STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
Water Quality Control Division

AUTHORIZATION TO DISCHARGE UNDER THE
COLORADO DISCHARGE PERMIT SYSTEM
PERMIT NUMBER CO0032999

In compliance with the provisions of the Colorado Water Quality Control Act, (25-8-101 et seq., CRS, 1973 as amended), for both discharges to surface and ground waters, and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.; the "Act"), for discharges to surface waters only, the

South Platte Renew

is authorized to discharge from the Littleton/Englewood wastewater treatment plant located **at SW ½, NE ¼, S33, T4S, R68W, at 2900 South Platte River Drive, Englewood, CO 80110; 39.667983°N, -104.999983°W**

to **South Platte River**

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I and II hereof. All discharges authorized herein shall be consistent with the terms and conditions of this permit.

The applicant may demand an adjudicatory hearing within thirty (30) calendar days of the date of issuance of the final permit determination, per the Colorado State Discharge Permit System Regulation 61.7(1). Should the applicant choose to contest any of the effluent limitations, monitoring requirements or other conditions contained herein, the applicant must comply with Section 24-4-104 CRS 1973 and the Colorado State Discharge Permit System Regulations. Failure to contest any such effluent limitation, monitoring requirement, or other condition, constitutes consent to the condition by the applicant.

This permit and the authorization to discharge shall expire at midnight, November 30, 2022.

Issued and Signed , 2022

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

PUBLIC NOTICE VERSION
AUGUST 11, 2022

Erin Scott, Acting Permits Section Manager
Water Quality Control Division

Permit Summary
Modification 4: Issued xx/xx/2022, Effective xx/xx/xxxx (Parts I.A.2, I.D.5, I.B.6 and Part III [Table V])
Modification 3: Issued June 30, 2022, Effective August 1, 2022 (Part I.A.2, Part I.B.6 and Part I.D.5)
Modification 2: Issued November 30, 2021, Effective January 1, 2022 (Parts I.A.2, I.A.4.a, I.D.5, and Part III [Table V])
Modification 1: Issued April 30, 2020, Effective June 1, 2020 Parts I.A.3 and I.B.6(a)
Originally Issued October 31, 2017 and Effective December 1, 2017

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PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. Permitted Feature(s)

Beginning no later than the effective date of this permit and lasting through the expiration date, the permittee is authorized to discharge from, and self monitoring samples taken in accordance with the monitoring requirements shall be obtained from permitted feature(s):

001, following disinfection and prior to mixing with the receiving stream; 39.667983°N, -104.999983°W

UST1A is an in-stream outfall located upstream from the facility discharge to collect continous ambient temperature data at 39.665000° North latitude, -105.003611° West longitude.

The location(s) provided above will serve as the point(s) of compliance for this permit and are appropriate as they are located after all treatment and prior to discharge to the receiving water. Any discharge to the waters of the State from a point source other than specifically authorized by this permit is prohibited.

In accordance with the Water Quality Control Commission Regulations for Effluent Limitations, Section 62.4, and the Colorado Discharge Permit System Regulations, Section 61.8(2), 5 C.C.R. 1002-61, the permitted discharge shall not contain effluent parameter concentrations which exceed the following limitations specified below or exceed the specified flow limitation.

2. Limitations, Monitoring Frequencies and Sample Types for Effluent Parameters

In order to obtain an indication of the probable compliance or noncompliance with the effluent limitations specified in Part I.A, the permittee shall monitor all effluent parameters at the frequencies and sample types specified below. Such monitoring will begin immediately and last for the life of the permit unless otherwise noted. The results of such monitoring shall be reported on the Discharge Monitoring Report form (See Part I.D.)

Self-monitoring sampling by the permittee for compliance with the effluent monitoring requirements specified in this permit, shall be performed at the location(s) noted in Part I.A.1 above. If the permittee, using an approved analytical method, monitors any parameter more frequently than required by this permit, then the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form (DMRs) or other forms as required by the Division. Such increased frequency shall also be indicated.

Percentage Removal Requirements ($CBOD_5$ and TSS Limitations) - If noted in the limits table(s), the arithmetic mean of the $CBOD_5$ and TSS concentrations for effluent samples collected during the DMR reporting period shall demonstrate a minimum of eighty-five percent (85%) removal of both $CBOD_5$ and TSS, as measured by dividing the respective difference between the mean influent and effluent concentrations for the DMR monitoring period by the respective mean influent concentration for the DMR monitoring period, and multiplying the quotient by 100.

Oil and Grease Monitoring: For every outfall with oil and grease monitoring, in the event an oil sheen or floating oil is observed, a grab sample shall be collected and analyzed for oil and grease, and reported on the appropriate DMR under parameter 03582. 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.

Total Residual Chlorine: Monitoring for TRC is required only when chlorine is in use.

Flow Recording Device: For this facility, two flow recording devices are provided and are located at the point of inflow to and discharge from the treatment plant. Reported flows will be used to monitor both compliance with the effluent flow limitation and hydraulic loading to the plant.

Metals: Metals concentrations measured in compliance with the effluent monitoring requirements listed in Part I.A of this permit may be used to satisfy any pretreatment or industrial waste management metals monitoring requirements listed in Part I.B.7, if the metals are in the same form (i.e. total). The special sampling procedures (e.g. 24-hour composite samples) specified in Part I.B.7 must be followed.

Permitted Feature/Limit Set 001A: For discharge less than or equal to 34 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
50050	Effluent Flow (MGD)	34		Report		Continuous	Recorder
00400	pH (su)			6.5-9		5 Days/Week	Grab
51040	*E. coli* (#/100 ml)	126	252			2 Days/Week	Grab
50060	TRC (mg/l)	0.016		0.025	0.0025	5 Days/Week	Grab
00010	Temperature (C), until December 31, 2026*						
	January		Report	Report		Continuous	Recorder
	February 1-February 13		Report	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		Report	Report		Continuous	Recorder
	August		Report	Report		Continuous	Recorder
	September		Report	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		Report	Report		Continuous	Recorder
00010	Temperature (C), beginning January 1, 2027 until December 31, 2030*						
	January		Report	Report		Continuous	Recorder
	February 1-February 13		Report	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		24.2	Report		Continuous	Recorder
	August		24.5	Report		Continuous	Recorder
	September		24.7	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		Report	Report		Continuous	Recorder
00010	Temperature (C), beginning January 1, 2031*						
	January		14.0	Report		Continuous	Recorder

Permitted Feature/Limit Set 001A: For discharge less than or equal to 34 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
	February 1-February 13		13.6	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		24.2	Report		Continuous	Recorder
	August		24.5	Report		Continuous	Recorder
	September		24.7	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		13.6	Report		Continuous	Recorder
00610	Total Ammonia as N (mg/l), until June 30, 2023						
	January	8.7		21		2 Days/Week	Composite
	February	8.5		17		2 Days/Week	Composite
	March	7.0		16		2 Days/Week	Composite
	April	7.0		17		2 Days/Week	Composite
	May	6.6		23		2 Days/Week	Composite
	June	5.9		29		2 Days/Week	Composite
	July	4.4		32		2 Days/Week	Composite
	August	4.2		30		2 Days/Week	Composite
	September	4.1		24		2 Days/Week	Composite
	October	5.3		18		2 Days/Week	Composite
	November	6.3		18		2 Days/Week	Composite
	December	7.3		18		2 Days/Week	Composite
00610	Total Ammonia as N (mg/l), beginning July 1, 2023						
	January	6.1		10		2 Days/Week	Composite
	February	6.3		10		2 Days/Week	Composite
	March	5.6		10		2 Days/Week	Composite
	April	5.3		9.4		2 Days/Week	Composite
	May	4.9		12		2 Days/Week	Composite
	June	4.6		14		2 Days/Week	Composite
	July	4.0		17		2 Days/Week	Composite
	August	3.7		17		2 Days/Week	Composite
	September	4.0		14		2 Days/Week	Composite
	October	4.9		14		2 Days/Week	Composite
	November	5.4		13		2 Days/Week	Composite
	December	5.8		12		2 Days/Week	Composite

Permitted Feature/Limit Set 001A: For discharge less than or equal to 34 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
00640	Total Inorganic Nitrogen as N (mg/l), until June 30, 2024**						
	January			24.8 (7042)		Daily	Composite
	February			24.5 (6956)		Daily	Composite
	March			23.5 (6673)		Daily	Composite
	April			27.1 (7013)		Daily	Composite
	May			44.8 (12749)		Daily	Composite
	June			47.9 (13629)		Daily	Composite
	July			42.2 (11982)		Daily	Composite
	August			46.5 (13203)		Daily	Composite
	September			36.2 (10278)		Daily	Composite
	October			32.9 (9398)		Daily	Composite
	November			28.5 (8120)		Daily	Composite
	December			29.3 (8320)		Daily	Composite
00640	Total Inorganic Nitrogen as N (mg/l), beginning July 1, 2024**						
	January			19 (7042)		Daily	Composite
	February			22 (6956)		Daily	Composite
	March			25 (6673)		Daily	Composite
	April			26 (7013)		Daily	Composite
	May			23 (12749)		Daily	Composite
	June			23 (13629)		Daily	Composite
	July			22 (11982)		Daily	Composite
	August			19 (13203)		Daily	Composite
	September			19 (10278)		Daily	Composite
	October			23 (9398)		Daily	Composite
	November			22 (8120)		Daily	Composite
	December			20 (8320)		Daily	Composite
80082	CBOD5, effluent (mg/l)	25	40			2 Days/Week	Composite
80091	CBOD5 (% removal)	85 (min)				2 Days/Week	Calculated
00530	TSS, effluent (mg/l)	30	45			2 Days/Week	Composite
81011	TSS (% removal)	85 (min)				2 Days/Week	Calculated
84066	Oil and Grease (visual)			Report		2 Days/Week	Visual
03582	Oil and Grease (mg/l)			10		Contingent	Grab
00680	Carbon, tot organic [TOC] (mg/l)	Report				Weekly	Composite
01104	Al, TR (µg/l), until 7/31/2024	1926		12876	Report	Weekly	Composite
01104	Al, TR (µg/l), beginning 8/1/2024	1926		12876	983	Weekly	Composite
00978	As, TR (µg/l)	Report				Monthly	Composite
01313	Cd, PD (µg/l)				Report	Quarterly	Composite

Permitted Feature/Limit Set 001A: For discharge less than or equal to 34 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
01220	Cr+6, Dis (µg/l)	Report		Report		Quarterly	Grab
01306	Cu, PD (µg/l), until December 31, 2021	Report		Report	Report	Monthly	Composite
01306	Cu, PD (µg/l), beginning January 1, 2022	Report		Report	12.6	Monthly	Composite
00718	CN, WAD (µg/l)			Monitor		Monthly	Grab
01056	Mn, Dis (µg/l)	Report		Report		Semi-Annual	Composite
50092	Hg, Tot (µg/l) (low level)				Report	Quarterly	Composite
01323	Se, PD (µg/l)	Report			Report	Monthly	Composite
22708	U, TR (µg/l)	30				Monthly	Composite
00940	Chloride (mg/l)	Report			Report	Quarterly	Composite
81020	Sulfate (mg/l)	279				Monthly	Composite
51568	Nonylphenol (µg/l)	Report		Report		Semi-Annual	Grab
	WET, chronic						
TKP6C	Static Renewal 7 Day Chronic *Pimephales promelas*			NOEC or IC25 ≥ 69%		Quarterly	3 Composites / Test
TKP3B	Static Renewal 7 Day Chronic *Ceriodaphnia dubia*			NOEC or IC25 ≥ 69%		Quarterly	3 Composites / Test

*Maximum Weekly Average Temperature (MWAT)
**Loading limit (lb/d) in parentheses

Permitted Feature/Limit Set 001A; continued

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations[1]		Monitoring Requirements	
		Running Annual Median*	95th percentile**	Frequency	Sample Type
00640	Total Inorganic Nitrogen (mg/l), until 6/30/2023	Report	Report	Monthly	Composite
00640	Total Inorganic Nitrogen (mg/l), beginning 7/1/2023	15	20	Monthly	Composite
00665	Total Phosphorus (mg/l), until 6/30/2023	Report	Report	Monthly	Composite
00665	Total Phosphorus (mg/l), beginning 7/1/2023	1.0	2.5	Monthly	Composite

*Reported as a running annual median, which is a median of all samples taken in the most recent 12 calendar months
** Reported as the 95th percentile of all samples taken in the most recent 12 calendar months
[1]Note that 12 month of data collection after the effective date is needed prior to the reporting

Permitted Feature/Limit Set 001B: For discharge greater than 34 MGD and up to 50 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
50050	Effluent Flow (MGD)	50		Report		Continuous	Recorder
00400	pH (su)			6.5-9		5 Days/Week	Grab
51040	*E. coli* (#/100 ml)	126	252			2 Days/Week	Grab
50060	TRC (mg/l)	0.014		0.023	0.0022	5 Days/Week	Grab
00010	Temperature (C), until December 31, 2026*						
	January		Report	Report		Continuous	Recorder
	February 1-February 13		Report	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		Report	Report		Continuous	Recorder
	August		Report	Report		Continuous	Recorder
	September		Report	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		Report	Report		Continuous	Recorder
00010	Temperature (C), beginning January 1, 2027 until December 31,2030*						
	January		Report	Report		Continuous	Recorder
	February 1-February 13		Report	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		24.2	Report		Continuous	Recorder
	August		24.5	Report		Continuous	Recorder
	September		24.7	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		Report	Report		Continuous	Recorder
00010	Temperature (C), beginning January 1, 2031*						
	January		14.0	Report		Continuous	Recorder
	February 1-February 13		13.6	Report		Continuous	Recorder
	February 14-February 28		Report	Report		Continuous	Recorder
	March		Report	Report		Continuous	Recorder
	April		Report	Report		Continuous	Recorder

