

COLORADO DEPARTMENT OF HEALTH

Richard D. Lamm
Governor

Frank A. Traylor, M.D.
Executive Director

November 4, 1982

CERTIFIED MAIL
P25 3874245


The Honorable Louie Brach, Mayor
City of Grand Junction
250 W. 5th Street
Grand Junction, CO 81501

RE: in the Matter of City of Grand Junction, Mesa County,
Colorado - NPDES Permit No. CO-0026417

Dear Mayor Brach:

Enclosed is a signed copy of the Third Amended Cease and Desist
Order in the above matter.

Very truly yours,


Ronald G. Schuyler, P.E.
Deputy Director
Water Quality Control Division

RGS:ef

Enclosure

cc - James E. Wysoki, Manager
Robert Hykan, Assistant Attorney General
Richard Bowman, District Engineer

RECEIVED NOV 8 1982

BEFORE THE DEPARTMENT OF HEALTH
DIVISION OF ADMINISTRATION
STATE OF COLORADO

THIRD AMENDED CEASE AND DESIST ORDER

IN THE MATTER OF CITY OF GRAND JUNCTION,
MESA COUNTY, COLORADO
NPDES PERMIT NO. CO-0026417

To: City of Grand Junction

1. On July 17, 1980, the Division of Administration of the Colorado Department of Health ("division") issued to the city of Grand Junction a notice of violation and cease and desist order. On January 25, 1981 and March 31, 1982, the division amended the cease and desist order.

2. The notice of violation and cease and desist order and the amendments to the cease and desist order are attached hereto as exhibit A. The division hereby amends the cease and desist order to read as follows:

CEASE AND DESIST ORDER

Based upon the foregoing findings of fact and notice of violation, and pursuant to the provisions of C.R.S. 1973, 28-8-605 (1981 Supp.), I hereby order you to:

1. take such steps as are necessary to forthwith cease and desist all discharges to waters of the State of Colorado from the above-described premises that are in violation of NPDES Permit No. CO-0026417;
2. operate and maintain the existing wastewater

treatment facility in such a manner as to achieve maximum treatment capabilities;

3. construct the Persigo Wash wastewater treatment facility in compliance with the following schedule:

- | | | |
|----|--|-------------------|
| a. | award construction contract | January 11, 1982 |
| b. | issue notice to proceed | February 15, 1982 |
| c. | commence construction | March 15, 1982 |
| d. | complete 33 percent of construction | November 1, 1982 |
| e. | draft operations and maintenance manual | January 15, 1983 |
| f. | complete 66 percent of construction | August 1, 1983 |
| g. | plant operational | December 1, 1983 |
| h. | complete operations and maintenance manual | January 15, 1984 |
| i. | complete construction | May 1, 1984 |

4. submit to the division by December 31, 1982 a complete plan for storm sewer separation;

5. comply with the following schedule of compliance for pretreatment program development:

<u>Submittal Item</u>	<u>Compliance Date</u>
a. draft Industrial Waste Ordinance	Sept. 30, 1982
b. provide verification of additional legal authorities	Nov. 30, 1982
c. evaluate the funding mechanisms necessary in order to sustain an approved program	Nov. 30, 1982
d. draft program for industrial input monitoring	Nov. 30, 1982
e. submit the results of sampling and analysis of industrial inputs to PCTW system	March 31, 1983
f. determine the necessity of additional monitoring/analysis equipment and structures	March 31, 1983
g. provide specific limits for industrial inputs identified as prohibited discharges	Apr. 30, 1983
h. finalize Industrial Waste Ordinance	May 31, 1983
i. finalize program for industrial input monitoring	May 31, 1983
j. completed analysis for categorical standards removal allowances	May 31, 1983
k. submit a request for pretreatment program approval	May 31, 1983
l. attain approval of pretreatment program	Aug. 31, 1983
m. implement total program	Sept. 30, 1983

6. notify the division in writing of the completion of each item set forth in paragraphs 3, 4 and 5 of this order, within 10 days after completion of each item.

Issued this 4th day of November, 1982.

