

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

Approved: September 23, 2010

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 to ensuring present, and future wastewater needs are met.

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 both Larimer and Weld Counties, the coordinating agency for the submittal process is the Department of Health and Environment. Please contact the individual Health Departments for assistance and directions on submitting the Site Application.

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.)

Application Submittal:

Complete application packets should be submitted to NFRWQPA and all other review agencies as determined by Regulation 22. All complete packets will include the proper CDPHE application form, CDPHE Site Application checklist, required elements as per the specific section of Regulation 22, and additional information as necessary to address the list of concerns above. Please refer to Regulation 22 Guidance document, also located on the Division's website, for further explanations. For most application (with the exception of Amendment Applications) an approved Utility Plan is required for consideration of the application by NFRWQPA Upon receipt of the Site Application, the Association's Manager will review the packet for completeness. An approved Utility Plan will contain much of the required Site Application

information and can be used in the submittal packet and referenced in the Site Application checklist.

Categories of Site Applications:

1. SITE APPLICATION FOR CONSTRUCTION OF NEW DOMESTIC TREATMENT WORKS – Refer to Diagram #1 (Utility Plan required)

This process will be used in evaluating applications submitted for the construction of new domestic wastewater treatment works as per section 22.4 of Regulation 22. The Manager will evaluate the Site Application packet for completeness and for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also verify that all other review agencies (as determined by Regulation 22) have received a copy of the Site Application packet for review and comment. The Site Application will then be summarized and placed 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. 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 INCREASING OR DECREASING THE DESIGN CAPACITY OF EXISTING DOMESTIC WASTEWATER TREATMENT WORKS WHERE CONSTRUCTION HAS TAKEN PLACE OR WILL TAKE PLACE - Refer to Diagram #2 (Utility Plan required)

This process will be used in evaluating applications submitted for increasing or decreasing the design capacity of existing domestic wastewater treatment works where construction has taken place or will take place as per section 22.5 of Regulation 22. The Manager will evaluate the Site Application packet for completeness and for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also verify that all other review agencies (as determined by Regulation 22) have received a copy of the Application packet for review and comment. The Site Application will then be summarized and placed 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. 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 (Utility Plan required)

This process will be used in evaluating requests submitted for certification of eligible 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, the Manager will evaluate the packet for completeness and for consistency with the Areawide Water Quality Management Plan and the accepted Utility Plan. If it is consistent with both plans 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 (Utility Plan required)

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 completeness and for consistency with the Areawide Water Quality Management Plan and with the accepted Utility Plan. The Manager will also verify that all other review agencies (as determined by Regulation 22) have received a copy of the packet for review and comment.

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. 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 (Utility Plan not required)

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 for completeness and for consistency with the Areawide Water Quality Management Plan. The Manager will verify that all other review agencies (as determined by Regulation 22) have received a copy of the packet for review and comment.

If the Manager determines that there is consistency with the Areawide Water Quality Management 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, may take from three to six months (including Utility Plan reviews) so Utility Plans and 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.

