

**North Front Range Water Quality Planning Association
Site Location and Design Approval Review Policy**

Approved: December 11, 2008

Purpose:

The Site Location and Design Approval process is a somewhat complicated and time-consuming process as outlined in Regulation 22, (5 CRS 1002-22) *Site Location and Design Approval Regulation for Domestic Wastewater Treatment Works*. It requires, prior to the State Water Quality Control Division's final review and approval, that the Application for Site Location Approval (Site Application) be submitted to various local agencies for review and recommendations. Those agencies include the county, city or town, local health authority, and the 208 water quality planning agency. These agencies must review the Site Application and offer comments on it to ensure that it meets the requirements of local long-range plans related to water quality, public health protection, land use, and sound engineering. This policy will outline the procedure used by the North Front Range Water Quality Planning Association (Association) to review and comment on submitted Site Applications. This review includes the need, in most cases, for a Utility Plan which is critical in determining how wastewater service will be provided.

Policy:

The Site Application process applies to the proposed construction or expansion of all domestic wastewater treatment works, inclusive of treatment plants, interceptor sewers, and lift stations. Site Application forms for the different categories of projects and the regulations may be obtained from the Colorado Department of Public Health and Environment (CDPHE), Water Quality Control Division's (Division) website at www.cdphe.state.co.us. Each county should be contacted for their procedural requirements for submittal of the Site Application packets. In Larimer County, the coordinating agency for the submittal process is the Larimer County Department of Health and Environment (LCDHE). Please contact the LCDHE for assistance and directions on submitting the Site Application. The Association serves as the coordinating agency for this process in Weld County.

The Association is responsible for assuring that Site Applications for all proposed projects submitted for review protect the quality of waters in the Larimer-Weld region and are consistent with the Areawide Water Quality Management Plan. In order to meet this responsibility, the Association requires that all public wastewater treatment agencies submitting a Site Application for a new or expanded domestic treatment works, interceptors not eligible for certification, or lift stations, have in place a current Utility Plan. This Utility Plan will need to be accepted or conditionally accepted by the Association prior to consideration of the Site Application. Other agencies, not falling into this category (non-public entities such as mobile home parks, HOAs, or campgrounds), will include utility plan information in conjunction with the submittal of any of the above listed Site Applications.

In addition, anyone seeking the recommendation for approval of a project by the Association should be prepared to make a presentation to the Association at a regular meeting if requested.

In regard to Site Applications, the areas of greatest concern to the Association include the following:

- The Association seeks assurance that the applicant has the necessary management capability to be accountable for long-term operation and maintenance of the facility in order to avoid operational problems that could potentially impair water quality. It is desirable that the owner and operator of the facility be a legally constituted organization capable of meeting the financial and managerial obligations as indicated in Regulation 22. This should include proof that facility operators have appropriate credentials. If a homeowners' association or other non-governmental organization proposes to own or operate the facility, their articles of incorporation must be reviewed by the Association.
- The owner of the facility must demonstrate that they have the financial and operational resources to provide proper management, operations and maintenance, meet capital construction requirements, and perform major repairs. A description of financial management arrangements assuring the availability of necessary funds must be included.
- The engineering design must provide for the protection of both surface and ground waters that may be impacted by the facility. The design presented to the Association should be the final conceptual design and should demonstrate that the facilities are appropriate for anticipated flows and, in the case of treatment plants, provide the necessary level of treatment.
- The Site Application and data must demonstrate that the planned facility will meet discharge permit limitations, provide for overflow control, protect ground waters, and provide standby power and pumping capacity redundancy, if appropriate.
- The planned facility must be consistent with the Areawide Water Quality Management Plan (Plan). The Plan discourages proliferation of treatment facilities and evaluates the combined effects of discharges on a given stream. For a new treatment plant, the Site Application must demonstrate that the use of existing treatment facilities is not possible and that a new discharge will not adversely affect existing discharges. If the facility is not consistent with the Plan, it must be modified to achieve consistency or the Plan must be amended. If a Plan amendment is required, the required procedure for approval of an amendment must be followed. (Refer to the Areawide Water Quality Management Plan Amendment Process.)

Upon receipt of the Site Application, the Association's Manager will review the packet for completeness. A list of required information to be submitted with the Site Application is included in Appendix A. This list is consistent with the requirements outlined in Regulation 22. Please note that not all items listed may be necessary for each type of Site Application submitted. An approved Utility Plan will contain much of the required information and can be referenced in the Application packet.

