



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII
1860 LINCOLN STREET
DENVER, COLORADO 80203

August 19, 1975

Mr. Albin Anderson
Law Offices
640 Grand Avenue
Grand Junction, CO 81501

Dear Albin:

This is in response to the questions you proposed by memoranda and letter of July 28, 1975. I am terribly sorry about the delay in my response; the bureaucratic red tape ensnared this letter deep within the bowels of EPA, and I was able to free it only yesterday.

With regard to the allegation that a construction grant request from the proposed Mt. Garfield Sanitation District would impair the ability of other projects in Mesa County to receive federal funding, it is my opinion that this would not be the case. Each proposed sewage treatment project is considered on its own merits, and is assigned a priority rating for federal funds from the Colorado Water Quality Control Commission (CWQCC). Each project is assigned points based on the existing water quality or the severity of any pollution problem, the number of people affected, and the type of project proposed, as well as on other factors. It appears that Mt. Garfield would be proposing a collection system, and the CWQCC has not placed a high priority on collection systems; therefore, the possibility of a high priority designation for Mt. Garfield Sanitation District would appear to be highly unlikely. For this reason and, more importantly, simply because of the way the system works, an application from Mt. Garfield would not affect the consideration by EPA of other projects in Mesa County.

Concerning the points raised in your Memorandum No. 2, first let me say that the 201 planning area designation is, again, the responsibility of the State in cooperation with the local 208 agency. The objective in defining the 201 planning area boundaries is to assure not only that the facility needs of an urban incorporated area is planned for, but that the surrounding areas that could be tributary to the central system also are considered. There are no binding agreements placed on the unincorporated areas; but hopefully, by considering the needs of all, a cost effective waste management system can be devised and the proliferation of sewage treatment plants can be avoided. Obviously, some genuine cooperation is needed between the central community and the county commissioners before such a system can be put together.

In the memorandum, you state:

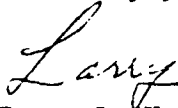
The smaller sanitation districts within the boundaries of the Grand Junction facility planning district have been told that they will not be permitted to apply for any federal funds for any improvement or enlargement of their own facilities without applying through Grand Junction and securing its permission for such application.

From what I have been able to determine, unless the subject sanitation districts discharge effluent into the Grand Junction facility, Grand Junction's permission would not be required. However, this, again, ties back into the State's own review procedures, and I suggest that you contact Mr. Frank Rozich, Director of the Colorado Division of Water Pollution Control, to determine the exact situation. He can be reached at (303) 388-6111.

I hope I have been able to be of assistance. Since so many of these matters really do concern state authorities and responsibilities, which I do not wish to encroach upon, I strongly believe that you should contact Mr. Rozich for more information concerning Colorado's procedures and the particular problems you are experiencing in Mesa County.

Best regards.

Sincerely yours,



Bryce L. Harlow
Congressional and
Intergovernmental Relations