



# Gunnison County Environmental Health Board

## MEETING AGENDA ENVIRONMENTAL HEALTH BOARD

May 12, 2025

Blackstock Government Center, 220 N. Wisconsin Street, STE D, Gunnison, Colorado and virtual through information below

TIME	TOPIC
1:15pm	Call to order and determine quorum
1:20pm	Approval of November 18, 2024 meeting minutes
1:25pm	Public Comment-unscheduled citizens Administrative updates
1:30pm	Harmels on the Taylor, LLC-Public Hearing for a variance to the Gunnison County OWTS regulations for the continued use of vault systems
Adjourn	

Zoom link:

<https://gunnisoncounty-org.zoom.us/j/81937970349?pwd=dah2DoMFpLwSblBcap6F2qxAEmUfcK.1>

Meeting ID: 819 3797 0349

Passcode: 305205

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One tap mobile

+17193594580,,81937970349#,,,,\*305205# US

+14086380968,,81937970349#,,,,\*305205# US (San Jose)

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Dial by your location

- +1 719 359 4580 US
- +1 408 638 0968 US (San Jose)
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)

- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 564 217 2000 US
- +1 646 876 9923 US (New York)
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US

Meeting ID: 819 3797 0349

Passcode: 305205

Find your local number: <https://gunnisoncounty-org.zoom.us/j/k5rATuAJt>

ADA Accommodations: Anyone needing accommodations as determined by the *American Disabilities Act* may contact the Community Development Department prior to the day of the hearing.

## Gunnison County Environmental Health Board Minutes

November 18, 2024

The November 18, 2024, Gunnison County Environmental Health Board meeting was conducted in the Blackstock Meeting Room at 221 N Wisconsin St Gunnison, CO. 81230 and by ZOOM virtual online meeting.

### **Board Members Present:**

Brooke Zanatell  
Shea Earley  
Bill Barvitski  
Ashley Bembenek

### **Community Development Department Staff Present:**

Crystal Lambert  
Rebecca Ricord  
Charlie Dominguez  
Doug Howe  
Misty Castillo

**Call to order:** Meeting called to order at- 1:47 by Shea Earley

**Approval of Minutes:** Moved by Barvitski, seconded by Zanatell to approve the March 21, 2024, minutes. The motion passed unanimously.

**New Business:** Lambert shared that the State was in the process of revisions to Regulation 43. Gunnison County would have one year after State adoption to update the Gunnison County OWTS Regulations to be no less stringent.

**Unscheduled Citizens:** None.

**Mortell (OWTS-24-00184):** The Environmental Health Board opened the Public Hearing for consideration of OWTS within setbacks of wetlands.

**Announcement of Recusal:** Barvitski recused himself from the Board for this Public Hearing and disclosed that he would be testifying regarding the application.

**Voting Members:** Earley was seated as Chair.

**Public Hearing:** With a quorum present, Vice Chair Earley opened the public hearing.

Lambert confirmed there was adequate public notice in the Gunnison Country Times, Crested Butte Newspaper, on the Gunnison County website, and posted at the property. The public hearing notice was sent to all property owners within 500 feet of the parcel boundaries by certified mail by the applicant and the receipts were provided to the Department.

**Applicant Presentation:** Barvitski provided testimony regarding the application as the design professional for the proposed system. The system will meet all the minimum required setback

distances in accordance with the State OWTS Regulation #43, however, the septic tank will not meet Gunnison County's more stringent setback distance requirement of 100 feet from a nearby wetland boundary.

**Staff Comments:** Lambert provided details of the proposed plan, including the parcel location, proposed OWTS, pertinent physical features, proposed well location, and the wetland boundary. Lambert confirmed that the proposed OWTS is compliant with the Gunnison County OWTS Regulations with the exception of the horizontal distance from the septic tank to the wetland boundary.

