

January 31, 2024

Chair Kipp and Members of the House Energy and Environment Committee:

I urge you to support House Bill 24-1062, *Administrative Inspection Warrants for a Metropolitan Sewage Disposal District*. HB24-1062 would provide Metropolitan Sewage Disposal Districts with independent administrative warrant authority, enabling them to work directly with the court system, when needed, to enter and inspect industries in furtherance of public health and environmental protection. As the Chair of Metro Water Recovery's (Metro) Board of Directors, I understand the importance of passing such an imperative bill.

Metro cleans and reclaims on average 135 million gallons of water every day, serving 62 local governments, including cities, counties, and sanitation districts, which corresponds to 40 percent of Coloradans. As a Metro Board Member, I represent one of those local governments.

Under the Clean Water Act, Metro is required to implement a federally approved pretreatment program. This program ensures high water quality and protects Metro's wastewater workers, treatment plants, and downstream public health and environments from the introduction of potentially harmful and dangerous pollutants from industries. Administrative inspection warrants may be necessary if an industrial actor denies Metro staff access to perform required inspections. Metro staff has performed extensive outreach for this necessary bill, including a multi-year stakeholder process. They have ensured that members of the Board of Directors, representing Metro's member municipalities, thoroughly understand and support the proposed changes in legislation. HB24-1062 would ensure Metro staff has timely access to inspect industries in its service area and perform their duties in accordance with federal law.

Currently, Metro has clear legal authority to implement its pretreatment program, in accordance with the Clean Water Act. However, Metro's current legal authority to obtain an administrative inspection warrant exists indirectly in a combination of legal agreements and municipal ordinances, which has proven to be challenging, at times.

HB24-1062 would give Metropolitan Sewage Disposal Districts direct legal authority to obtain an administrative inspection warrant, streamline the process, and enable the health and safety concerns associated with industrial wastewater to be addressed uniformly and most effectively.

I request your support of this necessary piece of legislation. Thank you for your service.

Sincerely,



Andrew Johnston  
Chair of the Board



# LFMSDD

## Lower Fountain Metropolitan Sewage Disposal District

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January 29, 2024

**House Representatives** – G. Evans and B. Titone  
**State Senator** – K. Priola  
Members of the House Energy & Environment Committee

**Re: HB24-1062 Concerning Administrative Inspection Warrants for a Metropolitan Sewage Disposal District**

Dear Representatives and Senator:

The governing body of the Lower Fountain Metropolitan Sewage Disposal District (District) is in support of House Bill 24-1062 and urges your support as well. The District is one of only two entities organized as a “Metropolitan Sewage Disposal District” under Title 32: Metro Water Recovery (Metro), and Lower Fountain Metropolitan Sewage Disposal District.

HB24-1062 would provide Metropolitan Sewage Disposal District’s with additional powers to facilitate inspections in the best interest of public health and environmental protection. It would provide independent administrative warrant authority, enabling Metropolitan Sewage Disposal District’s and the District to work directly within judicial system when needed. HB24-1062 would allow authorized Metropolitan Sewage Disposal District inspectors to enter and inspect, in a reasonable time and manner, any property for violations of an approved Industrial Pretreatment Program (IPP) under the Clean Water Act. If the property owner denies the inspectors entry, Metro or the District may obtain a warrant directly from the county court to inspect the property.

HB24-1062 provides a transparent and efficient process to address any health and safety concerns associated with industrial wastewater. The changes proposed in HB24-1062 establish a good process that meets the immediate needs of Metro and future needs of the District.

We respectfully request your support for this critical piece of legislation.

Sincerely,

Charles “Doc” Durbin, President  
Lower Fountain Metropolitan Sewage Disposal District