COLORADO DEPARTMENT OF HEALTH
Division of Administration

Gary G. Srcetzman

GARY G. SRCETZMAN
Director
Water Quality Control Division

AG Alpha No. HL WQ HVFA
AG File No. CNR8202294/JR

COLORADO DEPARTMENT OF HEALTH
DIVISION OF ADMINISTRATION
HL WQ HUFA

IN THE MATTER OF THE)
CITY OF GRAND JUNCTION) NOTICE OF VIOLATION
) AND
MESA COUNTY, COLORADO) CEASE AND DESIST ORDER
NPDES PERMIT NO. CO-0026417)

TO: CITY OF GRAND JUNCTION

FINDINGS OF FACT

Pursuant to the authority vested in the Division of Administration of the Colorado Department of Health by part III, article 8, title 25, C.R.S. 1973, which authority has been delegated to me by the executive director, I hereby make the following findings of fact:

1. The City of Grand Junction owns and operates a sewage treatment plant which is the subject of NPDES permit No. CO-0026417 ("permit").
2. The permit was issued by the Colorado Department of Health, Division of Administration ("division") on December 29, 1978 and has been in full force and effect since approximately one month after that date. The permit will expire at midnight, September 30, 1980.
3. The permit authorizes Grand Junction to discharge into the Colorado River, which is "state waters" as defined by the Colorado Water Quality Control Act.
4. On October 23, 1978, February 5 and August 7, 1979 the division sampled the effluent from the Grand Junction facility.
5. The division analyzed the samples taken in finding No. 4 in their laboratory according to standard testing procedures and determined that the following parameters

existed:

Pollutant parameter concentration

Date	BOD(5) mg/l	fecal_coliform per 100 ml.
10-23-78		23,000
2-5-79	51.0	430,000
8-7-79		33,000

6. In addition, discharge monitoring reports submitted by Grand Junction indicate repeated violations of permit effluent limitations on BOD(5) and fecal coliform from 1977 to the present. This data is summarized in the following table:

CITY OF GRAND JUNCTION

DISCHARGE MONITORING REPORTS

DMR Date	FLOW 7.3 MGD*		BOD		# of Exc.	FC		# of Exc
	Avg.	Max.	30 Avg.	45 Max.		6,000 Avg.	12,000 Max.	
4-1/4-30-80	4.3	6.6	39	52	3	22,442	310,000	5
3-1/3-31-80	4.5	7.4	40	47	2	2,500	210,000	1
2-1/2-28-80	4.3	7.90	41	60	3	2,447	200,000	2
1-1/1-3-31-80	4.1	7.7	49	57	7	17,885	70,000	4
12-1/12-31-79	4.2	6.8	45	70	4	1,118	105,000	1
11-1/11-31-79	4.4	6.0	32	37	0	260	920	0
10-1/10-31-79	5.4	7.7	25	31	0	237	680	0
9-1/9-30-79	5.3	5.7	31	37	1	11,640	200,000	3
8-1/8-30-79	5.7	7.4	38	48	3	2,188	200,000	3
7-1/7-31-79	5.4	5.9	44	60	7	1,471	80,000	1
6-1/6-30-79	5.7	5.2	33	38	0	5,105	265,000	2
5-1/6-1-79	5.6	10.6	34	43	0	232	270	0
4-1/5-1-79	4.3	6.1	41	49	1	1,838	295,000	2
3-1/4-1-79	4.4	8.2	38	48	2	2,748	268,000	2
2-1/3-1-79	4.5	6.4	53	68	7	3,828	45,000	3
1-1/2-1-79	4.7	7.9	49	63	7	4,677	136,000	3

NOTICE OF VIOLATION

You are hereby notified that the facts stated above constitute violations of NPDES permit No. CO-0026417. This permit provides in pertinent part that the effluent limitation for BOD(5) shall be 30 mg. per liter on a 30 day average (45 mg/l on a seven day average); and that fecal coliform shall not exceed 12,000 organisms per 100 ml on a seven day average.

CEASE AND DESIST ORDER

Based upon the foregoing findings of fact and notice of violation, and pursuant to the provisions of C.R.S. 1973, 25-8-605, I hereby order you:

1. To take such steps as are necessary to forthwith cease and desist from all discharges to the waters of the State of Colorado from the above-described premises that are in violation of NPDES permit No. CO-0026417, except that the following discharge limitations shall apply to discharge 001 until September 30, 1980:

a. total residual chlorine shall not exceed 0.5 mg/l in any single grab sample,

b. BOD(5) shall not exceed 60 mg/l as a weekly average, to be determined by the analysis of three properly preserved composite samples taken on separate days in a seven-day period, nor shall the monthly average exceed 45 mg/l, as determined by the analysis of three properly preserved composite samples taken during separate weeks of a thirty-day period.

