

CHAPTER 20

HEALTH AND ENVIRONMENT

HOUSE BILL 01-1032

BY REPRESENTATIVE(S) Young and Miller;
also SENATOR(S) Anderson, Lamborn, Reeves, and Taylor.

AN ACT

CONCERNING THE PROTECTION OF WATER QUALITY BY INCREASING THE EFFICIENCY OF DISCHARGE PERMITTING.

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

SECTION 1. The introductory portion to 25-8-501 (3) and 25-8-501 (3) (j), Colorado Revised Statutes, are amended to read:

25-8-501. Permits required for discharge of pollutants - administration.

(3) The commission shall promulgate such regulations as may be necessary and proper for the orderly and effective administration of permits for the discharge of pollutants, which regulations shall include, but not be limited to, procedures for the issuance of a variance pursuant to section 25-8-503 (4), and shall also require that, in appropriate circumstances, the effluent limitations contained in a permit shall be adjusted to account for the pollutants contained in the discharger's intake water. Such regulations shall be consistent with the provisions of this article and with federal requirements AND shall be in furtherance of the policy contained in section 25-8-102. ~~and~~ SUCH REGULATIONS SHALL ESTABLISH A PERMIT PROCESS THAT ALLOWS PERMIT CONDITIONS TO REMAIN IN EFFECT AS LONG AS CIRCUMSTANCES DICTATE THOSE CONDITIONS. IN ORDER TO COMPLY WITH FEDERAL REQUIREMENTS, BUT NOT TO LESSEN COMPLIANCE WITH FEDERAL STANDARDS, SUCH PERMIT PROCESS MAY REQUIRE PERIODIC RENEWAL OF PERMITS EVEN WHERE MINIMAL OR NO CHANGES IN THE PERMIT CONDITIONS ARE NECESSARY. RENEWAL SHALL BE REQUIRED WHERE MORE THAN MINIMAL CHANGES IN PERMIT CONDITIONS ARE NECESSARY. THE REGULATIONS may pertain to and implement, among other matters, permit and permit application contents, procedures, requirements, and restrictions with respect to the following:

(j) Duration of the permit ~~not to exceed five years~~, and renewal procedures USING

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

A RISK-BASED APPROACH THAT LIMITS THE AMOUNT OF WORK REQUIRED TO RENEW PERMITS THAT HAVE MINIMAL OR NO CHANGES IN THE PERMIT CONDITIONS TO STREAMLINE THE RENEWAL PROCESS;

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2001, and shall apply to permits issued or renewed pursuant to section 25-8-501, Colorado Revised Statutes, on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 11, 2001