http://www.cdphe.state.co.us>

November 14, 2011

Kurt Sittner, PM
Reynolds Inc
1775 E 69 Ave
Denver, CO 80229

RE: Certification, Colorado Discharge Permit System –Hydrostatic Testing Operations
Permit Number COG604000 Certification Number: COG604112

Dear Mr. Sittner;

Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.
Please read the enclosed permit and certification.

The Water Quality Control Division (the Division) has reviewed the application submitted for the Southern Delivery Raw Water Pipeline S3 facility and determined that it qualifies for coverage under the CDPS General Permit for **Hydrostatic Testing Operations** (the permit).

Discharge Specific Information

- The discharge is potentially to several unnamed tributaries to Fountain Creek within segment 04 of the Fountain Creek Sub-basin, Arkansas River Basin, found in the Classifications and Numeric Standards for the Arkansas River Basin (Regulation No. 32) (COARFO04). Segment 04 is **Use Protected**, and is classified for the following beneficial uses: Aquatic Life, Class 2 Warm; Recreation Class E; and Agriculture.

This certification does not authorize the discharge from any system that contains chemicals, nor can any chemicals be added to the water used in the hydrostatic testing unless specifically approved for use by the Division.

Basis for Site Specific Parameters

- Since potable water will be used to perform the hydrostatic testing, Total Residual Chlorine has been added to the permit effluent limitations and monitoring requirements.

General Information

- **Permit Action Fees:** The Annual Fee for this certification is \$630 [Category 26, Subcategory 2 Minimal Industrial Discharge per CRS 25-8-502] and is invoiced every July. Do Not Pay This Now. The initial invoice will be **prorated** and sent to the legal contact shortly.
- **Changes to the Certification:** Any changes that need to be made to the certification page – changes in outfalls, monitoring requirements, etc., must be submitted using the "Permit and Certification Modification form" available on our website: coloradowaterpermits.com, and signed by the legal contact.
- **Discharge Monitoring Reports (DMRs) for Undefined Discharge Locations:** DMRs will be mailed to the permittee within the next month for each of the numbered undefined discharge outfalls identified in the permit certification. Each outfall identified in the permit certification, and the associated DMR forms for that outfall shall only authorize and be used for reporting discharges at a single outfall at a specific location. In accordance with Part I.E.4 of the permit, the permittee shall establish and maintain records that identify, among other information, the exact place for each outfall for which monitoring has occurred. The information must include the approximate location of the discharge (e.g. "discharge will occur between 5th Avenue and 20th Avenue", or "the discharge will enter the storm sewer located at the corner of Speer Blvd and 8th Ave., which eventually flows to Cherry Creek") and the latitude/longitude of the outfall.

DMRs for all outfalls must be submitted **monthly** as long as the certification is in effect. DMRs must be submitted for each



Colorado Department
of Public Health
and Environment

**CERTIFICATION TO DISCHARGE UNDER CDPS GENERAL PERMIT COG604000
HYDROSTATIC TESTING OPERATIONS**

Certification Number: **COG604112**

This Certification to Discharge specifically authorizes:

Reynolds Inc

to discharge from the facility identified as

Southern Delivery Raw Water Pipeline S3

to: **Unnamed Tributaries to Fountain Creek**

Facility Located at:

Young Hollow Rd & Antelope Rd, Pueblo County, Pueblo, CO

Facility Location

Latitude 38° 29' 25.75"N, Longitude -104° 41' 17.55" W.

Undefined Discharge Outfall(s) to Surface Water	Discharge Outfall(s) Description
Outfall Number 001-A	There are four potential discharge points from the hydrostatic testing along the Southern Delivery Raw Water Pipeline S3. Three discharge points are south of the intersection of Young Hollow Road and Antelope Road and the fourth is located north of this intersection. The hydrostatic testing effluent will be directed through filter bags and rock socks prior to discharging to unnamed tributaries to Fountain Creek. All discharges are estimated between 300-500 GPM.
Outfall Number 002-A	
Outfall Number 003-A	
Outfall Number 004-A	

*All discharges must comply with the lawful requirements of federal agencies municipalities, counties, drainage districts and other local agencies regarding any discharges to storm drain systems, conveyances, or other water courses under their jurisdiction.

Permit Limitations and Monitoring Requirements apply for Outfalls 001A-004A as outlined in the Permit Part I.B and Part I.C

Parameter	Units	Discharge Limitations Maximum Concentrations	Monitoring Frequency	Sample Type
		Daily Max.		
APPLICABLE TO ALL DISCHARGES AS LISTED IN GENERAL PERMIT				
pH (Minimum-Maximum) 00400	s.u.	6.5-9.0	2X/dischARGE	In-situ
Total Suspended Solids 00530	mg/l	30	2X/dischARGE	Grab
Oil and Grease ³ 03582	mg/l	10	2X/dischARGE	Grab ³
Flow, 50050	MGD	Report ²	2X/dischARGE	Instantaneous or Continuous
Oil and Grease Visual ³ 84066		Report ³	2X/dischARGE	Visual ³
Iron (Potentially Dissolved) 01317	ug/l	300	2X/dischARGE	Grab
SITE SPECIFIC PARAMETERS				
Total Residual Chlorine 50060	mg/l	0.019	2X/dischARGE	Grab

¹ Samples will be taken during the first and last hour of discharge. If the discharge is less than an hour, then the samples will be collected during the first and last 15 minutes of discharge. The sample point will be immediately following the discharge from the pipeline or vessel. If the discharge is going through BMPs or treatment then sampling point shall be after such BMPs/treatment and prior to discharge to State Waters.

² Flow can be measured with a recorder or determined from estimates based on volume of fill water, dimension of the pipeline, or volume of the vessel filled with water.

³ There shall be no visual sheen. A visual observation for Oil and Grease is required twice per discharge. If a visible sheen is detected, a grab sample must be collected at the frequency established in the monitoring table above. If a visual sheen is not detected, a grab sample is not required.

Certification is issued 11/11/2011

Effective 11/11/2011

Certification Expires: 12/31/2012

This certification under the permit requires that specific actions be performed at designated times. The certification holder is legally obligated to comply with all terms and conditions of the permit.

Signed,

Nathan Moore
Construction, MS4, & Pretreatment Unit Manager
Water Quality Control Division

CDPS GENERAL PERMIT

**DISCHARGES ASSOCIATED WITH HYDROSTATIC TESTING OF
PIPELINES, TANKS, AND SIMILAR VESSELS**

AUTHORIZATION TO DISCHARGE UNDER THE

COLORADO DISCHARGE PERMIT SYSTEM

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), facilities discharging wastewater from **hydrostatic testing of pipelines, storage tanks, and similar vessels** that are determined to be of minimal impact are authorized to discharge from approved locations throughout the State of Colorado to ground and/or surface waters of the State. Such discharges shall be in accordance with the conditions of this permit.

