

this new nutrient incentive program, aimed at treatment facilities that can already produce treated effluent with lower nutrient concentrations than the existing Regulation 85 effluent nutrient limitations. This incentive program rewards voluntary participation by meeting nutrient treatment limits lower than those in Regulation 85. This voluntary higher and more costly performance would benefit successful wastewater treatment facilities because the state would extend their existing Regulation 85 nutrient compliance schedules for up to 10 more years, and simultaneously delay imposition of much tighter separate Regulation 31.17 phosphorus or nitrogen restrictions from starting in 2022 for up to 10 years for that volunteering facility.

In November, Burks said he thought TLWWTF should apply for the total inorganic nitrogen (TIN) incentive program but that he did not want to pursue the total phosphorus (TP) incentive program, because it would cost a lot more in chemical expenses to bring TP below the already very tight 1 mg/l limits in Reg. 85 that will take effect under the facility's current five-year discharge permit in November 2019, earlier than the normal 2022 TP compliance deadline.

Burks has stated at several JUC meetings that he did not plan to operate the TP clarifier in 2018 in order to avoid chemical costs for alum, polymer, and/or sodium hydroxide which are used to chemi-

cally remove TP by the process of flocculation, saving up to \$200,000 in 2018. See [www.ocn.me/v17n11.htm#tlwtfjuc](http://www.ocn.me/v17n11.htm#tlwtfjuc), [www.ocn.me/v17n12.htm#tlwtf](http://www.ocn.me/v17n12.htm#tlwtf).

However, in December, Burks said he and Senior Operator Toby Ormandy met with Brown and Caldwell engineers to discuss the nutrient incentive program, and he now thinks TLWWTF should participate in both the TP and TN incentive programs, because it could extend the facility's compliance schedule out to 2042 before it would have to construct new, very expensive treatment capacity for TN removal. Burks said it may be possible to use filters so that lower amounts of chemicals are needed in the just-constructed TP clarifier expansion's plate settlers, which should result in lower overall TP clarifier operating costs, and it could also increase the overall quality of the facility's effluent even more.

The JUC directed Burks to check into the cost analysis with the help of an engineer.

**Stream impairment negotiations rewarded at Reg. 93 hearing**

Wicklund reported that on Dec. 11 and 12, MSD Environmental Compliance Coordinator Jim Kendrick attended the WQCC rulemaking hearing on Regulation 93. This state regulation establishes Colorado's lists of water-quality limited stream segments requiring very expensive Total Maximum Daily Load (TMDL) studies to determine which state waters are impaired enough require TMDL effluent concentration rationing after placement in Section 303(d) of the federal Clean Water Act List of Impaired Waters. Those state water bodies not placed on the 303(d) list but are of concern can be added to the state Regulation 93 Monitoring and evaluation list.

The results of this Regulation 93 hearing included:

- The stream segment from Monument Lake to the Air Force Academy (upper portion of Fountain Creek Section 6) is still "impaired" for E. coli and manganese, and it appears that it will remain impaired indefinitely at this time.
- However, the Water Quality Control Division staff has determined through AF CURE study data that these impairments are not caused or contributed to by TLWWTF's discharge.
- The division acknowledged that Upper Monument Creek water quality is only affected by naturally-occurring manganese added to the creek primarily by stormwater events.
- The division acknowledged that excessive E. coli in the stream does not come from TLWWTF, which is the first point-source wastewater discharger on the stream, and that TLWWTF always dilutes the agricultural E. coli in Upper Monument Creek due primarily to stormwater

runoff.

- The division did not require a total maximum daily load (TMDL) for this segment, because TLWWTF is not adding pollutants to the stream.

Strom asked for and received confirmation that these E. coli and manganese results were presented in writing before this JUC meeting by emails from Kendrick and TLWWTF environmental attorney Gabe Racz. All these results have been fully documented in the public hearing record.

**AF CURE update**

Burks' comments on the December Arkansas River/Fountain Creek Coalition for Urban/Rural River Evaluation (AF CURE) meeting included:

- Several members of AF CURE will meet with the division about health advisory standards regarding perfluorinated chemicals (PFCs) being proposed in Widefield.
- AF CURE coordinator Andrew Neuhart sent out a rebuttal, attended the prehearing conference, and addressed AF CURE's concerns at the 303(d) hearing.
- AF CURE approved the 2018 nutrient modeling and coordination contracts with Brown and Caldwell.
- Neuhart presented updates on overall progress for the resegmentation study, watershed E. coli project, and nutrient modeling project.

**Appreciation for consistent representation**

Wicklund agreed with Kendrick's sentiment that he was very impressed about the incredible job that Gabe Racz did in his testimony at the division hearing. Racz is the environmental attorney who represents TLWWTF and other stakeholders, including those joined together as AF CURE. Wicklund said Racz has represented stakeholders, sometimes at no charge, before the state Legislature and the division. "He knows his stuff about environmental law and wastewater," he said.

Wicklund also expressed his gratitude for all the work done by Kendrick, who is also the vice chairman and co-founder of AF CURE. Kendrick helped hire Racz for TLWWTF and AF CURE, and he spends countless hours at stakeholder meetings to keep districts informed about the division's plans and decision-making process. "We used to find out everything after the fact... All the time he spends at those meetings is valuable, and the state knows we take our business very, very seriously," Wicklund said.

Strom agreed, saying, "Districts that don't spend the money for guys like Jim Kendrick and attorneys (like Racz) to be actively representing you and understanding what the different divisions are up to ... do that at their own peril."

The JUC also praised the work of Neuhart, who is an environmental engineer with Brown and Caldwell. He is taking over from Sarah Reeves, also of Brown and Caldwell, who has guided AF CURE since its inception in 2013.

The meeting adjourned at 11:05 a.m.

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The next meeting is scheduled for 10 a.m. Jan 9 at the Tri-Lakes Wastewater Treatment Facility, 16510 Mitchell Ave. Meetings are normally held on the second Tuesday of the month and are open to the public. For information, call Bill Burks at 719-481-4053.

Lisa Hatfield can be reached at [lisahatfield@ocn.me](mailto:lisahatfield@ocn.me).

*Triview Metropolitan District, Dec. 12*

**Positive changes continue under interim manager's direction**

*By Jennifer Kaylor*

The Triview Metropolitan District Board of Directors met on Dec. 12 to conduct a public hearing of and approve the 2018 budget, receive operations reports, and consider various resolutions as well as a water and sewer financial plan and fee study proposal. Vice President Mark Melville was excused.

Triview is a Title 32 special district within the 80132 ZIP code that provides services such as water/sewer/drainage, parks and recreation, open space, mosquito abatement, and street maintenance to Jackson Creek, Promontory Pointe, Sanctuary Pointe, and several commercial areas (see <http://www.ocn.me/metrodistricts.pdf> for district boundaries). The Town of Monument, however, provides land use planning,

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