

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB23-1221 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 25-8-103, **add**
4 (19.5) as follows:

5 **25-8-103. Definitions.** As used in this article 8, unless the context
6 otherwise requires:

7 (19.5) "TOTAL MAXIMUM DAILY LOAD" MEANS THE CALCULATION
8 OF THE DAILY MAXIMUM AMOUNT OF A POLLUTANT FROM ALL SOURCES
9 THAT IS ALLOWED TO ENTER STATE WATERS SO THAT AN APPLICABLE
10 WATER QUALITY STANDARD IS MET.

11 **SECTION 2.** In Colorado Revised Statutes, 25-8-202, **amend**
12 (1)(p) and (1)(q); and **add** (1)(r) as follows:

13 **25-8-202. Duties of commission - rules.** (1) The commission
14 shall develop and maintain a comprehensive and effective program for
15 prevention, control, and abatement of water pollution and for water
16 quality protection throughout the entire state and, to ensure provision of
17 continuously safe drinking water by public water systems, and, in
18 connection therewith, shall:

19 (p) Establish, and revise as necessary, a schedule of nonrefundable
20 fees to cover the reasonable costs of implementing a program for the
21 beneficial use of biosolids, in accordance with section 30-20-110.5;
22 C.R.S.; and

23 (q) Hear appeals of penalties imposed pursuant to section
24 25-1-114.1 (2.5) for a violation of minimum general sanitary standards
25 and regulations for drinking water; AND

26 (r) ON OR BEFORE JANUARY 1, 2025, AFTER SOLICITING INPUT
27 FROM INTERESTED PARTIES, ISSUE WRITTEN GUIDANCE SPECIFIC TO TOTAL
28 MAXIMUM DAILY LOAD DEVELOPMENT THAT ADDRESSES WATER QUALITY
29 DATA COLLECTION BEST PRACTICES, RELIABLE ANALYTICAL METHODS,
30 DATA QUALITY ASSURANCE, AND THE APPROPRIATE LEVEL OF GEOGRAPHIC
31 AND HYDROLOGICAL ACCURACY.

32 **SECTION 3.** In Colorado Revised Statutes, 25-8-501, **add** (7) as
33 follows:

34 **25-8-501. Permits required for discharge of pollutants -**
35 **administration.** (7) THE DIVISION SHALL DETERMINE A TOTAL MAXIMUM
36 DAILY LOAD FOR STATE WATERS AS DIRECTED BY THE COMMISSION USING
37 CREDIBLE DATA, WHICH INCLUDES:

38 (a) DATA THAT HAS BEEN COLLECTED IN THE LAST FIVE YEARS;
39 AND

1 (b) HISTORICAL DATA THAT IS RELEVANT FOR ESTABLISHING A
2 TOTAL MAXIMUM DAILY LOAD.

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