This permit specifically authorizes the permittee listed on page 1 of this permit, which is the facility certification, to discharge process generated wastewaters as of the date stated on page 1, in accordance with the permit requirements and conditions set forth in Parts I and II hereof and the facility certification. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

Any party, including those currently certified under this general permit, may demand an adjudicatory hearing within thirty days of the issuance of the final permit determination, per the Colorado Discharge Permit System Regulations, Regulation No. 61 (5 CCR 1002-61). Should a party choose to contest any of the effluent limitations, monitoring requirements or other conditions contained herein, the party must comply with Section 24-4-104 CRS and the Colorado Discharge Permit System Regulations. Failure to contest any such effluent limitation, monitoring requirement, or other condition, constitutes consent to the condition by the party.

This permit and the authorization to discharge shall expire at midnight, **December 31, 2012**

Issued and Signed this 25th day of September, 2007

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT



Janet Kieler, Permits Section Manager
Water Quality Control Division

ISSUED AND SIGNED SEPTEMBER 25, 2007

EFFECTIVE DATE JANUARY 1, 2008

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PART I

A. COVERAGE UNDER THIS PERMIT

1. Eligibility

To be considered eligible for authorization to discharge under the terms and conditions of this permit, the owner or operator of any facility desiring to discharge **hydrostatic test water from the testing of new or used pipes, storage tanks, and similar vessels** to ground and/or surface waters of the State must submit a complete permit application form obtained from the Division. This also includes flushing. At least thirty days prior to the anticipated date of discharge, the application shall be submitted to:

Colorado Department of Public Health and Environment
WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

The specific application for this general permit, with instructions, is available as a hardcopy for pick-up, by calling (303) 692-3500, or online at the Division's website:

<http://www.cdphe.state.co.us/wq/PermitsUnit/Industrial/index.html>

The Division has thirty days after receipt of the above information to request additional data and/or deny the authorization for any particular discharge. Upon receipt of additional information, the Division has an additional thirty days to issue or deny authorization for the particular discharge.

If the Division determines that the operation does not fall under the authority of the general permit, then the information received will be treated as application for an individual permit. In such case, discharge is not allowed until a permit is issued, which may take 180 days.

This general permit will expire on **December 31, 2012**. The Division must evaluate this general permit at least once every five years and must also recertify all existing permittees' authority to discharge under the general permit at such time. Permittees desiring continued coverage under this general permit must re-apply 180 days prior to the expiration date of this general permit. The Division will review all applications and determine on a case-by-case basis if permittees are eligible to continue to operate under the terms of the general permit. An application for an individual permit will be required for any point source discharge not reauthorized to discharge under the reissued general permit.

2. Application Requirements

The application referenced above will require the following information:

- a. Name, address, and descriptive location of the facility, including latitude and longitude. In the scenario where the discharge is not from a facility but from a linear project include a description of the location of the discharges, including the latitude and longitude of each approximate discharge location;
- b. Names and contact information for legal contact and principal in charge of the project or operation of the facility;
- c. Description of the type of activity resulting in the discharge, including the anticipated duration of the activity and/or the discharge, anticipated volume and rate of discharge, and the source of water, which is to be discharged;
- d. Name of potential receiving State Waters, (including irrigation ditches, intermittent streams, dry drainage, and groundwater);
- e. Where pollutants are expected in the discharge, a description of the wastewater treatment system, recycle/reuse, or BMPs utilized that will effectively and consistently meet all applicable effluent limitations (failure to provide satisfactory treatment may result in immediate denial);
- f. A topographic map showing the general geographical location of the facility and/or discharge(s) and any nearby landfills, mine or mill tailings, or drinking water intakes;
- g. A sketch of the facility and/or project showing all structures, discharge points, sampling locations, and receiving waters, as well as storage locations of any petroleum or chemicals on site;
- h. A chemical analysis of the water to be discharged (only if requested by permit writer), if used pipelines are being tested expect that the Division will request chemical analysis;

3. Certification Requirements

Under this general permit, facilities performing **hydrostatic testing of pipelines, storage tanks, and similar vessels** may be granted authorization to discharge process generated wastewater effluent to ground and/or surface waters of the State of Colorado. Both new and used vessels are covered under this permit although different effluent limitations apply to each.

b. Numeric Effluent Limitations and Monitoring Requirements for Used pipelines, tanks, or other similar vessels

Effluent Parameter	Discharge Limitations	Monitoring Frequency ⁷	Sample Type
	Daily Max		
Flow, gpm	Report ²	2 X/ discharge	Estimate
Total Suspended Solids, mg/l	30	2 X/ discharge	Grab
Oil and Grease, mg/l ³	10	2 X/ discharge	Visual/Grab
pH, s.u.	6.5-9.0	2 X/ discharge	In-situ
Total Recoverable Iron, mg/l	1.0	2 X/ discharge	Grab
Dissolved Iron, mg/l	0.3	2 X/ discharge	Grab
Site-specific ⁴			
Total Residual Chlorine, mg/l	0.019	2 X/ discharge	In-situ
Benzene, mg/l	0.0022	2 X/ discharge	Grab
Toluene, mg/l	1.0	2 X/ discharge	Grab
Ethyl Benzene, mg/l	0.530	2 X/ discharge	Grab
Xylenes, mg/l	1.4	2 X/ discharge	Grab
Other Pollutants, units	Limit	2 X/ discharge	Grab
Other Pollutants, units	Report	2 X/ discharge	Grab
Total Dissolved Solids, mg/l ⁵	Report	2 X/ discharge	Grab
Total Phosphorus, mg/l ⁶	0.05	2 X/ discharge	Grab
Total Phosphorus, mg/l ⁶	Report	2 X/ discharge	Grab

¹ Samples will be taken during the first and last hour of discharge. If the discharge is less than an hour, then the samples will be collected during the first and last 15 minutes of discharge. The sample point will be immediately following the discharge from the pipeline or vessel. If the discharge is going through BMPs or treatment then sampling point shall be after such BMPs/treatment and prior to discharge to State Waters. If the same hydrotesting program is conducted in more than one location along an extensive pipeline, then the monitoring frequency can be adjusted on a site-specific basis with support for this decision provided in the certification.

² Flow can be measured with a recorder or determined from estimates based on volume of fill water, dimension of the pipeline, or volume of the vessel filled with water.

³ There shall be no visual sheen. If a visual sheen is detected a grab sample is required.

⁴ Limits will be established on a site-specific basis for additional parameters. For example if the fill water is a drinking water supply, then total residual chlorine monitoring will be required. See Part I.B.2.d of this permit.

