

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 HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

For consideration of the adoption of revisions to current temporary modifications of water quality standards expiring on or before December 31, 2014, 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 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 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, 2, 3, 4, 5 and 6, respectively.

Revisions to Regulation #32 proposed by the City of Pueblo, along with a proposed Statement of Basis, Specific Statutory Authority and Purpose, are attached to this Notice as Exhibit 7. Revisions to Regulation #33 proposed by Seneca Coal Company, along with a proposed Statement of Basis, Specific Statutory Authority and Purpose, are attached to this Notice as Exhibit 8. Revisions to Regulation #37 proposed by Tri-State Generation and Transmission Association, along with a proposed Statement of Basis, Specific Statutory Authority and Purpose, are attached to this Notice as Exhibit 9.

In these attachments, proposed new language is shown with double-underlining and proposed deletions are shown with ~~strikeouts~~. Any alternative proposals related to current temporary modifications identified in Exhibits 1 through 9, with expiration dates on or before December 31, 2014, will also be considered.

HEARING SCHEDULE:

DATE: Monday, December 10, 2012
TIME: 10:00 a.m.
PLACE: Florence Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

PUBLIC PARTICIPATION ENCOURAGED:

The Commission encourages all interested persons to provide their opinions or recommendations regarding the matters to be addressed in this rulemaking hearing, either orally at the hearing or in writing prior to or at the hearing. Although oral testimony from those with party status (see below) and other interested persons will be received at the hearing, the time available for such oral testimony may be limited. Written submissions prior to the hearing are encouraged, so that they can be distributed to the Commission for review prior to the hearing. Written submissions by interested members of the public that do not have party status or mailing list status (see below) should be sent in such a manner as to be received in the Colorado Department of Public Health and Environment's (Department's) mail room by November 28, 2012.

Oral testimony at the hearing should primarily summarize written material previously submitted. The hearing will emphasize Commission questioning of parties and other interested persons about their written prehearing submittals. Introduction of written material at the hearing by those with party status or mailing list status (see below) generally will not be permitted. The Commission requests that all interested persons submit to the Commission Office any available information that may be relevant in considering the noticed proposals.

PARTY STATUS/MAILING LIST STATUS:

Participation as a "party" to this hearing or acquisition of "mailing list status," will require compliance with section 21.3(D) of the Procedural Rules, Regulation #21 (5 CCR 1002-21). Mailing list status will allow receipt of all party documents.

It is not necessary to acquire party status or mailing list status in order to testify or comment. **For each request for party status or mailing list status, please provide the organization's name, a contact person, mailing address, phone number, fax number and email address if available.** Written party status or mailing list status requests are due in the Commission Office on or before:

DATE: Tuesday, September 25, 2012
TIME: 5:00 p.m.

A single copy of the party status or mailing list status request may be transmitted as an email attachment to cdphe.wqcc@state.co.us, submitted by fax to 303-691-7702, mailed or otherwise conveyed so as to be received in the Department's mail room no later than this deadline. PLEASE NOTE that, as indicated below, parties will have the option of distributing materials to other parties electronically, except in instances where a party has requested receiving hard copies of documents. Therefore, **anyone requesting party or mailing list status that wishes to receive hard copies of documents instead of emailed copies should so indicate in the party status/ mailing list status request so that this information can be included on the list distributed by the Commission Office.**

PREHEARING STATEMENTS:

PLEASE NOTE that for this hearing two separate deadlines for prehearing statements are established: (1) An original and 13 copies of an initial **Prehearing Statements** from the **Water Quality Control Division, the City of Pueblo, Seneca Coal Company and Tri-State**

Generation and Transmission Association, as proponents of the revisions proposed in Exhibits 1 through 9 attached to this notice, including written testimony and exhibits providing the basis for the proposals, must be received in the Department's mail room no later than **October 2, 2012**; and (2) an original and 13 copies of a **Responsive Prehearing Statement from the Division or anyone seeking party status and intending to respond to the proponents' proposals**, including any exhibits, written testimony, and alternative proposals, must be received in the Department's mail room no later than **October 30, 2012**.

