

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH
Executive Director and Chief Medical Officer

WATER QUALITY CONTROL COMMISSION

<http://www.cdphe.state.co.us/op/wqcc/index.html>

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**Colorado Department
of Public Health
and Environment**

NOTICE OF PUBLIC RULEMAKING PROCEEDING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

For consideration of the adoption of revisions to Sections 31.7(3) and (4) in the Basic Standards and Methodologies for Surface Water, Regulation #31 (5 CCR 1002-31); revisions to current temporary modifications of water quality standards expiring on or before December 31, 2012, and revisions to correct typos for multiple segments in the Classifications and Numeric Standards for Arkansas River Basin, Regulation #32 (5 CCR 1002-32); in the Classifications and Numeric Standards for Upper Colorado River Basin and North Platte River (Planning Region 12), Regulation #33 (5 CCR 1002-33); in the Classifications and Numeric Standards for San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34); in the Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins, Regulation #35 (5 CCR 1002-35); in the Classifications and Numeric Standards for Rio Grande River Basin, Regulation #36 (5 CCR 1002-36); in the Classifications and Numeric Standards for Lower Colorado River Basin, Regulation #37 (5 CCR 1002-37); and in the Classifications and Numeric Standards for South Platte River Basin, Laramie River Basin, Republican, Smoky Hill River Basin, Regulation #38 (5 CCR 1002-38).

The revisions to Regulations #31 - #38 proposed by the Water Quality Control Division as staff to the Commission, along with proposed Statements of Basis, Specific Statutory Authority, and Purpose, are attached to this notice as Exhibits 1-8, respectively. In these attachments, proposed new language is shown with double-underlining and proposed deletions are shown with ~~strikeouts~~. Any alternative proposals related to the subject of this hearing will also be considered.

During the Commission's consideration of whether to approve this notice of rulemaking, the Commission determined that there is not a likelihood of significant controversy during the rulemaking process. Therefore, the Commission has chosen to pursue an alternative rulemaking process consistent with section 24-4-103(4)(a) C.R.S.; and section 21.3(C)(6) of the Procedural Rules. Questions or comments regarding this process are welcome.

It is the goal of the Commission to complete this rulemaking without oral testimony.

PARTY STATUS:

Pursuant to section 21.3(D) of the Commission's Procedural Rules, there shall be no party status for this rulemaking proceeding.

WRITTEN COMMENTS AND REBUTTAL STATEMENTS:

Initial written comments and evidence with respect to the proposed amendments are due in the Commission Office by April 26, 2011. In addition, any written rebuttal statements must be received in the Commission Office by May 24, 2011.

Anyone providing written comments and evidence or rebuttal statements should provide an original plus twenty-five copies to the Commission Office. Anyone for whom the expense of providing these copies presents an economic hardship should contact the Commission Office to make alternative arrangements. Those who wish to receive the written comments and rebuttal statements from other members of the public should so indicate in a cover letter with their submission of written comments.

RULEMAKING DELIBERATION SCHEDULE:

DATE: Monday, June 13, 2011
TIME: 9:00 a.m.
PLACE: Florence Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado

At this time and place, the Commission will conduct its deliberations, based on the written comments and evidence submitted.

SPECIFIC STATUTORY AUTHORITY:

The provisions of sections 25-8-202(1)(b); 25-8-204; and 25-8-402, C.R.S., provide the specific statutory authority for consideration of the regulatory amendments proposed by this notice.

Should the Commission adopt the regulatory language as proposed in this notice or alternative amendments, it will also adopt, in compliance with section 24-4-103(4) C.R.S., an appropriate Statement of Basis, Specific Statutory Authority, and Purpose.

NOTIFICATION OF POTENTIAL MATERIAL INJURY TO WATER RIGHTS:

In accordance with section 25-8-104(2)(d), C.R.S. any person who believes that the actions proposed in this notice have the potential to cause material injury to his or her water rights is requested to fully explain the basis for their claim in the written comments submitted. This explanation should identify and describe the water right(s), and explain how and to what degree the material injury will be incurred.

Dated this 15th day of February 2011 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION

Paul D. Frohardt, Administrator

EXHIBIT 1

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT WATER QUALITY CONTROL COMMISSION

REGULATION NO. 31

THE BASIC STANDARDS AND METHODOLOGIES FOR SURFACE WATER (5 CCR 1002-31)

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31.7 PROCESS FOR ASSIGNING STANDARDS AND GRANTING, EXTENDING, OR REMOVING TEMPORARY MODIFICATIONS

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(3) Granting, Extending, and Removing Temporary Modifications to Numeric Standards

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(a) Conditions Justifying a Temporary Modification

The Commission may grant a temporary modification if:

- (i) an existing permitted discharge has a demonstrated or predicted water quality-based effluent limit compliance problem, and
- (ii) one of the following is shown to exist:
 - (A) there is significant uncertainty regarding the water quality standard necessary to protect current and/or future uses.
 - (B) there is significant uncertainty regarding the extent to which existing quality is the result of natural or irreversible human-induced conditions.
 - (C) there is significant uncertainty regarding the timing of implementing attainable source controls or treatment (this subsection C is repealed effective ~~1/1/2013~~10/01/2013).

