



## COLORADO

Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

NOTICE OF AUTHORIZATION FOR THE TREATMENT AND DELIVERY OF RECLAIMED WATER IN  
ACCORDANCE WITH  
COLORADO RECLAIMED WATER CONTROL REGULATION 84

Notice of Authorization Number: COE037000

Pursuant to the provisions of the Colorado Water Quality Control Act section 25-8-101 through 25-8-703, C.R.S. and Colorado Reclaimed Water Control Regulation 84, promulgated pursuant to sections 25-8-202 and 25-8-205, C.R.S., individual treaters are authorized to treat and provide reclaimed water to authorized users for uses approved in Regulation 84 in compliance with requirements and prohibitions established to protect public health and the environment while encouraging the use of reclaimed water. This Notice of Authorization (NOA) authorizes **Bennett Town of** (herein referred to as 'treater') to provide **Category 1** reclaimed water from its **Bennett Water Resource Recovery Facility** (herein referred to as 'reclaimed water treatment facility') to the approved users, for the approved uses, and at the approved locations, as identified in Appendix B of this NOA. The treater shall treat and provide reclaimed water in accordance with the conditions of this NOA.

Issuance of this NOA by the division does not relieve the treater or the users listed in Appendix B of compliance with applicable regulations of any other state, federal or local agency having jurisdiction.

**NOA is issued 12/02/2020 Effective 12/02/2020**

**Statement of Duration:** This certification remains in effect until terminated or reissued by the division.

This NOA issued under Regulation 84 requires that specific actions be performed at designated times. The NOA holder is legally obligated to comply with all terms and conditions of this NOA and Regulation 84.

This Notice of Authorization was approved by:  
Margo Griffin, Work Group Lead  
Water Quality Control Division



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PART I

A. COVERAGE UNDER THIS NOTICE OF AUTHORIZATION

1. Activities Covered (84.4)

Regulation 84 applies to treatment and delivery of reclaimed water to approved users at approved locations for approved uses that are specifically identified in Regulation 84. Regulation 84 applies to individual treaters upon the issuance of this NOA. The treater is authorized to provide reclaimed water only to approved users at approved locations and for the approved use(s) indicated in Appendix B of this NOA. "Reclaimed water" is domestic wastewater that has received secondary treatment by a domestic wastewater treatment works (centralized system or a localized system) and such additional treatment as to enable the wastewater to meet the standards for approved uses.

2. Limitations on Coverage (84.4)

Regulation 84 does not apply to:

- a. Wastewater that has been treated and released to state waters prior to subsequent use; or
- b. Wastewater that has been treated and used at a domestic wastewater treatment plant site for landscape irrigation or process uses.

3. Letter of Intent Requirements (84.6.A-F)

In order to apply for an NOA under Regulation 84, the treater shall submit a Letter of Intent, as provided by the division, by mail, hand delivery or email **at least 30 days before the anticipated date of delivery**. The Letter of Intent, in its entirety, shall be submitted to:

Colorado Department of Public Health and Environment  
Water Quality Control Division  
Permits Section, WQCD-PCP-B2  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

Or,

[CDPHE.WQRecordsCenter@state.co.us](mailto:CDPHE.WQRecordsCenter@state.co.us)

Please include in email subject line "Reclaimed Water Application"

Following review of the Letter of Intent, the division may request additional information or deny the authorization. The treater or user, or any other person potentially adversely affected or aggrieved by division issuance or denial of an NOA, may submit a request, within thirty (30) days of the date of issuance or denial, to the Administrator of the Water Quality Control Commission (commission) for a hearing.

- a. Such hearing shall be conducted pursuant to the requirements of the Procedural Regulations for all Proceedings before the commission and the division, Regulation No. 21, 5 CCR 1002-21.
- b. The person requesting the hearing shall have the burden of proof in all hearings held pursuant to this section.

4. Terminating Coverage (84.6.F.8)

To terminate NOA coverage, the treater legal contact or duly authorized agent must submit a complete and accurate Notice of Termination Form, to the address listed in Part I.A.3.

5. **Requesting the Amendment of a Letter of Intent (84.6.F.7)**

The treater shall submit a modification request form to the division prior to making any of the significant changes listed in this section. Requests shall be provided to the division at least thirty days prior to implementing a change described in subsections (a) or (c) below, and at least sixty days prior to implementing a change described by subsections (b) or (d) below.

