

quired to sustain continuous aeration during Mountain View Electric Association utility outages in order to avoid a TIN daily maximum permit violation. The annual median discharge limit in Reg. 85 for TIN that was negotiated at great expense over several years by the local wastewater districts that formed the Colorado Nutrient Coalition and Colorado Rural Communities Coalition to control nutrient construction and operating costs has now been rendered useless by this new EPA ammonia rule.

Tamburini said "The Tri-Lakes staff can no longer afford to have even a single bad day" in controlling its biologic nutrient reduction treatment process because bacteria upsets can take weeks or months to fix. A daily maximum permit limit can create weeks or months of

daily permit violations and huge daily EPA fines. The already negotiated state rolling TIN 12-month median limit existing in Reg. 85 would account for the large bacterial treatment upsets that are likely to occur.

Every wastewater treatment facility in the state will have to comply with the far more restrictive Reg. 31.17 nutrient requirements that will be imposed on May 31, 2022.

The current annual in-stream median interim values listed in Regulation 31.17 for warm plains streams like Monument Creek are 0.17 mg/l for total phosphorus and 2.01 mg/l for total nitrogen TN. TIN is a component of TN. These interim values will become effective in the first Tri-Lakes facility discharge permit issued after May 31, 2022.

There is no existing or currently forecast technology that can meet this 2.01 mg/l limit for TN.

Burks' TN concentrations (the sum of TIN and total Kjeldahl nitrogen) in his August Reg. 85 report were:

- In uent TN - 39 mg/l
- Discharged ef uent TN - 9.9 mg/l
- Arnold Ave. in-stream TN - 0.74 mg/l
- Baptist Road downstream TN - 0.11 mg/l

The EPA has still not approved language in either state Reg. 85 or Reg. 31.17. The agency has stated that it would

prefer that the state immediately approve EPA's warm water nutrient criteria—0.067 mg/l for total phosphorus and 0.88 mg/l for total nitrogen—but has not yet made these criteria a federal requirement or a mandate on the state.

There is no existing or forecast technology that can meet either of these EPA warm water limits.

Tamburini previously recommended that the Tri-Lakes facility push hard to have its next two scheduled permit renewals take effect on time—Jan. 1, 2017, and Jan. 1, 2022—to minimize the near-term effect of rules imposed on those dates by Reg. 85 and state water quality regulation 31.17 respectively to minimize the costs that will become mandatory on May 31, 2022.

In recent years, the state's Water Quality Control Division permit section has fallen well behind schedule, only renewing five-year permits every seven or eight years. The current Tri-Lakes permit was issued "early" in 2012 after only a two-year extension of the previous permit due to the urgent repeated personal requests of Monument District Manager Wicklund directly to the Water Quality Control Division executive director at numerous stakeholder meetings. The resulting renewal of the facility's permit in 2012 has prevented any further difficulties in meeting previously issued new copper limits that were impossible for the plant to meet. For further information, see the 38 citations that are available by searching the exact words "copper limit" at the top of the www.ocn.me home page.

The current Tri-Lakes discharge permit requires Burks' staff to test for and report 30-day average readings each month for sulfate and chloride concentrations. Those readings are being reported to the state Water Quality Control Division and EPA in the facility's monthly discharge monitoring report to establish a baseline for the current concentrations before the planned chemical treatment of total phosphorus begins, which will likely increase sulfate and chloride concentrations in Tri-Lakes' treated ef uent.

However, these proposed phosphorus treatment

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