⁵ Monitoring is required only for discharges within the Colorado River Basin

⁶ Monitoring and/or numeric effluent limits may apply to discharges to watersheds with a control regulation for Phosphorus.

c. Water Quality Standards – Site-specific limitations for additional parameters will be added on a case-by-case basis that are equivalent to the water quality standards found in The Basic Standards and Methodologies for Surface Water (5 CCR 1002-31) or The Basic Standards for Ground Water (5 CCR 1002-41), as appropriate, and will be specified in the certification along with appropriate monitoring frequencies.

d. Chemical Addition – All chemicals that are or may be in the discharge are subject to review and approval. A Material Safety Data Sheet (MSDS) showing aquatic toxicity data shall be submitted with the permit application. The permit writer will review the MSDS and any other applicable information prior to approval. If additional pollutants may be discharged as a result of the chemical addition, limitations and/or monitoring may be added to those in the table above to assure constituents in the chemicals do not violate water quality standards.

e. Volume of Water Discharged (Flow) – A flow limit may apply. See the individual certification rationale for the flow limit applicable to the facility. Either a flow measuring device or an approved alternate determination of the total volume and total time of discharge may be used for effluent flow monitoring; see footnote 2 from tables above.

f. Salinity Monitoring – In compliance with the Colorado River Salinity Standards (Regulation No. 39) and the Colorado Discharge Permit System Regulations (Regulation No. 61), all permittees in the Colorado River basin shall monitor for total dissolved solids (TDS). Samples shall be taken at all authorized outfalls. If TDS monitoring is a requirement of the permit then it shall be included in the site-specific certification. Additional monitoring for TDS shall be included on the DMR and shall be subject to the permit's monitoring and reporting requirements. TDS sampling shall be taken as a grab sample.

g. Control Regulations—Control regulations exist to place additional limits on discharges to surface waters in five watersheds – Dillon Reservoir, Cherry Creek Reservoir, Chatfield Reservoir, Cheraw Lake, and Bear Creek Reservoir. The total available wasteloads (i.e., phosphorus) have been allocated in these regulations to various point and

2. **Legal Contact Information**--Names and contact information for legal contact and principal in charge of project or operation of the facility;
3. **Description of the Discharge**--Description of the type of activity resulting in the discharge, including the anticipated duration of the activity and/or the discharge, anticipated volume and rate of discharge, and the source of water, which is to be discharged;
4. **Identify the Receiving Stream**--Name of potential receiving State Waters, (including irrigation ditches, intermittent streams, dry drainage, and groundwater);
5. **Overview Map**--A topographic map showing the general geographical location of the facility and/or project, identify the location of the discharge(s), and any nearby landfills, mine or mill tailings,
6. **Site Map**--A site map containing the following:
 - a. A sketch of the facility and/or project boundary,
 - b. A sketch showing all structures including storage locations of any petroleum or chemicals on site,
 - c. The location of the discharge points (numbered),
 - d. The location of the receiving waters,
 - e. The location of the BMPs selected to reduce the pollutant sources identified
7. **Potential Pollutant Sources**--Identify all potential pollutants which may reasonably be expected in the discharge or expected to effect the discharge;

At a minimum, each of the following sources and activities shall be evaluated for the potential to contribute pollutants to the discharge, and identified in the BMP Management Plan if found to have such potential:

- a. The potential for Total Suspended Solids to be in the discharge, there shall be no sludge banks or deposition of solids downstream from the discharge;
 - b. The potential for Oil and Grease to be in the discharge; there shall be no visible sheen in the discharge;
 - c. The potential for debris from inside the new pipeline or vessel to be in the discharge; there shall be no visible evidence of solids or debris in the discharge;
 - d. The potential for pollutants to be in the discharge as a result of the source water, (i.e., if the source water is from a drinking water supply, chlorine is a potential pollutant source);
 - e. The potential from any hazardous materials or chemicals stored or used on site to be in the discharge;
 - f. The potential for spills from bulk storage structures for gasoline and other chemicals to enter the effluent stream or waters of the State. These structures shall have adequate protection so as to contain all spills;
 - g. Significant dust or particulate generated at job site;
8. **Best Management Practices**--Identify and describe the Best Management Practices that will be implemented at the site to reduce the potential of the sources identified in Part B.4.a.7 to contribute pollutants to the process water discharge. The Plan shall clearly describe the installation and implementation specifications for each BMP identified in the Plan to ensure proper implementation, operation and maintenance of the BMP.

Practices may include, but are not limited to:

- a. Hazardous materials or chemicals stored or used on site shall be adequately handled and contained to prevent spills. Earthen dikes or concrete basins with capacity to hold contents of storage tanks or containers shall be used to prevent spills of these materials into State Waters in the event of failure of the storage containers.
- b. Control of excessive suspended solids shall be undertaken as necessary to prevent reaching surface receiving waters and causing any receiving water deterioration.
- c. Total suspended solids can be reduced by filtering the discharge, by directing the water into a settling basin and allowing the solids to settle, or by developing a clearwell and pumping from this structure in the case of groundwater discharges, using filter bags, sediment traps, etc.;
- d. Modification of the pipe discharge structure to disperse flows;

7. An "in-situ" measurement, for monitoring requirements, is a single reading, observation, or measurement performed on site.
8. "Potentially dissolved (PD) metals fraction" is defined in the Basic Standards and Methodologies for Surface Water 1002-31, as that portion of a constituent measured from the filtrate of a water and suspended sediment sample that was first treated with nitric acid to a pH of 2 or less and let stand for 8 to 96 hours prior to sample filtration using a 0.40 or 0.45-UM (micron) membrane filter. Note the "potentially dissolved" method cannot be used where nitric acid will interfere with the analytical procedure used for the constituent measured.
9. "Salinity" is measured as Total Dissolved Solids (TDS). Where based on a minimum of 5 samples, the permittee demonstrates a correlation to the satisfaction of the Division that the level of TDS in the effluent can be calculated based upon the level of electrical conductivity, the permittee may measure and report salinity in terms of electrical conductivity.
10. "Total Recoverable Metals" means that portion of a water and suspended sediment sample measured by the total recoverable analytical procedure described in Methods for Chemical Analysis of Water and Wastes, U.S. Environmental Protection Agency, March 1979 or its equivalent.
11. A "visual" observation, for Oil and Grease monitoring requirements, is defined as observing the discharge to check for the presence of a visible sheen or floating oil. If either of these is present, a grab sample shall be taken, analyzed, and reported on the appropriate DMR. In addition, corrective action shall be taken immediately to mitigate the discharge of oil and grease. A description of the corrective action taken should be included with the DMR.
12. "Water Quality Control Division" or "Division" means the state Water Quality Control Division as established in 25-8-101 et al.)

D. ADDITIONAL MONITORING REQUIREMENTS

1. Discharge Sampling Point

Discharge points shall be so designed or modified so that a sample of the effluent can be obtained at a point after the final treatment process and prior to discharge to State Waters. The permittee shall provide access to the Division to sample the discharge at these points.

2. Additional Monitoring by Permittee

If the permittee, using approved analytical methods, monitors any parameter more frequently than required by the permit, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form or other forms as required by the Division. Such increased frequency shall also be indicated.

E. GENERAL MONITORING, SAMPLING AND REPORTING REQUIREMENTS

1. Routine Reporting of Data

For permittees required to report the data gathered in compliance with Part I.B.2. shall be on a **monthly** basis. All data shall be reported on Division approved discharge monitoring report (DMR) forms (EPA form 3320-1). Monitoring results shall be summarized as appropriate for each calendar month. The highest monthly value for the calendar quarter shall be reported in the appropriate place on the DMR. The original top copy of the form shall be mailed to the Division, as indicated below, so that the DMR is received no later than the 28th day of the following month (for example, January's DMR is due to the Division on the 28th day of February) If no discharge occurs during the reporting period, "No Discharge" shall be reported. Refer to the instructions on the back of the DMR forms for additional reporting information.