For each deadline, the required number of hard copies of documents must be received in the Department's mail room by the specified deadline. These requirements are not satisfied by electronic transmission of a facsimile copy or copies. However, **parties are also strongly encouraged to email a copy of their written documents to the Commission Office**, so that materials received can be posted on the Commission's web site. (Please email to cdphe.wqcc@state.co.us.) In addition, copies of these documents must be mailed or hand-delivered by the specified dates to all persons requesting party status or mailing list status, and to the Attorney General's Office representatives for the Commission and the Water Quality Control Division, in accordance with a list provided by the Commission Office following the party status/ mailing list status deadline. **Alternatively, parties may email documents to those with party status or mailing list status by the specified dates**, except to those that the list distributed by the Commission Office identifies as requesting hard copies.

Also **note** that the Commission has prepared a document entitled **Information for Parties to Water Quality Control Commission Rulemaking Hearings**. A copy of this document will be mailed or emailed to all persons requesting party status or mailing list status. Following the suggestions set forth in this document will enhance the effectiveness of parties' input for this proceeding. **Please note the request that all parties submit two-sided copies of all hearing documents on three-hole punch paper.**

MAILING LIST STATUS COMMENTS:

Those requesting mailing list status shall provide written testimony, if any testimony is to be offered for the hearing, by the above deadline for responsive prehearing statements – i.e., **October 30, 2012**. Copies shall be submitted and distributed in the same manner as noted above for prehearing statements.

PREHEARING CONFERENCE:

DATE: Tuesday, November 13, 2012
TIME: 1:30 p.m.
PLACE: Sabin Room, Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado

Attendance at the prehearing conference is mandatory for all persons requesting party status. An opportunity may be available to participate in this prehearing conference by telephone. Persons wishing to participate by telephone should notify the Commission Office as early as possible.

REBUTTAL STATEMENTS:

Written rebuttal statements responding to the prehearing statements due on October 30, 2012 may be submitted by the Division and anyone seeking party status or mailing list status. Any such rebuttal statements must be received in the Department's mail room by **November 28, 2012**. An original and 13 copies of written rebuttal statements must be received in the Department's mail room by this deadline, and submission of an emailed copy as noted above is strongly encouraged. In addition, copies of these documents must be mailed or hand-delivered by that date to all those requesting party status or mailing list status, and to the Attorney General's Office representatives for the Commission and Division. **Alternatively, parties may email documents to those with party status or mailing list status by this deadline**, except to those that the list distributed by the Commission Office identifies as requesting hard copies. No other written materials will be accepted following this deadline except for good cause shown.

SPECIFIC STATUTORY AUTHORITY:

The provisions of sections 25-8-202(1)(a), (b) and (2); 25-8-203, 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 so indicate in the party status request submitted. In order for this potential to be considered fully by the Commission and the other agencies listed in the statute, persons must fully explain the basis for their claim in their prehearing statement which is due in the Department's mail room on the date specified above. 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 14th day of August 2012 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION

Paul D. Frohardt, Administrator

EXHIBIT 1
WATER QUALITY CONTROL DIVISION

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

....