Permitted Feature/Limit Set 001B: For discharge greater than 34 MGD and up to 50 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
	May		Report	Report		Continuous	Recorder
	June		Report	Report		Continuous	Recorder
	July		24.2	Report		Continuous	Recorder
	August		24.5	Report		Continuous	Recorder
	September		24.7	Report		Continuous	Recorder
	October		Report	Report		Continuous	Recorder
	November		Report	Report		Continuous	Recorder
	December		13.6	Report		Continuous	Recorder
00610	Total Ammonia as N (mg/l), until June 30, 2023						
	January	7.6		19		2 Days/Week	Composite
	February	6.5		15		2 Days/Week	Composite
	March	6.2		14		2 Days/Week	Composite
	April	5.3		14		2 Days/Week	Composite
	May	4.5		19		2 Days/Week	Composite
	June	4.3		23		2 Days/Week	Composite
	July	3.8		29		2 Days/Week	Composite
	August	3.3		28		2 Days/Week	Composite
	September	3.3		19		2 Days/Week	Composite
	October	4.1		16		2 Days/Week	Composite
	November	5.3		16		2 Days/Week	Composite
	December	6.4		16		2 Days/Week	Composite
00610	Total Ammonia as N (mg/l), beginning July 1, 2023						
	January	5.2		9.1		2 Days/Week	Composite
	February	5.4		9.8		2 Days/Week	Composite
	March	4.8		9.1		2 Days/Week	Composite
	April	4.6		9.8		2 Days/Week	Composite
	May	4.3		10		2 Days/Week	Composite
	June	4.0		12		2 Days/Week	Composite
	July	3.5		14		2 Days/Week	Composite
	August	3.3		14		2 Days/Week	Composite
	September	3.3		12		2 Days/Week	Composite
	October	4.2		13		2 Days/Week	Composite
	November	4.6		12		2 Days/Week	Composite
	December	4.9		11		2 Days/Week	Composite
00640	Total Inorganic Nitrogen as N (mg/l), until June 30, 2024**						
	January			23.4 (9771)		Daily	Composite
	February			23.2 (9687)		Daily	Composite
	March			22.6 (9467)		Daily	Composite

Permitted Feature/Limit Set 001B: For discharge greater than 34 MGD and up to 50 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
	April			24.7 (10313)		Daily	Composite
	May			36.3 (15157)		Daily	Composite
	June			39.1 (16325)		Daily	Composite
	July			36.9 (15408)		Daily	Composite
	August			39.9 (16660)		Daily	Composite
	September			32.6 (13611)		Daily	Composite
	October			29.4 (12275)		Daily	Composite
	November			25.7 (10732)		Daily	Composite
	December			26.5 (11065)		Daily	Composite
00640	Total Inorganic Nitrogen as N (mg/l), July 1, 2024**						
	January			16 (9771)		Daily	Composite
	February			18 (9687)		Daily	Composite
	March			20 (9467)		Daily	Composite
	April			21 (10313)		Daily	Composite
	May			19 (15157)		Daily	Composite
	June			19 (16325)		Daily	Composite
	July			19 (15408)		Daily	Composite
	August			16 (16660)		Daily	Composite
	September			16 (13611)		Daily	Composite
	October			19 (12275)		Daily	Composite
	November			18 (10732)		Daily	Composite
	December			17 (11065)		Daily	Composite
80082	CBOD5, effluent (mg/l)	25	40			2 Days/Week	Composite
80091	CBOD5 (% removal)	85 (min)				2 Days/Week	Calculated
00530	TSS, effluent (mg/l)	30	45			2 Days/Week	Composite
81011	TSS (% removal)	85 (min)				2 Days/Week	Calculated
84066	Oil and Grease (visual)			Report		2 Days/Week	Visual
03582	Oil and Grease (mg/l)			10		Contingent	Grab
00680	Carbon, tot organic [TOC] (mg/l)	Report				Weekly	Composite
01104	Al, TR (µg/l), until 7/31/2024	1779		11983	Report	Weekly	Composite
01104	Al, TR (µg/l), beginning 8/1/2024	1779		11983	895	Weekly	Composite
00978	As, TR (µg/l)	Report				Weekly	Composite
01313	Cd, PD (µg/l)				Report	Quarterly	Composite
01220	Cr+6, Dis (µg/l)	Report		Report		Quarterly	Grab
01306	Cu, PD (µg/l), until December 31, 2021	Report		Report	Report	2 Days/Month	Composite
01306	Cu, PD (µg/l), beginning January 1, 2022	Report		Report	12.6	2 Days/Month	Composite
00718	CN, WAD (µg/l)			Monitor		Monthly	Grab
01056	Mn, Dis (µg/l)	Report		Report		Semi-Annual	Composite

Permitted Feature/Limit Set 001B: For discharge greater than 34 MGD and up to 50 MGD

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations				Monitoring Requirements	
		30-Day Average	7-Day Average	Daily Maximum	2-Year Average	Frequency	Sample Type
50092	Hg, Tot (µg/l) (Low level)	Report			Report	Quarterly	Composite
01323	Se, PD (µg/l)	Report			Report	Monthly	Composite
01304	Ag, PD (µg/l)				Report	Quarterly	Composite
22708	U, TR (µg/l)	30				2 Days/Month	Composite
00940	Chloride (mg/l)	Report			Report	Quarterly	Composite
81020	Sulfate (mg/l)	270				Monthly	Composite
51568	Nonylphenol (µg/l)	Report		Report		Semi-Annual	Grab
	WET, chronic						
TKP6C	Static Renewal 7 Day Chronic *Pimephales promelas*			NOEC or IC25 ≥ 76%		Quarterly	3 Composites / Test
TKP3B	Static Renewal 7 Day Chronic *Ceriodaphnia dubia*			NOEC or IC25 ≥ 76%		Quarterly	3 Composites / Test

*Maximum Weekly Average Temperature (MWAT)
**Loading limit (lb/d) in parentheses

Permitted Feature/Limit Set 001B; continued

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations[1]		Monitoring Requirements	
		Running Annual Median*	95th percentile**	Frequency	Sample Type
00640	Total Inorganic Nitrogen (mg/l), until 6/30/2023	Report	Report	Monthly	Composite
00640	Total Inorganic Nitrogen (mg/l), beginning 7/1/2023	15	20	Monthly	Composite
00665	Total Phosphorus (mg/l), until 6/30/2023	Report	Report	Monthly	Composite
00665	Total Phosphorus (mg/l), beginning 7/1/2023	1.0	2.5	Monthly	Composite

*Reported as a running annual median, which is a median of all samples taken in the most recent 12 calendar months
** Reported as the 95th percentile of all samples taken in the most recent 12 calendar months
[1]Note that 12 month of data collection after the effective date is needed prior to the reporting

Permitted Feature/Limit Set 001Z (Monitoring is required January 2022 through December 2023

CIS Code	Effluent Parameter	Effluent Limitation		Monitoring Requirements	
		Daily Maximum	30-day Average	Frequency	Sample Type
51521	Perfluorooctanoic Acid [PFOA], ng/l	Report	Report	Monthly	Grab
51522	Perfluorobutanoic Acid [PFBA], ng/l	Report	Report	Monthly	Grab
51525	Perfluorooctanesulfonamide [PFOSA (or FOSA)], ng/l	Report	Report	Monthly	Grab
51623	Perfluoropentanoic acid [PFPeA], ng/l	Report	Report	Monthly	Grab
51624	Perfluorohexanoic acid [PFHxA], ng/l	Report	Report	Monthly	Grab
51625	Perfluoroheptanoic acid [PFHpA], ng/l	Report	Report	Monthly	Grab
51626	Perfluorononanoic acid [PFNA], ng/l	Report	Report	Monthly	Grab
51627	Perfluorodecanoic acid [PFDA], ng/l	Report	Report	Monthly	Grab
51628	Perfluoroundecanoic acid [PFUnA (or PFUdA)], ng/l	Report	Report	Monthly	Grab
51629	Perfluorododecanoic acid [PFDoA], ng/l	Report	Report	Monthly	Grab
51630	Perfluorotridecanoic acid [PFTrDA (or RFTriA)], ng/l	Report	Report	Monthly	Grab
51631	Perfluorotetradecanoic acid [PFTeDA (or PFTA or PFTeA)], ng/l	Report	Report	Monthly	Grab
51643	2-[N-ethylperfluorooctanesulfonamido] acetic acid [NEtFOSAA], ng/l	Report	Report	Monthly	Grab
51644	2-[N-methylperfluorooctanesulfonamido] acetic acid [NMeFOSAA], ng/l	Report	Report	Monthly	Grab
52602	Perfluorobutanesulfonic acid [PFBS], ng/l	Report	Report	Monthly	Grab
52603	Perfluorodecanesulfonic acid [PFDS], ng/l	Report	Report	Monthly	Grab
52604	Perfluoroheptanesulfonic acid [PFHpS], ng/l	Report	Report	Monthly	Grab
52605	Perfluorohexanesulfonic acid [PFHxS], ng/l	Report	Report	Monthly	Grab
52606	Perfluorooctanesulfonic acid [PFOS], ng/l	Report	Report	Monthly	Grab
52607	4:2 Fluorotelomer sulfonic acid [4:2 FTS], ng/l	Report	Report	Monthly	Grab
52608	6:2 Fluorotelomer sulfonic acid [6:2 FTS], ng/l	Report	Report	Monthly	Grab
52609	8:2 Fluorotelomer sulfonic acid [8:2 FTS], ng/l	Report	Report	Monthly	Grab
52610	Perfluoropentane sulfonic acid [PFPeS], ng/l	Report	Report	Monthly	Grab
52611	Perfluorononane sulfonic acid [PFNS], ng/l	Report	Report	Monthly	Grab
52612	Hexafluoropropylene oxide dimer acid [Gen-X (or HFPO-DA or HPFA-DA], ng/l	Report	Report	Monthly	Grab
87006	PFAS Sum, ng/l*	Report	Report	Monthly	Calculated
51641	N-ethyl perfluorooctanesulfonamidoethanol [NEtFOSE], ng/l	Report	Report	Monthly	Grab
51642	N-methyl perfluorooctanesulfonamidoethanol [NMeFOSE], ng/l	Report	Report	Monthly	Grab
52624	Perfluoro-3-methoxypropanoic acid [PFMPA], ng/l	Report	Report	Monthly	Grab
52629	Perfluoro(2-ethoxyethane)sulfonic acid [PFEESA], ng/l	Report	Report	Monthly	Grab
52632	Perfluorododecanesulfonic acid [PFDoS], ng/l	Report	Report	Monthly	Grab
52636	4,8-Dioxa-3H-perfluorononanoic acid [ADONA], ng/l	Report	Report	Monthly	Grab
52638	9-Chlorohexadecafluoro-3-oxanonane-1-sulfonic acid [9CL-PF3ONS], ng/l	Report	Report	Monthly	Grab
52639	11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic acid [11CL-PF3OUDS], ng/l	Report	Report	Monthly	Grab

52641	N-methyl perfluorooctanesulfonamide [NMeFOSA], ng/l	Report	Report	Monthly	Grab
52642	N-ethyl perfluorooctanesulfonamide [NEtFOSA], ng/l	Report	Report	Monthly	Grab
52626	Nonafluoro-3,6-dioxaheptanoic acid [NFDHA], ng/l	Report	Report	Monthly	Grab
**	Perfluoro-4-methoxybutanoic acid [PFMBA], ng/l	Report**	Report**	Monthly	Grab
**	3-Perfluoropropyl propanoic acid [3:3 FTCA], ng/l	Report**	Report**	Monthly	Grab
**	2H,2H,3H,3H-Perfluorooctanoic acid [5:3 FTCA], ng/l	Report**	Report**	Monthly	Grab
**	3-Perfluoroheptyl propanoic acid [7:3 FTCA], ng/l	Report**	Report**	Monthly	Grab

**The PFAS sum is calculated based on the following equation:*

*PFAS Sum (ng/l) = [PFOA] (ng/l) + [PFOSA] (ng/l) + [PFNA] (ng/l) + ([NEtFOSAA] (ng/l) * 0.85) + ([NMeFOSAA] (ng/l) * 0.88) + [PFOS] (ng/l) + ([8:2 FTS] (ng/l) * 0.78)*

This calculation is performed for each sampling event, and the resulting daily maximum and 30-day average results shall be reported on the discharge monitoring report submitted for the monthly monitoring period.

**Note the division does not currently have EPA ICIS codes for the following 4 parameters:

Perfluoro-4-methoxybutanoic acid [PFMBA], ng/l
3-Perfluoropropyl propanoic acid [3:3 FTCA], ng/l
2H,2H,3H,3H-Perfluorooctanoic acid [5:3 FTCA], ng/l
3-Perfluoroheptyl propanoic acid [7:3 FTCA], ng/l

EPA has not yet provided the codes for these parameters. Therefore, data for these 4 parameters cannot currently be entered into ICIS. However, the lack of ICIS codes is not intended to indicate relief from sampling or reporting for these parameters. The division anticipates issuing a correction with the ICIS codes prior to this permit becoming effective. However, in the event the ICIS codes are delayed, reporting of these pollutants remains a requirement as indicated in the permit table(s). Data from the analysis for these 4 parameters should be submitted to the division on blank DMRs that will be sent to the permittee, for the division to enter manually. This will continue until a division-initiated permit modification with the codes becomes effective. As this facility is using netDMR, permit modifications like ICIS codes are immediate, and data can be entered upon the effective date of the modification.

Permitted Feature 001 Limit Set P

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations, Daily Max	Frequency	Sample Type
01002	Total Arsenic, µg/l	Report	Quarterly	Composite
01027	Total Cadmium, µg/l	Report	Quarterly	Composite
01034	Total Chromium, µg/l	Report	Quarterly	Composite
01042	Total Copper, µg/l	Report	Quarterly	Composite
01051	Total Lead, µg/l	Report	Quarterly	Composite
71900	Total Mercury, µg/l	Report	Quarterly	Composite
01062	Total Molybdenum, µg/l	Report	Quarterly	Composite
01067	Total Nickel, µg/l	Report	Quarterly	Composite
01147	Total Selenium, µg/l	Report	Quarterly	Composite
01077	Total Silver, µg/l	Report	Quarterly	Composite
01092	Total Zinc, µg/l	Report	Quarterly	Composite
00720	Total Cyanide, µg/l	Report	Quarterly	Grab

03604	Total Phenols, µg/l	Report	Quarterly	Composite

Permitted Feature UST1A, Permitted Future Type: receiving water (ambient)

ICIS Code	Effluent Parameter	Effluent Limitations Maximum Concentrations		Monitoring Requirements	
		MWAT	Daily Maximum	Frequency	Sample Type
00010	Temp DM (°C) Mar-Nov		Report	Continuous	Recorder
00010	Temp DM (°C) Dec-Feb		Report	Continuous	Recorder
00010	Temp MWAT (°C) March-Nov	Report		Continuous	Recorder
00010	Temp MWAT (°C) Dec-Feb	Report		Continuous	Recorder

3. Monitoring Frequency and Sample Type Influent Parameters

Regardless of whether or not an effluent discharge occurs and in order to obtain an indication of the current influent loading as compared to the approved capacity specified in Part I.A.3 and Part I.B.2; the permittee shall monitor influent parameters at the following required frequencies, the results to be reported on the Discharge Monitoring Report (See Part I.D):

If the permittee monitors any parameter more frequently than required by the permit, using an approved test procedure or as specified in the permit, the result of this monitoring shall be included in the calculation and reporting of data to the Division.

