

at water treatment facilities, discussed the difference between NORM and TENORM with them at length.

Kendrick also recommended a new zero discharge sewer use regulation for TENORM industrial discharges be created and approved for both TLWWTF and MSD. This would prevent any TENORM from being in the TLWWTF treated effluent, which would likely create issues regarding any of the TLWWTF effluent owned by the Town of Monument or WWSO being eligible for reuse, he added. "And once you flip the switch on this, it's hard to recover."

Gillette said protocol dictated that Wicklund, as MSD district manager, with Burks in attendance, should first get more solid information about how the HMO process would impact MSD's system so they could both find out more from the town and CDPHE and then let the JUC know more about this town-proposed MSD industrial discharge. Gillette said Burks should contact CDPHE and find out how the state will address this proposed new TENORM process.

Burks said that the town could brief all the TLWWTF owners and answer all their questions at a single JUC meeting and that the town's TENORM industrial waste should be handled in the same way as the existing Synthes plant zero discharge industrial waste procedures and inspections by MSD and TLWWTF.

Wicklund agreed that MSD would take the first step, but that it also seemed that Burks, the plant operator, should also be concerned with taking concentrated radionuclide waste into the plant. "I think the plant and the JUC need to know about this and understand it." He added that Synthes always contacts both MSD and Burks on any of its zero discharge matters. Kendrick stated that the town's lack of transparency on this HMO commercial discharge issue and lack of town concern about the impact on either MSD or TLWWTF, much less the town's own wastewater reuse plans, have to be stopped. See related Nov. 7 Monument Board of Trustees article on page 1.

**Starting over on regulations**

Kendrick told the members about the first of three new Colorado Regulation 85 Nutrient Management Stakeholder Work Group meetings that was held on Nov. 1. This series of meetings will be the only opportunity for stakeholders like TLWWTF to present their proposed changes to this nutrient regulation to the CDPHE Water Quality Control Division (WQCD) before the June 2017 Water Quality Control Commission's triennial San Juan, Gunnison Water Quality Standards Regulations 34 and 35 rulemaking hearing, to be held in Gunnison. This hearing will also address statewide temperature issues even though it is only a basin hearing. There will be a full statewide Nutrients Management Control Reg. 85 and Reg. 31.17 rulemaking hearing in Denver on Oct. 10, 2017. See [www.colorado.gov/pacific/sites/default/files/1611\\_LRS.pdf](http://www.colorado.gov/pacific/sites/default/files/1611_LRS.pdf)

Why should residents of the Tri-Lakes area be concerned about the San Juan/Gunnison Basin hearings, since we are in the Arkansas River Basin, you may ask. Kendrick said that environmental attorney Gabe Racz of Vranish & Raisch LLP, an advocate for stakeholders including TLWWTF and MSD, told the division that the issues involving nutrients and other topics should instead be resolved in future Triennial Regulation 31 hearings "where everyone is in the room in Denver, rather than at the San Juan/Gunnison Basin hearing in 2017 and the like, that are then applied statewide despite all the variation between basins." A full Regulation 31 Triennial Review hearing was held in June 2016. See [www.ocn.me/v16n8.htm#tlwfjuc0712](http://www.ocn.me/v16n8.htm#tlwfjuc0712).

One more piece to understand is Regulation 31.17. In June 2012, the division added a new "interim values" section 31.17 to Regulation 31. These interim water quality stream values for total phosphorus and total nitrogen were supposed to encourage dischargers to prepare to meet much stricter nutrient standards in the future. The EPA had 60 days to respond to the interim values for nutrients the division proposed, but they did not answer until four years later, in October 2016.

Kendrick said that on Nov. 1, CDPHE Clean Water Program Manager Nicole Rowan told the nutrient stakeholders that some of the provisions of Regulation 31.17 were approved by the EPA, but "no action" was taken (i.e. they were not approved, so it was a no confidence vote) on the sections discussing interim total phosphorus values and interim total nitrogen values for both warm and cold rivers and streams, invalidating the implementation timeline for broader application of Reg. 85 Phase 2 numeric total phosphorus and total nitrogen standards to all wastewater dischargers. This was because the EPA could not validate Colorado's scientific basis technical approach for setting these interim values, and therefore

could not defend them in court. Note: The statewide Colorado Nutrient Coalition of wastewater dischargers had commissioned its own scientific study that showed the same results in 2010.

Water Quality Control Commission Administrator Trisha Oeth then stated that the EPA "does not expect any 31.17 interim values implementation" by Colorado between 2017 and 2022.