32.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: UPPER ARKANSAS 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 Arkansas River from a point immediately above California Gulch to a point immediately above the confluence with Lake Fork.	9/30/00 Base-line does not apply	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 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=1.136672- [ln(hardness)*0.04183 8]*e ^{(0.9151*ln(hardness)- 3.6236)} Cd(ch)=(1.101672- [ln(hardness)*0.04183 8])*e ^{(0.7998ln(hardness)- 3.1725)} CrIII(ch)=100(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)= 0.978*e ^{(0.8537[ln(hardness])-2.2176)} Zn(ch)= 0.986*e ^{(0.8537[ln(hardness])-2.0469)}	Seasonal (April –May) Temporary Modifications type (i): no Cd(ac) Cd(ch)=1.34 no Zn(ac) Zn(ch)=649 Expiration date of 12/31/13.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: UPPER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
2c. Mainstem of the Arkansas River from a point immediately above the confluence with the Lake Fork to a point immediately above the confluence with Lake Creek.	9/30/00 Base-line does not apply	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 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=1.136672- (ln(hardness) ^{0.9151} ln(hardness)- 8)*e ^{3.6236} Cd(ch)=(1.101672- [ln(hardness) ^{0.7998} ln(hardness)- 8])*e ^{3.1725} CrIII(ch)=100(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)= 0.978*e ^{0.8537[ln(hardness)]+2.2178} Zn(ch)= 0.986*e ^{0.8537[ln(hardness)]+2.0469}	Seasonal (April–May) Temporary Modifications type (i): no Cd(ac) Cd(ch)=0.79 no Zn(ac) Zn(ch)=225 Expiration date of 12/31/13.
3. Mainstem of the Arkansas River from a point immediately above the confluence with the Lake Creek to the inlet to Pueblo Reservoir.		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	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 modifications: Type (iii) Cd(ch)=0.48 Expiration date of 12/31/13.
8a. Mainstem of Iowa Gulch from the source to the ASARCO water supply intake.		Aq Life Cold 2 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	As(ac)=340 As(ch)=0.02-10(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 (type i): Cd(ch)=0.84 Expiration date of 12/31/2013.
8b. Mainstem of Iowa Gulch from a point immediately below the ASARCO water supply intake to a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch).	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	S=0.002 NO ₂ =0.05	As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ch)=100(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 modifications (type i): Cd(ch)=1.3 Pb(ch)=6 Zn(ch)=295 Expiration date of 12/31/2013.
12a Mainstem of Chalk Creek from the source to the confluence with the Arkansas 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=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)=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(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(tr) Zn(ac/ch)=TVS	Temporary modification (type i): Zn(ch)=120 Expiration date of 12/31/2013.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: MIDDLE ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
4b. Mainstem of Rock Creek, Salt Creek and Peck Creek from their sources to the confluence with the Arkansas River.	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(ch)=100(Trec) As(ac)=340 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: type (iii) Se(ch)=5.6 Expiration date of 12/31/2013.
4c. Mainstem of Chico Creek, including all tributaries, wetlands, lakes and reservoirs, from the source 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 modification type (iii): NH ₃ (ac/ch)=Existing Quality Expiration date of 12/31/2013
5. Mainstem of the Saint Charles River, including all tributaries, wetlands, lakes and reservoirs, from the source to a point immediately above the CF&I diversion canal near Burnt Mill.	UP	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	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 type (iii): Se(ch)=18.7, Expiration date of 12/31/2013.
6. Mainstem of the Saint Charles River from a point immediately above the CF&I diversion canal near Burnt Mill to the confluence with the Arkansas River.	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) Cd(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Pb(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification type (iii): Se(ch)=39.0, Expiration date of 12/31/2013.
9. Mainstem of Greenhorn Creek, from a point immediately below the Greenhorn Highline (Hayden Supply Ditch) diversion dam, to the confluence with the Saint Charles River.	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 =700	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) Cd(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Ni(ac/ch)=TVS Pb(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications: type (iii) Se(ch)=8.6. Expiration date of 12/31/2013.
10. Mainstem of Sixmile Creek from the source to the confluence with the Arkansas River.	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 =0.5	As(ch)=100(Trec) As(ac)=340 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: type (iii): Se(ch)=15, Expiration date of 12/31/2013.
12. Mainstem of Huerfano River from the confluence with Muddy Creek near Gardner to the confluence with the Arkansas River.	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 =0.5	As(ch)=100(Trec) As(ac)=340 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 type (iii): Se(ch)=29.5 Expiration date of 12/31/2013.
14. Mainstem of the Cucharas River from the point of diversion for the Walsenburg public water supply to the outlet of Cucharas Reservoir.		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)=6.0 Expiration date of 12/31/2013.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: MIDDLE ARKANSAS RIVER			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
18a Mainstem of Boggs Creek from the source to Pueblo 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(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 type (iii): Se(ch)=179 Expiration date of 12/31/2013.