....

(4) Granting, Extending and Removing Variances to Numeric Standards (effective ~~January 1, 2013~~October 1, 2013)

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PROPOSED
WATER QUALITY CONTROL DIVISION

31.49 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 13, 2011 RULEMAKING; EFFECTIVE DATE JANUARY 1, 2012

The provisions of sections 25-8-202(1)(b), 25-8-204; and 25-8-402, C.R.S., provide the specific statutory authority for adoption. The Commission also adopted, in compliance with section 24-4-103(4) C.R.S., the following statement of basis and purpose.

BASIS AND PURPOSE:

The Commission's decision to delay consideration of nutrient criteria nine months until March 2012 resulted in revisions to the Division's and Commission's long range work schedule. Because the delay also will affect development of discharger specific variance guidance, the Commission extended the effective date of the variance provisions at 31.7(4) nine months to October 1, 2013. The Commission also extended the repeal date of subsection C of 31.7(3)(a)(ii), nine months to October 1, 2013. This subsection C describes a condition for granting a temporary modification: significant uncertainty regarding the timing of implementing attainable source controls or treatment. Because it is expected that this type of uncertainty will be addressed through the discharger-specific variance provisions, subsection C is scheduled to be repealed on the date the discharger-specific variance provisions become effective.

EXHIBIT 2

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-32

REGULATION NO. 32 CLASSIFICATIONS AND NUMERIC STANDARDS FOR ARKANSAS RIVER BASIN

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REGION: 7	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: MIDDLE ARKANSAS RIVER			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l					
Stream Segment Description										
3. Mainstem of the Arkansas River from a point immediately above the confluence with Wildhorse/Dry Creek Arroyo to a point immediately above the confluence with Fountain Creek, Valco Ponds and Fountain Lake.		Aq Life Warm 1 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH3(ac/ch)=TVS CL2(ac)=0.019 CL2(ch)=0.011 CN=0.005 S=0.002	B=0.75 NO2=0.05 NO3=10 Cl=250 SO4=WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=TVS(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac)=50.9 Se(ch)=17.4 Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification type (i): NH3(ac/ch)=TVS (old) Expiration date of 12/31/2014	

REGION: 7	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: FOUNTAIN CREEK			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description									
2a. Mainstem of Fountain Creek from a point immediately above the confluence with Monument Creek to a point immediately above the State Highway 47 Bridge.		Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =1.0 NO ₃ =10 Cl=250 SO ₄ =330	As(ac)=340 As(ch)=0.02- 10(Trec) Pb(ac/ch)=TVS Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)**	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac)=TVS Se(ch)=8 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac/ch)=TVS (old). Expiration date of 12/31/2012 <u>3</u> . Type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2012 <u>3</u> .

4.	All tributaries to Fountain Creek which are not within the boundaries of National Forest or Air Force Academy lands, including all wetlands, lakes and reservoirs, from a point immediately above the confluence with Monument Creek to the confluence with the Arkansas River, except for the specific listings in segments 5, 6 and 7a and 7b.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	CN=0.2 NO ₂ =10 NO ₃ =100	B=0.75	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec)	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification type (i): NH ₃ (ac/ch)=TVS (old). Expiration date of 12/31/2012 3 .
6.	Mainstem of Monument Creek, from the boundary of National Forest lands to the confluence with Fountain Creek.		Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =329	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1430(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2012 3 . NH ₃ (ac/ch)=TVS (old)(type-i) Expiration date of 12/31/2014

REGION: 7 BASIN: LOWER ARKANSAS	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
	Stream Segment Description								
1b. Mainstem of the Arkansas River from the Colorado Canal headgate to the inlet to John Martin Reservoir.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =902	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1950(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications type (iii): Se(ch)="current condition" Expiration date of 12/31/2013 NH ₃ (ac/ch)=TVS (old)(type-i) Expiration date of 12/31/2014 Water + Fish Standards Apply.
7. Mainstem of the Purgatoire River from Interstate 25 to the confluence with the Arkansas River.		Aq Life Warm 1 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011	CN=0.005 S=0.002 B=0.75 NO ₂ =0.5	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications type (iii): Se(ch)=6.4, Expiration date of 12/31/2013. NH ₃ (ac/ch)=TVS (old)(type-i) Expiration date of 12/31/2014
11. John Martin Reservoir.		Aq Life Warm 1 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=90(dis) Mn(ac/ch)=TVS	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification type (iii): Se(ch)=17 Expiration date of 12/32/2013.

PROPOSED
WATER QUALITY CONTROL DIVISION

**32.47 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND
PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY
MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012**

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancellation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The Commission extended the expiration dates of the following temporary modifications to December 31, 2013. These will be reviewed again in a Temporary Modification hearing in December 2012.