The DMR forms consist of multiple pages. After the DMR form has been completely filled out and signed, the copies must be separated and distributed as follows:

The first original signed copy of each discharge monitoring report (DMR) shall be submitted to the Division at the following address:

<u>Method</u>	<u>Method Detection Limit, mg/l</u>
DPD colorimetric	0.10 mg/l
Amperometric titration	0.05 mg/l

If, during the life of this permit, there are improvements in approved analytical procedures that result in lower detection limits, this permit may be reopened to propose the incorporation of those detection limits into this permit. Modification of the permit will be in accordance with the requirements of 40 CFR Part 124.

4. Records

The permittee shall establish and maintain records. Those records shall include the following:

- a. The date, type, exact location, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) the analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used;
- f. The results of such analyses; and
- g. Any other observations which may result in an impact on the quality or quantity of the discharge as indicated in 40 CFR 122.44 (i)(1)(iii).

The permittee shall retain for a minimum of three years records of all monitoring information, including all original strip chart recordings for continuous monitoring instrumentation, all calibration and maintenance records, copies of all reports required by this permit and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Division or EPA.

5. Signatory and Certification Requirements

- a. All reports and other information (including BMP Management Plans) required by the Division, shall be signed and certified for accuracy by the permittee in accord with the following criteria:
 - i) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates;
 - ii) In the case of a partnership, by a general partner;
 - iii) In the case of a sole proprietorship, by the proprietor;
 - iv) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- b. All reports required by permits, and other information requested by the Division shall be signed by a person as described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - i) The authorization is made in writing by a person described above;
 - ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and,
 - iii) The written authorization is submitted to the Division.

If an authorization as described in this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this section must be submitted to the Division prior to or together with any reports, information, or applications to be signed by an authorized representative.

The permittee, or the duly authorized representative shall make and sign the following certification on all such documents:

PART II

A. NOTIFICATION REQUIREMENTS

1. Notification to Parties

All notification requirements under this section shall be directed as follows:

a. Oral Notifications, other than for spills, during normal business hours shall be to:

Industrial Compliance Officer
Water Quality Control Division
Telephone: (303) 692-3500

Spills notifications at any time and other notifications after hours shall be to :

Environmental Release and Incident Reporting Line
Telephone: (877) 518-5608

b. Written notification shall be to:

Industrial Compliance Officer
Water Quality Control Division
WQCD-CWCA-B2
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

2. Change in Discharge

The permittee shall notify the Division, in writing, of any planned physical alterations or additions to the permitted facility. For non-fixed facilities, the permittee shall notify the Division of any changes to the discharge, such as additional discharge points, a change in the discharge flow, etc. The Division, upon review of the submitted materials will amend the certification to discharge. Authorization for the change in discharge is not effective until the amended certification is issued. Notice is required only when the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged, or;

The permittee shall give advance notice to the Division of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

Whenever notification of any planned physical alterations or additions to the permitted facility is required pursuant to this section, the permittee shall furnish the Division such plans and specifications which the Division deems reasonably necessary to evaluate the effect on the discharge, the stream, or ground water. If the Division finds that such new or altered discharge might be inconsistent with the conditions of the permit, the Division shall require a new or revised permit application and shall follow the procedures specified in Sections 61.5 through 61.6, and 61.15 of the Colorado Discharge Permit System Regulations.

3. Special Notifications - Definitions

- a. Bypass: The intentional diversion of waste streams from any portion of a treatment facility.
- b. Severe Property Damage: Substantial physical damage to property at the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. It does not mean economic loss caused by delays in production.
- c. Spill: An incident in which flows or solid materials are accidentally or unintentionally allowed to flow or escape so as to be lost from the treatment, processing or manufacturing system which may cause or threaten pollution of State Waters.
- d. Upset: An exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

4. Noncompliance Notification

- a. If, for any reason, the permittee does not comply with or will be unable to comply with any discharge limitations or standards specified in this permit, the permittee shall, at a minimum, provide the Division and EPA with the following information:

6. Bypass Notification

If the permittee knows in advance of the need for a bypass, a notice shall be submitted, at least ten days before the date of the bypass, to the Division. The bypass shall be subject to Division approval and limitations imposed by the Division. Violations of requirements imposed by the Division will constitute a violation of this permit.

7. Upsets

a. Effect of an Upset

An upset constitutes an affirmative defense to an action brought for noncompliance with permit effluent limitations if the requirements of paragraph (b) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

b. Conditions Necessary for a Demonstration of Upset

A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed contemporaneous operating logs, or other relevant evidence that:

- i) An upset occurred and that the permittee can identify the specific cause(s) of the upset; and
- ii) The permitted facility was at the time being properly operated and maintained; and
- iii) The permittee submitted proper notice of the upset as required in Part II.A.4. of this permit (24-hour notice); and
- iv) The permittee complied with any remedial measure necessary to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

In addition to the demonstration required above, a permittee who wishes to establish the affirmative defense of upset for a violation of effluent limitations based upon water quality standards shall also demonstrate through monitoring, modeling or other methods that the relevant standards were achieved in the receiving water.

c. Burden of Proof

In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

8. Discharge Point

Any discharge to the waters of the State from a point source other than specifically authorized by this permit is prohibited.

9. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee as necessary to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when necessary to achieve compliance with the conditions of the permit.

10. Minimization of Adverse Impact

The permittee shall take all reasonable steps to minimize or prevent any discharge of sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. As necessary, accelerated or additional monitoring to determine the nature and impact of the noncomplying discharge is required.

11. Removed Substances

Solids, sludges, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed in accordance with applicable state and federal regulations.

Where applicable, the permittee shall dispose of sludge in accordance with all State and Federal regulations.

12. Submission of Incorrect or Incomplete Information

Where the permittee failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the Division, the permittee shall promptly submit the relevant information which was not submitted or

2. Duty to Provide Information

The permittee shall furnish to the Division, within a reasonable time, any information which the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

3. Transfer of Ownership or Control

- a. Except as provided in paragraph b. of this section, a permit may be transferred by a permittee only if the permit has been modified or revoked and reissued as provided in Section 61.8(8) of the Colorado Discharge Permit System Regulations, to identify the new permittee and to incorporate such other requirements as may be necessary under the Federal Act.
- b. A permit may be automatically transferred to a new permittee if:
 - i) The current permittee notifies the Division in writing 30 days in advance of the proposed transfer date; and
 - ii) The notice includes a written agreement between the existing and new permittee(s) containing a specific date for transfer of permit responsibility, coverage and liability between them; and
 - iii) The Division does not notify the existing permittee and the proposed new permittee of its intent to modify, or revoke and reissue the permit.
 - iv) Fee requirements of the Colorado Discharge Permit System Regulations, Section 61.15, have been met.