Self-monitoring samples taken in compliance with the monitoring requirements specified below shall be taken at the following location(s): **Outfall 300I, at a representative point prior to biological treatment.**

Permitted Feature 300I

ICIS Code	Parameter	Discharge Limitations Maximum Concentrations			Monitoring Frequency	Sample Type
		30-Day Average	7-Day Average	Daily Max.		
50050 G	Flow, mgd	Report		Report	Continuous	Recorder
00180 G	Plant Capacity (% of Capacity - Hydraulic) [1]	Report			Monthly	Calculated [1]
80082 G	$CBOD_5$, mg/l [2]	Report	Report		Monthly	Composite
00310 G	BOD_5, mg/l	Report	Report		Monthly	Composite
00310 G	BOD_5, lbs/day	Report	Report		Monthly	Calculated
00180 G	Plant Capacity (% of Capacity - Organic) [1]	Report			Monthly	Calculated [1]
00530G	Total Suspended Solids, mg/l	Report	Report		Monthly	Composite

[1] The % capacity is to be reported against the listed capacities of 50 MGD for the hydraulic capacity and 93,825 lbs. BOD/day for the organic capacities as noted in Site Approval 4727. The percentage should be calculated using the 30-day average values divided by the corresponding capacity, times 100.

[2]Monitoring for $CBOD_5$ will be added in addition to BOD_5 on the influent sampling requirements when CBOD is used as a limitation on the effluent instead of BOD. This is needed to determine the percent removal of CBOD where applicable. BOD monitoring is still necessary to determine the organic loading in terms of percent capacity when Site Approvals are developed on BOD.

Permitted Feature 300 Limit Set P (Influent)

ICIS Code	Parameter	Influent Limitations Maximum Concentrations, Daily Max	Frequency	Sample Type
01002G	Total Arsenic, µg/l	Report	Quarterly	Composite
01027G	Total Cadmium, µg/l	Report	Quarterly	Composite
01034G	Total Chromium, µg/l	Report	Quarterly	Composite
01042G	Total Copper, µg/l	Report	Quarterly	Composite
01051G	Total Lead, µg/l	Report	Quarterly	Composite
71900G	Total Mercury, µg/l	Report	Quarterly	Composite
01062G	Total Molybdenum, µg/l	Report	Quarterly	Composite
01067G	Total Nickel, µg/l	Report	Quarterly	Composite
01147G	Total Selenium, µg/l	Report	Quarterly	Composite
01077G	Total Silver, µg/l	Report	Quarterly	Composite
01092G	Total Zinc, µg/l	Report	Quarterly	Composite
00720G	Total Cyanide, µg/l	Report	Quarterly	Grab
03604G	Total Phenols, µg/l	Report	Quarterly	Composite

4. Special Studies and Additional Monitoring

a. PFAS Source Investigation Study – The permittee shall monitor for PFAS, as required in Part I.A.2, and complete a source investigation study in accordance with the following schedule. Source investigations could include identifying potential sources, evaluation source control options, industrial user inventories, or other investigations. See Policy 20-1.

Code	Event	Description	Due Date
04399	Source Investigation Report	Submit final study results summarizing PFAS influent and effluent data to date, analyzing temporal trends or patterns in the data, and identifying sources of PFAS to the facility.	June 30, 2024

All special studies must be submitted to the Division accompanied by a fully completed "Permit Narrative Conditions Form" available at https://www.colorado.gov/pacific/cdphe/wq-permit-forms.

B. TERMS AND CONDITIONS

1. Service Area

All wastewater flows contributed in the service area may be accepted by the Littleton/Englewood Wastewater Treatment Plant for treatment at the permittee's wastewater treatment plant provided that such acceptance does not cause or contribute to an exceedance of the throughput or design capacity of the treatment works or the effluent limitations in Part I.A, or constitute a substantial impact to the functioning of the treatment works, degrade the quality of the receiving waters, or harm human health, or the environment.

In addition, the permittee shall enter into and maintain service agreements with any municipalities that discharge into the wastewater treatment facility. The service agreements shall contain all provisions necessary to protect the financial, physical, and operational integrity of the wastewater treatment works.

2. Design Capacity

Based on Site Approval **4727**, the design capacity of this domestic wastewater treatment works is **50 million gallons per day** (MGD) for hydraulic flow (30-day average) and **93,825 lbs. BOD_5 per day** for organic loading (30-day average).

3. Expansion Requirements

Pursuant to Colorado Law, C.R.S. 25-8-501 ((5) d & e), the permittee is required to initiate engineering and financial planning for expansion of the domestic wastewater treatment works whenever throughput reaches eighty (80) percent of the treatment capacity. Such planning may be deemed unnecessary upon a showing that the area served by the domestic wastewater treatment works has a stable or declining population; but this provision shall not be construed as preventing periodic review by the Division should it be felt that growth is occurring or will occur in the area.

The permittee shall commence construction of such domestic wastewater treatment works expansion whenever throughput reaches ninety-five (95) percent of the treatment capacity or, in the case of a municipality, either commence construction or cease issuance of building permits within such municipality until such construction is commenced; except that building permits may continue to be issued for any construction which would not have the effect of increasing the input of wastewater to the sewage treatment works of the municipality involved.

Where unusual circumstances result in throughput exceeding 80% of treatment capacity, the permittee may, in lieu of initiating planning for expansion, submit a report to the Division that demonstrates that it is unlikely that the event will reoccur, or even if it were to reoccur, that 95% of the treatment capacity would not be exceeded.

Where unusual circumstances result in throughput exceeding 95% of the treatment capacity, the permittee may, in lieu of initiating construction of the expansion, submit a report to the Division that demonstrates that the domestic wastewater treatment works was in compliance at all times during the events and that it is extremely unlikely that the event will reoccur.

Where the permittee submits a report pursuant to unusual circumstances, and the Division, upon review of such report, determines in writing to the permittee that the report does not support the required findings, the permittee shall initiate planning and/or construction of the domestic wastewater treatment works as appropriate.

4. Facilities Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control including all portions of the collection system and lift stations owned by the permittee (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 also 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 when installed by the permittee only when necessary to achieve compliance with the conditions of the permit.

Any sludge produced at the wastewater treatment facility shall be disposed of in accordance with State and Federal regulations. 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.

5. Chronic WET Testing -Outfall(s): 001A

a. General Chronic WET Testing and Reporting Requirements

The permittee shall conduct the chronic WET test using *Ceriodaphnia dubia and Pimephales promelas*, as a

static renewal 7-day test using three separate composite OR samples. The permittee shall conduct each chronic WET test in accordance with the 40 CFR Part 136 methods described in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms, Fourth Edition, October 2002 (EPA-821-R-02-013) or the most current edition.

For the 34 MGD tier, the following minimum dilution series should be used: 0% effluent (control), 17%, 35%, 69%, 85%, and 100% effluent. If the permittee uses more dilutions than prescribed, and accelerated testing is to be performed, the same dilution series shall be used in the accelerated testing (if applicable) as was initially used in the failed test.

For the 50 MGD tier, the following minimum dilution series should be used: 0% effluent (control), 19%, 38%, 76%, 88%, and 100% effluent. If the permittee uses more dilutions than prescribed, and accelerated testing is to be performed, the same dilution series shall be used in the accelerated testing (if applicable) as was initially used in the failed test.

Tests shall be done at the frequency listed in Part I.A.2. Test results shall be reported along with the Discharge Monitoring Report (DMR) submitted for the end of the reporting period when the sample was taken. (i.e., WET testing results for the calendar quarter ending March 31 shall be reported with the DMR due April 28, etc.) The permittee shall submit all laboratory statistical summary sheets, summaries of the determination of a valid, invalid or inconclusive test, and copies of the chain of custody forms, along with the DMR for the reporting period.

If a test is considered invalid, the permittee is required to perform additional testing during the monitoring period to obtain a valid test result. Failure to obtain a valid test result during the monitoring period shall result in a violation of the permit for failure to monitor.

b. Violations of the Permit Limit, Failure of One Test Statistical Endpoint and Division Notification

A chronic WET test is considered a violation of a permit limitation when both the NOEC and the IC25, for the same sub-lethal endpoint are at any effluent concentration less than the IWC. This determination is made independently for each test species. The IWC for this permit has been determined to be **69**% for the 34 MGD tier and **76**% effluent for the 50 MGD tier.

A chronic WET test is considered to have failed one of the two statistical endpoints when either the NOEC or the IC_{25} are at any effluent concentration less than the IWC. Simultaneous failure of both the NOEC and IC25 for both sub-lethal endpoints, when tests are performed on identical split samples, constitutes only a single violation of the Daily Maximum Effluent Limitation for Chronic WET specified in Part I, §A-2 of this permit. The IWC for this permit has been determined to be **69**% for the 34 MGD tier and **76**% effluent for the 50 MGD tier.

In the event of a permit violation, or during a report only period when both the NOEC and the IC25 are at any effluent concentration less than the IWC, or when two consecutive reporting periods have resulted in failure of one of the two statistical endpoints (regardless of which statistical endpoints are failed), the permittee must provide written notification to the Division. Such notification should explain whether it was a violation or two consecutive failures of a single endpoint, and must indicate whether accelerated testing or a Toxicity Identification Evaluation or Toxicity Reduction Evaluation (TIE or TRE) is being performed, unless otherwise exempted, in writing, by the Division. **Notification must be received by the Division within 14 calendar days of the permittee receiving notice of the WET testing results.**

c. Automatic Compliance Response

The permittee is responsible for implementing the automatic compliance response provisions of this permit when one of the following occurs:

- there is a violation of the permit limit (both the NOEC and the IC25 endpoints are less than the applicable IWC)
- during a report only period when both the NOEC and the IC25 are at any effluent concentration less than the IWC

- two consecutive monitoring periods have resulted in failure of one of the two statistical endpoints (either the IC25 or the NOEC) , including during a report-only period. This determination is made independently for each test species.
- the permittee is otherwise informed by the Division that a compliance response is necessary

When one of the above listed events occurs, the following automatic compliance response shall apply. The permittee shall either:

- conduct accelerated testing using the single species found to be more sensitive
- conduct a Toxicity Identification Evaluation (TIE) or a Toxicity Reduction Evaluation (TRE) investigation as described below.

i. Accelerated Testing

If accelerated testing is being performed, testing will be at least once every two weeks for up to five tests with only one test being run at a time, using only the IC25 statistical endpoint to determine if the test passed or failed at the appropriate IWC. Accelerated testing shall continue until; 1) two consecutive tests fail or three of five tests fail, in which case a pattern of toxicity has been demonstrated or 2) two consecutive tests pass or three of five tests pass, in which case no pattern of toxicity has been found. Note that the same dilution series should be used in the accelerated testing as was used in the initial test(s) that result in the accelerated testing requirement.

If accelerated testing is required due to failure of one statistical endpoint in two consecutive monitoring periods, and in both of those failures it was the NOEC endpoint that was failed, then the NOEC shall be the only statistical endpoint used to determined whether the accelerated testing passed or failed at the appropriate IWC. Note that the same dilution series should be used in the accelerated testing as was used in the initial test(s) that result in the accelerated testing requirement.

If no pattern of toxicity is found the toxicity episode is considered to be ended and routine testing is to resume. If a pattern of toxicity is found, a TIE/TRE investigation is to be performed. If a pattern of toxicity is not demonstrated but a significant level of erratic toxicity is found, the Division may require an increased frequency of routine monitoring or some other modified approach. The permittee shall provide written notification of the results within 14 calendar days of completion of the Pattern of Toxicity/No Toxicity demonstration.

ii. Toxicity Identification Evaluation (TIE) or Toxicity Reduction Evaluation (TRE)

If a TIE or a TRE is being performed, the results of the investigation are to be received by the Division within 180 calendar days of the demonstration chronic WET in the routine test, as defined above, or if accelerated testing was performed, the date the pattern of toxicity is demonstrated. A status report is to be provided to the Division at the 60 and 120 calendar day points of the TIE or TRE investigation. The Division may extend the time frame for investigation where reasonable justification exists. A request for an extension must be made in writing and received prior to the 180 calendar day deadline. Such request must include a justification and supporting data for such an extension.

Under a TIE, the permittee may use the time for investigation to conduct a preliminary TIE (PTIE) or move directly into the TIE. A PTIE consists of a brief search for possible sources of WET, where a specific parameter(s) is reasonably suspected to have caused such toxicity, and could be identified more simply and cost effectively than a formal TIE. If the PTIE allows resolution of the WET incident, the TIE need not necessarily be conducted in its entirety. If, however, WET is not identified or resolved during the PTIE, the TIE must be conducted within the allowed 180 calendar day time frame.

The Division recommends that the EPA guidance documents regarding TIEs be followed. If another method is to be used, this procedure should be submitted to the Division prior to initiating the TIE.

If the pollutant(s) causing toxicity is/are identified, and is/are controlled by a permit effluent limitation(s), this permit may be modified upon request to adjust permit requirements regarding the automatic compliance response.

If the pollutant(s) causing toxicity is/are identified, and is/are not controlled by a permit effluent limitation(s), the Division may develop limitations the parameter(s), and the permit may be reopened to include these limitations.

If the pollutant causing toxicity is not able to be identified, or is unable to be specifically identified, or is not able to be controlled by an effluent limit, the permittee will be required to perform either item 1 or item 2 below.

l) Conduct an investigation which demonstrates actual instream aquatic life conditions upstream and downstream of the discharge, or identify, for Division approval, and conduct an alternative investigation which demonstrates the actual instream impact. This should include WET testing and chemical analyses of the ambient water. Depending on the results of the study, the permittee may also be required to identify the control program necessary to eliminate the toxicity and its cost. Data collected may be presented to the WQCC for consideration at the next appropriate triennial review of the stream standards;

2) Move to a TRE by identifying the necessary control program or activity and proceed with elimination of the toxicity so as to meet the WET effluent limit.

If toxicity spontaneously disappears in the midst of a TIE, the permittee shall notify the Division within 10 calendar days of such disappearance. The Division may require the permittee to conduct accelerated testing to demonstrate that no pattern of toxicity exists, or may amend the permit to require an increased frequency of WET testing for some period of time. If no pattern of toxicity is demonstrated through the accelerated testing or the increased monitoring frequency, the toxicity incident response will be closed and normal WET testing shall resume.