REGION: 13	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: FOUNTAIN CREEK			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
1a. Mainstem of Fountain Creek, including all tributaries, lakes, wetlands and reservoirs, from the source to a point immediately above the confluence with Monument Creek, except for specific listings in segment 1b.		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	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 type (iii): Se(ch)=8.7 Expiration date 12/31/2013.
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) 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 12/31/2013. Type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2013.
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, expect 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 12/31/2013.
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 modification: type (iii): Cu(ac/ch)=current condition, Expiration date of 12/31/2013

**Dissolved Mn point of compliance at Pinello Ranch Clear Well in NW ¼ of SW ¼ of sec. 11, T15S, R66W.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: LOWER ARKANSAS RIVER			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.	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 =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)=2765(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac)=19.1 Se(ch)=14.1 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (i) Se(ac/ch) = existing quality; SO ₄ = existing quality. Expiration date of 12/31/2013.
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 modification type (iii): Se(ch)="current condition" Expiration date of 12/31/2013 Water + Fish Standards Apply.
1c. Mainstem of the Arkansas River from the outlet of John Martin Reservoir to the Colorado/Kansas border.	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 =1900	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)=642(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)=22.5, Expiration date of 12/31/2013 . Water + Fish Standards Apply.
4. Mainstem of the Apishapa River from I-25 to the confluence with the Arkansas River; mainstem of Timpas Creek from the source to the Arkansas River; mainstem of Lorencito Canyon, from the source to the confluence with the Purgatoire River.	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 =0.5	As(ch)=100(Trec) As(ac)=340 Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1805(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 type (iii): Se(ch)= 27, Expiration date of 12/31/2013.
5a. Mainstem of the North Fork of the Purgatoire River, including all tributaries, wetlands, lakes and reservoirs, from the source to the confluence with the Purgatoire River; mainstem of the Middle Fork of the Purgatoire River, including all tributaries, wetlands, lakes, and reservoirs, from the source to the USGS gage at Stonewall; the mainstem of the Middle Fork of the Purgatoire River from the USGS gage at Stonewall to the confluence with the North Fork of the Purgatoire River; mainstem of the South Fork of the Purgatoire River, including all tributaries, wetlands, lakes, and reservoirs, from the source to Terco; the mainstem of the South Fork of the Purgatoire River from Terco to the confluence with the Purgatoire River; mainstem of the Purgatoire River to Interstate 25, except for the specific listing in segment 5b; mainstem of Long Creek from the source to the confluence with Trinidad Reservoir; mainstem of Raton Creek from the source to the confluence with the Purgatoire 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=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)=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 type (iii): Se(ch)=11.2. Expiration date of 12/31/2013.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13									
BASIN: LOWER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
6. All tributaries to the Purgatoire River, including all wetlands, lakes and reservoirs, from the source to Interstate 25, except for specific listings in segments 4, 5a and 5b.	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	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 (iii): Se(ch)=21.3, Expiration date of 12/31/2013.
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 modification type (iii): Se(ch)=6.4, Expiration date of 12/31/2013.
9a. Mainstem of Adobe Creek and Gageby Creek from the source to the confluence with the Arkansas River; mainstem of Willow Creek from Highway 287 to the confluence with the Arkansas River; mainstem of Big Sandy Creek from the source to the El Paso/Elbert county line; mainstem of South Rush Creek from the source to the confluence with Rush Creek; mainstem of Middle Rush Creek from the source to the confluence with North Rush Creek, North Rush Creek from the source to the confluence with South Rush Creek; mainstem of Rush Creek to the Lincoln County Line, mainstem of Antelope Creek from the source to the confluence with Rush Creek; mainstems of Horse Creek, Buffalo Creek and Cheyenne Creek from their sources to their confluences with the Arkansas River; the West May Valley drain from the Fort Lyon Canal 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 modification type (iii): Se(ch)=17.8, Expiration date of 12/31/2013.
9b. Mainstem of Apache Creek from the source to the confluence with the North Rusk Creek; mainstem of Breckenridge Creek from the source to the confluence with Horse Creek; mainstem of Little Horse Creek from the source to the confluence with Horse Creek; mainstem of Bob Creek; from the source to Meredith Reservoir; mainstems of Wildhorse Creek and Wolf Creek from their sources to their confluences with the Arkansas River; mainstem of Big Sandy Creek within Prowers County.	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 =0.5	As(ch)=100(Trec) As(ac)=340 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 type (iii): Se(ch)=52.4 Expiration date of 12/31/2013.
9c. Mainstem of Rule Creek from the Bent/Las Animas county line to John Martin Reservoir; mainstem of Muddy Creek from the south boundary of the Setchfield State Wildlife Area to the confluence with Rule Creek; mainstem of Caddoa Creek from CC road to the confluence with the Arkansas River; mainstem Clay Creek from source to the confluence with the Arkansas; mainstem of Cat Creek to the confluence with Clay Creek; mainstem of Two Butte Creek from the source to the confluence with the Arkansas River, except for listings in segment 10; mainstem of Trinchera Creek from the source to the confluence with the Purgatoire River; mainstem of Mustang Creek from the source to the confluence with Apishapa River; mainstem of Chicosa Creek from the source to the Arkansas River; mainstem of Smith Canyon from the Otero/Las Animas county line to the confluence with the Purgatoire River.	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 =0.5	As(ch)=100(Trec) As(ac)=340 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)=15 Expiration date of 12/31/2013.
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 S 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 12/31/2013.