4. Availability of Reports

Except for data determined to be confidential under Section 308 of the Federal Clean Water Act and the Colorado Discharge Permit System Regulations 5 CCR 1002-61, Section 61.5(4), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Division and the Environmental Protection Agency.

The name and address of the permit applicant(s) and permittee(s), permit applications, permits and effluent data shall not be considered confidential. Knowingly making false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Federal Clean Water Act, and Section 25-8-610 C.R.S.

5. Modification, Suspension, Revocation, or Termination of Permits By the Division

The filing of a request by the permittee for a permit modification, revocation and reissuance, termination or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

- a. A permit may be modified, suspended, or terminated in whole or in part during its term for reasons determined by the Division including, but not limited to, the following:
 - i) Violation of any terms or conditions of the permit;
 - ii) Obtaining a permit by misrepresentation or failing to disclose any fact which is material to the granting or denial of a permit or to the establishment of terms or conditions of the permit; or
 - iii) Materially false or inaccurate statements or information in the permit application or the permit.
 - iv) A determination that the permitted activity endangers human health or the classified or existing uses of State Waters and can only be regulated to acceptable levels by permit modifications or termination.
- b. A permit may be modified in whole or in part for the following causes, provided that such modification complies with the provisions of Section 61.10 of the Colorado Discharge Permit System Regulations:
 - i) There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.
 - ii) The Division has received new information which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of different permit conditions at the time of issuance. For permits issued to new sources or new dischargers, this cause includes information derived from effluent testing required under Section 61.4(7)(e) of the Colorado Discharge Permit System Regulations. This provision allows a modification of the permit to include conditions that are less stringent than the existing permit only to the extent allowed under Section 61.10 of the Colorado Discharge Permit System Regulations.

- iii) Changing an interim date in a schedule of compliance, provided the new date of compliance is not more than 120 days after the date specific in the existing permit and does not interfere with attainment of the final compliance date requirement; or
 - iv) Allowing for a transfer in ownership or operational control of a facility where the Division determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees has been submitted to the Division; or
 - v) Changing the construction schedule for a discharger which is a new source, but no such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge; or
 - vi) Deleting a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.
- f. When a permit is modified, only the conditions subject to modification are reopened. If a permit is revoked and reissued, the entire permit is reopened and subject to revision and the permit is reissued for a new term.
- g. The filing of a request by the permittee for a permit modification, revocation and reissuance or termination does not stay any permit condition.
- h. All permit modifications and reissuances are subject to the antibacksliding provisions set forth in 61.10(e) through (g).

6. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under Section 311 (Oil and Hazardous Substance Liability) of the Clean Water Act.

7. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority granted by Section 510 of the Clean Water Act.

8. Permit Violations

Failure to comply with any terms and/or conditions of this permit shall be a violation of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit.

9. Property Rights

The issuance of this permit does not convey any property or water rights in either real or personal property, or stream flows, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

10. Severability

The provisions of this permit are severable. If any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the application of the remainder of this permit shall not be affected.

11. Renewal Application

If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least one hundred and eighty (180) days before this permit expires. If the permittee anticipates there will be no discharge after the expiration date of this permit, the Division should be promptly notified so that it can terminate the permit in accordance with Part II.B.5.

12. Termination of Permit

Effective July 1, 2007, legislation (HB 07-1329) removed the option for issuance of short-term certifications. Thus, when activities requiring permit coverage are complete, the permittee can initiate the termination of their permit by sending in a letter to the Division requesting permit termination. DMRs must be submitted to the Division until the termination process is complete.

standard) may be revised to be less stringent if such revision is subject to and consistent with the antidegradation provisions of Section 31.8 of the Basic Standards. Consistency with Section 31.8 shall be presumed if the waters in question have been designated by the Commission as "use protected"; or

iii) Whether or not the applicable water quality standard has been attained:

- (A) Material and substantial alterations or additions to the permitted facility occurred after permit issuance which justified the application of less stringent effluent limitations; or
 - (B) A less stringent effluent limitation is necessary because of events over which the permittee has no control and for which there is not reasonable available remedy; or
 - (C) The permittee has received a permit variance; or
 - (D) The permittee has installed the treatment facilities required to meet the effluent limitations in the previous permit and has properly operated and maintained the facilities but has nevertheless been unable to achieve the previous effluent limitations, in which case, the limitations in the reviewed, reissued, or modified permit may reflect the level of pollutant control actually achieved (but shall not be less stringent than required by effluent guidelines in effect at the time of permit renewal, reissuance, or modification).
- c. In no event may a permit with respect to which paragraphs (a) and (b) of this section apply be renewed, reissued, or modified to contain an effluent limitation or standard which is less stringent than required by federal effluent guidelines in effect at the time the permit is renewed, reissued, or modified. In no event may such a permit to discharge into State Waters be renewed, reissued, or modified to contain a less stringent effluent limitation if the implementation of such limitation would result in a violation of an applicable water quality standard.

18. Effect of Permit Issuance

- a. The issuance of a permit does not convey any property rights or any exclusive privilege.
- b. The issuance of a permit does not authorize any injury to person or property or any invasion of personal rights, nor does it authorize the infringement of federal, state, or local laws or regulations.
- c. Except for any toxic effluent standard or prohibition imposed under Section 307 of the Federal act or any standard for sewage sludge use or disposal under Section 405(d) of the Federal act, compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Sections 301, 302, 306, 318, 403, and 405(a) and (b) of the Federal act. However, a permit may be modified, revoked and reissued, or terminated during its term for cause as set forth in Section 61.8(8) of the Colorado Discharge Permit System Regulations.
- d. Compliance with a permit condition which implements a particular standard for sewage sludge use or disposal shall be an affirmative defense in any enforcement action brought for a violation of that standard for sewage sludge use or disposal.

RATIONALE

DISCHARGES ASSOCIATED WITH HYDROSTATIC TESTING OF GAS OR PETROLEUM PIPELINES, STORAGE TANKS, AND SIMILAR VESSELS

GENERAL PERMIT IN COLORADO
FIRST ISSUE
CDPS PERMIT NUMBER COG-604000

I. STATUS

This is the first separate general permit for discharges associated with hydrostatic testing of gas or petroleum pipelines, storage tanks, and similar vessels. Previously these discharges were covered, as categories, under the Minimum Industrial Discharge (MINDI) general permit (COG-600000). This change was made to provide more specific limitations for this category and support efficiency in the development of certifications.

II. TYPES OF DISCHARGES COVERED

Scope of A General Permit

The general permit provides coverage for types of discharges that can be characterized as: **an intermittent or temporary discharge**, containing concentrations of pollutants of concern that pose low risk to impairing receiving water quality, and possess minimal toxicity. Long-term or continuous discharges may require coverage under an individual permit.