**Board Questions:** Earley opened the Board to any questions.

Zanetell asked if nearby properties faced similar issues with setbacks to wetland boundaries. Barvitski explained that wetlands are present in many of the nearby parcels and some parcels have been able to meet the requirements, but the Mortell parcel is constrained on three sides by the wetland increasing the difficulty of meeting the 100-foot setback distance. Lambert shared a recent system installed in the area that barely met the setback requirement. Bembenek inquired about the ownership of the irrigation ditch and materials for lining of the ditch. Mortell explained that a thick rubber liner will be buried to create a barrier surrounding the sides and bottom of the ditch. Mortell explained the driveway would enter the parcel from the southeastern corner and a culvert would be used to protect the ditch, Lambert shared that the parcel is within the mapped 100-year floodplain and that a floodplain elevation certificate would be necessary prior to permitting. Barvitski noted a floodplain study would follow during the building permit process, with Jerry Greene Engineering assisting.

Zanetell shared concern about an increased water quality risk with a reduced setback distance to wetlands. Barvitski offered that all wastewater systems carry some risk to water quality. However, the proposed setback distance poses no greater risk than the minimum State requirements and the use of water-tight components alleviates some concern. The proposed location of the system components on the parcel were discussed as being a practical solution given the site constraints.

**Board Discussion:** Barvitski again announced that he has recused himself from this Public Hearing and announced that he is leaving the room during the EH Board's determination discussion. Barvitski left the room. The Board discussed setbacks, site constraints, and alternative locations.

**Public Comments:** No public comments.

**EH Determination of Application:** Lambert reviewed the draft decision document prepared for the EH Board

**Motion:** Bembenek moved to approve the application for a variance for Mortell (OWTS-24-00184) with conditions as provided in the draft decision document. Earley seconded the motion. The motion passed with votes from Bembenek and Earley, and was opposed by Zanetell.

**Adjournment:** Zanetell moved to close the meeting, and Bembenek seconded. The meeting was adjourned.

**Meeting adjourned at 2:57**



**GUNNISON COUNTY, COLORADO  
COMMUNITY DEVELOPMENT DEPARTMENT, ENVIRONMENTAL  
HEALTH OFFICE STAFF REPORT**

**Harmels on the Taylor, LLC**

Application No: OWTS-22-00138  
Date application scheduled with EH Board: May 12, 2025  
Prepared by: Crystal Lambert, Building & EH Official

<b>APPLICANT/OWNER:</b>	Harmels on the Taylor, LLC
<b>PROJECT DESCRIPTION:</b>	The applicant is requesting an extension of the variance approval granted in 2022 for the continued temporary use of vault systems throughout the resort while work with the State of Colorado to design, permit, and construct a wastewater treatment plant continues.
<b>CURRENT STATUS OF OWTS APPLICATION:</b>	The OWTS application for the use of vault systems was denied by the Environmental Health (EH) Office in 2022 because <i>Section 12.C.</i> of the <i>Gunnison County OWTS Regulations</i> prohibit vault systems in the unincorporated areas of Gunnison County. The EH Board granted the applicant's request for a variance on June 30, 2022, with conditions, and limited the approval to 24 months from the date of permit issuance with the possibility of a one-year extension. The OWTS permit for the use of vault systems was issued on July 7, 2022 and a one-year extension was granted through July 7, 2025.
<b>ENVIRONMENTAL HEALTH BOARD ACTION REQUESTED:</b>	A request for a Public Hearing with the Environmental Health Board for the consideration of a variance to <i>Section 12.C.</i> of the <i>Gunnison County OWTS Regulations</i> has been received.
<b>PROPERTY LOCATION:</b>	6748 County Road 742

<b>AREA DESCRIPTION:</b>	The parcel is located on both sides of County Road 742 at the confluence of Spring Creek and the Taylor River
<b>ATTACHED EXHIBITS:</b>	<ul style="list-style-type: none"> <li>▪ EH Board Variance Approval</li> <li>▪ OWTS Permit with extension granted</li> <li>▪ Map of resort</li> <li>▪ Pumping records for 2022, 2023, and 2024</li> <li>▪ Pumping service agreement</li> <li>▪ Variance extension request</li> <li>▪ Updates from Jerry Greene, PE and SCJ on State approval</li> <li>▪ State site application</li> </ul>
<b>ENVIRONMENTAL BOARD TASKS AT PUBLIC HEARING:</b>	<ul style="list-style-type: none"> <li>— Acknowledge receipt of application by applicant name, name of development (if applicable) and date of application</li> <li>— Confirmation of adequate public notice: <ul style="list-style-type: none"> <li>• Posting of legal notice in the County’s official newspaper at least 20 days prior the hearing.</li> <li>• Posting of public hearing notice at the County posting locations.</li> <li>• Mailing of public hearing notice to all owners of properties who own surface rights within 500 feet of each boundary of the entire parcel at least 20 days prior to the hearing.</li> <li>• Posting of the public hearing notice in a conspicuous location at or near the parcel.</li> </ul> </li> <li>— Hear applicant presentation</li> <li>— Hear staff comments</li> <li>— Questions by EH Board, identify and consider issues</li> <li>— Public Comments</li> <li>— Hear applicant response</li> <li>— Staff response</li> <li>— EH Board: continue public hearing if an additional meeting is necessary or close public hearing if a decision can be made.</li> </ul>