The control program developed during a TRE consists of the measures determined to be the most feasible to eliminate WET. This may happen through the identification of the toxicant(s) and then a control program aimed specifically at that toxicant(s) or through the identification of more general toxicant treatability processes. A control program is to be developed and submitted to the Division within 180 calendar days of beginning a TRE. Status reports on the TRE are to be provided to the Division at the 60 and 120 calendar day points of the TRE investigation.

If toxicity spontaneously disappears in the midst of a TRE, the permittee shall notify the Division within 10 calendar days of such disappearance. The Division may require the permittee to conduct accelerated testing to demonstrate that no pattern of toxicity exists, or may amend the permit to require an increased frequency for some period of time. If no pattern of toxicity is demonstrated through the accelerated testing or the increased monitoring frequency, the toxicity incident response will be closed and normal WET testing shall resume.

d. Toxicity Reopener

This permit may be reopened and modified to include additional or modified numerical permit limitations, new or modified compliance response requirements, changes in the WET testing protocol, the addition of both acute and chronic WET requirements, or any other conditions related to the control of toxicants.

6. <u>Compliance</u> <u>Schedule(s)</u>

a. <u>Activities to Meet Ammonia, Total Inorganic Nitrogen and Total Phosphorus</u> – In order to meet Total Inorganic Nitrogen and Total Phosphorus final limits, the following schedule for construction (if deemed necessary by the permittee) are included in the permit.

Code	Event	Description	Due Date
06599	Hire a Consultant/ Professional Engineer	Submit a letter of notification that a Colorado licensed engineering consultant has been obtained and funding has been secured for planning aspects	June 30, 2018
CS011	Plan, Report, or Scope of Work	Submit a letter of notification that Preliminary Effluent Limits (PELs), if necessary, have been received and report progress in obtaining funding for design and construction aspects for Regulation 85 limitations. Also report on status of meeting the final limitations for ammonia and drinking water T.I.N.	June 30, 2019
73905	Engineering Plan	Submit a letter of notification that funding has been obtained for design and construction aspects. Note that a Site Application and a preliminary design must be submitted and approved by the Division for Regulation 85 limitations prior to final plans and specifications. Also report on status of meeting the final limitations for ammonia and drinking water T.I.N.	June 30, 2020
73095	Engineering Plan	Submit final plans specifications to the Division. Also, report on status of meeting the final limitations for ammonia and drinking water T.I.N.	June 30, 2021
CS015	Commence Required Work or On-Site Construction	Submit a letter of notification that Final Design Approval has been received from the Division and construction has commenced for Regulation 85 limitations. Also report on status of meeting the final limitations for ammonia and drinking water T.I.N.	December 31, 2021
CS010	Status/Progress Report	Submit a construction progress report summarizing the progress in construction or other activities for Regulation 85 limitations. Also report on status of meeting the final limitations for ammonia and drinking water T.I.N.	December 31, 2022
CS016	Complete Required Work or On-Site Construction	Complete construction of facilities or other appropriate actions, which will allow the permittee to meet the final ammonia and Regulation 85-based limitations.	June 30, 2023
CS016	Complete Required Work or On-Site Construction	Complete construction of facilities or other appropriate actions, which will allow the permittee to meet the final (Drinking water-based) limitations.	June 30, 2024

b. Activities to Meet Temperature July, August, and September Final Limits – In order to meet Temperature limitations, the following schedule are included in the permit.

Code	Event	Description	Due Date
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2017
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2018
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with	December 31, 2019

Code	Event	Description	Due Date
		extended year(s) of data relates to corresponding maximum effluent temperature.	
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2020
43699	Facility Evaluation Plan	Submit a report **either** showing that the facility can consistently meet the permit limits **or** identifying sources of elevated temperatures to the wastewater treatment facility and lists strategies to control these sources or treatment alternatives such that compliance with the final limitations may be attained.	December 31, 2021
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the selected strategy/(ies) (selected specific strategy/(ies) must be listed in the report) to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2022
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2023
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2024
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2025
CS017	Achieve Final Compliance with Emissions or Discharge Limits	Submit study results that show compliance has been attained with the final temperature limitations in July, August, and September.	December 31, 2026

c. Activities to Meet Temperature (December, January, February 1-13) Final Limits – In order to meet Temperature limitations, the following schedule are included in the permit.

Code	Event	Description	Due Date
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2021
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2022
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with	December 31, 2023

Code	Event	Description	Due Date
		extended year(s) of data relates to corresponding maximum effluent temperature.	
07099	Monitoring Report	Submit a report with effluent MWAT and Daily Maximum temperature data from the previous year. The report shall address how the potential permit limits results calculated with extended year(s) of data relates to corresponding maximum effluent temperature.	December 31, 2024
43699	Facility Evaluation Plan	Submit a report **either** showing that the facility can consistently meet the permit limits **or** identifying sources of elevated temperatures to the wastewater treatment facility and lists strategies to control these sources or treatment alternatives such that compliance with the final limitations may be attained.	December 31, 2025
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the selected strategy(ies) (selected specific strategy(ies) must be listed in the report) to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2026
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2027
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2028
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final temperature limitations may be attained.	December 31, 2029
CS017	Achieve Final Compliance with Emissions or Discharge Limits	Submit study results that show compliance has been attained with the final temperature limitations in December, January, and February 1-13.	December 31, 2030

d. Activities to Meet Dissolved Copper Final Limits – In order to meet dissolved copper limitations, the following schedule are included in the permit.

Code	Event	Description	Due Date
43699	Facility Evaluation Plan	Submit a report that identifies sources of copper to the wastewater treatment facility and identifies strategies to control these sources or treatment alternatives such that compliance with the final limitations may be attained.	December 31, 2018
00899	Implementation Schedule	Submit a progress report summarizing the progress in implementing the strategies to control sources such that compliance with the final dissolved copper limitations may be attained.	December 31, 2019
07099	Monitoring Report	Submit a report with effluent dissolved copper data from the previous year. The report shall address how that the two-year rolling average dissolved copper limitation will be attained.	December 31, 2020
CS017	Achieve Final Compliance with	Submit study results that show compliance has been attained with the final dissolved copper limitations.	December 31, 2021

Emissions or
Discharge Limits

Regulation 61.8(3)(n)(i) states that a report should be submitted to the Division no later than 14 calendar days following each date identified in the schedule of compliance. The 14 days have already been incorporated into the above dates and therefore all reports are due on or before the date listed in the table.

7. Pretreatment Program – Industrial Waste Management Plan

a. The Permittee shall develop, implement, document and enforce an industrial pretreatment program (pretreatment program) in accordance with the General Pretreatment Regulations found in 40 CFR Part 403, the Colorado Pretreatment Regulations, Regulation 63 (5 CCR 1002-63) and the approved pretreatment program submitted by the Permittee. The pretreatment program was approved on **May 30, 1991,** and includes subsequent modifications approved by the Approval Authority. The permittee must continue to implement the pretreatment program as approved by the Approval Authority as a condition of this permit, including all approved modification thereto. The approved pretreatment program shall be implemented in a manner consistent with the following procedures, as required by 40 CFR Part 403:

i. In accordance with 40 CFR 122.44(j)(1), Identify, in terms of character and volume of pollutants, any Significant Industrial Users discharging into the POTW subject to Pretreatment Standards under section 307(b) of CWA and 40 CFR part 403.

ii. Industrial user information shall be updated at a minimum of once per year or at that frequency necessary to ensure that all Industrial Users are properly permitted and/or controlled as necessary for the permittee to fully implement the pretreatment program. The records shall be maintained and updated as necessary;

iii. The Permittee shall sample and inspect each Significant Industrial User (SIU) at least once per calendar year. This is in addition to any industrial self-monitoring activities. If the Permittee performs sampling for any SIU and sampling results indicate a violation of any Pretreatment Standards or requirements, then the Permittee shall perform any repeat sampling and analysis within 30 calendar days of becoming aware of the violation, unless it notifies the User of the violation and requires the User to perform the repeat analysis;

iv. The Permittee shall evaluate whether each SIU needs a plan to control Slug Discharges. SIUs must be evaluated within 1 year of being designated an SIU. Where needed, the Permittee shall require the SIU to prepare or update, and then implement the plan. Where a slug prevention plan is required, the Permittee shall ensure that the plan contains at least the minimum required elements. If required, the Permittee shall incorporate slug control requirements into the control mechanism for the SIU;

v. The Permittee shall investigate instances of non-compliance with Pretreatment Standards and requirements indicated in required reports and notices or indicated by analysis, inspection, and surveillance activities.

vi. The Permittee shall enforce all applicable Pretreatment Standards and requirements and obtain remedies for noncompliance by any industrial user as defined in the permittee's Enforcement Response Plan;

vii. The Permittee shall control, through the legal authority in the approved pretreatment program, the contribution to the Publicly Owned Treatment Works (POTW) by each industrial user to ensure compliance with applicable Pretreatment Standards and requirements. In the case of industrial users identified as significant. This control shall be achieved through permit, order, or similar means and shall contain, at a minimum, the following conditions:

(A) Statement of duration (in no case more than five (5) years);

(B) Statement of non-transferability without, at a minimum, prior notification to the Permittee and provision of a copy of the existing control mechanism to the new owner or operator;

(C) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards, Categorical Pretreatment Standards, local limits, and State and local law;

(D) Self-monitoring, sampling, reporting, notification and record keeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, including documentation on BMP compliance, based on the applicable Pretreatment Standards, Categorical Pretreatment Standards, local limits, and State and local law;

(E) Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond deadlines mandated by federal statute or regulation; and,

(F) Requirements to control Slug Discharges, if determined by the POTW to be necessary.

viii. The Permittee shall provide adequate staff, equipment, and support capabilities to carry out all elements of the pretreatment program;

ix. The approved program shall not be substantially modified by the Permittee without the approval of the EPA. Substantial and non-substantial modifications shall follow the procedures outlined in 40 CFR 403.18. A copy any submittals required by 40 CFR 403.18 shall be provided to the Division at the time of submittal to the Approval Authority;

x. The Permittee shall develop, implement, and maintain an Enforcement Response Plan;

xi. The Permittee shall develop and implement procedures for determination and documentation of instances of Significant Non-Compliance as defined at 40 CFR Section 403.8(f)(2)(viii)(A-H;

xii. The Permittee shall notify all Industrial Users of the users' obligations to comply with applicable requirements under Subtitles C and D of the Resource Conservation and Recovery Act (RCRA); and

xiii. The Permittee shall establish, where necessary, legally binding agreements with contributing jurisdictions to ensure compliance with applicable Pretreatment requirements by industrial users within these jurisdictions. These legally binding agreements must identify the agency responsible for the Pretreatment implementation and enforcement activities in the contributing jurisdictions and outline the specific roles, responsibilities and pretreatment activities of each jurisdiction.

b. The Permittee shall prohibit the introduction of the following pollutants into the POTW.:

i. Any pollutant which may cause Pass Through or Interference;

ii. Pollutants which create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, wastestreams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21;

iii. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the works are specifically designed to accommodate such discharges;

iv. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other interference with the operation of the POTW;

v. Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW;

vi. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference but in no

case heat in such quantities that the temperature at the POTW treatment plant exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;

vii. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through;

viii. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

ix. Any trucked or hauled pollutants, except at discharge points designated by the POTW; and,

c. The Permittee shall establish and enforce specific local limits to implement the general and specific prohibitions found in 40 CFR 403.5(a) and (b). The Permittee shall continue to develop these limits as necessary and effectively enforce such limits. Where the Permittee determines that revised or new local limits are necessary, the Permittee shall submit the proposed local limits to the Approval Authority in an approvable form in accordance with 40 CFR 403.18.

In accordance with 40 CFR 122.44(j)(2)(ii), the permittee shall submit to the Division and Approval Authority a technical evaluation of the need to revise or develop local limits in accordance with 40 CFR 403.5(c) and a local limits package if a technical evaluation reveals that development or revision of local limits is necessary by October 31, 2018. The evaluation shall include, but not be limited to, a consideration of any new or revised numeric and practice-based effluent limits in this permit.

d. The Permittee shall analyze the treatment facility influent and effluent for the presence of the toxic pollutants listed in 40 CFR Part 122 Appendix D (NPDES Application Testing Requirements) Table II at least **2/yr** and the toxic pollutants in Table III at least **4/yr**. If, based upon information available to the Permittee, there is reason to suspect the presence of any toxic or hazardous pollutant listed in Table V, or any other pollutant in a quantity or concentration known or suspected to adversely affect POTW operation, receiving water quality, or solids disposal procedures, analysis for those pollutants shall be performed at least **4/yr** on both the influent and the effluent.

i. Along with the Permittee's pretreatment annual report, the Permittee will submit a list of compounds included in Table V that are suspected or known to be present in its influent wastewater and any other pollutant monitored in accordance with 7.d based on being known or suspected to adversely affect POTW operation, receiving water quality, or solids disposal procedures. This determination shall be based on a review of the Permittee's effluent monitoring data and pretreatment program records. The state permitting authority and/or Approval Authority may review and comment on the list and the list may be revised if, in the opinion of the state permitting authority and/or Approval Authority, the list is incomplete. Analysis for the revised list of compounds and pollutants for which there are acceptable testing procedures shall be performed at least **4/yr** on both the influent and the effluent.

ii. Where the pollutants monitored in accordance with this section are reported as being above the method detection limit, the results for these pollutants shall be reported in the Permittee's pretreatment annual report, if required by EPA.

e. The Permittee shall analyze the treatment facility sludge (biosolids) prior to beneficial reuse, for the presence of toxic pollutants listed in 40 CFR 122 Appendix D (NPDES Application Testing Requirements) Table III at least once per year. If the Permittee does not benefically reuse biosolids during the calendar year, the Permittee shall certify to that in the Pretreatment Annual Report and the monitoring requirements in this paragraph shall be suspended for that calendar year.

i. The Permittee shall review the pollutants in 40 CFR Part 122, Appendix D, tables II and V. If any of the pollutants in these tables were above detection in the influent samples during the previous 2 years or the last two analyses, whichever is greater, the Permittee shall sample and analyze its sewage sludge for these pollutants. The Permittee shall perform this evaluation and analysis at least once per year.

ii. The Permittee shall use sample collection and analysis procedures as approved for use under 40 CFR

Part 503.

iii. The Permittee shall report the results for these pollutants in the Permittee's pretreatment annual report, if required by EPA.

f. All analyses shall be in accordance with test procedures established in 40 CFR Part 136 and in accordance with Part I.D.5.

g. Sampling methods shall be those defined in 40 CFR Part 136, 40 CFR Part 403, as defined in this permit, or as specified by the Approval Authority. Where sampling methods are not specified, the influent and effluent samples collected shall be composite samples consisting of at least twelve (12) aliquots collected at approximately equal intervals over a representative 24-hour period and composited according to flow. Where automated composite sampling is inappropriate, at least four (4) grab samples shall be manually taken at equal intervals over a representative 24-hour period, and composited prior to analysis using approved methods; alternatively, the individual grab samples may be analyzed separately and the results from the respective grab samples mathematically combined based on flow (i.e., flow weighted) for the final result.

h. Comply with the public participation requirements of 40 CFR part 25 in the enforcement of National Pretreatment Standards. These procedures shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of Industrial Users which, at any time during the previous 12 months, were in significant noncompliance with applicable Pretreatment requirements. For the purposes of this provision, a Significant Industrial User (or any Industrial User which violates paragraphs (f)(2)(viii)(C), (D), or (H) of this section) is in significant noncompliance if its violation meets one or more of the following criteria listed in 40 CFR Part 403.8(f)(2)(viii)(A-H).