The effluent limits are based on the water-quality standards for the receiving water and, thus, are protective of the designated beneficial uses. All minimal discharge general permits contain narrative limitations and exclusions in common (see Part I.B.1. of the permit). Additions to the numeric limitations and monitoring requirements may occur on a site-specific basis after review of facility information and The Basic Standards and Methodologies for Surface Water (Regulation No. 31) and/or the Basic Standards for Ground Water (Regulation No.41). The scope of this permit does include discharges to land (with the potential to enter groundwater) that are not subject to the jurisdiction of an implementing state agency. Every certification will include one or more tables that specify the limitations and monitoring requirements that apply to the discharge. Dischargers that do not fit under this characterization and/or possess highly toxic chemicals in elevated concentrations should apply for coverage under an individual permit.

Exceptions to numeric effluent requirements can exist where the application of Best Management Practices (BMPs) is sufficient to protect water quality and the inclusion of additional requirements (i.e., numeric limits, monitoring of effluent) is not necessary. This shall only be applicable when the pipelines and vessels being tested are new, no additives are added to the source water, the flow rate is minimal, the permittee doesn't have a history of non-compliance, and the discharge is not to a 303 (d) listed segment for pollutants of concern (see Regulation No. 93, Section 303(d) List Water-Quality-Limited Segments Requiring TMDLs). The permittee will be required to create a BMP Plan. The decision whether numeric effluent limits will apply or if the discharge can occur under the implementation of a BMP Management Plan will be specified in the certification to discharge. See section I.B.3. and I.B.4 of the General Permit for BMP Management Plan details.

Scope of This General Permit

This general permit (COG-601000) authorizes discharges from: hydrostatic testing of new and existing gas or petroleum pipelines, storage tanks, and similar vessels. For this permit, hydrostatic testing, also, includes flushing.

The periodic testing activity is conducted for one of two reasons. First, the testing is done to meet an internal requirement of the operator. Second, the testing is done to meet the requirements of the U.S. Department of Transportation (49 CFR 192, Subpart J – Test Requirements) and in accord with Section 192.515 (b) – “the operator shall insure that the test medium is disposed of in a manner that will minimize damage to the environment”. Discharges of hydrostatic test water may originate from a variety of facilities, including but not limited to – gathering or transmission pipelines, natural gas liquid extraction plants, natural gas processing plants, gas compressor stations, refineries, petrochemical manufacturing plants. Discharges to groundwater (within site boundaries) will not be covered under this general permit, if the facility is subject to the jurisdiction of an implementing agency (i.e., Colorado Oil and Gas Conservation Commission, Colorado Division of Oil and Public Safety).

This general permit does not apply to pipelines for treated-water transport, since this hydrotesting is already covered under a concurrent general permit (i.e., Discharges Associated with Treated Water Distribution Systems, COG-380000).

Characteristics of Discharge

Table 1. Effluent Limitations and Monitoring Requirements for New Pipelines, Tanks, or Other Similar Vessels

Effluent Parameter	Discharge Limitation Daily Maximum	Monitoring Frequency ¹	Sample Type
Flow, gpm	Report ²	NA	NA
Total Suspended Solids, mg/l	30	2X/discharge	Grab
Oil and Grease, mg/l ³	10	2X/discharge	Visual/Grab
pH, s.u.	6.5 – 9.0	2X/discharge	In-situ
Iron, Dissolved, mg/l	0.3	2X/discharge	Grab
Site-specific ⁴			
Total Residual Chlorine, mg/l	0.019	2X/discharge	In-situ
Other Pollutants, units	Limit	2X/discharge	Grab
Other Pollutants, units	Report	2X/discharge	Grab
Total Dissolved Solids, mg/l ⁵	Report	2X/discharge	Grab
Total Phosphorus, mg/l ⁶	0.05	2X/discharge	Grab
Total Phosphorus, mg/l ⁶	Report	2X/discharge	Grab

Table 2. Effluent Limitations and Monitoring Requirements for Used Pipelines, Tanks, or Other Similar Vessels

Effluent Parameter	Discharge Limitation Daily Maximum	Monitoring Frequency ¹	Sample Type
Flow, gpm	Report ²	NA	NA
Total Suspended Solids, mg/l	30	2X/discharge	Grab
Oil and Grease, mg/l ³	10	2X/discharge	Visual/Grab
pH, s.u.	6.5 – 9.0	2X/discharge	In-situ
Iron, Total Recoverable, mg/l	1.0	2X/discharge	Grab
Iron, Dissolved, mg/l	0.3	2X/discharge	Grab
Site-specific ⁴			
Total Residual Chlorine, mg/l	0.019	2X/discharge	In-situ
Benzene, mg/l	0.0022	2X/discharge	Grab
Toluene, mg/l	1.0	2X/discharge	Grab
Ethylbenzene, mg/l	0.530	2X/discharge	Grab
Xylenes, mg/l	1.4	2X/discharge	Grab
Other Pollutants, units	Limit	2X/discharge	Grab
Other Pollutants, units	Report	2X/discharge	Grab
Total Dissolved Solids, mg/l ⁵	Report	2X/discharge	Grab
Total Phosphorus, mg/l ⁶	0.05	2X/discharge	Grab
Total Phosphorus, mg/l ⁶	Report	2X/discharge	Grab

¹ Samples will be taken during the first and last hour of discharge. If the discharge is less than an hour, then the samples will be collected during the first and last 15 minutes of discharge. The sample point will be immediately following the discharge from the pipeline or vessel. If the discharge is going through BMPs then sampling shall occur after such BMP treatment and prior to discharge to waters of the state. If the same hydrotesting program is conducted at discrete locations along an extensive pipeline, then the monitoring frequency can be adjusted on a site-specific basis with support for this decision provided in the certification. For example, once the 2X/discharge monitoring is completed on the first two tested pipeline segments and evaluated, then the subsequent monitoring efforts may be reduced to 1X/discharge.

² Flow can be measured with a recorder or determined from estimates based on volume of fill water, dimension of the pipeline, or volume of vessel filled with water.

³ There shall be no visible sheen. If a visible sheen is detected a grab sample is required.

⁴ Limits will be established on a site-specific basis for additional parameters based on an assessment of the submitted information and results of discussions with permittee by the permit writer. The rationale used for site-specific limitations will be presented in the certification. If the source water is from a drinking water supply, then total residual chlorine monitoring is required. If the pipeline or vessels is expected to contain residual of petrochemical products, then BTEX monitoring is required. Other pollutants may be added based on a discharge to an impaired water body and/or based on pollutant of concern determination resulting from nature of the source water, source water additives, and /or residues in the pipeline or vessel.

⁵ Monitoring is required only for discharges within the Colorado River Basin

⁶ Monitoring and/or numeric effluent limits may apply to discharges to watersheds with a control regulation for Phosphorus.