Diagram 1

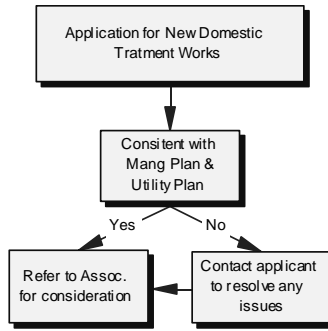


Diagram 2

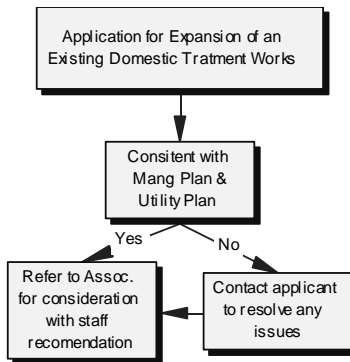


Diagram 3

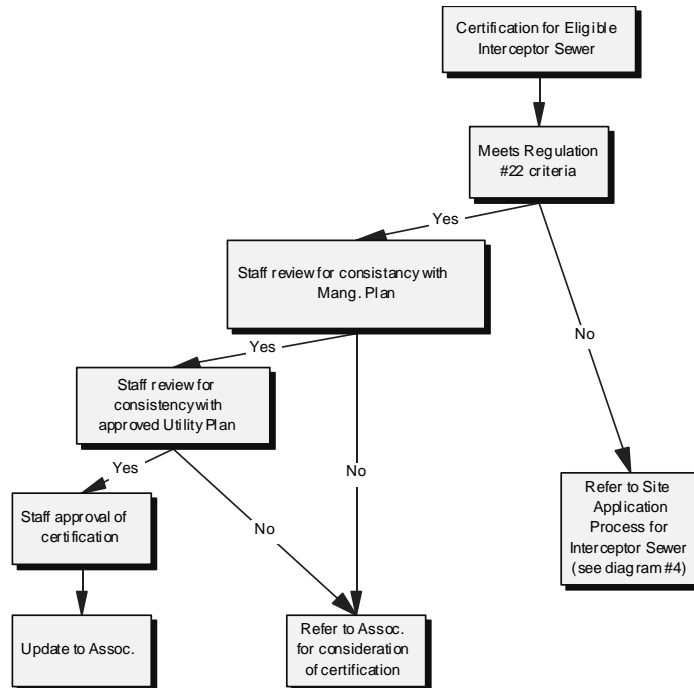


Diagram 4

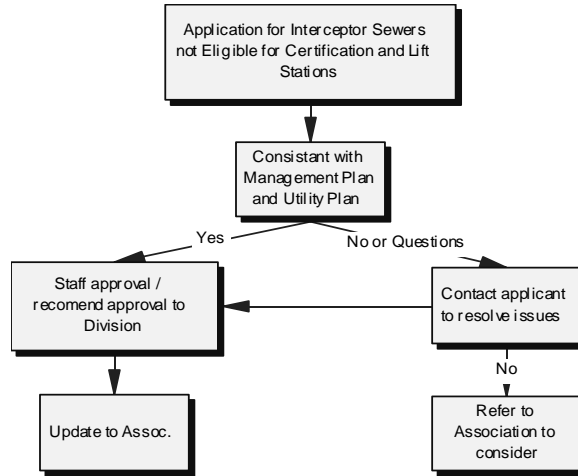
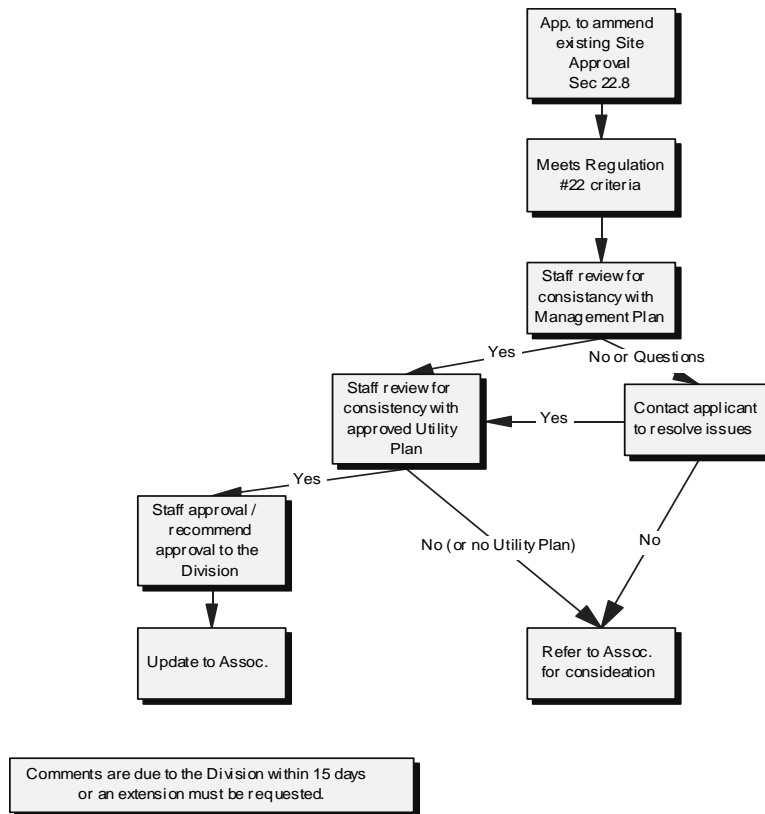


Diagram 5



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