Categories of Site Applications:

1. Site Application for New Domestic Treatment Works –(refer to Diagram #1)

This process will be used in evaluating applications submitted for new domestic wastewater treatment works as per section 22.4 of Regulation 22. The Manager will evaluate the Site Application packet for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also determine if all other appropriate local governments and agencies have reviewed and commented on the Site Application and will then summarize the Site Application and place it on the agenda for consideration at the next Association meeting. Once the Association has made a decision on the Site Application, the Manager will sign the Site Application, including that decision, and return the original Site Application to the applicant. If the application is from Weld County, the Manager will return the signed application directly to the applicant. If the application is from Larimer County, the Manager will return the signed application to LCDHE who will then return it to the applicant. A copy of the completed application along with the information packet will be kept on file at the Association's office.

If the Site Application is not consistent with one or both of the above mentioned plans, the Manager will contact the applicant and attempt to resolve the outstanding issues prior to consideration by the Association. If all outstanding issues are not resolved, the Manager will summarize the Site Application and at the applicant's request place it on the agenda for consideration at the next Association meeting.

2. Site Applications for Expansion of Existing Domestic Treatment Works - (refer to Diagram #2)

This process will be used in evaluating applications submitted for the expansion of existing domestic wastewater treatment works as per section 22.5 of Regulation 22. The Manager will evaluate the Site Application packet for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also determine if all other appropriate local governments and agencies have reviewed and commented on the Site Application and will then summarize the Site Application and place it on the agenda for consideration at the next Association meeting. If the Manager determines that there is consistency with both plans and there are no other concerns or questions with the Site Application, a recommendation will be made to the general body of the Association to send to the Division a recommendation for approval of the Site Application. Once the Association has made a decision on the Site Application, the Manager will then sign the Site Application, including the decision, and return the original Site Application to the applicant. If the application is from Weld County, the Manager will return the signed application directly to the applicant. If the application is from Larimer County, the Manager will return the signed application to LCDHE who will then return it to the applicant. A copy of the completed application along with the information packet will be kept on file at the Association's office.

If the Site Application is not consistent with one or both of the above mentioned plans, the Manager will contact the applicant and attempt to resolve the outstanding issues prior to consideration by the Association. If all outstanding issues are not resolved, the

Manager will summarize the Site Application and at the applicant's request place it on the agenda for consideration at the next Association meeting.

3. Certification Procedures for Eligible Interceptor Sewers - (refer to Diagram #3)

This process will be used in evaluating requests submitted for certification of interceptor sewers as per section 22.6 of Regulation 22. As described in Regulation 22, the certification process is available in those circumstances where the treatment entity has adequate treatment capacity, or has site location approval for sufficient additional capacity to treat the projected total flow and the projected total flow would still be under their discharge permit flow limitations, where applicable, after the interceptor sewer is completed. Additionally, the proposed project must be capable of carrying the projected flows from the applicable service area, and be consistent with the Areawide Water Quality Management Plan and the local Planning Agency's recommendations. If the above items are not met, the agency will be required to go through the Site Application process (see section 4 below).

If the proposed interceptor meets the certification requirements and is consistent with the Areawide Water Quality Management Plan, the Manager will review the proposal for consistency with an approved Utility Plan. If it is consistent with an approved Utility Plan for the treatment entity, the Manager will certify the proposed interceptor to the Division. The Association will be advised of such a certification by the Manager at the next regular meeting.

If the proposed interceptor is not consistent with an approved Utility Plan, the proposal will be referred to the Association for consideration. The Manager will contact the applicant to resolve outstanding issues prior to consideration by the Association. The Manager will summarize the certification request and at the applicant's request place it on the agenda for consideration at the next Association meeting. The Manager will forward to the Division any certification/recommendation made by the Association. A copy of the certification/recommendation will be sent to the applicant. A copy of the request along with the information packet and certification/recommendation will be kept on file at the Association's office.

4. Site Application Procedures for Interceptor Sewers not Eligible for Certification and Lift Stations - (refer to Diagram #4)

This process will be used in evaluating applications submitted for interceptor sewers not eligible for certification and lift stations as per section 22.7 of Regulation 22. The Manager will evaluate the Site Application packet submitted for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also determine if all other appropriate local governments and agencies have reviewed and commented on the Site Application.

If the Manager determines that there is consistency with both Plans and there are no other concerns or questions with the Site Application, a recommendation will be made to the

Division to approve the Site Application. The Association will be advised of such a recommendation by the Manager at the next regular meeting.

