

**COLORADO**Department of Public
Health & Environment

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

**MODIFICATION APPLICATION
TO REQUEST CHANGES TO AN EXISTING INDIVIDUAL PERMIT**

DIVISION USE ONLY
WQCD Division Initiated
Modification

Requested by _____

Date requested _____

Date entered _____

Please print or type all information. All items must be filled out completely and correctly. If the form is not complete, it will be returned. All modification dates are established by the Division. This form is for modifying an established individual permit. Modifications to general permit certifications, Terminations, Change of Contacts, Transfer of Permit, and/or Withdrawal of Permit Application must be submitted on the appropriate form.

MAIL ORIGINAL FORM WITH INK SIGNATURES TO THE FOLLOWING ADDRESS:

Colorado Dept of Public Health and Environment
Water Quality Control Division
4300 Cherry Creek Dr South WQCD-P-B2
Denver, CO 80246-1530

FAXED or EMAILED FORMS WILL NOT BE ACCEPTED.

If you have attachments to this application that you would like to submit electronically, you may mail a CD with the application or email them to cdphe.wqrecordscenter@state.co.us with the subject line "Additional Application Materials for [Date] Modification to Permit [Your Number]." Do not password protect any documents. Please save documents as PDFs or Microsoft Excel spreadsheets. Please number documents in order.

PART A. IDENTIFICATION OF PERMIT Please write the permit number to be modified

PERMIT NUMBER CO0046451

PART B. PERMITEE INFORMATION (application must be signed by the legal contact listed here)

Company Name Town of Wellington

Mailing Address P.O. Box 127

City Wellington State Colorado Zipcode 80549

Legal Contact Name Troy Hamman Phone Number 303-912-2151

Title Mayor Email hammantl@wellingtoncolorado.gov

PART C. FACILITY/PROJECT INFORMATION

Facility/Project Name Wellington Wastewater Treatment Facility

Location (address) 6190 NE Frontage Rd.

City Wellington County Larimer

Local Contact Name Michael J. Carrano, CWP Phone Number 970-203-5349

Title ORC Email carranmj@wellingtoncolorado.gov

COLORADO WATER QUALITY CONTROL DIVISION INDIVIDUAL PERMIT MODIFICATION APPLICATIONwww.coloradowaterpermits.com**PART D. GROUNDS FOR MODIFICATION**

Under the Colorado Discharge Permitting System regulations, the Division may only amend permits for specific reasons. See 5 CCR 1002-61 ("Reg. 61"), Reg. 61.8(8)(j). If cause does not exist under any of the below categories, "the Division shall not modify or revoke and reissue the permit." Reg. 61.8(8)(j). Please check the box with the basis for your modification request and include an explanation of why in Part E. If you are requesting more than one modification, and they have different grounds, please check all boxes and explain each in Part E.

- Minor Modification under Reg. 61.8(8)(f). These include correcting typographical errors; increase the frequency of monitoring or reporting by the permittee; changing a date for a special study or an interim date in a schedule of compliance, provided the new date of compliance is not more than 120 days after the date specific in the existing permit and does not interfere with attainment of the final compliance date requirement; and 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; and incorporating conditions of an approved POTW pretreatment program.
- Changes to facility. Reg. 61.8(8)(b)(i). 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.
- New information to justify compliance schedule extensions. Reg. 61.8(8)(b)(ii); Compliance Schedule Policy, CW-3. Please show that that the compliance schedule is necessary, appropriate and will bring the facility into compliance as soon as possible. Please be as specific as possible with construction delays and the like.
- New information to justify reductions in monitoring frequency consistent with the division's Baseline Monitoring Policy (WQP-20). Reg. 61.8(8)(b)(ii).
- Other new information. Reg. 61.8(8)(b)(ii). This must be information that you have shown was not available at the time of permit issuance (other than revised regulations, guidance, or test methods), with data collected after permit issuance, not a new or additional analysis of information that was available. This new information must have justified the application of different permit conditions at the time of issuance. You may be asked to demonstrate that the information was not available at time of permit issuance and/or that the request for modification complies with the state's anti-backsliding requirement, Regulation 61.10.
- New standards, laws, or judicial decision. Reg. 61.8(8)(b)(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. There are some limitations on this.
- 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. Reg. 61.8(8)(b)(iv).
- The Division has completed, and EPA has approved, a total maximum daily load (TMDL) which includes a wasteload allocation for the discharge(s) authorized under the permit. Reg. 61.8(8)(b)(v).
- The permittee has received a variance, including a Discharger Specific Variance under Regulation 31 or a groundwater variance under Regulation 61.12 or Regulation 41. Reg. 61.8(8)(b)(vi).
- Modification is required to incorporate applicable toxic effluent limitation or standards adopted pursuant to section 307(a) of the Federal act. Reg. 61.8(8)(b)(vii).
- Modification is required by the reopener conditions in the permit. Reg. 61.8(8)(b)(viii).
- To include a compliance schedule for the development of a pretreatment program. Reg. 61.8(8)(b)(ix).