<b>Variance Request Submittal Analysis from the June 30, 2022 EH Board Public Hearing</b>		
<b>Variance request submittals shall include the following items:</b>	<b>Applicant Submittal Summary</b>	<b>Staff Comments</b>

<p>Site-specific request identifying the specific criteria from which a variance is being requested. Section 3.M.1.b(1)</p>	<p>The variance is being requested for temporary (2 year) use of vault systems at the property.</p>	<p><i>Section 12.C. of the Gunnison County OWTS Regulations prohibits the use of vault systems.</i></p>
<p>Technical justification by a professional engineer or professional geologist, which indicates the specific conditions which exist and/or the measures which will be taken that support a finding that the variance shall result in no greater risk than that associated with compliance with the requirements of the OWTS Regulations. Section 3.M.1.b(2)</p>	<p>Vaults will ensure no risk during storage. The contractor retained for pumping is licensed and insured to protect against loses associated with transportation of wastewater.</p>	<p>Vault privies are permissible under the <i>Gunnison County OWTS Regulations</i>. Vault systems are prohibited. The difference is privies only receive toilet waste whereas “vault systems” receive wastewater from toilets, sinks, showers, etc. and they can reach capacity more frequently and are therefore more expensive to maintain with frequent cost of pumping and hauling. So long as the vault tanks are watertight and cleaning/pumping is provided as needed there should be no greater risk. Without cleaning/pumping as needed, the risk of wastewater overflowing the tank could be a greater risk. Additionally, there would be an increase of pump truck traffic hauling wastewater to the Gunnison transfer station which is a 18.5 mile trip one way.</p>
<p>A discussion of alternatives considered in lieu of the requested variance. Section 3.M.1.b.(3)</p>	<p>Applicant has no other feasible solution to the requested variance. A state approved wastewater treatment plant is the permanent solution and will take time to attain and construct.</p>	<p>Staff agrees with the applicant’s assessment of alternatives.</p>
<p>Technical documentation for selected alternative, which may include a testing program, which confirms that the variance does not increase the risk to public health and to the environment. Section 3.M.1.b.(4)</p>		<p>The proposed variance is for a temporary use of vault tanks. The tanks can be equipped with high level alarms to alert resort staff that cleaning/pumping is required.</p>
<p>A statement of the hardship that created the necessity for the variance. Section 3.M.1.b.(5)</p>	<p>The potential hardship to the Applicant is shuttering the business. The applicant is working as quickly as possible to implement a permanent solution.</p>	<p>The applicant is a new owner of the resort and inherited the wastewater treatment deficiencies with purchase of the property. The required Transfer of Title septic</p>