Fountain Creek segment 2a (NH₃, Cu)
Fountain Creek segment 4 (NH₃)
Fountain Creek segment 6 (Cu)

The following temporary modifications were deleted from the table because they will have expired as of the effective date of this revision:

Middle Arkansas segment 3 (NH₃)
Fountain Creek segment 6 (NH₃)
Lower Arkansas segment 1b (NH₃)
Lower Arkansas segment 7 (NH₃)

The Commission corrected a typo in the expiration date of the selenium temporary modification in following segment:

Lower Arkansas segment 11

EXHIBIT 3

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-33

CLASSIFICATIONS AND NUMERIC STANDARDS FOR UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12)

REGULATION NO. 33

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REGION:12	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Yampa River									
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
13e. Mainstems of Sage Creek and Grassy Creek, including all tributaries and wetlands, from their sources to the confluence with the Yampa River.	UP	Aq Life Warm 2 Recreation N Agriculture	T=TVS(WS-II)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Upper Sage Creek Fe(ch)=1250 Lower Sage Creek Fe(ch)=1000(Trec) Grassy Creek Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification. Fe(ch): "existing quality" (Type iii) for Grassy Creek. Expiration date of 12/31/2012. Break between Upper and Lower Sage Creek is the west border of Section 18, T5N, R87W. See section 33.6(4) for iron assessment locations.

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PROPOSED **WATER QUALITY CONTROL DIVISION**

33.48 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancellation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of all the temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The Commission extended the expiration date of the following temporary modification to December 31, 2013. It will be reviewed again in a Temporary Modification hearing in December 2012.

Yampa River segment 13e (Fe)

EXHIBIT 4

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-34

REGULATION NO. 34 CLASSIFICATIONS AND NUMERIC STANDARDS FOR SAN JUAN AND DOLORES RIVER BASINS

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REGION: 9 BASIN: SAN JUAN RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
11a. All tributaries to the San Juan River, including wetlands, lakes, and reservoirs, from Fourmile Creek to the Southern Ute Indian Reservation boundary except for the specific listings in Segments 1, 4, 5, 6a, 6b, 9a and 9b.		Aq Life Warm 1 Agriculture Nov. 1 to April 30 Recreation N May 1 to Oct. 31 Recreation E	D.O. = 5.0 mg/l pH = 6.5-9.0 Nov. 1 to April 30 E.Coli=630/100ml May 1 to Oct. 31 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: Fe(ch)=1100. Expiration date of <u>4/23/4/23/31/2013.</u>

REGION: 9 BASIN: ANIMAS AND FLORIDA RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
2. Mainstem of the Animas River, including all tributaries and wetlands, from the outlet of Denver Lake to a point immediately above the confluence with Maggie Gulch, except for specific listings in Segment 6.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 5.8-9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ch)=100	B(ch)=0.75	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead,manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 3a, 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of 4234423/31/2013.

3a.	Mainstem of the Animas River, including wetlands, from a point immediately below the confluence with Maggie Gulch to immediately above the confluence with Cement Creek.		Aq Life Cold 1 Recreation E Agriculture	D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75	Al(ac/ch)=750(Trec) As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) CrIII(ac/ch)=TVS Cu(ac/ch)=TVS Standards for Cd, Mn and Zn are listed on Table 1.	CrVI(ac/ch)=TVS Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Se(ac/ch)=TVS Ni(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Aquatic life indicator goal: Brook Trout. Temporary modifications for: Cd(ch)=3.0 Mn(ch)=3203 Zn(ch)=862 Expiration date of <u>12/31/423/31/2013</u> .
3b.	Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.	UP	Sept. 11 to May 14 Recreation N May 15 to Sept. 10 Recreation E	D.O. = 3.0 mg/l pH = 6.0-9.0 Sept. 11 to May 14 E.Coli=630/100ml May 15 to Sept. 10 E.Coli=126/100ml			The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.			Temporary modification: Existing ambient quality for all metals. Expiration date of <u>12/31/423/31/2013</u> .
3c.	Arrastra Gulch including all lakes, tributaries, and wetlands from the source to the confluence with the Animas River.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications: Cu(ch)=6.6 Zn(ch)=184 no Cu, Zn acute. Expiration date of <u>12/31/423/31/2013</u> .
4a.	Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Mineral Creek to a point immediately above the confluence with Deer Park Creek.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O. = 6.0 mg/l D.O.(sp)=7.0 mg/l E.Coli=126/100ml Standards for pH are listed on Table 1.	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75	As(ch)=100(Trec) As(ac)=340 Cu(ac/ch)=TVS Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Standards for Al, Fe and Zn are listed on Table 1.	Se(ac/ch)=TVS Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr)	Aquatic life indicator goal: Brook Trout Temporary modifications: Al(ch)=2523(Trec) Fe(ch)=4204(Trec) Zn(ch)=730 Cu(ch)=20 Cd(ch)=2.5 pH=5.3 Expiration date of <u>12/31/423/31/2013</u> .
4b.	Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Deer Park Creek to Bakers Bridge.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O. = 6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	Al(ac/ch)=TVS As(ch)=0.02(Trec) As(ac)=340 Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Ni(ac/ch)=TVS	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=T VS Ag(ch)=T VS(tr) Zn(ac/ch)=TVS	Temporary modification: Zn(ch)=184 Expiration date of <u>12/31/423/31/2013</u> .
7.	Mainstem of Cement Creek, including all tributaries, wetlands, lakes, and reservoirs, from the source to the confluence with the Animas River.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 3.7-9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ac)=100	B(ch)=0.7 5	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of <u>12/31/423/31/2013</u> .
8.	Mainstem of Mineral Creek, including wetlands, from the source to a point immediately above the confluence with South Mineral Creek. All tributaries on the east side of this segment of Mineral Creek including wetlands, lakes and reservoirs except for Big Horn Creek. Mainstem of the Middle Fork of Mineral Creek including all tributaries, wetlands, lakes and reservoirs from the source to the confluence with Mineral Creek except for Crystal Lake and its exiting tributary to confluence with Middle Fork of Mineral Creek.	UP	Recreation E Agriculture	D.O. = 3.0 mg/l pH = 4.5 - 9.0 E.Coli=126/100ml	CN(ac)=0.2 NO ₂ (ac)=10 NO ₃ (ac)=100	B(ch)=0.7 5	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification: existing ambient quality for all metals. Expiration date of <u>12/31/423/31/2013</u> .