WATER QUALITY CONTROL DIVISION PROPOSED

32.50 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications of 36 standards on 30 segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit compliance schedule to meet a standard that is significantly uncertain).

Deleted: Temporary modifications were deleted on the following segments because there are no currently identified discharge permits on the segments.

Upper Arkansas segment 2c

Middle Arkansas segment 4b
Middle Arkansas segment 5
Middle Arkansas segment 10
Middle Arkansas segment 12
Middle Arkansas segment 14
Middle Arkansas segment 18a

Lower Arkansas segment 4
Lower Arkansas segment 9a
Lower Arkansas segment 9b
Lower Arkansas segment 9c
Lower Arkansas segment 11

No action: The Commission took no action on the temporary modifications on the following segments which are receiving waters for permitted discharges. These temporary modifications will expire 12/31/2013. The basin-wide review hearing is scheduled for June 2013 and it is anticipated that the remaining issues will be resolved in that hearing process.

Upper Arkansas segment 2b
Upper Arkansas segment 3
Upper Arkansas segment 8a
Upper Arkansas segment 8b
Upper Arkansas segment 12a

Middle Arkansas segment 4c
Middle Arkansas segment 6
Middle Arkansas segment 9

Fountain Creek segment 1a
Fountain Creek segment 2a
Fountain Creek segment 4
Fountain Creek segment 6

Lower Arkansas segment 1a
Lower Arkansas segment 1b
Lower Arkansas segment 1c
Lower Arkansas segment 5a
Lower Arkansas segment 6
Lower Arkansas segment 7

EXHIBIT 2
WATER QUALITY CONTROL DIVISION

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)**

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33.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Eagle River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description									
8. Mainstem of Gore Creek from the confluence with Black Gore Creek to the confluence with the Eagle River.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) ^o C 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	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(ch)=WS 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)=TVS Zn(ch)=TVS(sc)	Temporary Modification: Temperature="existing quality" (Type iii) Expiration date of 12/31/2013
9a. Mainstem of the Eagle River from Gore Creek to a point immediately below the confluence with Rube Creek.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) ^o C 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	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(ch)=WS 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: Temperature="existing quality" (Type iii) Expiration date of 12/31/2013

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Yampa River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description									
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 12/31/2013. 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.

WATER QUALITY CONTROL DIVISION PROPOSED

33.49 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications of 3 standards on 3 segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit

The Commission took no action on the temporary modifications on the following segments which are receiving waters for permitted discharges. These temporary modifications will expire 12/31/2013.

Eagle River segment 8
Eagle River segment 9a
Yampa River segment 13a

EXHIBIT 3
WATER QUALITY CONTROL DIVISION

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

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35.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10 BASIN: Upper Gunnison River	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description 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 Water Supply Agriculture	T=TVS(CS-I) oC 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 =10010 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) 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(ac/ch)=TVS Mn(ch)=191(dis) Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modifications: Cd(ch)=2.4 Zn(ch)=440 Cu(ch)=current condition As(ch)=current condition Expiration date of 6/30/2013.

WATER QUALITY CONTROL DIVISION PROPOSED

35.35 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications of standards on one segment were reviewed. These temporary modifications were considered at the September 2012 basin rulemaking hearing and a short duration was set to provide time for US Energy to more fully develop its plan to resolve the uncertainty regarding the extent to which existing quality in Coal Creek is the result of the effects of reversible, human induced conditions.