2. To comply with all other permit conditions during this interim period, and to comply with all permit conditions after September 30, 1980.

3. To operate and maintain the existing wastewater treatment facility in such a manner as to achieve maximum treatment capabilities.

4. To carry out the activities set forth in the following compliance schedule by the dates indicated:

- a. River Road Interceptor Sewer
- i. Begin advertising for construction bids April 18, 1980
 - ii. Accept construction bids May 20, 1980
 - iii. Start construction July 15, 1980
- b. Persigo Wash Interim WWTP
- i. Request Step III Grant from WQCC May 1980

COLORADO DEPARTMENT OF HEALTH
DIVISION OF ADMINISTRATION

HL WQ HUFA

IN THE MATTER OF THE)
CITY OF GRAND JUNCTION) AMENDMENT TO CEASE AND DESIST
) ORDER DATED JULY 17, 1980
MESA COUNTY, COLORADO)
NPDES PERMIT NO. CO-0026417)

TO: CITY OF GRAND JUNCTION

The cease and desist order dated July 17, 1980 is hereby amended to read as follows:

CEASE AND DESIST ORDER

Based upon the foregoing findings of fact and notice of violation, and pursuant to the provisions of C.R.S. 1973, 25-8-605, I hereby order you:

1. To take such steps as are necessary to forthwith cease and desist from all discharges to the waters of the State of Colorado from the above-described premises that are in violation of NPDES permit No. CO-0026417, except that the following discharge limitations shall apply to discharge 001 until August 31, 1981:

- a. total residual chlorine shall not exceed 0.5 mg/l in any single grab sample,
- b. BOD(5) shall not exceed 60 mg/l as a weekly average, to be determined by the analysis of three properly preserved composite samples taken on separate days in a seven-day period, nor shall the monthly average exceed 45 mg/l, as determined by the analysis of three properly preserved composite samples taken during separate weeks of a thirty-day period.

2. To comply with all other permit conditions during this interim period, and to comply with all permit conditions

after August 31, 1981.

3. To operate and maintain the existing wastewater treatment facility in such a manner as to achieve maximum treatment capabilities.

4. To carry out the activities set forth in the following compliance schedule by the dates indicated:

a. River Road Interceptor Sewer

- | | | |
|------|---|----------------|
| i. | Begin advertising for construction bids | April 18, 1980 |
| ii. | Accept construction bids | May 20, 1980 |
| iii. | Start construction | July 15, 1980 |
| iv. | 50 percent completion of construction | May 1, 1981 |
| v. | Complete construction | July 31, 1981 |

b. Persigo Wash Interim WWTP

- | | | |
|------|---|-------------------|
| i. | Request Step III Grant from WQCC | May 1980 |
| ii. | Begin advertising for construction bids | August 26, 1980 |
| iii. | Accept construction bids | September 2, 1980 |
| iv. | Start construction | October 22, 1980 |
| v. | 50 percent completion of construction | June 1, 1981 |
| vi. | Complete construction | September 1, 1981 |

c. Persigo Wash WWTP (complete facility)


- | | | |
|-------|---|--------------------|
| i. | Plan of operation - comprehensive draft | December 1980 |
| ii. | Plans and specs | February 1981 |
| iii. | Request Step III grant | March 1981 |
| iv. | Advertise for construction bids | April 1981 |
| v. | Accept construction bids | May 5, 1981 |
| vi. | Start construction | June 1, 1981 |
| vii. | Plan of operation - final and approved | July 1, 1981 |
| viii. | 33 percent completion of construction | December 31, 1981 |
| ix. | 66 percent completion of construction | September 30, 1982 |
| x. | Completion of construction | April 30, 1983 |

Nothing herein contained, particularly those portions requiring certain acts to be performed within a certain time, shall be construed as a permit or license, either to violate any provisions of the public health laws and regulations promulgated thereunder or to make any discharges to the waters of the state.

DATED at Denver, Colorado this 26th day of January,

1981.