- a. Adding an additional user or deleting a user;
- b. When a treater proposes any significant physical or operational changes;
- c. If reclaimed water is used for irrigation, when there is a significant change in the agronomic rate analysis; and
- d. When any user governed by an existing Notice of Authorization significantly modifies or changes its physical or operational use of reclaimed water, including, but not limited to, the addition of landscape area to be irrigated that is not contiguous to an existing approved area, addition of areas where reclaimed water is to be used for fire protection or toilet and urinal flushing, addition of a new user or use in new commercial, industrial or agricultural uses, or use in a new location.

The treater legal contact or duly authorized agent must submit the request to the address listed in Part I.A.3. The modification form must be signed in accordance with Part I.D.9.

The treater is not authorized to operate under the modified conditions until the modification request is approved by the division in writing.

6. **Definitions (84.5)**

Refer to Regulation 84 for definition of terms.

**B. RECLAIMED WATER LIMITATIONS AND MONITORING REQUIREMENTS**

1. **Confirmation of Disinfection [Water Quality Policy 25 - Monitoring and Reporting Requirements for Reclaimed Water Treatment Facilities (WQP-25)]**

When operators or other appropriate personnel are present during any day that finished reclaimed water is being produced, they should verify that the disinfection system is functioning. This can be accomplished by analyzing the water to verify the presence of an appropriate concentration of disinfectant or by verifying that the disinfection system is functioning properly by confirming that the disinfectant is being fed at the necessary rate or that the necessary number of banks of UV lights are in service. Alternatively, this may be accomplished by another method approved by the division in writing. Records confirming the status of the disinfection system shall be kept on site.

2. **Point(s) of Compliance (84.7)**

- a. The treater shall monitor the quality of the reclaimed water produced and delivered at the point(s) of compliance shown in Appendix A. The point(s) of compliance must be located in the reclaimed water treatment or transmission system after all treatment has been completed and

prior to dilution and blending. If reclaimed water is used for indoor non-potable uses within a building where plumbing fixtures are accessible by the general public, the point of compliance for disinfection residual is at the location where water is delivered to the occupied premise.

3. **Reclaimed Water Categories and (84.7)**

- a. For uses where Category 1 reclaimed water is required, the treater shall produce and deliver reclaimed water that does not exceed the limitations specified in table I.B.1 at the point(s) of compliance.

For uses where Category 1 reclaimed water is required, the treater shall, at a minimum, provide secondary treatment and disinfection.

The treater must monitor the reclaimed water produced and delivered for all listed parameters at the frequency and sample types specified in table I.B.1. Sampling will only be required during periods when reclaimed water is being delivered to users.

All required monitoring will begin immediately and last for the life of the NOA. The results of such monitoring must be reported in the annual report.

**Table I.B.1 - Limitations and Monitoring Requirements for all Category 1 Reclaimed Water Produced and Delivered**

Parameter	Monthly Average	Daily Maximum MGD	Annual	Monitoring Frequency	Sample Type
Flow, mgpd	---	0.4	---	Continuous	Recorder <sup>1</sup>
Flow, total	---	---	Report	Continuous	Recorder <sup>1</sup>
<i>E. coli</i> /100 ml	126	235	---	Weekly	Grab
Total Suspended Solids, mg/l	---	30	---	Weekly	Grab or Composite <sup>2</sup>

<sup>1</sup>The treater shall install a flow measuring device. The treater must be able to show technical documentation of the accuracy of any flow measuring device used in obtaining data that is submitted in the monitoring report. At a minimum, the flow measuring device must be accurate to within +/- ten percent (10%) of the actual flows undergoing measurement. Accuracy of the flow meter is to be determined annually (WQP-25).

<sup>2</sup>A “composite” sample, for monitoring requirements, is defined as a minimum of (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow.