In this hearing, the Commission reviewed US Energy's Plan and found that it did not address the underlying questions of how the mine pool may be impacting Coal Creek. They took no action on the temporary modifications and the expiration date. They will be allowed to expire on June 30, 2013 and the underlying standards will be used in permitting actions will be used after that date.

EXHIBIT 4
WATER QUALITY CONTROL DIVISION

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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36.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 8 BASIN: Rio Grande		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
				PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description										
4.	Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to the Rio Grande/Alamosa County line.		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	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(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 Modificationtype iii: As(ch)=existing quality Cd(ch)=existing quality Cu(ch)=existing quality Pb(ch)=existing quality Zn(ch)=existing quality Expiration Date of 12/31/2013

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 8		Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Alamosa River/La Jara Creek/Conejos River Stream Segment Description			Desig	PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
3b. Mainstem of the Alamosa River from immediately above the confluence with the Wightman Fork to immediately above the confluence with Fern Creek.		UP	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 NO ₂ =0.05	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrVI(ac)/ch)=TVS Seasonal Stds. 5/1-6/30 Al(ch)=3,000(Trec) Al(ch)=41 Al(ac)=4,300(Trec) Al(ac)=41 7/1-4/30 Al(ch)=3,000(Trec) Al(ch)=317 Al(ac)=3,100(Trec) Al(ac)=756	Cu(ac)=TVS Cu(ch)=30 Fe(ch)=12000(Trec) Pb(ac/ch)=TVS 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 iii: Se(ch)=existing quality Expiration Date 12/31/2013

WATER QUALITY CONTROL DIVISION PROPOSED

36.32 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications of standards on two segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit compliance schedule to meet a standard that is significantly uncertain).

Deleted: The temporary modification on Alamosa segment 3b was deleted because there are no currently identified discharge permits on this segment.

No action: The Commission took no action on the temporary modification on Rio Grande segment 4, which is the receiving water for several CDPS permits. The temporary modifications for standards on this segment will expire 12/31/2013. The basin-wide review hearing is scheduled for June 2013 and it is anticipated that the remaining issues will be resolved in that hearing process.

EXHIBIT 5
WATER QUALITY CONTROL DIVISION

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

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37.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:11 BASIN: Lower Colorado River	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l			METALS ug/l		
Stream Segment Description									
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 12/31/2013
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: Persigo Wash from the Grand Junction discharge to the confluence with the Colorado River for Dec-Feb: T _(DM) =18.0 °C T _(MWAT) =18.0 °C (Type iii). Expiration date 6/30/2013

WATER QUALITY CONTROL DIVISION PROPOSED

37.30 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications standards on two segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit compliance schedule to meet a standard that is significantly uncertain).

No action: The Commission took no action on the temporary modifications on the following segments which are receiving waters for permitted discharges.

Lower Colorado segment 4e: Iron (expiration date 12/31/2013)

Lower Colorado segment 13b: Temperature (expiration date 6/30/2013)

EXHIBIT 6
WATER QUALITY CONTROL DIVISION

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

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38.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: UPPER SOUTH PLATTE RIVER Stream Segment Description	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS µg/l			
15. Mainstem of the South Platte River from the Burlington Ditch diversion in Denver, Colorado, to a point immediately below the confluence with Big Dry Creek.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-I) °C D.O.* 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 =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)=400(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	*See attached table for site-specific Dissolved Oxygen and Ammonia standards. **pH=6.0-9.0 from 64 th Ave. downstream 2 miles. Temporary modifications: NH ₃ (ac)=TVS(old); NH ₃ (ch)=0.10 mg/l (Type I). Expiration date of 12/31/2014. Cu(ac/ch)=TVSx2.3 (Type iii). Expiration date of 12/31/2015. T=current conditions (Type iii). Expiration date of 12/31/2015.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: MIDDLE SOUTH PLATTE RIVER Stream Segment Description	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS µg/l			
1a. Mainstem of the South Platte River from a point immediately below the confluence with Big Dry Creek to the confluence with St. Vrain Creek.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.* 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)=TVSx2.2	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	*See attached table for site-specific Dissolved Oxygen and Ammonia standards. Temporary modifications: Se(ch)=6.9 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 12/31/2014.