9.	Mainstem of Mineral Creek, including wetlands, from immediately above the confluence with South Mineral Creek to the confluence with the Animas River.	UP	Aq Life Cold 2 Recreation E Agriculture	D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l E.Coli=126/100ml Standards for pH are listed on Table 1.	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ch)=100(Trec) As(ac)=340 Cd(ac/ch)=TVS(tr) CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Zn(ac)=TVS Standards for Al, Cu, Fe and Zn are listed on Table 1.	Cu(ac)=TVS Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Temporary modifications: Al(ch)=3544(Trec) Cu(ch)=22 Fe(ch)=5023(Trec) Zn(ac/ch)=340 Expiration date of <u>42/34/423/31/2013</u> . Aquatic Life indicator goal: Macroinvertebrates; Brook Trout corridor
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REGION: 9 BASIN: LA PLATA RIVER, MANCOS RIVER, McELMO CREEK, AND SAN JUAN RIVER IN MONTEZUMA COUNTY AND DOLORES COUNTY	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
	Stream Segment Description								
7a. Mainstem of McElmo Creek from the source to the Colorado/Utah border, except for the specific listings in Segment 7b. Mainstem of Yellow Jacket Creek, including all tributaries, wetlands, lakes and reservoirs, from the source to the confluence with McElmo Creek.		Aq Life Warm 1 Recreation E Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2200(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac)=old TVS. NH ₃ (ch)=0.06(type iii) Expiration date of <u>42/34/20423/31/2013</u> .
8a. All tributaries to McElmo Creek, including all wetlands, lakes and reservoirs, from the source to the Colorado/Utah border, except for specific listings in Segments 7a, 8b, 8c and 11.	UP	Aq Life Warm 2 Recreation E Agriculture	D.O. = 5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(c/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Pb(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Fe(ch)=1500(trec) expiration date <u>42/34/20423/31/2013</u> .

PROPOSED
WATER QUALITY CONTROL DIVISION

34.36 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancelation of the December 2011 review of temporary modifications and a three-month delay of the Regulation #34 basin-wide review. Accordingly, the Commission considered the expiration dates of temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The Commission extended the expiration dates of the following temporary modifications to March 31, 2013.

- San Juan segment 11a (Fe)
- Animas segment 2 (all metals)
- Animas segment 3a (Cd, Mn, Zn)
- Animas segment 3b (all metals)
- Animas segment 3c (Cu, Zn)
- Animas segment 4a (Al, Fe, Zn, Cu, Cd, pH)
- Animas segment 4b (Zn)
- Animas segment 7 (all metals)
- Animas segment 8 (all metals)
- Animas segment 9 (Al Cu, Fe, Zn)
- La Plata etc, segment 7a (NH₃)
- La Plata etc, segment 8a (Fe)

EXHIBIT 5

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-35

REGULATION NO. 35 CLASSIFICATIONS AND NUMERIC STANDARDS FOR GUNNISON AND LOWER DOLORES RIVER BASINS

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
8. Mainstem of the Slate River from a point immediately above the confluence with Coal Creek to the confluence with the East River.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Cd(ch)=0.4 Expiration date of <u>12/31/2013</u> .
12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.		Aq Life Cold 1 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)/(ch)=TVS	Temporary Modifications: Cd(ch)=2.3 Zn(ch)= 518 Expiration date of <u>12/31/2013</u> .
16. Mainstem of Ohio Creek, including all tributaries, lakes, reservoirs, and wetlands, from the sources to the confluence with the Gunnison River with the exception of Segment 2.		Aq Life Cold 1 Recreation U Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)=TVS Zn(ch)=TVS(sc)	Temporay Modification: Zn(ch)= 11.9 Expiration date <u>12/31/2013</u> .

