

costs that will likely be incurred by entities subject to these new standards.

- Potential sources of additional funding other than rate increases and fees that could be used for the infrastructure costs.

- An assessment of whether the potential sources of additional funding will be sufficient.

The interim committee would have been required to deliver a report on its findings by Jan. 15 to the House Agriculture, Livestock and Natural Resources and Ap-

propriations Committee.

### Senate Agriculture Committee hearing

The following industry representatives spoke in favor of HB12-1161 as amended by Amendment 19:

- Martha Rudolph, Health Department Environmental Programs director
- Sarah Johnson, standards unit manager of the Water Quality Control Division
- Amy Woodis of Metropolitan Wastewater Reclamation District
- Mike Wicklund and Jim Kendrick for the Colorado Rural Communities Coalition
- John Hendrick of the Centennial Water and Sanitation District and representing the Colorado Nutrient Coalition
- Dennis Stowe of the Littleton/Englewood Wastewater Treatment Plant and for the Colorado Wastewater Utility Commission
- Jennifer Hunt for the cities of Littleton and Englewood
- Jeff Kane of the Southwestern Water Conservation District
- Gabe Racz representing the City of Pueblo and the Plum Creek Wastewater Authority
- Kevin Bommer of the Colorado Municipal League
- Doug Kemper of the Colorado Water Congress
- Dr. Theresa Coons, former mayor of Grand Junction and representing the Mesa County Board of Health
- Michael Canton of the Colorado Centre Metropolitan District
- Carly Dollar of the Colorado Association of Commerce and Industry
- Evan Golding of the Special District Association

Those speaking in opposition to any legislative action at all were:

- Becky Long of the Colorado Environmental Coalition
- Paul Fanning of the Board of Water Works, Pueblo
- Lane Wyant of the Northwest Colorado Council of Governments

Sen. Angela Giron (D-3) publicly reneged on her promises to King to support Amendment 19. King said the bill would be back and asked Giron to support it then.

Sens. Greg Brophy (D-1), Kevin Grantham (D-2), and Ted Harvey (D-30)

objected to Giron's "back-stabbing" of King, saying it is very rare for legislators to negotiate in good faith, reach a compromise everyone agreed with, and then have some committee members vote against the amended bill that they had negotiated. They also said that they were not sure that members of the Water Quality Control Commission and the Water Quality Control Division were in tune with the "dire economic straits" of their constituents as shown in a Senate-sponsored study of small districts. They also noted how few people spoke in opposition and that their opposition centered on questions of King's integrity on his pledges not to have the bill altered in conference.

The Democrats on the committee said they would continue to discuss how to fund the large costs required. Senate Amendment 19 and the amended HB12-1161 forwarded by the House to the Senate were defeated on 4-3 party-line votes with the four Democrats opposed.

### Impacts of the regulations

Wicklund reminded the JUC of the following impacts of the new regulations.

Control Regulation 85 sets new discharge permit limits of 1 part per million (ppm), or 1 milligram per liter, for total phosphorus (TP) and 15 ppm for total inorganic nitrogen (TIN); these limits are set to become effective for all existing facility discharge permits issued after July 1. These Reg. 85 limits will generally be superseded in 2022 by the interim nutrient values for warm-water streams specified in the Reg. 31 amendment: 0.17 ppm for total phosphorus and 2.01 ppm for total nitrogen (TN).

The EPA has stated that it would prefer that the state immediately approve its warm-water nutrient criteria—0.067 ppm for TP and 0.88 ppm for TN—but has not yet made these criteria a federal requirement and mandate on the state.

Neither the state's nor the EPA's interim nutrient values can be achieved by any existing technology, Wicklund said.

There are different limits and start dates for new wastewater treatment facilities (WWTF) in Reg. 85. and Reg. 31 but, as of now, they will not apply to the three existing wastewater treatment facilities in the OCN coverage area: the Tri-Lakes and Upper Monument Creek Regional Wastewater Treatment Facilities and the Academy Water and Sanitation District's two treatment lagoons.

The Reg. 85 nitrogen limit is for total inorganic nitrogen, which is only one component of total nitrogen. The Reg. 85 TIN limit will be easier to meet than the total nitrogen limits in the amendment to Reg. 31. The actual amount of TIN that will be allowed by the new Reg. 31 TN interim value will be considerably smaller than 2.01 ppm. The interim nutrient values in the Reg. 31 amendment will not generally apply to existing wastewater treatment fa-

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