WATER QUALITY CONTROL DIVISION PROPOSED

38.81 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2014, to determine whether the temporary modification should be modified, eliminated or extended.

Temporary modifications standards on two segments were reviewed. The Basic Standards Statement of Basis for the 2010 hearing records the Commission's intent regarding temporary modifications. (see 31.48 at I.A)

Since temporary modifications have no impact on other aspects of Colorado's water quality management program such as the 303(d) list, the Non-point Source Program or the Total Maximum Daily Load (TMDL) Program, it is fitting that temporary modifications only be used where there are permitted discharges that would face unreasonable consequences in the absence of a temporary modification (e.g., a permit compliance schedule to meet a standard that is significantly uncertain).

No action: The Commission took no action on the temporary modifications on the following segments which are receiving waters for permitted discharges. These temporary modifications will be reviewed again at the annual temporary modification hearing in December 2013.

Upper South Platte segment 15, Ammonia, expiration date 12/31/2014
Middle South Platte segment 1a, Ammonia, expiration date 12/31/2014

EXHIBIT 7
CITY OF PUEBLO

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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32.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: LOWER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.	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 =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)=2765(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot)	Ni(ac/ch)=TVS Se(ac)=19.1 Se(ch)=14.1 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (i) Se(ac/ch) = existing quality; SO ₄ = existing quality. Expiration date of <u>12/31/2013</u> <u>12/31/2018</u> .

CITY OF PUEBLO PROPOSED

32.50 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE **DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013** **EFFECTIVE DATE JUNE 30, 2013**

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 retained the type I temporary modifications for selenium and sulfate equal to existing conditions for Lower Arkansas segment 1a. These temporary modifications are set to expire December 31, 2018.

The temporary modifications for selenium and sulfate in Lower Arkansas segment 1a were identified by the Commission, June 2007, as type I temporary modifications. The expectation stated in the Basis and Purpose for that hearing was "that the Division and stakeholders will identify appropriate Best Management Practices as necessary to achieve the necessary load reductions within a twenty-year period." A reduction of six percent was determined to be feasible given the current extent of irrigated agriculture within this segment.

There is also uncertainty regarding the water quality standards necessary to protect current and future uses. EPA's tissue based selenium criteria document is expected to be published late 2013. Fish tissue analysis and potentially recalculation per the EPA selenium criteria document may be necessary to determine a site-specific selenium standard for segment 1a.

The Commission adopted this temporary modification to allow time for the City of Pueblo to evaluate the proposed EPA tissue based selenium criteria and to consider if a discharger specific variance is appropriate considering that the majority of the loading is due to natural sources.

EXHIBIT 8
SENECA COAL COMPANY

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)**

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33.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12	Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Yampa River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
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 12/31/2013-2014. Break between Upper and Lower Sage Creek is the west border of Section 18, T5N, R67W. See section 33.6(4) for iron assessment locations.

SENECA COAL COMPANY

33.49 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Grassy Creek, Yampa River segment 13e.

Seneca Coal Company proposed extending the temporary modification for iron for Grassy Creek. The Commission considered Seneca's plan to eliminate the need for the temporary modification. Seneca Coal is working to resolve uncertainty and is on schedule to address this segment at the regularly scheduled Basin hearing (June 2014). The Commission extended the expiration date to 12/31/2014, to coincide with the next basin review.

EXHIBIT 9
TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.

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

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37.6 TABLES

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:11	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
BASIN: Lower Colorado River									
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 12/31/2013- <u>2015</u>

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.
PROPOSED

37.30 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 10, 2012 RULEMAKING; FINAL ACTION JANUARY 14, 2013 EFFECTIVE DATE JUNE 30, 2013

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

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Dry Creek, Lower Colorado River segment 4e

Tri-State Generation and Transmission Association, Inc. proposed extending the temporary modifications for copper and iron for Dry Creek. The Commission considered Tri-State's plan to eliminate the need for the temporary modification. Tri-State is working to resolve uncertainty and is making progress in addressing this segment. The Commission extended the expiration date to 12/31/2015.