REGION: 10	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
BASIN: North Fork of the Gunnison River										
Stream Segment Description										
3. Mainstem of North Fork of the Gunnison River from the Black Bridge (41.75 Drive) above Paonia to the confluence with the Gunnison River.		Aq Life Cold 1 Agriculture Oct. 1 to March 31 Recreation N April 1 to Sept. 30 Recreation E	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 Oct. 1 to March 31 E.Coli=630/100ml April 1 to Sept. 30 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=5.7 Expiration date 12/31/20123/31/2013.	
5. Mainstems of Hubbard Creek, Terror Creek, Minnesota Creek, and Leroux Creek from their boundary with national forest land to their confluences with the North Fork of the Gunnison River; mainstem of Jay Creek from its source to its confluence with the North Fork of the Gunnison River; mainstem of Roatcap Creek including all tributaries, wetlands, lakes and reservoirs, from its source to its confluence with the North Fork of the Gunnison.		Aq Life Cold 1 Recreation P Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=existing ambient quality Expiration date of 12/31/20123/31/2013.	
6b. Mainstem and all tributaries to Bear Creek, Reynolds Creek, Bell Creek, McDonald Creek, Cottonwood Creek, Love Gulch, Cow Creek, Dever Creek, German Creek, Miller Creek, Stevens Gulch, Big Gulch, Stingley Gulch and Alum Gulch including lakes, reservoirs, and wetlands which are not on national forest lands from their source to the North Fork of the Gunnison River.	UP	Aq Life Warm 2 Recreation P Water Supply Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ (ac)=10 Cl(ch)=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: Fe(ch)(Trec)=existing ambient quality Se(ch)=existing ambient quality Expiration date of 12/31/20123/31/2013 Water+Fish Standards	

REGION: 10	Desig	Classifications	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l				
BASIN: Uncompahgre River										
Stream Segment Description										
3a. Mainstem of the Uncompahgre River from a point immediately above the confluence with Red Mountain Creek to the Highway 90 bridge at Montrose.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1500(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modifications: Cd(ch)=1.1 Fe(Trec)=1673 Expiration date of 12/31/20123/31/2013	
4b. Mainstem of the Uncompahgre River from La Salle Road to Confluence Park.	UP	Aq Life Warm 2 Recreation N Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2250(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=20 Expiration date of 12/31/20123/31/2013	
12. All tributaries to the Uncompahgre River, including all wetlands, lakes and reservoirs, from the South Canal near Uncompahgre to the confluence with the Gunnison River, except for specific listings in Segments 13, 14, 15a and 15b.	UP	Aq Life Warm 2 Recreation N Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1200 (Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: Se(ch)=existing ambient quality. Expiration date of 12/31/20123/31/2013	

REGION: 10	Design	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: Lower Gunnison River									
Stream Segment Description									
2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =480	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=8.4 Expiration date of 12/31/2013
4a. All tributaries to the Gunnison River, including all wetlands which are not on national forest lands, from the outlet of Crystal Reservoir to the confluence with the Colorado River, except for specific listings in the North Fork and Uncompahgre River subbasins and in Segments 3, 4b, 4c, 5 through 10, 12 and 13.	UP	Aq Life Warm 2 Recreation N Water Supply Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (type-I) Expiration date of 12/31/2014 Se(ch)=existing ambient quality. Expiration date of 12/31/2013
7. Mainstem of Surface Creek from the point of diversion of water supply to confluence with Tongue Creek; including mainstem of Ward Creek, from the boundary of national forest lands to the confluence with Tongue Creek; mainstem of Tongue Creek from the source to the confluence with the Gunnison River; mainstem of Youngs Creek from the boundary of national forest lands to the confluence with Kiser Creek; mainstem of Kiser Creek from the boundary of national forest lands to the confluence with Youngs Creek.		Aq Life Cold 2 Recreation P Agriculture	D.O. = 6.0 mg/l S.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Fish Ingestion Temporary modifications: Se(ch)= 9.3 Fe(ch)(Trec)= 2650 Expiration date of 12/31/2013