If the Site Application is not consistent with one or both of the above mentioned plans, the Manager will contact the applicant and attempt to resolve the outstanding issues. If outstanding issues are resolved, the application will be processed as indicated above. If all outstanding issues are not resolved, the Manager will summarize the Site Application and at the applicant's request place it on the agenda for consideration at the next Association meeting.

The Manager will sign the Site Application, along with the recommendation of the Association, and return the original to the applicant. If the application is from Weld County, the Manager will return the signed application directly to the applicant. If the application is from Larimer County, the Manager will return the signed application to LCDHE who will then return it to the applicant. A copy of the completed application along with the information packet will be kept on file at the Association's office.

5. Site Application Procedures for Amendment of an Existing Site Location Approval - (refer to Diagram #5)

This process will be used in evaluating applications submitted for amendment to existing site location approvals as per section 22.8 of Regulation 22. An application to amend an existing site location approval will be required when entities are proposing the specific types of minor changes listed in section 22.8 of Regulation 22. The Manager will evaluate the Site Application packet submitted for consistency with the amendment criteria and the Areawide Water Quality Management Plan and will determine if all other appropriate local governments and agencies have reviewed and commented directly to the Division on the Site Application. If the Manager determines that there is consistency with the Plan and there are no other concerns or questions with the Site Application, the Site Application will be reviewed for consistency with an approved Utility Plan. If the Site Application is consistent with an approved Utility Plan a recommendation will be made to the Division to approve the Site Application. The Association will be advised of such a recommendation by the Manager at the next regular meeting.

If the Site Application is not consistent with the approved Utility Plan or there is no approved Utility Plan for the treatment entity, the Site Application will be referred to the Association for consideration. The Manager will contact the applicant and attempt to resolve the outstanding issues prior to consideration by the Association. The Manager will then summarize the Site Application and place it on the agenda for consideration at the next Association meeting. The Manager will submit any recommendations from the Association directly to the Division. A copy of the recommendation will be sent to the applicant. A copy of the application along with the information packet and recommendation will be kept on file at the Association's office.

Note: The Association will have 15 working days to provide comments to the Division on this type of Site Application. Should additional time be needed, the Association will make a written extension request to the Division.

The entire review and approval process, including CDPHE approval, may take from three to six months, so Site Applications should be submitted at the earliest opportunity to help avoid delays in the final approval of the project. If there are any questions regarding this review process, the Association should be contacted for clarification and consultation at the earliest possible point in the project development.

Appendix A

Required Information for Site Application

1. All public wastewater treatment agencies submitting site applications for a new or expanded domestic treatment works, interceptors not eligible for certification, or lift stations will need to have an accepted or conditionally accepted Utility Plan prior to consideration of application by the Association as a whole. Consideration by the Association as a whole will be done sequentially either at the same or different meetings of the Association. Other agencies, not falling into these categories (non-public entities such as mobile home parks, HOAs, or camp grounds), will include utility plan information in conjunction with the submittal of the above listed applications.
2. Proper Site Application form and engineering report (hard copy and electronic copy).
3. Service area definition including existing and projected population, site location, staging or phasing, flow/loading projections, and location relative to other water and wastewater treatment plants in the area.
4. Proposed site location, evaluation of alternative sites, and evaluation of treatment alternatives. A less detailed evaluation of alternative sites and treatment alternatives may be submitted for domestic wastewater treatment works with a design capacity less than 50,000 gpd; however, the feasibility of consolidation must be considered in the report.
5. Preliminary Effluent Limitations (PELs) as developed in coordination with the Division.
6. Analysis of the loading, capacity and performance of any relevant existing facilities within the applicant's service area(s).
7. Analysis of opportunities for consolidation of treatment works in accordance with the provisions of section 22.3(1)(c) of the Site Location and Design Approval Regulations for Domestic Wastewater Treatment Works, including those recommended in the Areawide Water Quality Management Plan.
8. Evidence that the proposed site and facility operations will not be adversely affected by floodplain or other natural hazards. Where such hazards are identified at the selected site, the report shall describe means of mitigating the hazard.
9. Soils testing results from the site of the proposed treatment works and design recommendations, prepared by a Professional Geologist and a Geotechnical Engineer, with appropriate levels of experience investigating geologic hazards, stating that the site will support the proposed facility.
10. Detailed description of selected alternatives including legal description of the site of the proposed treatment works, treatment system description, design capacities, and operational Management needs.
11. Legal arrangements showing control of the site for the project life or showing the ability of the entity to acquire the site and use it for the project life.
12. Institutional arrangements such as contract and/or covenant terms which will be finalized to pay for acceptable waste treatment.
13. Management capabilities for controlling the wastewater loadings within the capacity limitations of the proposed treatment works, i.e., user contracts, operation agreements, pretreatment requirements and/or the management capabilities to expand