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- The level of discharge of any pollutant that is not limited in the permit exceeds the level that can be achieved by the technology-based treatment requirements appropriate to the permittee under section 61.8(2)(a). Reg. 61.8(8)(b)(x).
- To establish a pollutant notification level required in section 61.8(5). Reg. 61.8(8)(b)(xi).
- To correct technical mistakes. Reg. 61.8(8)(b)(xii). These can include errors in calculation, or mistaken interpretations of law made in determining permit conditions, to the extent allowed in section 61.10. Examples of this include errors in calculation; errors in monitoring frequency/type; and reliance on the wrong standard. Please note that a modification request cannot be used to provide a second chance for full review of an CDPS permit or for re-litigating attacks on permit terms after the original 30-day statute of limitation has run from the original issuance of the permit and such permit terms are already in force. A modification request that is such a request for a second chance will be denied.
- When required by a permit condition to incorporate a land application plan for beneficial reuse of biosolids, to revise an existing land application plan, or to add a land application plan. Reg. 61.8(8)(b)(x).
- When another State whose waters may be affected by the discharge has not been notified. Reg. 61.8(8)(b)(x).

PART E. DESCRIPTION OF MODIFICATION REQUESTED:

Please include in your description an explanation of why your modification meets the box(es) you checked in Part D. If adding outfalls to an existing permit, include outfall number, latitude and longitude of the outfall, flow, receiving waters and any treatment (see application for new permit for guidance).

If modification requested takes more than the allotted space, please attach additional pages to this modification or submit the information electronically as described on the cover page.

Please see attached

Regarding the treatment of selenium, the Town of Wellington is requesting an extension of the proposed 3.2 µg/L until the latter part of 2021. During testing, it was determined that most of the selenium is sourced from the Town's brine discharged from the nanofiltration unit which is fed raw water from the Town's groundwater wells. The Town has since arranged for a selenium treatment pilot project at this unit and anticipating further implementation as follows:

- Treatment product demonstration will begin by August 1, 2020 and is expected to operate through October 31, 2020.
- Data analysis and interpretation anticipated to occur from November 1, 2020 through January 1, 2021.
- Acquiring bids/estimates and procurement with respect to the Town's purchasing policy to take place between January 1, 2021 through March 31, 2021
- Design and manufacturing are expected to last from April 1, 2021 through July 31, 2021.
- On-site construction, installation, and startup anticipated from August 1, 2021 through September 30, 2021.

Additional information is presented in the Town's Compliance Schedule letter to the State dated June 26, 2020.

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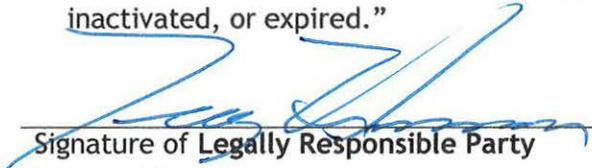
PART F. WATER QUALITY PLANNING TARGET (FOR DOMESTIC FACILITIES ONLY)

Please check this box if you intend to use this modified permit as a Water Quality Planning Target for an upcoming site location application

PART G. CERTIFICATION Required Signatures

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

"I understand that submittal of this application is for coverage under the State of Colorado Discharge Permit System until such time as the application is amended or the certification is transferred, inactivated, or expired."



June 26, 2020

Signature of **Legally Responsible Party**

Date Signed

Troy Hamman

Mayor

Name (printed)

Title

*This modification application shall be signed, dated, and certified for accuracy by the permittee.

In all cases, it shall be signed as follows:

1. In the case of a corporation, by a principal executive officer of at least the level of vice-president, or his or her duly authorized representative, if such representative is responsible for the overall operation of the operation from which the discharge described herein originates;
2. In the case of a partnership, by a general partner;
3. In the case of a sole proprietorship, by the proprietor;
4. In the case of a municipal, state, or other public operation, by either a principal executive officer, ranking elected official, or other duly authorized employee.