**C. TERMS AND CONDITIONS**

1. **General Requirements (84.6.A.4)**

- a. The treater shall implement the reuse management system plan submitted to the division. At a minimum, this shall include:
  - i. A description of the reclaimed water treatment and transmission systems;
  - ii. A description of the treater’s program to inform and educate users on the requirements of Regulation 84;



- iii. Implementation by the treater of a program to inform and educate users on the requirements of Regulation 84 as described in the reuse management system plan;
  - iv. Oversight by the treater of the use of reclaimed water by users, as described in the reuse management plan, to ensure, to the maximum extent practicable, that users attain and maintain compliance with Regulation 84;
  - v. Legal ability (regulation, ordinance, contract, or other acceptable mechanism) maintained by the treater to terminate service to a user if the user fails to comply with Regulation 84.
- b. The treater shall comply with the requirements included in this NOA and Regulation 84, including any amendments to the regulation adopted by the commission subsequent to issuance of the NOA.
  - c. The treater shall perform inspections of a representative number and type of user sites annually to determine user compliance.

## 2. Use-Specific Requirements

This section applies to only those treaters with use specific requirements in Regulation 84 in Appendix B.

- a. Per 84.9.A.5, the treater shall develop and implement a public education program to inform residents and plumbing contractors and inspectors who deal with the Resident-Controlled Landscape Irrigation systems and toilet and urinal flushing systems about the need to: a) strictly prohibit cross-connections between the reclaimed water and potable water systems; b) clearly and distinctively identify the potable service lines and plumbing from the reclaimed water service lines and plumbing; and c) avoid contact with and strictly minimize ponding or runoff of the reclaimed water. The treater shall implement a cross-connection inspection program and shall have the authority to discontinue reclaimed water service to any resident who flagrantly or repeatedly misuses reclaimed water in a manner inconsistent with this regulation. The treater shall maintain a map indicating all areas where reclaimed water is provided for Resident-Controlled Landscape Irrigation, or toilet and urinal flushing.
- b. Per 84.9(A)(13), if the responsibility to conduct advanced training is that of the treater, training must be provided and must be adequate to result in individuals being knowledgeable of the requirements, and capable of implementation of the BMPs required by the User Plan to Comply and the User NOA for Commercial and Non-commercial Food Crop Growing Operations, Edible and Non-edible hemp irrigation and Resident-Controlled Food Crop Irrigation.
- c. Per 84.12.A.6, unless a homeowners' association or other entity acceptable to the division assumes responsibility, the treater shall be responsible for all information required in the User Plan to Comply and shall act as the users' legal representative for purposes of certification pursuant to Part I.D.9.
- d. Per 84.9.A.14, on a quarterly basis, treaters must monitor for TDS, submit the results (using mg/L) to the Division through Discharge Monitoring Reports, and email or mail the results to all food crop irrigation users (not applicable to Edible and Non-Edible Hemp Irrigation). These results can be provided within a larger report (like a Consumer Confidence Report).

#### D. MONITORING, RECORD KEEPING AND REPORTING

##### 1. Reporting (84.6.F.10)

The original signed copy of all reports required under this section shall be submitted to the address listed in Part I.A.3.

##### 2. Annual Report (84.13.B)

The treater shall submit an annual report to the division for the previous year due by March 31. The annual report shall, at minimum, include the following information:

- a. Information demonstrating the treater's compliance with the reclaimed water standards;
- b. Information demonstrating the treater's compliance with applicable treatment requirements described in Part I.B.3 of this NOA;
- c. Confirmation that the treater conducted inspections pursuant to Part I.C.1.c of this NOA;
- d. Violations of NOAs and/or Regulation 84 by users pursuant to Part II.A.3 of this NOA;
- e. A certification statement by the treater as per Part I.D.9 of this NOA regarding the information provided by the treater in subsections (a), (b), and (c) above; and
- f. Information supplied by users to the treater demonstrating compliance with the conditions applicable to each specific user included in the Notice of Authorization. This shall include certification statements as found in Part I.D.9 of this NOA from each of the users regarding the compliance information provided by the user to the treater.

##### 3. Monitoring and Reporting of Data (84.13.A)

The user shall perform monitoring and reporting in compliance with the requirements of Part I.B and Part I.D.2, respectively. The division may modify the NOA to increase monitoring and reporting requirements as may be reasonably required to ensure compliance with the requirements of this NOA and Regulation 84.