Because of that change, all the planning for capital improvements that dischargers such as TLWWTF have been trying to do in anticipation of meeting 31.17's much stricter nutrient restrictions, assuming that they would have become "real" water quality standards in the future, has basically been wasted dollars and energy. Kendrick said at the Nov. 1 meeting and at this JUC meeting that the state's goals were always "unaffordable, unsustainable, and unattainable."

Kendrick also quoted Oeth as saying, "There are now no EPA-approved nitrogen standards, so there are no nitrogen actions required by dischargers." He added that Racz advocated for getting the EPA's reasoning for its non-action on the Colorado interim values in writing, since so far it has only been verbal communication at meetings.

Wicklund said what this means for TLWWTF is when sampling shows (minimal) total phosphorus (TP) or total inorganic nitrogen (TIN) at Baptist Road, below the Monument Creek mixing zone downstream of the TLWWTF effluent discharge point, "We might not have to contemplate constructing any \$30-\$40 million treatment for total inorganic nitrogen."

Meanwhile, Burks said that the brand new \$3.6 million total phosphorus (TP) chemical removal clarifier expansion project should be completed any day now. The expansion will allow TLWWTF, which currently has no designed TP treatment capacity, to comply with the state's Control Regulation 85 TP discharge effluent limit of 1 milligram per liter (mg/l) by Nov. 1, 2019 in accordance with the compliance schedule in the facility's May 1, 2015 five-year discharge permit.

Wicklund said that each individual discharge permit is written with specific nutrients limits in it, which are still based on Regulation 85, and they still have to meet

those standards. "We already have to treat phosphorous to 1 mg/l, and treat total inorganic nitrogen to 15 mg/l now, and we are well within that!" Those same Reg. 85 phosphorus limits can now be met even without activating the brand new \$3.6 million TP clarifier, which was built in anticipation of the stricter 31.17 interim values becoming standards that the EPA has now voided.

What's wrong with imposing even stricter guidelines than are already there, you may ask. Kendrick re-

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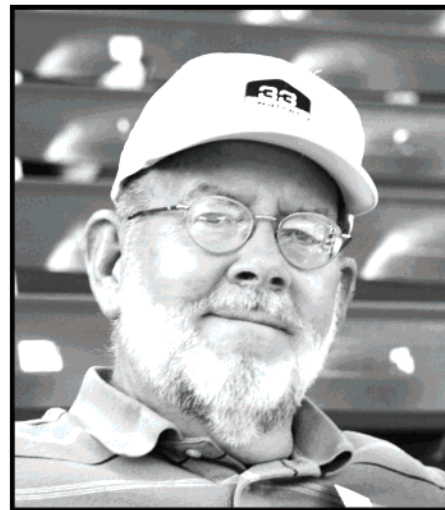
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Girard "Gary" Wayne Coleman  
 April 2, 1945 - November 15, 2016

Girard "Gary" Wayne Coleman of Palmer Lake, Colorado, passed away on November 15, 2016, in Colorado Springs.

Gary was born on April 2, 1945, to Victor Norbert Coleman and Elizabeth Nell Lind in Washington, DC. In May of 1972, Gary married the love of his life, Mary, with whom he remained married to for thirty-eight years, up until her passing in 2010.

He was preceded in death by his parents; half-brothers, Victor Jr., and Edward Coleman; as well as his beloved wife, Mary.

Together, Gary and Mary gave the world one very special gift, a son, Travis Coleman of Palmer Lake, who survives him, along with survivors: daughter, Connie Ann Balcerovich and husband Jim of Colorado Springs, and Gary's three step-daughters, Pamela Brantley and husband Chuck of Tampa Bay, Florida, Christine James of Colorado Springs, Colorado, and Roberta Seward and husband Bill of Broomfield, Colorado. He is also survived by a very close cousin, Dean Lind, who in truth was more of a brother, as they grew up together in the same household; a half-sister, Mary Jane Melton of Virginia, and step-brother, Leland Hisel of Nevada. Additionally, there are multiple grandchildren, great-grandchildren, and great-great grandchildren.

A Funeral Service was held on Sunday, November 20, 2016 at the Palmer Lake Town Hall, 28 Valley Crescent, Palmer Lake, Colorado 80133.

The family requests in lieu of flowers, donations be made in Gary's memory to Cheyenne Village, 6275 Lehman Drive, Colorado Springs, Colorado 80918, for support of special needs members of the local community.

Arrangements by The Springs Funeral Services, Colorado Springs, [www.tsfs.co](http://www.tsfs.co). The obituary and photos can be viewed and condolences can be posted at [www.tsfs.co/obituary/Girard-Gary-Wayne-Coleman/Palmer-Lake-CO/1672085](http://www.tsfs.co/obituary/Girard-Gary-Wayne-Coleman/Palmer-Lake-CO/1672085)