REGION: 10	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: San Miguel River									
Stream Segment Description									
2. All tributaries including all lakes (including Trout Lake), reservoirs, and wetlands to the San Miguel River from its sources to a point immediately below the confluence of Leopard Creek with the exceptions listed in Segments 1, 6a, 6b, 7a, 7b and 8.		Aq Life Cold 1 Recreation E Water Supply Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac)=TVS Zn(ch)=TVS(sc)	Temporary Modification: Cd(ch) = 0.6 Expiration Date <u>12/31/2013</u>
3b. Mainstem of the San Miguel River from a point immediately above the confluence of Marshall Creek to a point immediately above the confluence of South Fork San Miguel River.		Aq Life Cold 1 Recreation E Agriculture	D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)= 7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ch)=TVS	Fe(ch)=1000(Trec) Pb(ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ch)=190	Temporary Modifications: Cd(ch) = 0.7 Zn(ch)= 198 Expiration date of <u>12/31/2013</u>

REGION: 10 BASIN: San Miguel River	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
5. Mainstem of San Miguel River from a point immediately below the confluence of Naturita Creek to its confluence with the Dolores River.		Aq Life Warm 1 Recreation E Agriculture	D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)= 7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS U(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH ₃ (ac/ch)= TVS(old) Expiration date of 12/31/2014

PROPOSED **WATER QUALITY CONTROL DIVISION**

35.33 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancellation of the December 2011 review of temporary modifications and a three-month delay of the Regulation #35 basin-wide review. Accordingly, the Commission considered the expiration dates of temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The Commission extended the expiration dates of the following temporary modifications to March 31, 2013.

- Upper Gunnison segment 8 (Cd)
- Upper Gunnison segment 12 (Cd, Zn)
- Upper Gunnison segment 16 (Zn)
- North Fork Gunnison segment 3 (Se)
- North Fork Gunnison segment 5 (Se)
- North Fork Gunnison segment 6b (Fe, Se)
- Uncompahgre segment 3a (Cd, Fe)
- Uncompahgre segment 4b (Se)
- Uncompahgre segment 12 (Se)
- Lower Gunnison segment 2 (Se)
- Lower Gunnison segment 4a (Se)
- Lower Gunnison segment 7 (Fe, Se)
- San Miguel segment 2 (Cd)
- San Miguel segment 3b (Cd, Zn)

The following temporary modifications were deleted because they will have expired as of the effective date of this revision:

- Lower Gunnison segment 4a (NH₃)
- San Miguel segment 5 (NH₃)

EXHIBIT 6

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-36

REGULATION NO. 36 CLASSIFICATIONS AND NUMERIC STANDARDS FOR RIO GRANDE BASIN

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REGION: 8	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
3. All tributaries to the Closed Basin except for segment 2, segments 4 to 13b.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification type-I: NH₃(ac/ch)=TVS(eld) Expiration date of 12/31/2011.

PROPOSED
WATER QUALITY CONTROL DIVISION

36.31 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012 resulted in cancellation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of all the temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The following temporary modification was deleted because it will have expired as of the effective date of this revision:

Closed Basin segment 3 (NH₃)

EXHIBIT 7

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-37

REGULATION NO. 37 CLASSIFICATIONS AND NUMERIC STANDARDS FOR LOWER COLORADO RIVER BASIN

REGION:11									
BASIN: Lower Colorado River	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
2b. Mainstem of the Colorado River from a point immediately above the confluence with Rapid Creek to immediately above the confluence of the Gunnison River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
4e. Mainstem of Dry Creek including all tributaries and wetlands from the source to immediately above the Last Chance Ditch.	UP	Aq Life Cold 2 Recreation N Agriculture	T=TVS(CS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: Cu(ac/ch)=existing quality Fe(ch)=existing quality(Trec) (Type iii) Expiration 12/31/2012 <u>3</u> .
13b. All tributaries to the Colorado River, including wetlands, from the Government Highline Canal Diversion to a point immediately below Salt Creek, and downgradient from the Government Highline Canal, the Orchard Mesa Canal No. 2, Orchard Mesa Drain, Stub Ditch and the northeast Colorado National Monument boundary.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011. Persigo Wash from the Grand Junction discharge to the confluence with the Colorado River for Dec-Feb: T _{DM} =18.0 °C T _{DMAT} =18.0 °C (Type iii). Expiration date 12/31/2011.

13d. Coal Canyon Creek downgradient of the Government Highline Canal.		Aq Life Warm 2 Recreation P Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E. Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=5.0 NO ₂ =10 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS Cu(ac)=0.96e ^(0.9801) [ln(hard)]=-1.4747) Cu(ch)=0.96e ^(0.5897) [ln(hard)]=-0.3193)	Fe(ch)=1000 Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Se(ch)=existing quality (Type iii).— Expiration date 5/31/2011.
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PROPOSED **WATER QUALITY CONTROL DIVISION**

37.29 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012, resulted in cancelation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The Commission extended the expiration date of the following temporary modification to December 31, 2013. It will be reviewed again in a Temporary Modification hearing in December 2012.