##### 4. Representative Sampling (84.6.F.9)

Points of compliance shall be designed or modified so that a sample of the reclaimed water can be obtained at a point after the final treatment process and prior to delivery; or if reclaimed water is used for indoor non-potable uses within a building where plumbing fixtures are accessible by the general public, the point of compliance for disinfection residual is at a distance no greater than 50 feet from the location of use at the distal end, or a location that represents the oldest water age within the reclaimed water premise plumbing system. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored reclaimed water. All samples shall be taken at the point(s) of compliance specified in Appendix A of this NOA and, unless otherwise specified, before the reclaimed water joins or is diluted by any other waste stream, body of water, or substance. Points of compliance shall not be changed without notification to and approval by the division. The treater shall provide access to the division to sample the reclaimed water at the point(s) of compliance.



5. **Analytical and Sampling Methods for Monitoring and Reporting (84.6.F.9)**

The treater shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant monitoring methods. All sampling shall be performed by the treater according to specified methods in 40 C.F.R. Part 136; methods approved by EPA pursuant to 40 C.F.R. Part 136; or methods approved by the division in writing.

6. **Records (84.6.F.10)**

The treater shall establish and maintain records. The records shall include the following: Inspection records for inspections performed at user sites; self-certifications submitted to the treater by users; and monitoring records, including:

- a. The date, type, exact location, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) the analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used;
- f. The results of such analyses.

The treater shall retain for a minimum of three (3) years, records of all monitoring information, including all original strip chart recordings for continuous monitoring instrumentation, all calibration and maintenance records, laboratory data sheets, copies of all reports required by this NOA and records of all data used to complete the Letter of Intent for this NOA. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the treater or when requested by the division or EPA. These records must be retained at the facility during active treatment of reclaimed water. Once active treatment is complete, the records shall be maintained and made available at the request of the division.

7. **Additional Monitoring by Treater (84.6.F.10)**

If the treater, using the approved analytical methods, monitors any parameter more frequently than required by this NOA at the point of compliance indicated in Appendix A while reclaimed water is being delivered to a user, then the results of such monitoring shall be included in the calculation and reporting of the values required in the annual report or other forms as required by the division. Such increased frequency shall also be indicated in the annual report with the exception of the continuous monitoring records for Localized Reclaimed Water Treatment Systems.

8. **Flow Measuring Device (WQP-25)**

At the request of the division, the user shall show proof of the accuracy of any flow-measuring device or method used in obtaining data submitted in the monitoring report. The flow-measuring device must indicate values within ten (10) percent of the actual flow at the facility. Accuracy of the flow meter is to be validated annually.

9. **Signatory and Certification Requirements (84.16), (84.6.F.10)**

- a. All LOIs must be signed and certified for accuracy as follows:
  - i. In the case of corporations, by a responsible corporate officer;
  - ii. In the case of partnership, by a general partner;
  - iii. In the case of a sole proprietorship, by the proprietor;
  - iv. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.
- b. All reports and other information required by the division shall be signed and certified for accuracy by the treater in accordance with the following criteria:
  - i. In the case of corporations, by a responsible corporate officer;
  - ii. In the case of a partnership, by a general partner;
  - iii. In the case of a sole proprietorship, by the proprietor;
  - iv. In the case of a municipal, state, or other public facility, by either a principal executive officer, or ranking elected official;
  - v. By a duly authorized representative of a person described above, only if:
    - (1) The authorization is made in writing by a person described in i, ii, iii, or iv above;
    - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and
    - (3) The written authorization is submitted to the division.

Persons who are required to make submittals to the division pursuant to this NOA and/or pursuant to Regulation 84, shall include the following certification statement:

"I certify, under penalty of law, that the information I am providing in this submittal is true, accurate, and correct. This determination has been made under my direction and supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

**PART II**

**A. NOTIFICATION REPORTING REQUIREMENTS**

1. **Notification to Parties (84.6.F.10)**

All notification reports required under this permit shall be directed as follows:

- a. Oral Notifications, during normal business hours shall be to:

Clean Water Program



Water Quality Control Division  
Telephone: 303-692-3500

b. Written notification shall be to:

Clean Water Program  
Water Quality Control Division  
Colorado Department of Public Health and Environment  
WQCD-WQP-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

2. **Change in Reclaimed Water or Wastewater Treatment**

The treater shall report to the division in writing, of any planned physical alterations, additions to the reclaimed water treatment facility, this includes the treatment process. Notice is required when:

- a. The alteration or addition is likely to result in altered quality of reclaimed water (notice is required prior to the alteration); or
- b. The alteration or addition may justify the application of NOA conditions that are different from or absent in the existing NOA.

