

STATE OF COLORADO

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WATER QUALITY CONTROL COMMISSION

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Colorado
Department
of Public Health
and Environment

NOTICE OF PUBLIC ADMINISTRATIVE ACTION HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

At the date, time and location listed below, the Water Quality Control Commission will hold a public Administrative Action Hearing to consider approval of a Discharger-Specific Variance Policy, new Commission Policy 13-1. The Discharger-Specific Variance Policy proposed by the Water Quality Control Division will be available in the Commission Office and will be posted on the Commission's web site <http://www.colorado.gov/cs/Satellite/CDPHE-WQCC/CBON/1251590840936> by about August 5, 2013. In this hearing the Commission will also consider any alternative proposals for a discharger-specific variance policy.

HEARING SCHEDULE:

DATE: Monday, October 7, 2013
TIME: 1:30 p.m.
PLACE: Florence Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado

PUBLIC PARTICIPATION ENCOURAGED:

The Commission encourages all interested persons to provide their opinions or recommendations orally or in writing as to the appropriate Discharger-Specific Variance Policy to be adopted by the Commission.

PROCEDURAL MATTERS:

Written comments on the proposed Discharger-Specific Variance Policy, including any recommendations for alternative language in the document, are strongly encouraged. Any such **initial written comments must be received in the Commission Office by August 22, 2013**. The Commission requests that sixteen (16) copies of all written statements be submitted and suggests that additional copies be made available at the hearing for attendees. Anyone for whom the expense of providing these copies presents an economic hardship should contact the Commission Office to make

alternative arrangements. In addition, **please submit an electronic version of any comments** to cdphe.wqcc@state.co.us, so that all comments can be posted on the Commission's web site for general review.

Written rebuttal comments may be submitted in response to the initial comments received by August 22, 2013. **Any written rebuttal comments must be received in the Commission Office by September 16, 2013.** Please submit sixteen (16) copies, as well as an electronic version, of any rebuttal comments, as outlined above for initial comments. These rebuttal comments will also be posted on the Commission's web site.

If the Water Quality Control Division believes that the initial written comments and/or the rebuttal comments submitted warrant revisions to the proposed Discharger-Specific Variance Policy, it will submit **a revised proposal by September 25, 2013.** This revised proposal will be posted on the Commission's web site and will be available for review in the Commission Office.

No other written materials will be accepted for this hearing except by leave of the Commission, with an explanation as to why such materials could not have been submitted in accordance with the above deadlines. An opportunity will be provided at the hearing for any interested person to provide oral comments regarding the proposed Discharger-Specific Variance.

Please let the Commission office know by October 1, 2013 if you wish to provide oral comments at the hearing, to assist with our planning for the allocation of time at the hearing.

PARTY STATUS:

This is not a rulemaking hearing; therefore, party status provisions of 25-8-101 et. seq., and 24-4-101 et. seq., C.R.S. do not apply. Party status requests shall not be considered by the Commission.

AUTHORITY FOR HEARING:

The provisions of 25-8-202(1)(h) and (i), (2) and (6) C.R.S. and Section 21.5B of the "Procedural Rules", Regulation #21 (5 CCR 1002-21) provide the authority for this hearing.

Dated this 17th day of July 2013 at Denver, Colorado

WATER QUALITY CONTROL COMMISSION

Trisha Oeth, Administrator