In addition, on or before March 28, the Permittee shall submit a pretreatment program annual report to the Approval Authority and the state permitting authority that contains the information requested by EPA, or at a minimum the following information:

i. An updated list of all SIUs. For each SIU listed the following information shall be included:

(A) All applicable Standard Industrial Classification (SIC) codes and categorical determinations, as appropriate. In addition, a brief description of the industry and general activities;

(B) Permit status. Whether each SIU has an unexpired control mechanism and an explanation as to why any SIUs are operating without a current, unexpired control mechanism (e.g. permit);

(C) A summary of all monitoring activities performed within the previous twelve (12) months. The following information shall be reported:

Total number of SIUs inspected; and
Total number of SIUs sampled.

ii. For all industrial users that were in Significant Non-Compliance during the previous twelve (12) months, provide the name of the violating industrial user; indicate the nature of the violations, the type and number of actions taken (administrative order, criminal or civil suit, fines or penalties collected, etc.) and current compliance status. Indicate if the company returned to compliance and the date compliance was attained.

iii. A summary of all enforcement actions not covered by the paragraph above conducted in accordance with the approved Enforcement Response Plan.

iv. A list of all SIUs whose authorization to discharge to the POTW was terminated or revoked during the preceding twelve (12) month period and the reason for termination;

v. A report on any Interference, Pass Through, upset or NPDES permit violations known or suspected to be caused by non-domestic discharges of pollutant and actions taken by the Permittee in response;

vi. Verification of publication of industrial users in Significant Non-Compliance;

vii. Identification of the specific locations, if any, designated by the Permittee for receipt (discharge) of trucked or hauled waste, if modified since the previous annual report;

viii. Information as required by the Approval Authority or state permitting authority on the discharge to the POTW from the following activities:

(A) Ground water clean-up from underground storage tanks;
(B) Trucked or hauled waste; and,
(C) Groundwater clean-up from RCRA or Superfund sites.

ix. The Permittee shall evaluate actual pollutants loadings against the approved Maximum Allowable Headworks Loadings (MAHLs) in the permittee's pretreatment program. Where the actual loading exceeds the MAHL, the Permittee shall immediately begin a program to either revise the existing local limit and/or undertake such other studies as necessary to evaluate the cause(s) of the exceedance. The Permittee shall provide a summary of its intended action.

x. Other information that may be deemed necessary by the Approval Authority.

i. The Permittee must notify the Water Quality Control Division and the Approval Authority, of any new introductions by new or existing significant industrial users or any substantial change in pollutants from any industrial user within sixty (60) calendar days following the introduction or change, as required in 40 CFR 122.42(b)(1-3). Such notice must identify:

i. Any new introduction of pollutants into the POTW from an industrial user which would be subject to Sections 301, 306, and 307 of the Act if it were directly discharging those pollutants; or

ii. Any substantial change in the volume or character of pollutants being introduced into the POTW by any industrial user For the purposes of this section, "substantial change" shall mean a level of change which has a reasonable probability of affecting the Permittee's ability to comply with its permit conditions, cause or contribute to interference or to cause a violation of stream standards applied to the receiving water.;

iii. For the purposes of this section, adequate notice shall include information on:

a. The identity and address of the industrial user;

b. The nature and concentration of pollutants in the discharge and the average and maximum flow of the discharge to be introduced into the POTW; and

c. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from or biosolids produced at such POTW.

j. Section 309(f) of the Act provides that EPA may issue a notice to the POTW stating that a determination has been made that appropriate enforcement action must be taken against an industrial user for noncompliance with any Pretreatment Standards and requirements. The notice provides the POTW with thirty (30) days to commence such action. The issuance of such permit notice shall not be construed to limit the authority of the permit issuing authority or Approval Authority.

k. The state permitting authority and/or the EPA retains, at all times, the right to take legal action against the industrial contributor for violations of a permit issued by the Permittee, violations of any Pretreatment Standard or requirement, or for failure to discharge at an acceptable level under national standards issued by EPA under 40 CFR, chapter I, subchapter N. In those cases where a NPDES permit violation has occurred because of the failure of the Permittee to properly develop and enforce Pretreatment Standards and requirements as necessary to protect the POTW, the state permitting authority and/or Approval Authority shall hold the Permittee responsible and may take legal action

against the Permittee as well as the Indirect Discharger(s) contributing to the permit violation.

l. Pretreatment Definitions

i. “Approval Authority” means the Director of the Water Quality Control Division at such time that Colorado has an approved State pretreatment program, and until such time, the EPA Region 8 Administrator.

ii. "Approved POTW Program" or "Program" or "POTW Pretreatment Program" means a program administered by a POTW that has been approved by the Director in accordance with 40 CFR 403.11, or a program previously approved by EPA as described in the approved program document.

iii. “Industrial User” means a source of an introduction of pollutants into a POTW that contain non-domestic wastewater regulated under section 307(b), (c) or (d) of the Clean Water Act.

iv. "Interference" means a discharge which alone or in conjunction with a discharge or discharges from other sources, both:

a. Inhibits or disrupts the POTW, its treatment process or operations, or its sludge processes, use or disposal; and

b. Therefore is a cause of a violation of any requirement of this permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Federal Clean Water Act, the Solid Waste Disposal Act (SWDA) which includes Title II known as the Resource Conservation and Recovery Act, the Division's Domestic Sewage Sludge Regulations, the Federal Clean Air Act, or the Toxic Substance Control Act.

v. "Pass-through" means an indirect discharge that exits the POTW into waters of the state in quantities or concentrations that, alone or in conjunction with an indirect discharge or indirect discharges from other sources, is a cause of a violation of any requirement of the POTW's permit (including an increase in the magnitude or duration of a violation).

vi. “Pretreatment” means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

vii. “Pretreatment Requirements" means any substantive or procedural requirement related to pretreatment other than a National Pretreatment Standard, imposed on an Industrial User.

viii. "National Pretreatment Standard," "Pretreatment Standard," or "Standard" means any regulation containing pollutant discharge limits promulgated by the Environmental Protection Agency in accordance with section 307 (b) and (c) of the Clean Water Act, including prohibitive discharge limits established pursuant to 40 CFR 403.5 and which applies to Industrial Users.

ix. “Publicly Owned Treatment Works” or “POTW” means the wastewater treatment plant authorized to discharge in accordance with this permit. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to the wastewater treatment plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the introduction of pollutants into the POTW from any Industrial User and the discharges from the treatment works.

x. “Significant Industrial User” or “SIU”means industrial users that :

a. is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N;

b. discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

c. contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or

d. is designated as such by the permittee on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement.

xi. “Slug Discharge” is any discharge to the POTW of a non-routine, episodic nature, including but not limited to, an accidental spill or a noncustomary batch discharge.

C. DEFINITION OF TERMS

1. "Acute Toxicity" - The acute toxicity limitation is exceeded if the LC50 is at any effluent concentration less than or equal to the IWC indicated in this permit.

2. “Antidegradation limits” – See “Two (2) - Year Rolling Average”.

3. "Chronic toxicity", which includes lethality and growth or reproduction, occurs when the NOEC and IC25 are at an effluent concentration less than the IWC indicated in this permit.

4. "Composite" sample is a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow. For a SBR type treatment system, a composite sample is defined as sampling equal aliquots during the beginning, middle and end of a decant period, for two consecutive periods during a day (if possible).

5. "Continuous" measurement, is a measurement obtained from an automatic recording device which continually measures the effluent for the parameter in question, or that provides measurements at specified intervals.

6. "Daily Maximum limitation" for all parameters (except temperature, pH and dissolved oxygen) means the limitation for this parameter shall be applied as an average of all samples collected in one calendar day. For these parameters the DMR shall include the highest of the daily averages. For pH and dissolved oxygen, this means an instantaneous maximum (and/or instantaneous minimum) value. The instantaneous value is defined as the analytical result of any individual sample. For pH and dissolved oxygen, DMRs shall include the maximum (and/or minimum) of all instantaneous values within the calendar month. Any value beyond the noted daily maximum limitation for the indicated parameter shall be considered a violation of this permit. For temperature, see Daily Maximum Temperature.

7. “Daily Maximum Temperature (DM)” is defined in the Basic Standards and Methodologies for Surface Water 1002-31, as the highest two-hour average water temperature recorded during a given 24-hour period. This will be determined using a rolling 2-hour maximum temperature. If data is collected every 15 minutes, a 2 hour maximum can be determined on every data point after the initial 2 hours of collection. Note that the time periods that overlap days (Wednesday night to Thursday morning) do not matter as the reported value on the DMR is the greatest of all the 2-hour averages.

   For example data points collected at:
   08:15, 08:30, 08:45, 09:00, 09:15, 09:30, 09:45, 10:00, would be averaged for a single 2 hour average data point
   08:30, 08:45, 09:00, 09:15, 09:30, 09:45, 10:00, 10:15, would be averaged for a single 2 hour average data point
   08:45, 09:00, 09:15, 09:30, 09:45, 10:00, 10:15, 10:30, would be averaged for a single 2 hour average data point

   This would continue throughout the course of a calendar day. The highest of these 2 hour averages over a month would be reported on the DMR as the daily maximum temperature. At the end/beginning of a month, the collected data should be used for the month that contains the greatest number of minutes in the 2-hour maximum. Data from 11 pm to 12:59 am, would fall in the previous month. Data collected from 11:01 pm to 1:00 am would fall in the new month.

8. "Dissolved (D) metals fraction" is defined in the Basic Standards and Methodologies for Surface Water 1002-31, as that portion of a water and suspended sediment sample which passed through a 0.40 or 0.45 UM (micron) membrane filter. Determinations of "dissolved" constituents are made using the filtrate. This may include some very small (colloidal) suspended particles which passed through the membrane filter as well as the amount of substance present in true chemical solution.

9. "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:

   Geometric Mean = $(a*b*c*d*...)^{(1/n)}$ "*" - means multiply

   Method 2:

   Geometric Mean = antilog ([log(a)+log(b)+log(c)+log(d)+...]/n)

   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 coliform 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 coliform 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.

   If the sampling frequency is more frequent than monthly: Eliminate the result of TNTC from any further calculations, and use all the other results obtained within that month for reporting purposes. Attach a letter noting that a result of TNTC was obtained, and list all individual analytical results and corresponding sampling dates for that month.

10. "Grab" sample, is a single "dip and take" sample so as to be representative of the parameter being monitored.

11. "IC25" or "Inhibition Concentration" is a point estimate of the toxicant concentration that would cause a given percent reduction in a non-lethal biological measurement (e.g. growth or reproduction) calculated from a continuous model (i.e. interpolation method). IC25 is a point estimate of the toxic concentration that would cause a 25-percent reduction in a non-lethal biological measurement.

12. "In-situ" measurement is defined as a single reading, observation or measurement taken in the field at the point of discharge.

13. "Instantaneous" measurement is a single reading, observation, or measurement performed on site using existing monitoring facilities.

14. "LC50" or "Lethal Concentration" is the toxic or effluent concentration that would cause death in 50 percent of the test organisms over a specified period of time.

15. "Maximum Weekly Average Temperature (MWAT)" is defined in the Basic Standards and Methodologies for Surface Water 1002-31, as an implementation statistic that is calculated from field monitoring data. The MWAT

is calculated as the largest mathematical mean of multiple, equally spaced, daily temperatures over a seven-day consecutive period, with a minimum of three data points spaced equally through the day. For lakes and reservoirs, the MWAT is assumed to be equivalent to the maximum WAT from at least three profiles distributed throughout the growing season (generally July-September).

The MWAT is calculated by averaging all temperature data points collected during a calendar day, and then averaging the daily average temperatures for 7 consecutive days. This 7 day averaging period is a rolling average, i.e. on the 8th day, the MWAT will be the averages of the daily averages of days 2-8. The value to be reported on the DMR is the highest of all the rolling 7-day averages throughout the month. For those days that are at the end/beginning of the month, the data shall be reported for the month that contains 4 of the 7 days.

Day 1: Average of all temperature data collected during the calendar day.
Day 2: Average of all temperature data collected during the calendar day.
Day 3: Average of all temperature data collected during the calendar day.
Day 4: Average of all temperature data collected during the calendar day.
Day 5: Average of all temperature data collected during the calendar day.
Day 6: Average of all temperature data collected during the calendar day.
Day 7: Average of all temperature data collected during the calendar day.
1st MWAT Calculation as average of previous 7 days
Day 8: Average of all temperature data collected during the calendar day.
2nd MWAT Calculation as average of previous 7 days
Day 9: Average of all temperature data collected during the calendar day.
3rd MWAT Calculation as average of previous 7 days

16. "NOEC" or "No-Observed-Effect-Concentration" is the highest concentration of toxicant to which organisms are exposed in a full life cycle or partial life cycle (short term) test, that causes no observable adverse effects on the test organisms (i.e. the highest concentration of toxicant in which the values for the observed responses are not statistically different from the controls). This value is used, along with other factors, to determine toxicity limits in permits.

17. "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.

18. "Practical Quantitation Limit (PQL)" means the minimum concentration of an analyte (substance) that can be measured with a high degree of confidence that the analyte is present at or above that concentration. The use of PQL in this document may refer to those PQLs shown in Part I.D of this permit or the PQLs of an individual laboratory.

19. "Quarterly measurement frequency" means samples may be collected at any time during the calendar quarter if a continual discharge occurs. If the discharge is intermittent, then samples shall be collected during the period that discharge occurs.

20. "Recorder" requires the continuous operation of a chart and/or totalizer (or drinking water rotor meters or pump hour meters where previously approved.)