The treater shall give advance notice to the division of any planned changes in the reclaimed water treatment facility or activity which may result in noncompliance with NOA requirements.

Whenever notification of any planned physical alterations or additions to the permitted facility is required pursuant to this section, the treater shall furnish the division such plans and specifications which the division deems reasonably necessary to evaluate the effect on the approved uses of the reclaimed water.

If the division finds that such new or altered reclaimed water quality and/or treatment might be inconsistent with the conditions of the NOA, the division shall require a new or revised Letter of Intent or submission of a modification request form.

3. **Noncompliance Notification (84.13.C)**

The treater shall report any violations as follows:

- a. Violations of this NOA and/or Regulation 84 at the treater's facility shall be reported in writing to the division, within thirty (30) days of becoming aware of the violation. Where the treater finds violation(s) by a user, the thirty day period for reporting is waived for a period of up to thirty additional days, if the treater is working with the user to resolve the violation. If the violation is resolved, no separate notice to the division is required except that the violation is to be reported in the treater's annual report. If the violation is continuing after a total of sixty (60) days from the time the treater became aware of the violation, the treater shall report the violation to the division within five working days. Nothing in this section precludes a user from reporting violations by a treater to the division.
- b. For more serious violations (including non-permitted discharges to surface waters, uncontrolled cross-connections, or other violations posing an immediate threat to public health or the

environment): orally to the division within twenty-four (24) hours of becoming aware of the violation, followed up by a written report within five (5) working days. The written report shall contain a description of the noncompliance, including exact dates and times; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

#### 4. Proper Operation and Maintenance

The treater shall, at all times, properly operate and maintain all facilities and systems of use and control (and related appurtenances) which are installed or used by the treater as necessary to achieve compliance with the conditions of this NOA. Proper operation and maintenance includes effective performance and adequate process controls. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the treater only when necessary to achieve compliance with the conditions of the NOA.

#### 5. Submission of Incorrect or Incomplete Information

Where the treater failed to submit any relevant facts in a Letter of Intent, or submitted incorrect information in a Letter of Intent or report to the division, the treater shall promptly submit the relevant information which was not submitted or any additional information needed to correct any erroneous information previously submitted.

#### 6. Reduction, Loss, or Failure of Treatment Facility

The treater has the duty to halt or reduce any activity if necessary to maintain compliance with the limitations of the NOA. Upon reduction, loss, or failure of the treatment facility, the treater shall, to the extent necessary to maintain compliance with its NOA, reduce or halt reclaimed water delivery, until the facility is restored or an alternative method of treatment is provided. This provision also applies to power failures, unless an alternative power source sufficient to operate the wastewater control facilities is provided.

It shall not be a defense for a treater in an enforcement action that it would be necessary to halt or reduce the delivery of reclaimed water in order to maintain compliance with the conditions of this NOA.

### B. RESPONSIBILITIES

#### 1. Inspections and Right to Entry

The treater shall allow the division or an authorized representative of the division access to the reclaimed water treatment facility and any use sites owned or operated by the treater for performance of whatever site inspection, monitoring and sample collection deemed to be necessary to assure compliance with this NOA and Regulation 84 as authorized by the Colorado Water Quality Control Act, Section 25-8-306, C.R.S. (1989 Repl. Vol. 11A).

#### 2. Duty to Provide Information

The treater shall furnish to the division, within a reasonable time, any information which the division may request in order to determine whether cause exists for modifying, revoking and reissuing, or terminating this NOA, or to determine compliance with this NOA and Regulation 84. The treater shall also furnish to the division, upon request, copies of records required to be kept by this NOA.

3. **Transfer of Ownership or Control**

An NOA may be transferred by a treater only if the new treater has submitted a complete Letter of Intent, and the NOA has been modified or revoked and reissued to identify the new treater and to incorporate such other requirements as may be necessary.

4. **Availability of Reports**

All reports prepared in accordance with the terms of this NOA shall be available for public inspection at the office of the division.