Lower Colorado segment 4e (Cu, Fe)

The following temporary modifications were deleted because they will have expired as of the effective date of this revision:

Lower Colorado segment 2b (NH₃)
Lower Colorado segment 13b (NH₃, Temperature)
Lower Colorado segment 13d (Se, expired 5/31/2011)

EXHIBIT 8

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-38

REGULATION NO. 38

CLASSIFICATIONS AND NUMERIC STANDARDS

FOR

SOUTH PLATTE RIVER BASIN, LARAMIE RIVER BASIN REPUBLICAN RIVER BASIN, SMOKY HILL RIVER BASIN

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: UPPER SOUTH PLATTE RIVER			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
5c. Mainstem of Gooseberry Gulch and all tributaries from source to Sunset Trail.		Aq Life Cold 2 Recreation U Water Supply Agriculture	T=TVS(CS-II) °C D.O.=6.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac/ch)=Existing Quality (Type iii). Expiration date of 12/31/2014.
10a. Mainstems of East Plum Creek, West Plum Creek, and Plum Creek from the boundary of National Forest lands to Chatfield Reservoir, mainstems of Stark Creek and Gove Creek from the boundary of National Forest lands to their confluence.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-I) °C D.O.= 5.0 mg/l pH = 6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Cu (ac/ch) = TVSx2.4 on East Plum Creek and Plum Creek below the Plum Creek Wastewater Authority Discharge. (Type iii). Expiration date of 12/31/2015. NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.06 mg/l (Type i). Expiration date of 12/31/2014.
11b. All tributaries to the West Plum Creek system, including all wetlands, which are not on national forest lands, except for specific listings in Segments 9 and 12.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.06 mg/l (Type i). Expiration date of 12/31/2014.

16a. Mainstem of Sand Creek from the confluence of Murphy and Coal Creek in Arapahoe County to the confluence with the South Platte River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E. Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac)=TVS Se(ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)= current condition (Type iii) Expiration date of 12/31/2015. NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type i); Expiration date of 12/31/2011. Cu (ac/ch) = TVSx2.6 below the Sand Creek Water Reuse Facility outfall. (Type iii). Expiration date of 12/31/2015.
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REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: CHERRY CREEK			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
4. All tributaries to Cherry Creek, including all wetlands, from the source of East and West Cherry Creeks to the confluence with the South Platte River.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type i); Expiration date of 12/31/2011.

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: BIG DRY CREEK			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
5. North Walnut Creek from the western edge of the Central Operable Unit and South Walnut Creek from its source, including all tributaries, lakes, reservoirs and wetlands, to the eastern boundary of the Central Operable Unit and Pond C-2 on Woman Creek.	UP	Aq Life Warm 2 Recreation N Water Supply Agriculture	T=TVS(WS-II/WL)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10	As(ac)=340 As(ch)=0.02-10(Trec) Be(ch)=4 Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	See attached Tables 2 and 3-for additional standards and temporary modifications for seg-5. Goal qualifier for all use classifications, expires 12/31/09.

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: BOULDER CREEK			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
7b. Mainstem of Coal Creek from Highway 36 to the confluence with Boulder Creek.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
9. Mainstem of Boulder Creek from a point immediately above the confluence with South Boulder Creek to the confluence with Coal Creek.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis)	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Cu (ac/ch)=Current Condition. (Type iii). Expiration date of 12/31/2015. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
10. Mainstem of Boulder Creek from the confluence with Coal Creek to the confluence with St. Vrain Creek.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: ST. VRAIN CREEK			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
3. Mainstem of St. Vrain Creek from Hygiene Road to the confluence with the South Platte River.		Aq Life Warm 1 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). Expiration date of 12/31/2011.
6. All tributaries to St. Vrain Creek, including wetlands from Hygiene Road to the confluence with the South Platte River, except for specific listings in the Boulder Creek subbasin and in Segments 4a, 4b, 4c and 5.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100 Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=6.6µg/l (dis). (Type iii). Expiration date of 12/31/2015. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.

REGION: 3 AND 4 BASIN: MIDDLE SOUTH PLATTE RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
				mg/l		µg/l			
Stream Segment Description									
3a. All tributaries to the South Platte River, including all wetlands, from a point immediately below the confluence with Big Dry Creek to the Weld/Morgan County line, except for specific listings in the subbasins of the South Platte River, and in Segments 3b, 5a, 5b, 5c, and 6.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Fish Ingestion Standards Temporary modifications: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). Expiration date of 12/31/2011.

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: BIG THOMPSON RIVER			PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description				mg/l		µg/l			
5. Mainstem of The Big Thompson River from I-25 to the confluence with the South Platte River.		Aq Life Warm 2 Agriculture 5/1 – 10/15 Recreation P 10/16 – 4/30 Recreation N	T=TVS(WS-I) °C D.O. = 5.0 mg/l pH = 6.5-9.0 5/1 – 10/15 E.Coli=205/100ml 10/16 – 4/30 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=5.7 µg/l (dis). (Type iii). Expiration date of 12/31/2015. NH₃(ac)=TVS(old) NH₃(ch)=0.10 (Type i). Expiration date of 12/31/2011.
9. Mainstem of the Little Thompson River from the Culver Ditch diversion to the confluence with the Big Thompson River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=13.1 µg/l (dis). (Type iii). Expiration date of 12/31/2015. NH₃(ac)=TVS(old) NH₃(ch)=0.10 (Type i). Expiration date of 12/31/2011.