21. SAR and Adjusted SAR - The equation for calculation of SAR-adj is:

$$SAR\text{-}adj = \frac{Na^{+}}{\sqrt{\frac{Ca_{x} + Mg^{++}}{2}}}$$

Where:

Na+ = Sodium in the effluent reported in meq/l
Mg++ = Magnesium in the effluent reported in meq/l
Cax = calcium (in meq/l) in the effluent modified due to the ratio of bicarbonate to calcium

The values for sodium (Na+), calcium (Ca++), bicarbonate (HCO3-) and magnesium (Mg++) in this equation are expressed in units of milliequivalents per liter (meq/l). Generally, data for these parameters are reported in terms of mg/l, which must then be converted to calculate the SAR. The conversions are:

$$\text{meq/l} = \frac{Concentration\ in\ mg/l}{Equivalent\ weight\ in\ mg/meq}$$

Where the equivalent weights are determined based on the atomic weight of the element divided by the ion's charge:

Na+ = 23.0 mg/meq (atomic weight of 23, charge of 1)
Ca++ = 20.0 mg/meq (atomic weight of 40.078, charge of 2)
Mg++ = 12.15 mg/meq (atomic weight of 24.3, charge of 2)
HCO3- = 61 mg/mep (atomic weight of 61, charge of 1)

The EC and the HCO3 -/Ca++ ratio in the effluent (calculated by dividing the HCO3 - in meq/l by the Ca++ in meq/l) are used to determine the Cax using the following table.

Table – Modified Calcium Determination for Adjusted Sodium Adsorption Ratio

HCO3/Ca Ratio And EC 1, 2, 3													
Salinity of Effluent (EC)(dS/m)													
		0.1	0.2	0.3	0.5	0.7	1.0	1.5	2.0	3.0	4.0	6.0	8.0
Ratio of HCO3/Ca	.05	13.20	13.61	13.92	14.40	14.79	15.26	15.91	16.43	17.28	17.97	19.07	19.94
	.10	8.31	8.57	8.77	9.07	9.31	9.62	10.02	10.35	10.89	11.32	12.01	12.56
	.15	6.34	6.54	6.69	6.92	7.11	7.34	7.65	7.90	8.31	8.64	9.17	9.58
	.20	5.24	5.40	5.52	5.71	5.87	6.06	6.31	6.52	6.86	7.13	7.57	7.91
	.25	4.51	4.65	4.76	4.92	5.06	5.22	5.44	5.62	5.91	6.15	6.52	6.82
	.30	4.00	4.12	4.21	4.36	4.48	4.62	4.82	4.98	5.24	5.44	5.77	6.04
	.35	3.61	3.72	3.80	3.94	4.04	4.17	4.35	4.49	4.72	4.91	5.21	5.45
	.40	3.30	3.40	3.48	3.60	3.70	3.82	3.98	4.11	4.32	4.49	4.77	4.98
	.45	3.05	3.14	3.22	3.33	3.42	3.53	3.68	3.80	4.00	4.15	4.41	4.61
	.50	2.84	2.93	3.00	3.10	3.19	3.29	3.43	3.54	3.72	3.87	4.11	4.30
	.75	2.17	2.24	2.29	2.37	2.43	2.51	2.62	2.70	2.84	2.95	3.14	3.28
	1.00	1.79	1.85	1.89	1.96	2.01	2.09	2.16	2.23	2.35	2.44	2.59	2.71
	1.25	1.54	1.59	1.63	1.68	1.73	1.78	1.86	1.92	2.02	2.10	2.23	2.33
	1.50	1.37	1.41	1.44	1.49	1.53	1.58	1.65	1.70	1.79	1.86	1.97	2.07
	1.75	1.23	1.27	1.30	1.35	1.38	1.43	1.49	1.54	1.62	1.68	1.78	1.86
	2.00	1.13	1.16	1.19	1.23	1.26	1.31	1.36	1.40	1.48	1.54	1.63	1.70
	2.25	1.04	1.08	1.10	1.14	1.17	1.21	1.26	1.30	1.37	1.42	1.51	1.58
	2.50	0.97	1.00	1.02	1.06	1.09	1.12	1.17	1.21	1.27	1.32	1.40	1.47
	3.00	0.85	0.89	0.91	0.94	0.96	1.00	1.04	1.07	1.13	1.17	1.24	1.30
	3.50	0.78	0.80	0.82	0.85	0.87	0.90	0.94	0.97	1.02	1.06	1.12	1.17
	4.00	0.71	0.73	0.75	0.78	0.80	0.82	0.86	0.88	0.93	0.97	1.03	1.07
	4.50	0.66	0.68	0.69	0.72	0.74	0.76	0.79	0.82	0.86	0.90	0.95	0.99
	5.00	0.61	0.63	0.65	0.67	0.69	0.71	0.74	0.76	0.80	0.83	0.88	0.93

	7.00	0.49	0.50	0.52	0.53	0.55	0.57	0.59	0.61	0.64	0.67	0.71	0.74
	10.00	0.39	0.40	0.41	0.42	0.43	0.45	0.47	0.48	0.51	0.53	0.56	0.58
	20.00	0.24	0.25	0.26	0.26	0.27	0.28	0.29	0.30	0.32	0.33	0.35	0.37
	30.00	0.18	0.19	0.20	0.20	0.21	0.21	0.22	0.23	0.24	0.25	0.27	0.28

1 Adapted from Suarez (1981).
2 Assumes a soil source of calcium from lime ($CaCO_3$) or silicates; no precipitation of magnesium, and partial pressure of CO_2 near the soil surface (PCO_2) is 0.0007 atmospheres.
3 Cax, HCO_3, Ca are reported in meq/l; EC is in dS/m (deciSiemens per meter).

Because values will not always be quantified at the exact EC or HCO_3^- /Ca++ ratio in the table, the resulting Cax must be determined based on the closest value to the calculated value. For example, for a calculated EC of 2.45 dS/m, the column for the EC of 2.0 would be used. However, for a calculated EC of 5.1, the corresponding column for the EC of 6.0 would be used. Similarly, for a HCO_3^- /Ca++ ratio of 25.1, the row for the 30 ratio would be used.

The Division acknowledges that some effluents may have electrical conductivity levels that fall outside of this table, and others have bicarbonate to calcium ratios that fall outside this table. For example, some data reflect HCO_3^- /Ca++ ratios greater than 30 due to bicarbonate concentrations reported greater than 1000 mg/l versus calcium concentrations generally less than 10 mg/l (i.e., corresponding to HCO_3^- /Ca++ ratios greater than 100). Despite these high values exceeding the chart's boundaries, it is noted that the higher the HCO_3^- /Ca++ ratio, the greater the SAR-adj. Thus, using the Cax values corresponding to the final row containing bicarbonate/calcium ratios of 30, the permittee will actually calculate an SAR-adj that is less than the value calculated if additional rows reflecting HCO_3^- /Ca++ ratios of greater than 100 were added.

22. "Seven (7) day average" means, with the exception of fecal coliform or *E. coli* bacteria (see geometric mean), 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. **(See the "Analytical and Sampling Methods for Monitoring and Reporting Section in Part I.D.5 for guidance on calculating averages and reporting analytical results that are less than the PQL).**

23. "Thirty (30) day average" means, except for fecal coliform or *E. coli* bacteria (see geometric mean), the arithmetic mean of all samples collected during a thirty (30) consecutive-day period, which represents a calendar month. 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. **(See the "Analytical and Sampling Methods for Monitoring and Reporting Section in Part I.D.5 for guidance on calculating averages and reporting analytical results that are less than the PQL).**

24. Toxicity Identification Evaluation (TIE) is a set of site-specific procedures used to identify the specific chemical(s) causing effluent toxicity.

25. "Total Inorganic Nitrogen (T.I.N.)" is an aggregate parameter determined based on ammonia, nitrate and nitrite concentrations. To determine T.I.N. concentrations, the facility must monitor for total ammonia and total nitrate plus nitrite (or nitrate and nitrite individually) on the same days. The calculated T.I.N. concentrations in mg/L shall then be determined as the sum of the analytical results of same-day sampling for total ammonia (as N) in mg/L, and total nitrate plus nitrite (as N) in mg/L (or nitrate as N and nitrite as N individually). From these calculated T.I.N. concentrations, the daily maximum and thirty (30) day average concentrations for T.I.N. shall be determined in the same manner as set out in the definitions for the daily maximum and thirty (30) day average. **(See the "Analytical and Sampling Methods for Monitoring and Reporting Section in Part I.D.5 for guidance on calculating averages and reporting analytical results that are less than the PQL).**

26. "Total Metals" means the concentration of metals determined on an unfiltered sample following vigorous digestion (Section 4.1.3), or the sum of the concentrations of metals in both the dissolved and suspended

fractions, as described in Manual of Methods for Chemical Analysis of Water and Wastes, U.S. Environmental Protection Agency, March 1979, or its equivalent.

27. "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.

28. Toxicity Reduction Evaluation (TRE) is a site-specific study conducted in a step-wise process to identify the causative agents of effluent toxicity, isolate the source of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity after the control measures are put in place.

29. "Twenty four (24) hour composite" sample is a combination of at least eight (8) sample aliquots of at least 100 milliliters, collected at equally spaced intervals during the operating hours of a facility over a twenty-four (24) hour period. For volatile pollutants, aliquots must be combined in the laboratory immediately before analysis. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the wastewater or effluent flow at the time of sampling or the total wastewater or effluent flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically.

30. "Twice Monthly" monitoring frequency means that two samples shall be collected each calendar month on separate weeks with at least one full week between the two sample dates. Also, there shall be at least one full week between the second sample of a month and the first sample of the following month.

31. "Two (2) -Year Rolling Average" (Antidegradation limits)- the average of all monthly average data collected in a two year period. Collection of the data required to calculate a two-year rolling average shall start immediately upon the effective date of the permit, but the data is not reported on a DMR until two years after the effective date of the permit. To calculate a two-year rolling average, add the current monthly average to the previous 23 monthly averages and divide the total by 24. This methodology continues on a rolling basis for the permit term (i.e., in the first reporting period use data from month 1 to month 24, in the second reporting period use data from month 2 to month 25, then month 3 to month 26, etc).

Example: Two year rolling average = $(MA_C + MA_1 + MA_2 + ... + MA_{23}) \div$ **24**

MA_C = Current monthly average
MA_1 = First prior month's monthly average
MA_2 = Second prior month's monthly average
MA_{23} = Twenty third prior month's monthly average

Note, if there is not a discharge from the facility in a month during a two year period **do not use zero (0) to represent the data for that month in the calculation**, but do consider that month as part of the two year time span. The denominator in the two-year rolling average calculation will change to represent the actual number of months there was a discharge.

Example: Two year rolling average = (30 +45 +...+25) ÷ **22**

Current monthly average= 30 mg/l
First prior month's monthly average= no discharge
Second prior month's monthly average= no discharge
Third prior month's monthly average=45 mg/l
Twenty third prior month's monthly average= 25 mg/l

For ammonia, two-year rolling averages may be set up for individual months, or may be grouped together for several months. When individual months have a specific limit, calculate the two-year rolling average as follows:

Example: Permit is effective Jan 2010 and there is a two-year rolling average limit specific to the month of January.

January 2010 DMR – Nothing to Report
January 2011 DMR – Two-year rolling average = $(MA_C + MA_1) \div$ **2**
MA_C = January 2011 monthly average
MA_1 = January 2010 monthly average
January 2012 DMR – Two-year rolling average = $(MA_C + MA_1) \div$ **2**

MA_C = January 2012 monthly average
MA_1 = January 2011 monthly average

Where several months are grouped together and have the same limit, calculate the two-year rolling average as follows:

Example: Permit is effective January 2010 and there is a two-year rolling average limit specific to the months of January, February, and June.
January, February, June 2010 DMR- Nothing to Report
1st Reportable DMR – June 2011 DMR:
Two year rolling average = $(MA_C + MA_1 + MA_2 + MA_3 + MA_4 + MA_5) \div \mathbf{6}$
MA_C = June 2011 monthly average
MA_1 = February 2011 monthly average
MA_2 = January 2011 monthly average
MA_3= June 2010 monthly average
MA_4 = February 2010 monthly average
MA_5 = January 2010 monthly average
2nd Reportable DMR – January 2012 DMR:
Two year rolling average = $(MA_C + MA_1 + MA_2 + MA_3 + MA_4 + MA_5) \div \mathbf{6}$
MA_C = January 2012 monthly average
MA_1 = June 2011 monthly average
MA_2 = February 2011 monthly average
MA_3= January 2011 monthly average
MA_4 = June 2010 monthly average
MA_5 = February 2010 monthly average .

(See the "Analytical and Sampling Methods for Monitoring and Reporting Section in Part I.D.5 for guidance on calculating averages and reporting analytical results that are less than the PQL).

32. "Visual" observation is observing the discharge to check for the presence of a visible sheen or floating oil.

33. "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 Colorado Discharge Permit System Regulations, Regulation 61 (5 CCR 1002-61) and other applicable regulations.

D. GENERAL MONITORING, SAMPLING AND REPORTING REQUIREMENTS

1. Routine Reporting of Data

Reporting of the data gathered in compliance with Part I.A or Part I.B shall be on a **monthly** basis. Reporting of all data gathered shall comply with the requirements of Part I.D. (General Requirements). Monitoring results shall be summarized for each calendar month and reported on Division approved discharge monitoring report (DMR) forms (EPA form 3320-1).

The permittee must submit these forms either by mail, or by using the Division's Net-DMR service (when available). If mailed, one 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, the DMR for the first calendar quarter must be received by the Division by April 28th). If no discharge occurs during the reporting period, "No Discharge" shall be reported.

The original signed copy of each discharge monitoring report (DMR) shall be submitted to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division

WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

The Discharge Monitoring Report forms shall be filled out accurately and completely in accordance with requirements of this permit and the instructions on the forms. They shall be signed by an authorized person as identified in Part I.D.8.

2. Annual Biosolids Report

The permittee shall provide the results of all biosolids monitoring and information on management practices, land application sites, site restrictions and certifications. Such information shall be provided no later than **February 19th** of each year. Reports shall be submitted addressing all such activities that occurred in the previous calendar year. If no biosolids were applied to the land during the reporting period, "no biosolids applied" shall be reported. Until further notice, biosolids monitoring results shall be reported on forms, or copies of forms, provided by the Division. Annual Biosolids Reports required herein, shall be signed and certified in accordance with the Signatory Requirements, Part I.D.1, and submitted as follows:

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

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT,
WATER QUALITY CONTROL DIVISION
WQCD-PERMITS-B2
4300 CHERRY CREEK DRIVE SOUTH
DENVER, COLORADO 80246-1530

A copy of each form shall be submitted electronically or to the following address if any one of below conditions applies to this facility:
1. design flow rate is equal to or greater than one million gallons per day,
2. serves 10,000 people or more, or
3. is required to have an approved pretreatment program.

