

STATEMENT OF BASIS

PERMITTEE: United States Department of the Interior, National Park Service

FACILITY: Colorado National Monument

PERMIT NO.: CO-0034975

RESPONSIBLE OFFICIAL: Dan Hallett
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Colorado National Monument
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Fruita, Colorado 81521
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FACILITY CONTACT: Same as Above

PERMIT TYPE: Federal Facility
Renewal Permit - Minor
No Discharge Lagoon

Background Information

The Colorado National Monument lagoon system serves the Saddlehorn Visitor Center, offices, housing, and the Saddlehorn Campground. This is a wastewater lagoon system consisting of two lagoons (same as evaporative ponds). The first lagoon has a capacity of 1.5 million gallons, the second, over 1 million gallons. The estimated average number of gallons per day that flow into the treatment works from inflow and/or infiltration is about 1,000 gallons per day. The outfall from the second lagoon has been removed. According to the flow history, the flow to the lagoons has always been too low for the lagoons to reach their capacity. Consequently, there has been no discharge. The U. S. National Park Service is responsible for the operation and maintenance of this facility. The Environmental Protection Agency (EPA) intends to re-issue a no discharge permit for this facility.

The lagoons are located at Latitude 39.106111 N, Longitude -108.741111 W.

Receiving Waters

The potential discharges from the wastewater lagoon system would go to an unnamed ephemeral tributary of the Colorado River. It is unlikely that any discharges would reach the Colorado River except for the possibility of during very large precipitation runoff conditions (i.e., wet weather).

Permit Effluent Limitations

The Colorado National Monument lagoon system is required to have no discharge. The no discharge requirement is based on the facility's no discharge history. The need to discharge is not expected to occur during the five year life of the permit. If an unauthorized release occurs or is expected to occur, the discharge is to be monitored and records are to be maintained in accordance with the guidelines set forth in the permit. The EPA Region 8 office is to be notified in the event of any unanticipated bypass or unauthorized discharge.

Self-Monitoring Requirements

As a preventative measure, the permit requires that the permittee inspect the wastewater treatment facility on at least a weekly basis. The objectives of the inspections are to include ascertaining the discharge status of the lagoons and confirming that proper operation and maintenance procedures are being put into practice. The permittee is to maintain a record of inspections. The record is to include the date and time of the inspection; the name(s) of the person(s) conducting the inspection; any problems identified; recommendations, as appropriate, to remedy identified problems; and a brief description of any actions taken with regard to the identified problems. The records of inspection are to be retained on-site at the facility or at a nearby office for the facility.

Since the permittee is only required to report "No Discharge" once per year in January, the EPA will not be mailing out Discharge Monitoring Report (DMR) forms for the remainder of the year. The permittee may elect to use *NetDMR* to electronically submit DMRs instead of mailing paper DMRs. However, starting December 21, 2016, permittees must electronically report DMRs using *NetDMR*. If you have any DMR questions or concerns regarding *NetDMR*, please contact the EPA's Policy, Information Management & Environmental Justice Program, DMR Coordinator at (303) 312-6056. See Section 2.4 of the permit, Reporting of Monitoring Results for additional information.

Until December 21, 2020, all other reports (e.g., Parts 2.8 and 2.9) are to be submitted by mail to the given addresses. Effective December 21, 2020, these reports are to be submitted using the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Tool (NeT). NeT is a tool suite developed by the EPA to facilitate electronic submittal of data by the regulated community directly to the EPA and its partners. It uses commercial "off-the-shelf" software and can support diverse form and data submission formats. For more information about NeT, please visit: <https://www.epa.gov/compliance/national-pollutant-discharge-elimination-system-npdes-electronic-reporting-tool-net-fact>.

Prior to December 21, 2020, all other reports required herein (e.g., Parts 2.8 and 2.9), shall be signed and certified in accordance with the Signatory Requirements (see Part 4), and submitted to the EPA Region 8 Policy, Information Management & Environmental Justice Program and the State of Colorado at the addresses given below. Effective no later than December 21, 2020, these reports shall be submitted electronically using "NeT".

original to: U.S. EPA, Region 8 (8ENF-PJ)
Attention: *DMR Coordinator*
1595 Wynkoop Street
Denver, Colorado 80202-1129

copy to: Colorado Department of Public Health and Environment (CDPHE)
Water Quality Control Division
WQCD-PE-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Endangered Species Act (ESA) Requirements

Section 7(a) of the ESA requires federal agencies to insure that any actions authorized, funded, or carried out by an agency are not likely to jeopardize the continued existence of any federally-listed endangered or threatened species or adversely modify or destroy critical habitat of such species.

Federally listed threatened and endangered species found in Mesa County, Colorado include:

Species/Critical Habitat	Scientific Name	Status
Gunnison Sage-grouse	<i>Centrocercus minimus</i>	Threatened
Mexican Spotted Owl	<i>Strix occidentalis lucida</i>	Threatened
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Threatened
Bonytail Chub	<i>Gila elegans</i>	Endangered
Colorado Pikeminnow	<i>Ptychocheilus Lucius</i>	Endangered
Greenback Cutthroat Trout	<i>Oncorhynchus clarki stomias</i>	Threatened
Humpback chub	<i>Gila cypha</i>	Endangered
Razorback Sucker	<i>Xyrauchen texanus</i>	Endangered
Colorado Hookless Cactus	<i>Sclerocactus glaucus</i>	Threatened

The EPA finds that this permit is “Not Likely to Adversely Affect” any of the species listed by the U. S. Fish and Wildlife Service (USFWS) under the ESA. Because the permit requires no discharge, the issuance of the permit is not expected to adversely affect endangered species in the area.

National Historic Preservation Act (NHPA) Requirements

Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470(f), requires that federal agencies consider the effects of federal undertakings on historic properties. Because the facility is already in existence and will not be associated with any new ground disturbance and the permit requires no discharge, the EPA does not anticipate any impacts on listed/eligible historic properties or cultural resources due to the issuance of this permit.

Miscellaneous

This permit will be issued for a period of five years, with the permit expiration date determined at the time of permit issuance.

Permit and Statement of Basis drafted by:
Qian Zhang, EPA Region 8, 8P-W-WW
March 7, 2016

Permit and Statement of Basis reviewed by:
Robert D. Shankland, Senior Environmental Employee (SEE), 8P-W-WW
March 14, 2016

Addendum:

This permit was public noticed on May 11, 2016. The 30 day public comment period closed on June 13, 2016. There were no public comments received. However, on May 31, 2016, the EPA had an informal discussion with the USFWS field office representative to determine that this permit is “No Effect” to any of the species listed by the USFWS under the ESA, due to the fact that this permit requires no discharge.

The EPA did not receive the Section 401 Water Quality Certification for this permit by July 15, 2016 from CDPHE as requested in the May 10, 2016 letter. Therefore, the EPA is considered the CDPHE waived the certification requirement according to 40 CFR 124.53(c)(3).

The EPA has adjusted its civil monetary penalties seven times since 1996, most recently on July 1, 2016 (81 Fed. Reg. 43091-43096). The final rule is effective on August 1, 2016. For Section 3.2. Penalties for Violations of Permit Conditions in this Permit, all penalty requirements are updated to reflect the August 1, 2016 Civil Monetary Penalty Inflation Adjustment Rule requirements.

The effective date of the permit will be October 1, 2016 and the expiration date will be September 30, 2021.

Qian Zhang, EPA Region 8, 8P-W-WW
August 1, 2016