- the facilities as needed (subject to the appropriate, future review and approval procedures).
14. Financial system that has been developed to provide for necessary capital expense and continued operation, maintenance, and replacement expense through the life of the project. This would include, for example, anticipated annual budget and the fee and rate structure.
 15. Implementation plan and schedule including estimated construction time and estimated start-up date.
 16. Where the Site Application indicates that the proposed domestic wastewater treatment works will discharge treated effluent to a ditch or other manmade conveyance structure, or that an easement, right-of-way or other access onto or across private property of another person may be necessary to construct the facility or to effectuate the discharge, the applicant shall furnish to the Division evidence that a notice of the intent to construct a new domestic wastewater treatment works has been provided to the owner of such private property.
 17. The applicant or entity signing the Site Application must be the owner of the proposed facility and must be responsible for construction. If the proposal includes transfer of ownership and/or operational responsibility to another party, a copy of the signed transfer agreement must be included.
 18. A letter from all existing sanitation districts or other sewer service entities within 5 miles stating the feasibility of providing service to the service area and the justification for not connecting to an existing facility where feasible.
 19. Identification of other permittees discharging to the same receiving water body and any effect the proposed discharge would have on any of them. This would include any possibly affected permittees discharging to a downstream water body to which the receiving water is tributary.
 20. Proximity to the nearest domestic drinking water source or diversion down gradient from the discharge, and the identification and location of all drinking water sources within a one-mile radius of the discharge.
 21. Potential for water reuse including water rights limitations and any water augmentation plan.
 22. The following information specific for interceptor sewers and lift stations should be addressed:
 - Capacity
 - Map identifying the site of the proposed facility, topography of the area, and neighboring land uses
 - Identification of the treatment entity including confirmation of treatment and that the entity is not receiving waste in excess of design capacity or in violation of effluent limits
 - Site access
 - Overflow prevention engineering features
 - Amount of emergency storage / spill containment
 - Backup power supply
 - Telemetry (alarm / notification)
 - Pump capacity and redundancy
 - Location and path of discharge should there be an overflow

23. The following geotechnical information for discharges to land or those otherwise affecting groundwater:
- Relationship of the proposed site to known drinking water aquifers (distance, depth).
 - Relationship of the proposed site to drinking water wells (distance, water table gradient).
 - Depth to average and maximum groundwater tables.
 - Direction and gradient of local groundwater flow.
 - Transmissivity of soils underlying the proposed site.
 - Time relationship of the soil transmissivity test to the time of the annual high water table, as determined from historical records.
 - Methods by which groundwater will be protected from the effects of the proposed facility.
 - Identification of other wastewater facilities serving more than three housing units or equivalent within a five-mile radius that discharges to the same aquifer.
 - Depth to bedrock and type of bedrock.

Note: Some information listed above may not be necessary for amendments if the information has been previously submitted.