REGION: 3 AND 4		DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: CACHE LA POUDE RIVER				PHYSICAL and BIOLOGICAL	INORGANIC		METALS			
Stream Segment Description					mg/l		µg/l			
12.	Mainstem of the Cache La Poudre River from a point immediately above the confluence with Boxelder Creek to the confluence with the South Platte River.		Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =2.7 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Nitrite as a 30 day average. Fish Ingestion Standards Temporary modifications: Se(ch)=7.1 µg/l (dis). (Type iii) Expiration date of 12/31/2015. NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.10 (Type i). – Expiration date of 12/31/2011.
13a.	All tributaries to the Cache La Poudre River, including all wetlands, from the Monroe Gravity Canal/North Poudre Supply canal diversion to the confluence with the South Platte River, except for specific listings in Segments 6, 7, 8, 13b and 13c.	UP	Aq Life Warm 2 Recreation E Agriculture Water Supply	T=TVS(WS-I) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). – Expiration date of 12/31/2011.
22.	Fossil Creek Reservoir.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WL) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification: NH ₃ (ac)=TVS(old) NH ₃ (ch)=0.06 (Type i). – Expiration date of 12/31/2011.

REGION: 3 AND 4	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS							TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: LOWER SOUTH PLATTE RIVER			PHYSICAL and BIOLOGICAL	INORGANIC		METALS				
Stream Segment Description				mg/l		µg/l				
1. Mainstem of the South Platte River from the Weld/Morgan County line to the Colorado/Nebraska border.		Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: Se(ch)=12.3 µg/l (dis). (Type iii). Expiration date of 12/31/2015. NH₃(ac)=TVS(old) NH₃(ch)=0.10 (Type i). Expiration date of 12/31/2011.	
2b. All tributaries to the South Platte River, including all wetlands, north of the South Platte River and below 4,500 feet in elevation in Morgan County, north of the South Platte River in Washington County, north of the South Platte River and below 4,200 feet in elevation in Logan County, north of the South Platte River and below 3,700 feet in elevation in Sedgwick County, and the mainstems of Beaver Creek, Bijou Creek and Kiowa Creek from their sources to the confluence with the South Platte River, except for the portion of Beaver Creek from its source to the Fort Morgan Canal.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Tot) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: NH₃(ac)=TVS(old) NH₃(ch)=0.06 (Type i). Expiration date of 12/31/2011.	

Table 3
Temporary Modifications (type i)
Big Dry Creek, Segment 5

Effective until December 31, 2009 for the Walnut Creek portions of segment 5:

Parameter	mg/l
Nitrate	100
Nitrite	4.5

Effective until December 31, 2009 for all of segment 5:

Parameter	mg/l
Benzene	0.005
Carbon tetrachloride	0.005
1,2-Dichloroethane	0.005
1,1-Dichloroethene	0.007
Tetrachloroethylene	0.005
Trichloroethylene	0.005

All other organic and radiologic parameters are covered by the Basic Standards.

PROPOSED **WATER QUALITY CONTROL DIVISION**

38.79 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE JUNE 13, 2011 RULEMAKING REGARDING TEMPORARY MODIFICATIONS; EFFECTIVE DATE JANUARY 1, 2012

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

The Commission's decision to delay consideration of nutrient criteria until March 2012, resulted in cancelation of the December 2011 review of temporary modifications. Accordingly, the Commission considered the expiration dates of temporary modifications expiring on or before December 31, 2012 in a written comment rulemaking. The following temporary modifications were deleted because they will have expired as of the effective date of this revision:

- Upper So Platte segments 5c, 10a, 11b, and 16a (NH₃)
- Cherry Creek segment 4 (NH₃)
- Boulder Creek segments 7b, 9, and 10 (NH₃)
- St Vrain Creek segments 3 and 6 (NH₃)
- Middle So Platte segment 3a (NH₃)
- Big Thompson River segments 5 and 9 (NH₃)
- Cache la Poudre River segment 12, 13a, and 22 (NH₃)
- Lower So Platte River segments 1 and 2b (NH₃)

Big Dry Creek segment 5: The Commission deleted Table 3 because the temporary modifications expired on January 1, 2010. The temporary modification for nitrate and nitrite had been applied to the Walnut Creek portion of segment 5. The temporary modifications for benzene, carbon tetrachloride, 1,2-dichloroethane, 1,1-dichloroethene, tetrachloroethylene, and trichloroethylene were applied to all of segment 5. All other organic and radiologic parameters are covered by the Basic Standards.

The Commission also modified the standards table to remove reference to Table 3 and to remove the words "Goal qualifier for all use classifications, expires 12/31/09".