EPA BIOSOLIDS CENTER
EPA REGION 7
WWPD/WENF
11201 RENNER BOULEVARD
LENEXA, KANSAS 66219

ATTENTION: BIOSOLIDS PROGRAM MANAGER

3. Representative Sampling

Samples and measurements taken for the respective identified monitoring points as required herein shall be representative of the volume and nature of: 1) all influent wastes received at the facility, including septage, biosolids, etc.; 2) the monitored effluent discharged from the facility; and 3) biosolids produced at the facility. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the influent, effluent, or biosolids wastestream joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and prior approval by the Division.

4. Influent and Effluent Sampling Points

Influent and effluent sampling points shall be so designed or modified so that: 1) a sample of the influent can be obtained prior to preliminary treatment and 2) 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 at these points.

5. Analytical and Sampling Methods for Monitoring and Reporting

The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant monitoring methods. All sampling shall be performed by the permittee according to specified methods in 40 C.F.R. Part 136; methods approved by EPA pursuant to 40 C.F.R. Part 136; or methods approved by the division in the absence of a method specified in or approved pursuant to 40 C.F.R. Part 136.

Numeric Limits

If the permit contains a numeric effluent limit for a parameter, the analytical method and PQL selected for all monitoring conducted in accordance with this permit for that parameter shall be the one that can measure at or below the numeric effluent limit. If all specified analytical methods and corresponding PQLs are greater than the numeric effluent limit, then the analytical method with the lowest PQL shall be used.

When the analytical method which complies with the above requirements has a PQL greater than the permit limit, and the permittee's analytical result is less than the PQL (the PQL achieved by the lab), the permittee shall report "BDL" on the DMR. Such reports will not be considered as violations of the permit limit, as long as the PQL obtained is lower or equal to the PQL in the table below.

When the analytical method which complies with the above requirements has a PQL that is equal to or less than the permit limitation, and the permittee's analytical result is less than the PQL, "< X" (where X = the actual PQL achieved by the laboratory) shall be reported on the DMR. For parameters that have a report only limitation, and the permittee's analytical result is less than the PQL, "< X" (where X = the actual PQL achieved by the laboratory) shall be reported on the DMR.

Report Only Limits

If the permit contains a report only requirement for a parameter, the analytical method and PQL chosen shall be one that can measure at or below the potential numeric effluent limit(s) (maximum allowable pollutant concentration as shown in the WQA or fact sheet). If all analytical methods and corresponding PQLs are greater than the potential numeric effluent limit(s), then the analytical method with the lowest PQL shall be used.

When the analytical method which complies with the above requirements has a PQL that is equal to or less than the potential numeric effluent limitation, and the permittee's analytical result is less than the PQL, "< X" (where X = the actual PQL achieved by the laboratory) shall be reported on the DMR. For parameters that have a report only limitation, and the permittee's analytical result is less than the PQL, "< X" (where X = the actual PQL achieved by the laboratory) shall be reported on the DMR.

Interim Report Only Followed By a Numeric Limit

If the permit contains an interim effluent limitation (a limit is report until such time as a numeric effluent limit is effective, the reporting requirements shall follow the numeric limits reporting requirements. becomes effective) for a parameter, the analytical method and PQL chosen for all monitoring conducted in accordance with this permit for the parameter shall be one that can measure to the final numeric effluent limit. If all analytical methods and corresponding PQLs are greater than the final numeric effluent limit (s), then the analytical method with the lowest PQL shall be used.

While the report only limit is effective, the reporting requirements shall follow those under the Report Only Limits section. Once the numeric limit is effective, the reporting requirements shall follow the numeric limits reporting requirements.

T.I.N.

For parameters such as TIN, the analytical methods chosen shall be those that can measure to the potential or final numeric effluent limit, based on the sum of the PQLs for nitrate, nitrite and ammonia.

Calculating Averages

In the calculation of average concentrations (i.e. daily average, 7- day average, 30-day average, 2-year rolling average) any individual analytical result that is less than the PQL shall be considered to be zero for the calculation purposes. When reporting:

If all individual analytical results are less than the PQL, the permittee shall report either "BDL" or "<X" (where X = the actual PQL achieved by the laboratory), following the guidance above.

If one or more individual results is greater than the PQL, an average shall be calculated and reported. Note that it does not matter if the final calculated average is greater or less than the PQL, **it must be reported as a value**.

Note that when calculating T.I.N. for a single sampling event, any value less than the PQL (for total ammonia, total nitrite, or total nitrate) shall be treated as zero. The T.I.N. concentration for a single sampling event shall then be determined as the sum of the analytical results (zeros if applicable) of same day sampling for total ammonia and total nitrite and total nitrate. From these calculated T.I.N. concentrations, the daily maximum and thirty day average concentrations shall be calculated and must be reported as a value.

Note that *E. coli* should be calculated and reported as defined under Geometric Mean in Part I.C.9, and that the appropriate value for less than the PQL should be 1.

PQLs

The PQLs for specific parameters, as determined by the State Laboratory (November 2008) are provided below for reference. If the analytical method cannot achieve a PQL that is less than or equal to the permit limit, then the method, or a more precise method, must achieve a PQL that is less than or equal to the PQL in the table below. A listing of the PQLs for further organic parameters that must meet the above requirement can be found in the Division's Practical Quantitation Limitation Guidance Document, July 2008. This document is available on the Division's website at www.coloradowaterpermits.com.

These limits apply to the total recoverable or the potentially dissolved fraction of metals.

For hexavalent chromium, samples must be unacidified so dissolved concentrations will be measured rather than potentially dissolved concentrations.

Effluent Parameter	Practical Quantitation Limits	Effluent Parameter	Practical Quantitation Limits
Aluminum	50 µg/l		
Arsenic	1 µg/l	N-Ammonia	1 mg/l
Barium	5 µg/l	N-Ammonia (low-level)	50 µg/l
Beryllium	1 µg/l	N-Nitrate/Nitrite	0.5 mg/l
BOD / CBOD	1 mg/l	N-Nitrate	0.5 mg/l
Boron	50 µg/l	N-Nitrite	10 µg/l
Cadmium	1 µg/l	Total Nitrogen	0.5 mg/l
Calcium	20 µg/l	Total Phosphorus	10 µg/l
Chloride	2 mg/l		
Chlorine	0.1 mg/l	Radium 226	1 pCi/l
Total Residual Chlorine		Radium 228	1 pCi/l
DPD colorimetric	0.10 mg/l	Selenium	1 µg/l
Amperometric titration	0.05 mg/l	Silver	0.5 µg/l
Chromium	20 µg/l	Sodium	0.2 mg/l
Chromium, Hexavalent	20 µg/l	Sulfate	5 mg/l
Copper	5 µg/l	Sulfide	0.2 mg/l
Cyanide (Direct / Distilled)	10 µg/l	Total Dissolved Solids	10 mg/l
Cyanide, WAD+A47	10 µg/l	Total Suspended Solids	10 mg/l
Fluoride	0.1 mg/l	Thallium	1 µg/l
Iron	10 µg/l	Uranium	1 µg/l
Lead	1 µg/l	Zinc	10 µg/l
Magnesium	20 µg/l		
Manganese	2 µg/l	Phenols	15 µg/l
Mercury	0.1 µg/l	Nonylphenol D7065	10 µg/l
Mercury (low-level)	0.003 µg/l		
Nickel	50 µg/l		

PFAS Analysis - At the time of permit issuance, there is no EPA-approved analytical method for analyzing PFAS in wastewaters (non-potable) that are approved for Clean Water Act monitoring in accordance with 40 CFR Part 136 (Appendix B). The analytical method for the PFAS parameters in the table below shall be compliant with the requirements set forth in the Department of Defense (DoD) Quality Systems Manual (QSM) for Environmental Laboratories, currently DoD QSM 5.4. DoD QSM 5.4 in turn requires compliance with EPA Draft Method 1633.

At a minimum, the laboratory selected shall be able to analyze and quantify the PFAS listed in EPA Draft Method 1633 at or below the associated PFAS quantification limits (PFAS QL) listed in the method. If the laboratory selected is capable of achieving a quantification limit for a specific PFAS that is lower than the PFAS QL listed in the method, analytical results should be reported to the division relative to the lower laboratory quantification limit, and not reported as “less than” the specific PFAS QL.

Any 40 CFR Part 136 (Appendix B) approved method for analyzing PFAS in wastewater that becomes available in the future would replace this current analytical method requirement. Within six months of an approved method(s) for analyses of PFAS in wastewater published in 40 CFR 136, the permittee shall use the approved wastewater method(s) for analysis of PFAS wastewater samples conducted pursuant to this permit.

6. 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.
vii. 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).

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 or Regional Administrator.

7. Flow Measuring Devices

Unless exempted in Part I.A of this permit, flow metering at the headworks shall be provided to give representative values of throughput and treatment of the wastewater system. 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.

For mechanical facilities, where influent flow metering is not practical and the same results may be obtained from metering at the effluent end of the treatment facility, this type of flow metering arrangement will be considered, and if approved, noted in Part I.A of this permit. For lagoons, an instantaneous or continuous effluent flow measuring device shall be required in addition to the above described influent flow measuring device.

At the request of the 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 being measured.

8. Signatory Requirements

a. All reports and other information 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 responsible corporate officer. For purposes of this section, the responsible corporate officer 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, or ranking elected official. For purposes of this section, a principal executive officer has responsibility for the overall operation of the facility from which the discharge originates;

v) By a duly authorized representative of a person described above, only if:

1) The authorization is made in writing by a person described in i, ii, iii, or iv above;

2) 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,

3) The written authorization is submitted to the Division.

b. 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:

"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."

PART II

A. NOTIFICATION REQUIREMENTS

1. Notification to Parties

All notification requirements under this section shall be directed as follows:

a. Oral Notifications, during normal business hours shall be to:

Water Quality Protection Section - Domestic Compliance Program
Water Quality Control Division
Telephone: (303) 692-3500

b. Written notification shall be to:

Water Quality Protection Section - Domestic Compliance Program
Water Quality Control Division
Colorado Department of Public Health and Environment
WQCD-WQP-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

2. Change in Discharge

The permittee shall give advance notice to the Division, in writing, of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged, or;

b. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported pursuant to an approved land application plan.

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. Noncompliance Notification

The permittee shall give advance notice to the Division, in writing, of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

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 with the following information:

i) A description of the noncompliance and its cause;

ii) The period of noncompliance, including exact dates and times and/or the anticipated time when the discharge will return to compliance; and

iii) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b. The permittee shall report the following circumstances **orally within twenty-four (24) hours** from the time the permittee becomes aware of the circumstances, and shall mail to the Division a written report containing the information requested in Part II.A.4 (a) **within five (5) working days** after becoming aware of the following circumstances:

i) Circumstances leading to any noncompliance which may endanger health or the environment regardless of the cause of the incident;

ii) Circumstances leading to any unanticipated bypass which exceeds any effluent limitations in the permit;

iii) Circumstances leading to any upset which causes an exceedance of any effluent limitation in the permit;

iv) Daily maximum violations for any of the pollutants limited by Part I.A of this permit as specified in Part III of this permit. This includes any toxic pollutant or hazardous substance or any pollutant specifically identified as the method to control any toxic pollutant or hazardous substance.

c. Unless otherwise indicated in this permit, the permittee shall report instances of non-compliance which are not required to be reported within 24-hours at the time Discharge Monitoring Reports are submitted. The reports shall contain the information listed in sub-paragraph (a) of this section.

5. Transfer of Ownership or Control

The permittee shall notify the Division, in writing, thirty (30) calendar days in advance of a proposed transfer of the permit.

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 calendar 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.

6. Other Notification Requirements

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule in the permit, shall be submitted on the date listed in the compliance schedule section. The fourteen (14) calendar day provision in Regulation 61.8(4)(n)(i) has been incorporated into the due date.

The permittee's notification of all anticipated noncompliance does not stay any permit condition.

All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Division as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

   i) One hundred micrograms per liter (100 µg/l);

   ii) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2.4-dinitrophenol and 2-methyl-4.6-dinitrophenol; and one milligram per liter (1.0 mg/l) for antimony;

   iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with Section 61.4(2)(g).

   iv) The level established by the Division in accordance with 40 C.F.R. § 122.44(f).

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

   i) Five hundred micrograms per liter (500 µg/l);

   ii) One milligram per liter (1 mg/l) for antimony; and

   iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.

   iv) The level established by the Division in accordance with 40 C.F.R. § 122.44(f).

7. Bypass Notification

If the permittee knows in advance of the need for a bypass, a notice shall be submitted, at least ten (10) calendar 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.

8. Bypass

a. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.

b. Bypasses are prohibited and the Division may take enforcement action against the permittee for bypass, unless:

   i) The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage;

   ii) There were no feasible alternatives to 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 adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

   iii) Proper notices were submitted in compliance with Part II.A.5.

c. "Severe property damage" as used in this Subsection means substantial physical damage to 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. Severe property damage does not mean economic loss caused by delays in production.

d. The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance or to assure optimal operation. These bypasses are not subject to the provisions of paragraph (a) above.

e. The Division may approve an anticipated bypass, after considering adverse effects, if the Division determines that the bypass will meet the conditions specified in paragraph (a) above.

9. Upsets

a. "Upset" means 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.

b. 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.

c. 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 reason able 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.

d. Burden of Proof

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

10. 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 in any report to the Division, the permittee shall promptly submit such facts or information.

B. RESPONSIBILITIES

1. Reduction, Loss, or Failure of Treatment Facility

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 facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production, control sources of wastewater, or all discharges, until the facility 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.

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.

2. Inspections and Right to Entry

The permittee shall allow the Division and/or the authorized representative, 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 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 non compliance with the Colorado Water Quality Control Act or any other 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 person having 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 effect on the discharge, permit, or alleged violation. Such entry is also authorized for the purpose of inspecting and copying records required to be kept concerning any effluent source.

d. The permittee shall provide access to the Division to sample the discharge at a point after the final treatment process but prior to the discharge mixing with state waters upon presentation of proper credentials.

In the making of such inspections, investigations, and determinations, the Division, insofar as practicable, may designate as its authorized representatives any qualified personnel of the Department of Agriculture. The Division may also request assistance from any other state or local agency or institution.

3. 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.

