

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
9.18.19

BILL 4

LLS NO. 20-0328.01 Thomas Morris x4218

INTERIM COMMITTEE BILL

Water Resources Review Committee

BILL TOPIC: "Apply Gen Water Quality Permit Process Individual"

A BILL FOR AN ACT

101 CONCERNING AN EXPANSION OF THE PROCEDURAL PROTECTIONS THAT
102 APPLY TO UPDATED WATER QUALITY GENERAL PERMITS TO
103 UPDATED WATER QUALITY INDIVIDUAL PERMITS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Water Resources Review Committee. Current law requires the division of administration in the department of public health and environment to provide a rationale for, public notice of, and an opportunity for comment regarding proposed new or amended permit requirements for general water quality permits. The bill requires the

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

division to provide these with regard to individual water quality permits.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-8-503.5, **amend**
3 (1) introductory portion, (1)(d)(III), and (3) as follows:

4 **25-8-503.5. Process for changing permit requirements.**

5 (1) With respect to a ~~general~~ permit listed in section 25-8-502,
6 ~~(1)(b)(I)(G)~~, when proposing new or amended permit requirements for
7 dischargers to meet, to obtain, or to maintain authorization for discharges
8 under the permit, the division shall:

9 (d) Upon request by an affected party, consider and give due
10 weight to a cost-benefit analysis:

11 (III) Prepared by a third party chosen from an approved list of
12 analysts, as developed by the division in consultation with representatives
13 of the industries that are subject to ~~general~~ permitting; and

14 (3) A party may appeal a ~~general~~ permit issued under section
15 25-8-502 ~~(1)(b)(I)(G)~~ pursuant to the appeals process set forth in section
16 24-4-105. ~~C.R.S.~~

17 **SECTION 2. Act subject to petition - effective date -**

18 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
19 the expiration of the ninety-day period after final adjournment of the
20 general assembly (August 5, 2020, if adjournment sine die is on May 6,
21 2020); except that, if a referendum petition is filed pursuant to section 1
22 (3) of article V of the state constitution against this act or an item, section,
23 or part of this act within such period, then the act, item, section, or part
24 will not take effect unless approved by the people at the general election
25 to be held in November 2020 and, in such case, will take effect on the

1 date of the official declaration of the vote thereon by the governor.

2 (2) This act applies to permit requirements proposed on or after
3 the applicable effective date of this act.

4 <{*Do you want a safety clause or a specific effective date?*}>