The name and address of the treater and reclaimed water treatment facility, Letter of Intent, Notices of Authorization and monitoring data shall not be considered confidential. Knowingly making false statements on any such report may result in the imposition of criminal penalties as provided for in Section 25-8-610 C.R.S.

5. **Modification, Suspension, Revocation, or Termination of Notices of Authorization by the Division (84.6.F.8)**

The filing of a request by the treater for an NOA modification, revocation and reissuance, termination or a notification of planned changes or anticipated noncompliance, does not stay any NOA condition.

- a. An NOA may be modified, suspended, or terminated in whole or in part during its term for reasons determined by the division including, but not limited to, the following:
  - i. Violation of any terms or conditions of the NOA;
  - ii. Obtaining an NOA by misrepresentation or failing to disclose any fact which is material to the granting or denial of an NOA or to the establishment of terms or conditions of the NOA;
  - iii. Materially false or inaccurate statements or information in the Letter of Intent or the NOA; or
  - iv. A determination that the authorized activity endangers human health or the classified or existing uses of state waters and can only be regulated to acceptable levels by NOA modifications or termination.
- b. An NOA may be modified in whole or in part during its term for reasons determined by the division including, but not limited to, the following:
  - i. There are material and substantial alterations or additions to the reclaimed water treatment facility or activity which occurred after NOA issuance which justify the application of NOA conditions that are different or absent in the existing NOA.
  - ii. The division has received new information which was not available at the time of NOA issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of different NOA conditions at the time of issuance.

- iii. The division determines that good cause exists to modify an NOA condition because of events over which the treater has no control and for which there is no reasonable available remedy.
  - iv. The treater has received a variance.
  - v. To correct technical mistakes, such as errors in calculation, or mistaken interpretations of law made in determining NOA conditions.
- c. At the request of a treater, the division may modify or terminate an NOA and issue a new NOA if the division finds that the treater has shown reasonable grounds consistent with State statutes and regulations for such modifications or termination.
  - d. The terms of the existing NOA govern and are enforceable until the newly issued NOA is formally modified or revoked and reissued.
  - e. When a NOA is modified, only the conditions subject to modification are reopened. If an NOA is revoked and reissued, the entire NOA is reopened and subject to revision.
  - f. The filing of a request by the treater for an NOA modification, revocation and reissuance or termination does not stay any NOA condition.
  - g. When warranted due to administrative concerns of the division, including but not limited to, a need for improved clarity or for administrative streamlining.

#### 6. State Laws

Nothing in this NOA shall be construed to preclude the institution of any legal action or relieve the treater from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority granted by Section 510 of the Clean Water Act. Nothing in this NOA shall be construed to prevent or limit application of any emergency power of the division.

#### 7. Notice of Authorization Violations (84.15)

Violations of this NOA and Regulation 84 shall be subject to enforcement by the division pursuant to Part 6 of the Colorado Water Quality Control Act. A treater shall not be subject to enforcement for a violation by a user; a user shall be solely responsible for its compliance with the terms and conditions imposed upon users. A user shall not be subject to enforcement for a violation by a treater; a treater shall be solely responsible for its compliance with the terms and conditions imposed upon treaters. However, the treater shall report any violation by a user as required in Part II.A.3 of this NOA, or the treater may be subject to an enforcement action for failure to report the violation.

#### 8. Property Rights

The issuance of this NOA does not convey any property or water rights in either real or personal property, or stream flows, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

#### 9. Severability (84.3)

The provisions of this NOA are severable. If any provision of this NOA, or the application of any provision of this NOA due to any circumstance, is held invalid, the application of such provision to other circumstances and the application of the remainder of this NOA shall not be affected.

**10. Renewal Letter of Intent**

The treater shall submit an updated Letter of Intent or other supplemental report as required by the division for reissuance of the NOA. The division shall notify the treater in writing 60 days prior to the due date of an updated Letter of Intent or supplemental report required for reissuance of the NOA.

**11. Fees**

The treater is required to submit payment of an annual fee as set forth in the 2005 amendments to the Water Quality Control Act. Section 25-8-502 (l) (b), and the Colorado Discharge Permit System Regulations 5 CCR 1002-61, Section 61.15 as amended. Failure to submit the required fee when due and payable is a violation of the NOA and will result in enforcement action pursuant to Section 25-8-601 et. seq., C.R.S. 1973 as amended.

