



November 11, 2022

CDPS Number: COG588134  
 Huerfano County  
 Gerald Cisneros, BOCC Chair  
 401 Main St Ste 201  
 Walsenburg, CO 81089

**RE: COMPLIANCE ADVISORY - REPORTED EFFLUENT VIOLATION  
 NOTICE OF SIGNIFICANT NON-COMPLIANCE  
 GARDNER WASTEWATER TREATMENT FACILITY, COG588134**

To Whom It May Concern:

Colorado Discharge Permit System, Permit No. COG588134 (permit) authorizes Huerfano County to discharge treated wastewater subject to the specific effluent limitations of the permit. This compliance advisory is intended to advise you of alleged violations of the Colorado Water Quality Control Act.

The self-monitoring data provided on the Discharge Monitoring Reports for the above-referenced facility indicates significant noncompliance with the permit effluent limitations, as indicated in the attached Effluent Violation Report.

Due to the severity and/or persistence of these violations, the Water Quality Control Division (division) is initiating a process to determine whether a formal enforcement action is warranted. Please submit a response to this letter explaining:

- The cause of the non-compliance;
- The actions and measures you have taken or will be taking to abate the non-compliance; and,
- Any other relevant information.

Electronic correspondence is preferred. Please email your response to: [mandy.mercer@state.co.us](mailto:mandy.mercer@state.co.us). Please address all paper correspondence (if applicable) to the following address:

Colorado Department of Public Health and Environment  
 Water Quality Control Division  
 WQCD-B2-CWE  
 ATTN: Mandy Mercer  
 4300 Cherry Creek Drive South  
 Denver, Colorado 80246-1530

The division will evaluate the facts associated with the non-compliance by Huerfano County, and if a formal enforcement action is deemed necessary, you may be issued a Notice of Violation / Cease and Desist Order that may include the assessment of penalties. Pursuant to §25-8-608, C.R.S., any person who violates any provision of the Colorado Water Quality Control Act, or of any permit issued under the Act, or any control regulation promulgated pursuant to the Act, shall be subject to a civil penalty of up to \$56,759 per violation for each day during which such violation occurs.

(over)



Report #: CAEVRBX004

Created Date: March 2, 2012

Approved By:

## Colorado Department of Public Health and Environment

### Water Quality Control Division

### Effluent Violation Report

Date of Report: 11/7/22

\*\*\* Query Name: Effluent Data \*\*\*

Major/Minor (Enter "Major" or "Minor") (Enter \* to select all)

Minor: Major

Monitoring Period End Date From: 07/31/2022

Monitoring Period End Date To: 08/31/2022

Enter NPDES ID: (Optional) COG588134

Matching NPDES ID: (Optional)

Primary Permit SIC Code: (Optional)

Outfalls: (Optional)

Parameter Desc: (Optional)

Enter Primary Permit SIC Code Not Entered: (Optional)

Permit # COG588134

Facility Name GARDNER WASTEWATER TREATMENT FACILITY

Permit Name Huerfano County

Permit Status Major/Minor Ind. County Primary SIC Code Water Body: COARMA11b Huerfano River

Admin Continued Minor Huerfano 4952

NPDES ID	Outfall	Mon Pd Start Date	Mon Pd End Date	Parameter	Rpted Value	Unit Desc	Limit Value	Stat Base Desc	% Exceed	Viol Code	NODI Code	RNC Detect Code	RNC Resolve Code
COG588134	001A3	7/1/22	7/31/22	00310 - BOD, 5-day, 20 deg. C	=51	mg/L	30	30DA AVG	70	E90		T	1
COG588134	001A3	7/1/22	7/31/22	00310 - BOD, 5-day, 20 deg. C	=51	mg/L	45	MX 7D AV	13	E90			
COG588134	001A3	8/1/22	8/31/22	00310 - BOD, 5-day, 20 deg. C	=48	mg/L	30	30DA AVG	60	E90		T	1
COG588134	001A3	8/1/22	8/31/22	00310 - BOD, 5-day, 20 deg. C	=48	mg/L	45	MX 7D AV	7	E90			
COG588134	001A3	8/1/22	8/31/22	51040 - E. coli	=2595.2	#/100mL	2000	30DA GM	30	E90			
COG588134	001A3	8/1/22	8/31/22	81010 - BOD, 5-day, percent removal	=84.1	%	85	MO AV MN	6	E90			