- a. *Regulations for Effluent Limitations (Regulation No. 62) – Section 62.4 of the regulations includes effluent limitations that apply to all discharges of wastewater to state waters. These regulations are the basis for Oil and Grease and Total Suspended Solids limitations. These limits are the same as existed in the MINDI permit.*

Based on the effluent data in the application from a new facility, the permit writer will make an assessment of the expected salinity load in the discharge (from concurrent flows at all outfalls) and if less than 1 ton/day, the calculation will be documented in the issued certification. If the load exceeds this level, then the discharge can not be authorized. However, as stated above, the Division can grant an exception. The sequence of discharges from hydrostatic testing of long pipelines or several vessels is important to this assessment.

Because the discharges covered under this permit are short-term and usually once per location, two analyses for TDS are normally required. The certification will indicate if additional salinity reporting requirements are waived and the basis for this decision.

- f. Control Regulations – Control regulations exist to place additional limits on discharges to surface waters in five watersheds – Dillon Reservoir, Cherry Creek Reservoir, Chatfield Reservoir, Cheraw Lake, and Bear Creek Reservoir. The total available wasteloads (i.e., phosphorus) have been allocated in these regulations to various point and non-point sources that discharge on these watersheds.

Certifications for discharges to these watersheds may include limitations and/or monitoring requirements for the parameters specified in the regulation. Since the discharges are expected to be short-term and contain levels of the control parameters equal to or less than the concentrations in nearby ambient waters, these authorized loads are viewed as de minimus and not subject to assignment under the above allocation process (i.e., see Section 72.2.12 of Regulation No. 72). The permit writer will briefly state in the certification the reason, with supporting data, the basis for the de minimus decision, when the basin regulation does not state that such industrial contributions are considered minimal.

- g. Antidegradation – As set out in The Basic Standards and Methodologies of Surface Water, Section 31.8(3)(c)(ii)(C), an antidegradation analysis is required for all waters not designated as Use Protected, except in cases where the regulated activity will result in only temporary or short term changes in water quality. Discharges permitted under this general permit are expected to be short-term or intermittent. With consideration that these discharges are of good quality and in accordance with Section 31.8(3)(c)(ii)(C) of The Basic Standards and Methodologies For Surface Waters (Regulation No. 31), which exempts regulated activities that result in only temporary or short-term changes in water quality, an antidegradation analysis is not necessary.
- h. Whole Effluent Toxicity (WET) – WET testing is not a part of this permit. Discharges covered under this minimal discharge general permit are judged to have minimal impact on the receiving waters; thus, these discharges are not expected to exhibit whole effluent toxicity. If an application shows that or if the permit writer determines that the proposed discharge may or will exhibit whole effluent toxicity, an individual permit with effluent limitations and other permit conditions, including a WET limit and monitoring, will be considered more suitable.
- i. Mixing Zones – Under this general permit mixing zone regulations do not apply, since water-quality standards are applied as the effluent limits (i.e., no dilution is allowed.).
- j. Discharges to 303(d) listed waters – Since the effluent limits are equal to the water-quality standards and the discharge is expected to be short-term or intermittent, the assumption is that the discharge will not further impair the quality of the receiving water for the 303(d)-listed parameters.
- k. Discharges to Ground Water – Discharges permitted under this general permit may travel to groundwater via land application, infiltration ponds or other approved means. Because the standards for groundwater are based on water supply and agricultural uses, which also apply to surface waters of the state, the Division has determined that discharges that are protective of surface water standards are also protective of groundwater standards, unless a more stringent site-specific groundwater standard has been adopted. The Division will include a site-specific limit in the certification or require coverage under an individual permit as needed to implement more stringent site-specific groundwater standards. Certain discharges, due to proximity to alluvial water associated with nearby surface flow, are considered to be hydrologically connected this surface flow and will be considered a discharge to surface water.

Additionally, the permittee will need to demonstrate in the application by what method effluent is discharged to ground water, and how and where effluent can be monitored prior to discharge to ground water. Since this is a general permit, it is not practical to require that a permittee install ground water monitoring wells for compliance determination, all applicable effluent limitations will be met prior to application to the land.

All mentioned above, there may be situations where the discharge can not be authorized, under the Division's jurisdiction, and a certification can not be issued. In these instances, an applicant will need to contact another state agency.

- l. Project Coverage – Entities such as oil and gas pipeline companies frequently hydrostatically test several segments of pipeline that extends across a large area. The permit writer has discretion to issue one certification that covers all discharges from a single project when this is practical and avoids unnecessary repetitive certifications. When project coverage is issued, the

the assumption is made that the discharged volume will generally be in the range of 20,000 to 50,000 gallons per test and not exceed 1,000,000 gallons. The inconsistency is corrected.

Comment 3: PSCo believes that the preparation of a Best Management Practices (BMP) plan is unnecessary and impractical given the type and duration of the discharges. The key elements of a BMP are already addressed in other sections of the permit or in sections of the application for a permit. For example, minimization of erosion is addressed as a narrative limitation. PSCo suggests that answers to questions in the application include a short description of how a particular concern will be addressed, as a practical alternative to requiring the preparation of an entirely separate document.

Response: The permit has been clarified to indicate that a BMP Plan is only required when numeric effluent limits do not apply. In these cases, the Division believes it will be important to have site-specific measures that will be used to ensure the protection of water quality standards.

Comment 4: The permit requires quarterly reporting of routine monitoring data collected at the outfall. Since the discharges are expected to be short-term and not continuous, this quarterly requirement is impractical. PSCo recommends that monitoring data be reported to the Division by the 28th of the month following the discharge.

Response: Revisions are made to require monitoring 2X/discharge and monthly reporting by the 28th day of the month following the discharge.

Comment 5: The option for a short-term certification is not available under the proposed permit. PSCo advocates the availability of this option, since it is compatible with the short-term nature of the discharges and would not require the additional paperwork of submitting quarterly "no discharge" reports for most of the 5 year period.

Response: Effective July 1, 2007, legislation (HB 07-1329) removed the option for a short-term certification under annual fees – "(T) Category 26 Minimal discharge of industrial or commercial wastewaters – general permit". Thus, once the testing is complete, the certification can be terminated to avoid the need to submit monthly DMRs for the remainder of the general permit period. Termination of permit coverage needs to be initiated by the permittee.

Comment 6: The Division has 30-days to review the application before deciding on issuance or denial of the certification. Given the nature of the discharges i.e., short-duration, low toxicity, not chemically complex), PSCo asks that this review time be shortened to 10 or 15 days to expedite the review process (such as is done with applications for the construction stormwater permit).

Response: The Division recognizes the importance of timely action on applications for certifications under general permits and makes an effort to reach a decision within two weeks, especially if the permittee has initiated contact with the permit writer before submitting the application and discussed the nature of the project and basis for urgent action. The Division will continue to informally expedite the review process to meet the needs of permittees when possible; however, the option for the 30-day review period is needed since the Division encounters unexpected periods of excessive workload and can not maintain the shorter response time.

Comment 7: Part I.A.3 of the permit indicates that projects within a geographic area may obtain blanket coverage, but there is no supporting explanation as to why project must be in the same geographic area. PSCo would like to obtain statewide coverage for discharges from testing of existing pipelines and not be restricted to coverage by geographic area.