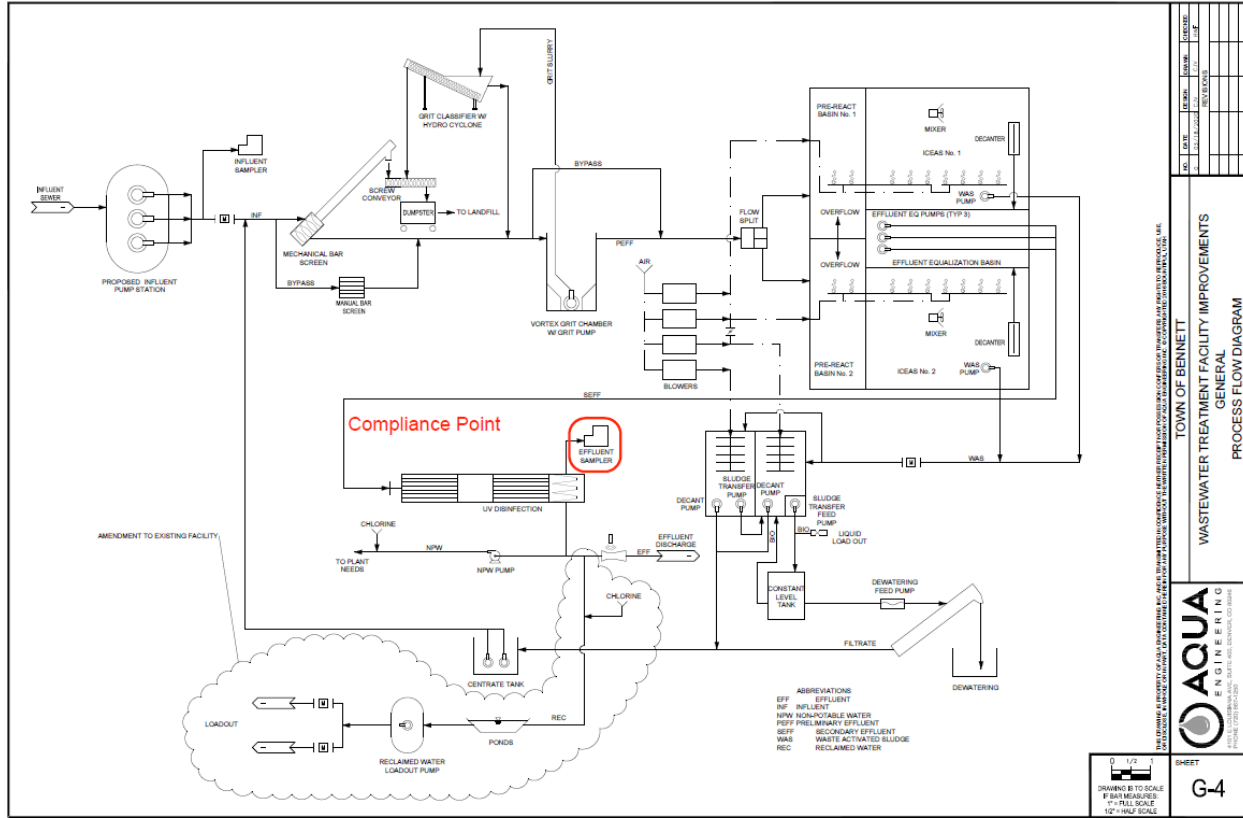
**12. Duration**

This NOA does not have a set term. Regulation 84 is subject to routine review. NOAs will be reissued periodically as determined to be necessary by the division. NOA reissuance may be based on regulatory updates, division administrative considerations, facility changes, or other cause. The treater shall submit to the division information deemed necessary for reissuance of the NOA per the requirements of Part II.B.10.

**13. Effect of Notice of Authorization Issuance**

- a. The issuance of an NOA does not convey any property rights or any exclusive privilege.
- b. The issuance of an NOA does not authorize any injury to person or property or any invasion of personal rights, nor does it authorize the infringement of federal, state, or local laws or regulations.

# Appendix A - Point(s) of Compliance





## Appendix B - Approved Users

User	User ID	Facility Name	Facility Address	Type of Use