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) The standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued. Permits may be modified during their terms for this cause only as follows:

(A) The permit condition requested to be modified was based on a promulgated effluent limitation guideline, EPA approved water quality standard, or an effluent limitation set forth in 5 CCR 1002-62, § 62 et seq.; and

(B) EPA has revised, withdrawn, or modified that portion of the regulation or effluent limitation guideline on which the permit condition was based, or has approved a Commission action with respect to the water quality standard or effluent limitation on which the permit condition was based; and

(C) The permittee requests modification after the notice of final action by which the EPA effluent limitation guideline, water quality standard, or effluent limitation is revised, withdrawn, or modified; or

(D) For judicial decisions, a court of competent jurisdiction has remanded and stayed EPA promulgated regulations or effluent limitation guidelines, if the remand and stay concern that portion of the regulations or guidelines on which the permit condition was based and a request is filed by the permittee in accordance with this Regulation, within ninety (90) calendar days of judicial remand.

iv) The Division determines that good cause exists to modify a permit condition because of events over which the permittee has no control and for which there is no reasonable available remedy.

v) Where the Division has completed, and EPA approved, a total maximum daily load (TMDL) which includes a wasteload allocation for the discharge(s) authorized under the permit.

vi) The permittee has received a variance.

vii) When required to incorporate applicable toxic effluent limitation or standards adopted pursuant to § 307(a) of the Federal act.

viii) When required by the reopener conditions in the permit.

ix) As necessary under 40 C.F.R. 403.8(e), to include a compliance schedule for the development of a pretreatment program.

x) When the level of discharge of any pollutant which is not limited in the permit exceeds the level which can be achieved by the technology-based treatment requirements appropriate to the permittee under Section 61.8(2) of the Colorado Discharge Permit System Regulations.

xi) To establish a pollutant notification level required in Section 61.8(5) of the Colorado Discharge Permit System Regulations.

xii) To correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining permit conditions, to the extent allowed in Section 61.10 of the Colorado State Discharge Permit System Regulations.

xiii) When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.

xiv) When another State whose waters may be affected by the discharge has not been notified.

xv) For any other cause provided in Section 61.10 of the Colorado Discharge Permit System Regulations.

c. At the request of a permittee, the Division may modify or terminate a permit and issue a new permit if the following conditions are met:

i) The Regional Administrator has been notified of the proposed modification or termination and does not object in writing within thirty (30) calendar 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) Requirements of Section 61.15 of the Colorado Discharge Permit System Regulations have been met, and

iv) Requirements of public notice have been met.

d. For permit modification, termination, or revocation and reissuance, the Division may request additional information from the permittee. In the case of a modified permit, the Division may require the submission of an updated application. In the case of revoked and reissued permit, the Division shall require the submission of a new application.

e. Permit modification (except for minor modifications), termination or revocation and reissuance actions shall be subject to the requirements of Sections 61.5(2), 61.5(3), 61.6, 61.7 and 61.15 of the Colorado Discharge Permit System Regulations. The Division shall act on a permit modification request, other than minor modification requests, within 180 calendar days of receipt thereof. Except for minor modifications, the terms of the existing permit govern and are enforceable until the newly issued permit is formally modified or revoked and reissued following public notice.

f. Upon consent by the permittee, the Division may make minor permit modifications without following the requirements of Sections 61.5(2), 61.5(3), 61.7, and 61.15 of the Colorado Discharge Permit System Regulations. Minor modifications to permits are limited to:

   i) Correcting typographical errors; or

   ii) Increasing the frequency of monitoring or reporting by the permittee; or

   iii) Changing an interim date in a schedule of compliance, provided the new date of compliance is not more than 120 calendar 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.

   vii) Incorporating conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR 403.18) as enforceable conditions of the POTW's permits.

g. 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.

h. The filing of a request by the permittee for a permit modification, revocation and reissuance or termination does not stay any permit condition.

i. All permit modifications and reissuances are subject to the antibacksliding provisions set forth in 61.10(e) through (g).

j. If cause does not exist under this section, the Division shall not modify or revoke and reissue the permit.

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

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. Except as provided elsewhere in this permit, nothing in

this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance (40 CFR 122.41(a)(1)).

9. Severability

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

10. Confidentiality

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 Subsection (12) 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 payment of an annual fee as set forth in the 2005 amendments to the Water Quality Control Act. Section 25-8-502 (l) (b), and the Colorado Discharge Permit System Regulations 5 CCR l002-61, Section 61.l5 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 25-8-60l et. seq., C.R.S. l973 as amended.

12. Duration of Permit

The duration of a permit shall be for a fixed term and shall not exceed five (5) years. If the permittee desires to continue to discharge, a permit renewal application shall be submitted at least one hundred eighty (180) calendar days before this permit expires. Filing of a timely and complete application shall cause the expired permit to continue in force to the effective date of the new permit. The permit's duration may be extended only through administrative extensions and not through interim modifications. 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.4.

13. Section 307 Toxics

If a toxic effluent standard or prohibition, including any applicable schedule of compliance specified, is established by regulation pursuant to Section 307 of the Federal Act for a toxic pollutant which is present in the permittee's discharge and such standard or prohibition is more stringent than any limitation upon such pollutant in the discharge permit, the Division shall institute proceedings to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

14. Effect of Permit Issuance

a. The issuance of a permit does not convey any property or water rights in either real or personal property, or stream flows 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 biosolid use or disposal shall be an affirmative defense in any enforcement action brought for a violation of that standard for biosolid use or disposal.

PART III

Table I—Testing Requirements for Organic Toxic Pollutants by Industry Category for Existing Dischargers

Industry Category	
Adhesives and sealants	Ore mining
Aluminum forming	Organic chemicals manufacturing
Auto and other laundries	Paint and ink formulation
Battery manufacturing	Pesticides
Coal mining	Petroleum refining
Coil coating	Pharmaceutical preparations
Copper forming	Photographic equipment and supplies
Electrical and electronic components	Plastics processing
Electroplating	Plastic and synthetic materials manufacturing
Explosives manufacturing	Porcelain enameling
Foundries	Printing and publishing
Gum and wood chemicals	Pulp and paper mills
Inorganic chemicals manufacturing	Rubber processing
Iron and steel manufacturing	Soap and detergent manufacturing
Leather tanning and finishing	Steam electric power plants
Mechanical products manufacturing	Textile mills
Nonferrous metals manufacturing	Timber products processing

Table II—Organic Toxic Pollutants in Each of Four Fractions in Analysis by Gas Chromatography/Mass

Volatiles	Acid Compounds	Base/Neutral	Pesticides
1V acrolein	1A 2-chlorophenol	1B acenaphthene	1P aldrin
2V acrylonitrile	2A 2,4-dichlorophenol	2B acenaphthylene	2P alpha-BHC
3V benzene	3A 2,4-dimethylphenol	3B anthracene	3P beta-BHC
5V bromoform	4A 4,6-dinitro-o-cresol	4B benzidine	4P gamma-BHC
6V carbon tetrachloride	5A 2,4-dinitrophenol	5B benzo(a)anthracene	5P delta-BHC
7V chlorobenzene	6A 2-nitrophenol	6B benzo(a)pyrene	6P chlordane
8V chlorodibromomethane	7A 4-nitrophenol	7B 3,4-benzofluoranthene	7P 4,4′-DDT
9V chloroethane	8A p-chloro-m-cresol	8B benzo(ghi)perylene	8P 4,4′-DDE
10V 2-chloroethylvinyl ether	9A pentachlorophenol	9B benzo(k)fluoranthene	9P 4,4′-DDD
11V chloroform	10A phenol	10B bis(2-chloroethoxy)methane	10P dieldrin
12V dichlorobromomethane	11A 2,4,6-trichlorophenol	11B bis(2-chloroethyl)ether	11P alpha-endosulfan
14V 1,1-dichloroethane		12B bis(2-chloroisopropyl)ether	12P beta-endosulfan
15V 1,2-dichloroethane		13B bis (2-ethylhexyl)phthalate	13P endosulfan sulfate
16V 1,1-dichloroethylene		14B 4-bromophenyl phenyl ether	14P endrin
17V 1,2-dichloropropane		15B butylbenzyl phthalate	15P endrin aldehyde
18V 1,3-dichloropropylene		16B 2-chloronaphthalene	16P heptachlor
19V ethylbenzene		17B 4-chlorophenyl phenyl ether	17P heptachlor epoxide
20V methyl bromide		18B chrysene	18P PCB-1242
21V methyl chloride		19B dibenzo(a,h)anthracene	19P PCB-1254
22V methylene chloride		20B 1,2-dichlorobenzene	20P PCB-1221
23V 1,1,2,2-tetrachloroethane		21B 1,3-dichlorobenzene	21P PCB-1232
24V tetrachloroethylene		22B 1,4-dichlorobenzene	22P PCB-1248
25V toluene		23B 3,3′-dichlorobenzidine	23P PCB-1260
26V 1,2-trans-dichloroethylene		24B diethyl phthalate	24P PCB-1016
27V 1,1,1-trichloroethane		25B dimethyl phthalate	25P toxaphene
28V 1,1,2-trichloroethane		26B di-n-butyl phthalate	
29V trichloroethylene		27B 2,4-dinitrotoluene	
31V vinyl chloride		28B 2,6-dinitrotoluene	
		29B di-n-octyl phthalate	
		30B 1,2-diphenylhydrazine (as azobenzene)	
		31B fluroranthene	
		32B fluorene	
		33B hexachlorobenzene	
		34B hexachlorobutadiene	
		35B hexachlorocyclopentadiene	
		36B hexachloroethane	
		37B indeno(1,2,3-cd)pyrene	
		38B isophorone	
		39B napthalene	
		40B nitrobenzene	
		41B N-nitrosodimethylamine	
		42B N-nitrosodi-n-propylamine	
		43B N-nitrosodiphenylamine	
		44B phenanthrene	
		45B pyrene	
		46B 1,2,4-trichlorobenzene	

Table III—Other Toxic Pollutants (Metals and Cyanide) and Total Phenols

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

Table IV—Conventional and Nonconventional Pollutants Required To Be Tested by Existing Dischargers if Expected to be Present

Bromide
Chlorine, Total Residual
Color
Fecal Coliform
Fluoride
Nitrate-Nitrite
Nitrogen, Total Organic
Oil and Grease
Phosphorus, Total
Radioactivity
Sulfate
Sulfide
Sulfite
Surfactants
Aluminum, Total
Barium, Total
Boron, Total
Cobalt, Total
Iron, Total
Magnesium, Total
Molybdenum, Total
Manganese, Total
Tin, Total
Titanium, Total

Table V—Toxic Pollutants and Hazardous Substances Required To Be Identified by Existing Dischargers if Expected To Be Present

Toxic Pollutants

Asbestos

Hazardous Substances

11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic acid [11CL-PF3OUDS]*
2,2-Dichloropropionic acid
2,4,5-T (2,4,5-Trichlorophenoxy acetic acid)
2,4,5-TP [2-(2,4,5-Trichlorophenoxy) propanoic acid]
2,4-D (2,4-Dichlorophenoxy acetic acid)
2-[N-ethylperfluorooctanesulfonamido] acetic acid*
2-[N-methylperfluorooctanesulfonamido] acetic acid*
2H,2H,3H,3H-Perfluorooctanoic acid [5:3 FTCA]*
3-Perfluoroheptyl propanoic acid [7:3 FTCA]*
3-Perfluoropropyl propanoic acid [3:3 FTCA]*
4,8-Dioxa-3H-perfluorononanoic acid [ADONA]*
4:2 Fluorotelomer sulfonic acid*
6:2 Fluorotelomer sulfonic acid*
8:2 Fluorotelomer sulfonic acid*
9-Chlorohexadecafluoro-3-oxanonane-1-sulfonic acid [9CL-PF3ONS]*
Acetaldehyde
Allyl alcohol
Allyl chloride
Amyl acetate
Aniline
Benzonitrile
Benzyl chloride
Butyl acetate
Butylamine
Captan
Carbaryl
Carbofuran
Carbon disulfide
Chlorpyrifos
Coumaphos
Cresol
Crotonaldehyde
Cyclohexane
Diazinon
Dicamba
Dichlobenil
Dichlone
Dichlorvos
Diethyl amine
Dimethyl amine
Dintrobenzene
Diquat
Disulfoton
Diuron
Epichlorohydrin
Ethion
Methyl mercaptan
Methyl methacrylate
Methyl parathion
Mevinphos
Mexacarbate
Monoethyl amine
Monomethyl amine
Naled
Napthenic acid
N-ethyl perfluorooctanesulfonamide [NEtFOSA]*
N-ethyl perfluorooctanesulfonamidoethanol*
Nitrotoluene
N-methyl perfluorooctanesulfonamide [NMeFOSA]*
N-methyl perfluorooctanesulfonamidoethanol*
Nonafluoro-3,6-dioxaheptanoic acid [NFDHA]*
Parathion
Perfluoro(2-ethoxyethane)sulfonic acid [PFEESA]*
Perfluoro-3-methoxypropanoic acid [PFMPA]*
Perfluoro-4-methoxybutanoic acid [PFMBA]*
Perfluorobutanesulfonic acid*
Perfluorobutanoic Acid*
Perfluorobutanoic Acid*
Perfluorodecanesulfonic acid*
Perfluorodecanoic acid*
Perfluorododecanesulfonic acid [PFDoS]*
Perfluorododecanoic acid*
Perfluoroheptanesulfonic acid*
Perfluoroheptanoic acid*
Perfluorohexanesulfonic acid*
Perfluorohexanoic acid*
Perfluorononanoic acid*
Perfluorooctanesulfonamide*
Perfluorooctanesulfonic acid*
Perfluorooctanoic Acid*
Perfluorooctanoic Acid*
Perfluoropentanoic acid*
Perfluorotetradecanoic acid*
Perfluorotridecanoic acid*
Perfluoroundecanoic acid*
Phenolsulfanate
Phosgene
Propargite
Propylene oxide
Pyrethrins
Quinoline
Resorcinol

Ethylene diamine
Ethylene dibromide
Formaldehyde
Furfural
Guthion
Hexafluoropropylene oxide dimer acid*
Isoprene
Isopropanolamine Dodecylbenzenesulfonate
Kelthane
Kepone
Malathion
Mercaptodimethur
Methoxychlor
Strontium
Strychnine
Styrene
TDE (Tetrachlorodiphenylethane)
Trichlorofan
Triethanolamine dodecylbenzenesulfonate
Triethylamine
Trimethylamine
Uranium
Vanadium
Vinyl acetate
Xylene
Xylenol
Zirconium

* Parameter applicable to wastewater discharge only; it does not apply to biosolids.