

regarding creation of a new process to define more scientifically valid and economically attainable dissolved copper stream standards for Monument Creek should be reflected in more reasonable long-term copper limits in the next Tri-Lakes facility's discharge permit. Negotiations on these limits will take place after the new chemical removal equipment is constructed and tested to determine how much total phosphorus can actually be removed at altitude in an alpine environment with large daily temperature changes.

Unprecedented changes for discharge permits

The announced purpose of the state Water Quality

Control Division's recent request for an early Tri-Lakes permit renewal is to align all wastewater treatment facility permit renewals in the Arkansas River basin with the five-year basin standards review cycle in state water quality Regulation 32 that takes effect on Jan. 1, 2014. However, economic and technical risks are inherent with the issuance of any new effluent discharge permit to a wastewater treatment facility. Every existing limit in the permit is subject to tightening and other costly testing procedures and new limits, along with their attendant costs, that may be added by the division with as little as one month's notice.

An unannounced division purpose of these unprecedented permit renewal requests, which became apparent to Foster during permit negotiations over the past month, is to accelerate the implementation of Control Regulation 85 nutrient limits without any prior notice at the Arkansas River basin hearings last June. Foster advised Burks and the JUC that any Arkansas River basin wastewater treatment facility that "voluntarily" applies for an early permit renewal is tacitly agreeing to incur the additional costs for new additional treatment processes necessary to comply with Control Regulation 85 total phosphorus and total inorganic nitrogen limits that would not ordinarily apply until 2017 at the earliest. The Tri-Lakes facility already meets the Control Regulation 85 limit for total inorganic nitrogen—15.0 µg/l—so this is not an immediate threat.

Tri-Lakes facility funding from a \$1 million state nutrient grant expires on May 1, 2016, requiring prompt completion of construction and successful operational testing of new phosphorus treatment equipment before that date. The expansion at the \$6 million Tri-Lakes facil-

ity will cost \$2.007 million. As a result, new operating expenses will increase total facility costs to the Monument, Palmer Lake, and Woodmoor districts' customers well before the Control Regulation 85 limits would be imposed in 2017, after the current discharge permit expires.

It will not be clear for several years what the additional total life cycle costs will be for immediate construction and operation of the new phosphorus removal equipment. Nutrient treatment equipment construction will be completed in early 2016.

Another new rule

In recent weeks, the division staff has been saying during permit negotiations that the 2017 rules will be put into effect immediately and there will be no further traditional compliance schedules for construction and testing—another unannounced major change in policy that was not part of the Arkansas River basin standards hearing process.

Burks stated at the Nov. 12 JUC meeting that the division had agreed to the JUC's requested total phosphorus permit limit implementation postponement as a condition for the facility submitting a "voluntary" early permit renewal application. The division has agreed to include a five-year compliance schedule (2014 to 2018) in the new discharge permit for meeting the nutrient requirements in Control Regulation 85 that will ensure three years for construction of the new \$2 million expansion while complying with the various conditions of the \$1 million state construction grant.

Tri-Lakes may be able to perform sufficient experimental testing over the following final two years of the new permit to determine the correct operating procedures for the new equipment in high altitude alpine desert conditions with much higher than average daily temperature swings than the locations where this type of equipment has been installed previously. Previous long-term facility plans had called for the five-year compliance schedule to start when the division issued a replacement five-year discharge permit in 2017, when the rules in Control Regulation 85 are actually supposed to take effect.

The Tri-Lakes plant uses a biological nutrient reduction process where microbes consume waste products aerobically and anaerobically. This process is far more sensitive to temperature changes and other potential upsets, but is far more efficient and less costly to operate than traditional chemical treatments and other biological nutrient reduction processes. The Tri-Lakes facility won an EPA award when it was built in 1998 for setting a national precedent for successful activated sludge treatment. The biosolid wastes produced by the Tri-Lakes treatment



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