Response: Since a geographic area can be defined as an area within the boundaries of the state, statewide coverage is available for certifications under this general permit. If this option is exercised in the certification, the decision and supporting reasoning is to be provided in the rationale (see Project Coverage). The Division has issued numerous certifications with statewide coverage.

Comment 8: Since the effluent limits are to be equal to the water-quality standards, the assumption can be made that the discharge will not impair the quality of the receiving water for the 303(d) listed parameters. On this basis, PSCo believes that footnote 3 to the table addressing limitations and monitoring requirements for testing of used pipelines should be deleted.

Response: The footnote has been revised and indicates that additional parameters will be added, if the discharge contains as the same pollutant of concern that is the basis for listing the receiving water as impaired. On this basis other limits, equal to the water-quality standard, will be added if the permit writer decides this is needed to protect water quality.

Comment 9: The rationale states that one salinity sample is required; however, the permit states that monthly samples will be taken for six months. PSCo requests clarification on the salinity sampling requirement. Further, PSCo supports the requirement for one sample is collected per discharge.

attainment of that goal. Thus, the Division reached the conclusion that, with the assumption on diminished concern by the general public, the approach to issue the general permit could proceed as planned.

Comment 16: The proposed permit requires the permittee to obtain approval from each MS4 for a state-authorized discharge. This process raises several issues to the MS4s:

- Under the Phase I and II MS4 permits, discharges authorized under a separate Division permit and in compliance with the provisions of those permits are allowable but appear to conflict with other MS4 permit language (Part I.A.2 and Part II.A.2) and possibly with local ordinances.
- Does a MS4 incur a level of liability for a Division permitted discharge if the MS4 conveyance is utilized to transport the discharge to state waters? MS4 permits require action to address illicit discharges to stormwater sewer system.
- Some MS4s prefer only notification of Division permitted discharges but do not want to be required to provide approval of this discharge. Others prefer approval of such discharges in advance of Division permit issuance. There has been insufficient time for MS4s to develop internal strategies to address how this process would work.
- There is a need for a system whereby an MS4 can determine if a Division permitted discharger may or may not be potential source of a reported illicit discharge, such as a website where permitted dischargers enter addresses of where they are operating each week, and MS4s have access to that information to either accept or deny discharge to their storm drain system.

On the basis of the above concerns, CSC requests the following changes to the permit:

- Remove the application requirement that a permittee obtain written approval from the owner of the storm drain system for discharge,
- Add provision to exempt MS4s of liability for dischargers permitted under Division permit – including bypass, spill, or upset conditions.
- Develop, with adequate MS4 input, a website where an MS4 can access information on proposed discharge locations and expected dates of discharge.
- Provision to notify the MS4 in the event of a spill or noncompliance situation.

Response: Based on input from MS4s, the permit no longer requires prior written approval from the owner of the system to be submitted with the application. The owner of the storm drain system has the right to decide on what inflows are accepted by the system – such as the owner of a domestic wastewater treatment facility has the right to decide on flows entering their collection system. For this reason, the Division can not unilaterally authorize a discharge to either type of permitted system and, thus, will require the permittee to contact the owner of the system to verify if there are additional ordinances, regulations, or requirements set by the owner of the system.

In response to the liability questions raised at the July 10 meeting, the Division provided an initial response in a July 13 letter sent to the MS4 contacts. Briefly, the response is – “Therefore, unless specifically directed by the Division, the MS4 permits do not require permittees to implement procedures to address pollutant sources resulting from activities and discharges not required by the program elements in Part I.B of the permits.”

The Division is considering improved ways to provide detailed information on certifications issued under specific general permits, including online inventories.

The Division has a standing spill notification program which includes notification of the collection system and/or downstream water users when such events occur. This program will be reviewed to identify the need for specific text on notification of MS4s.

Comment 17: If the Division has made the decision that discharges covered under this general permit may go to the stormwater system, then these permits should be best Management Practice (BMP) based, with the BMPs chosen to correspond with the constituents of concern. CSC requests that the general permit be changed from limited-based to a BMP-based.

Response: The Division will maintain the options to use BMP-based and limit-based conditions in general permits, based on which combination is judged to be most effective in providing water-quality protection.

Comment 18: Upset and by-pass language in Part II.6 and 7 is typical of wastewater process discharges and not to types of discharges expected under this general permit. CSC request that the bypass and upset clauses be removed from the permit.

Response: Part II of the permit is standard boilerplate for use in all permits as required in the regulation and is not changed to accommodate the many specific conditions that may apply to a particular permit. If a component of Part II is not reasonably applicable to the nature of the authorized discharge, then there is a basis for non-implementation.

Comment 19: The permit is unclear about coverage of discharges of potable water, which would be covered under a Treated Water Distribution general permit. Additional information is needed on clarification of the activities and/or volume thresholds that are intended to require coverage by this general permit.

Comment 26: RPMD believes that there is inadequate water-quality data and scientific information available to evaluate the array of minimal industrial discharge general permits sent to public notice on June 22, 2007. Therefore, the Division should either –
provide the relevant data and calculations and extent of each pollutant likely discharged from each facility operating under each general permit- then extend the comment deadline for 45 days,
or
terminate and void the proposed actions to adopt the general permits.

Response: General permits are created to provide permit coverage to facilities with similar operations and similar effluent chemistry. These permits are set up so that they can be obtained quickly, as opposed to an individual permit which may take a substantially longer time frame to obtain. Under these circumstances, limitations are set at the water quality standards, therefore, the facility is unable to take advantage of any dilution that may be available in meeting the permit limits.

In determination for coverage under the general permit, the source water and other potential additional parameters of concern are evaluated and additional requirements may be added to the certification. All applicable water quality standards may be covered under these certifications. Also, the permittee may be asked for additional information on the source water or effluent if possible (such as a water quality analysis), to assist in determining if there are other parameters of concern. Additionally, if there are unique circumstances surrounding a specific discharge, or if it is determined that a facility cannot meet the limitations set under the general permit, then coverage under the general would be denied and that facility would then need to apply for an individual permit.

Comment 27: RPMD questions the assumption that discharges are expected to be de minimus contributors of phosphorus and request information used to reach this conclusion. Further, the suggestion in the permit that the permit writer will determine the actual quantity of discharged phosphorus and then reach a decision for certification precludes public knowledge of and input to this decision-making to set effluent limits.

Response: The Division will provide additional information in the certifications on how de minimus decisions were reached (refer to responses to Comments 23 and 24).

While the permit writer does have some flexibility to use professional judgment in reaching a de minimus decision about the possible phosphorous load in the discharge, these decisions are reviewed by the Unit Manager before the certification is issued. As noted above, certifications will now include information on such decisions and the Division will meet with representatives of the control authorities to discuss further improvement to how control regulations are implemented in general permits and, subsequently, in certifications. As regulations and policies now exist, the issuance of a certification, and any amendments, are not subject to public notice or a standing requirement to solicit public input. The Division welcomes comments on issued certifications and Division-initiated amendments will occur if the Division concurs with the request.

Nicole Smith
September 11, 2007