Diagram 1

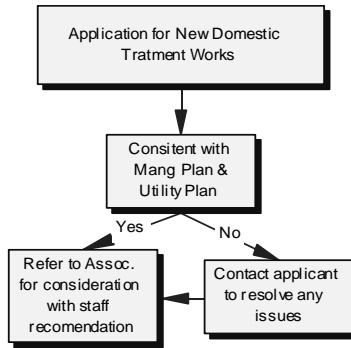


Diagram 2

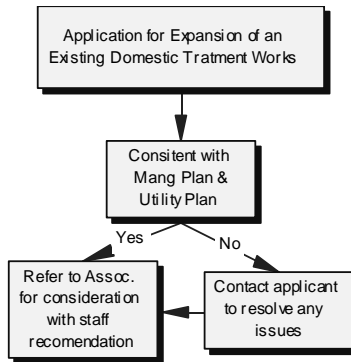


Diagram 3

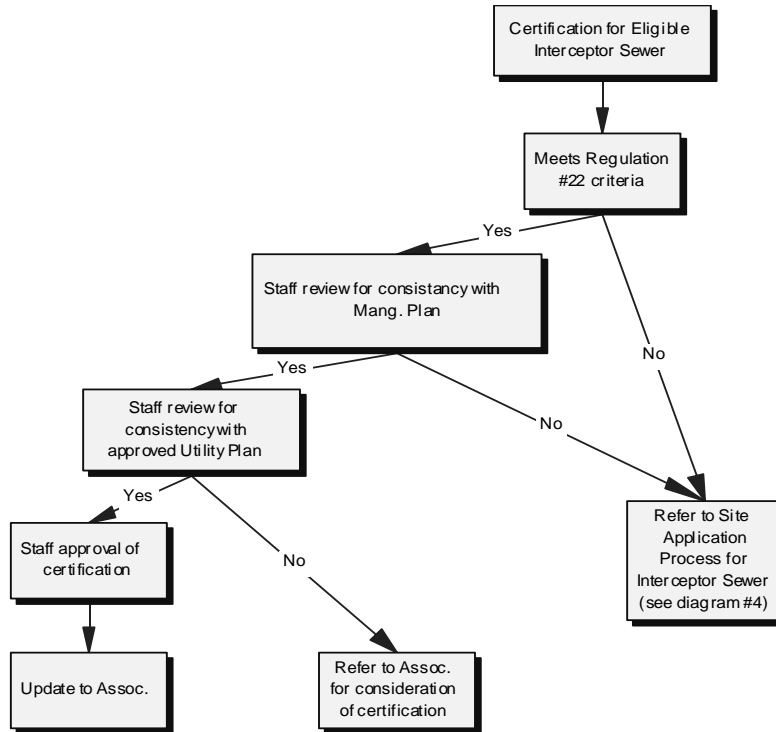


Diagram 4

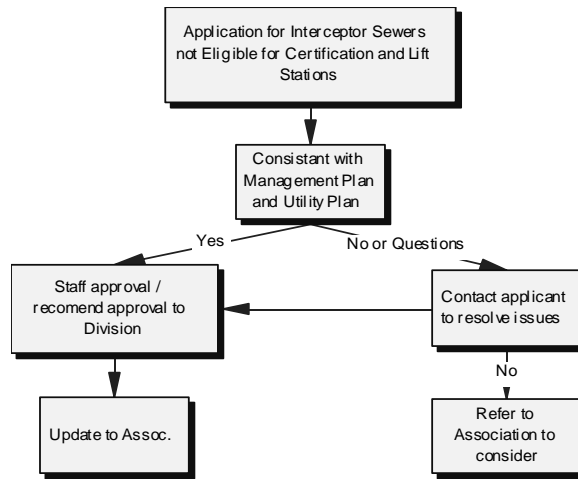
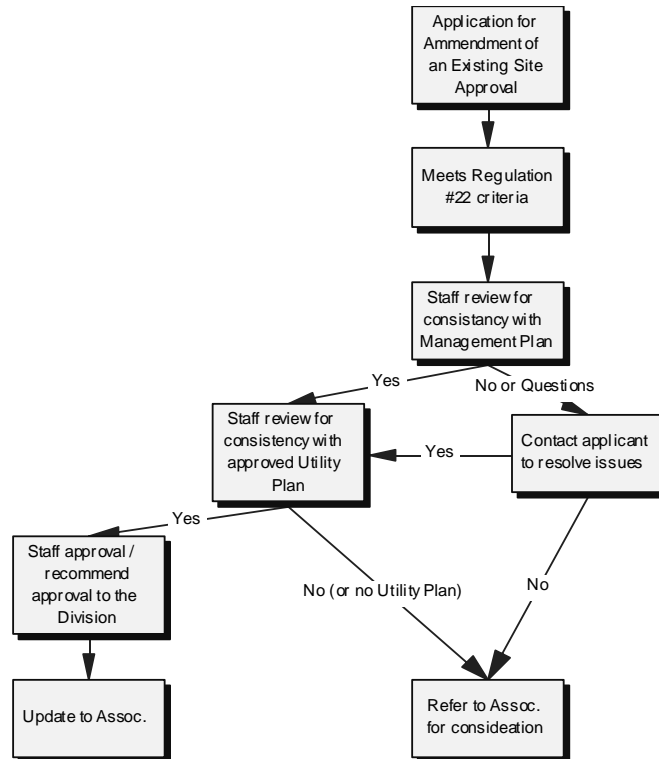


Diagram 5



Comments are due to the Division within 15 days or an extension must be requested.