COLORADO DEPARTMENT OF HEALTH
DIVISION OF ADMINISTRATION



GARY G. BROETZMAN
Director
Water Quality Control Division

HL WQ HUFA
CNR/2640/TL

- ii. Begin advertising for construction bids June 1, 1980
- iii. Accept construction bids July 15, 1980
- iv. Contract award August 15, 1980
- v. Start construction September 1, 1980

c. Persigo Wash WWTP (complete facility)

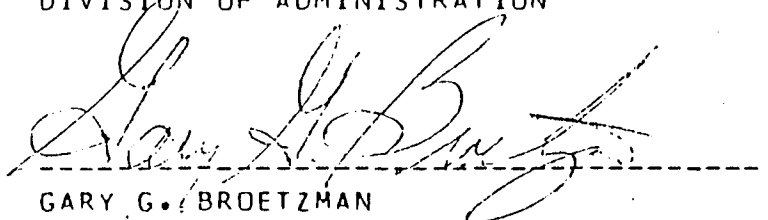
- i. Request Step III Grant August, 1980
- ii. Begin advertising for construction bids October 1, 1980

C.R.S. 1973, 25-8-603, provides that if the division does not require a hearing, an alleged violator may request the division to conduct such a hearing. Such request shall be in writing and shall be filed with the division no later than thirty (30) days after service of this order. For clarification of the rights of the recipients of notices of violations and cease and desist orders, parties are advised to consult the Colorado Water Quality Control Act, C.R.S. 1973, 25-8-101 et seq.

Nothing herein contained, particularly those portions requiring certain acts to be performed within a certain time, shall be construed as a permit or license, either to violate any provisions of the public health laws and regulations promulgated thereunder or to make any discharges to the waters of the state.

DATED at Denver, Colorado this 17th day of July, 1980.

COLORADO DEPARTMENT OF HEALTH
DIVISION OF ADMINISTRATION



GARY G. BROETZMAN
Director
Water Quality Control Division

HL WQ HUFA
DNR/748/LW

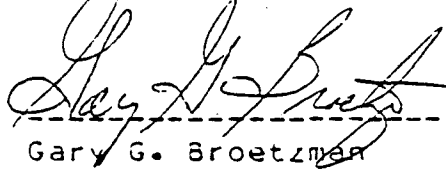
3. construct the Persigo Wash wastewater treatment facility in compliance with the following schedule:

- | | | |
|----|--|-------------------|
| a. | award construction contract | January 11, 1982 |
| b. | issue notice to proceed | February 15, 1982 |
| c. | commence construction | March 15, 1982 |
| d. | complete 33% of construction | November 1, 1982 |
| e. | draft operations and maintenance manual | January 15, 1983 |
| f. | complete 66% of construction | August 1, 1983 |
| g. | plant operational | December 1, 1983 |
| h. | complete operations and maintenance manual | January 15, 1984 |
| i. | complete construction | May 1, 1984 |

4. notify the division in writing as to your compliance with the above schedule, within 10 days after each date set forth in paragraph 3 of this cease and desist order.

Issued this 31st day of March, 1982.

COLORADO DEPARTMENT OF HEALTH
Division of Administration



Gary G. Broetzman
Director
Water Quality Control Division

AG Alpha No. HL WQ HVFA
AG File No. DNR/6789/JR

BEFORE THE DEPARTMENT OF HEALTH

DIVISION OF ADMINISTRATION

STATE OF COLORADO

SECOND AMENDED CEASE AND DESIST ORDER

IN THE MATTER OF CITY OF GRAND JUNCTION,

MESA COUNTY, COLORADO

NPDES Permit No. CC-0026417

TO: City of Grand Junction

1. On July 17, 1980, the division issued the city of Grand Junction a notice of violation and cease and desist order. On January 25, 1981 the division amended the cease and desist order.

2. The notice of violation and cease and desist order and the amendment to the cease and desist order are attached hereto as exhibit A. The division hereby amends the cease and desist order to read as follows:

CEASE AND DESIST ORDER

Based upon the foregoing findings of fact and notice of violation, and pursuant to the provisions of C.R.S. 1973, 22-3-605 (Supp. 1981), I hereby order you to:

1. take such steps as are necessary to forthwith cease and desist from all discharges to waters of the State of Colorado from the above-described premises that are in violation of the NPDES Permit No. CJ-0026417;

2. operate and maintain the existing wastewater treatment facility in such a manner as to achieve maximum treatment capabilities;