



**Colorado Discharge Permit System (CDPS)  
 Fact Sheet for Modification 1  
 Permit Number COR090000  
 MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4S)**

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 May 16, 2016

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**I. TYPE OF PERMIT**

- A. **Type of Modification:** Modification 1 Minor Modification
- B. **Discharge To:** Surface Water

**II. FACILITY INFORMATION**

- A. **SIC Code:** 9511-Air, Water, and Solid Waste Management. Several SIC codes apply to specific municipal activities (sewerage systems 4952, water supply 4941, automotive repair shops 7539, transportation services 4789). Note that there is not a clear SIC code for a Municipal Separate Storm Sewer System (MS4), therefore the 9511 code is applied.
- B. **Facility Location:** Various Locations - See Part I.A.3 of the Permit

**III. SCOPE OF MODIFICATION REQUEST**

The division is initiating this minor modification to correct typographical and clerical errors.

**IV. CHANGES MADE AS A RESULT OF THE MODIFICATION**

- o Public Education and Outreach, Part I.E.1.a.ii. and Table 1. The division corrected an editorial error by removing “(pick any two bullets each year)” from the Passive Outreach column.
  - Part I.E.1.a.ii states that “Each year, the permittee must implement at least four education and outreach activities (bulleted items) and at least two must be from the Active and Interactive Outreach column.” The requirement *does not* state that two activities from the Passive Outreach column have to be conducted each year. Therefore, the requirement has been removed from Table 1.
- o Illicit Discharge Detection and Elimination, Part I.E.2.a.v(W). The division corrected a typographical error by changing “Irrigation Return Flow” to “Agricultural Stormwater Runoff.”





- The division received public comments that the language included in the second draft permit regarding agricultural waste was unclear in regards to tillage, and that the language should be consistent with other requirements, including federal requirements which exempt agricultural return flow. [See Comment 4 and Response 4 for the referenced section of the permit.] The division agreed with the comment and made a change to the permit, but that change included an editorial error. In the issued version of the permit, the division erroneously included irrigation return flow in item (W), irrigation return flow was already listed in item (D). The division agreed with the comment and corrected this typographical error by replacing item (W) with “agricultural stormwater runoff” as intended for the final permit. Irrigation return flow (which includes surface and subsurface water that leaves a crop field following irrigation of that field) and agricultural stormwater runoff do not require NPDES permits, as they are exempted from the CWA. For example, runoff into engineered conservation measures on a crop field such as grassy swales and other land management structures that direct flow from the crop field is considered either irrigation return flow or agricultural stormwater.
- Construction Sites, Part I.E.3.a.i(B). The division corrected an editorial error in the text regarding when county permittees must implement a construction sites program in the newly-identified county growth areas.
  - Part I.H.1 of the permit requires that permittees implement the exclusions for county growth areas by July 1, 2019. Part I.H of the permit also requires permittees to “implement their current program in accordance with the previous permit until a new program is implemented in accordance with this permit.” The previous permit had no construction site requirements for county growth area. Therefore, counties need to implement their current program (with no construction site requirements in growth areas) until July 1, 2019. An editorial error is being corrected to ensure that the conforming language in this section of the permit matches the requirement contained in the compliance schedule section of the permit.
- Construction Sites, Part I.E.3.a.vi.(E)(b)(ii): The division corrected a typographical error in the reference from I.E.3.vi(D) to I.E.3.a.vi(D).
- Construction Sites, Part I.E.3.a.vi(A). The division corrected a typographical error and changed “(B) through (G)” to “(B) through (E).”
  - There is no (F) and (G).
- Post-Construction Sites, Part I.E.4.a.i(K). The division corrected an editorial error in the text regarding when permittees must implement post-construction sites program in the newly-identified county growth areas.
  - Part I.H.1 of the permit requires that permittees implement the exclusions for county growth areas by July 1, 2019. Part I.H of the permit also requires permittees to “implement their current program in accordance with the previous permit until a new program is implemented in accordance with this permit. The previous permit had no post-construction site requirements for county growth area. Therefore, counties need to implement their current program (with no post-construction site requirements in growth areas) until July 1, 2019. An editorial error is being corrected to ensure that the conforming language in this section of the permit matches the requirement contained in the compliance schedule section of the permit.





- Post-Construction, Part I.E.4.a.iv(G). The division corrected an editorial error in the text regarding when permittees must ensure that the new control measures are being met.
  - Part I.H of the permit requires that the permittee must ensure that the new control measures are being met by July 1, 2019. Part I.H of the permit also requires permittees to “implement their current program in accordance with the previous permit until a new program is implemented in accordance with this permit. The previous permit had no design standards. Therefore, permittees can implement their current post-construction program July 1, 2019. An editorial error is being corrected to ensure that the conforming language in this section of the permit matches the requirement contained in the compliance schedule section of the permit.
- Post Construction Sites, Part , I.E.4.c.iv : The division corrected a typographical error in the reference from I.E.4.v to I.E.4.a.v.
- Post-Construction Part, I.E.4.c.v(D). The division corrected a typographical error by removing the duplicate change of ownership procedures in the PDD requirement.
  - This requirement is already listed in the Part I.E.4.c.vi(D) and has been removed from Part, I.E.4.c.v(D).
- Pollution Prevention/Good Housekeeping for Municipal Operations, Part I.E.5.b.iv.and Part I.E.5.c.iv. The division corrected an omission for consistency.
  - Part I.E.5.a.v has “Outdoor” in front of “Bulk Storage Structures” and the omission of the word “Outdoor” in Part I.E.5.b.iv and Part I.E.5.c.iv has been corrected.
- Compliance Schedule, Part I.H., Part I.A.2.b.i. Updated the Deliverable to “Submit an application supplement that identifies conveyances **in the permit area** for which the majority of flow is **stormwater.**”
  - The permit does not cover conveyances for which the majority of flow is from irrigation return flow. The permit does, however, cover conveyances for which the majority of flow is from stormwater. Those conveyances are part of the MS4 and outfalls from those conveyances and state waters that receive discharges from those outfalls must be mapped under Part I.E.2.a.i.
- Compliance Schedule, Part I.H., Part I.E.1.a.ii. The division corrected a typographical error by modifying the notification date to March 10, 2019 for the begin providing annual public and education outreach from Table 1.
  - This is will be consistent to the other requirements with “begin implementation” to have the reporting 1 year after the implementation has begun.
- Complainece Schedule, Part I.H., Part I.A.3. The division corrected an omission by adding a row to the compliance schedule table for county permittees to begin implementing their construction sites program in growth areas.
- Compliance Schedule, Part I.H., Part I.A.3.a.ii. The divison corrected typographical errors associated with the cross references. Part I.A.3.b.iii(A) and Part I.A.3.b.iii(B) to Part I.A.3.a.ii(B)(1) and (2). Also update Part I.A.3.b.iii(C)to Part I.A.3.a.ii(B)(3).





- Compliance Schedule, Part I.H., Part I.E.3.a.iv(C). The division corrected typographical errors by replacing “adequacy standards” with “control measure requirements” and removing (C).
- Compliance Schedule, Part I.H., Part I.E.3.a.vi (B) through (G). The division corrected a typographical error by modifying the reference from (G) to (E), since F and G are not in the permit.
- Compliance Schedule, Part I.H., Part I.A.4. The division corrected an omission by adding a row to the table for the compliance schedule for county permittees to begin implementing their post-construction sites program in growth areas.