	inspection provided County staff with information about the condition of the systems that has previously been withheld.
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<b>Section 3.M.2.: Prohibitions on the granting of variance requests</b>	
<b>Prohibitions on the granting of variance requests:</b>	<b>Staff comments:</b>
No variance shall be issued where the property can accommodate a conforming OWTS. Section 3.M.2.a.	The owner is working with the State and design professionals to achieve a permanent wastewater solution for the resort under State permitting. The requested extension of the variance approval is to continue the temporary use of vaults so that the resort can stay open to accommodate guests.
No variance shall be issued to mitigate an error in construction involving any element of property improvements. Section 3.M.2.b.	N/A
No variance shall be allowed on the grounds of cost of compliance. Section 3.M.2.c.	N/A
No variance shall be issued if it will result in a setback reduction to an offsite physical feature that does not conform to the minimum setbacks defined in Table 7-1 of this regulation without proof of compliance of Section 3.M.5. Section 3.M.2.d.	N/A
No variance shall be issued if it reduces the separation to ground water or bedrock based on the level of treatment in Table 7-2. Section 3.M.2.e.	The resort cabins and structures are existing and the proposed vault tanks retain all wastewater until pumping of the contents and hauling the transfer station in Gunnison.
No variance from the horizontal setback from a well shall be issued unless it also meets the variance requirements of the Board of Examiners of Water Well Construction and Pump Installation Contractors. Section 3.M.2.f.	Same as above
No variance shall be issued for the installation of a higher level treatment system based on sizing or separation reductions without the Department having a maintenance and oversight program. Section 3.M.2.g.	N/A

**Staff recommendation on the request for an extension of the variance approval for the temporary use of vault systems:**

The OWTS permit, 22-00138, was issued on July 7, 2022 and as covered under this permit staff has verified that the conditions of approval as set by the Environmental Health Board in their Variance Request Action document are satisfied and continue to be satisfied with annual pumping and hauling records. The applicant is currently working with the State of Colorado, Department of Public Health and Environment on the permitting of a wastewater treatment plant and that process is taking longer than they anticipated.

Staff believes that State permitting of the wastewater treatment for the resort is needed as the total design capacity plus proposed future expansions will be well over 2,000 gallons per day. The process for State site approval and permitting plus construction of the system is taking several years as expected. Staff agrees that, in the interim, the temporary use of vault systems is the only feasible solution given the site layout, topography and proximity to water-bodies. Vault systems have been prohibited for use in Gunnison County because they require continuous monitoring, frequent pumping and the resources to ensure this happens throughout the life of the system. The applicant is proposing this for a temporary interim period so that the resort can remain open. Staff recommends approval of the variance request and also recommends the following conditions of approval:

1. Pumping and hauling records be kept for each vault system and submitted to the Environmental Health Office at the end of each season.
2. Anyone pumping, cleaning, and/or hauling wastewater at and from this site be licensed OWTS cleaners with Gunnison County.
3. The approval of temporary use of vault systems for the resort be limited to two-years with the possibility of a one-year extension if warranted.



## ENVIRONMENTAL HEALTH BOARD VARIANCE REQUEST ACTION

**APPLICANT:** Harmels on the Taylor, LLC

**DATE:** June 30, 2022

**SITE LOCATION:** 6748 County Road 742; 146.07 Acres in Sections 21, 27 & 28  
Township 15S Range 84W

**ACTION:** Request for a variance to the *Gunnison County OWTS Regulations* for the temporary use of vault systems throughout the resort while work to design, permit, and construct a permanent wastewater treatment plant is undertaken.

**PREPARED BY:** Crystal Lambert, Building and Environmental Health Official

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### PROPOSED PROJECT:

The applicant is requesting a variance to the Gunnison County OWTS Regulations so that the Environmental Health Office can permit the temporary use of vault systems throughout the resort while working to design, permit, and construct a permanent wastewater treatment plant.

### GUNNISON COUNTY ENVIRONMENTAL HEALTH OFFICE ACTION:

The application and proposed design narrative have been reviewed by the Environmental Health Office for compliance with the *Gunnison County OWTS Regulations*. The proposed use of vault systems is prohibited per *Section 12.C.* of the *Gunnison County OWTS Regulations* and a permit for the use of vault systems cannot be issued without a variance granted by the Gunnison County Environmental Health Board.

### APPLICANT'S REQUEST FOR A VARIANCE:

A request for a Public Hearing with the Environmental Health Board for the consideration of a variance to *Section 12.C.* of the *Gunnison County OWTS Regulations* has been received.

### PUBLIC HEARING:

On June 30, 2022, the Gunnison County Environmental Health Board conducted a Public Hearing on this request for a variance.

### FINDINGS:

Based on a review of all the information included with the OWTS application, the request for a variance, and staff reports for this project and consideration of any and all



testimony and public input received relative to this application, the Gunnison County Environmental Health Board finds that:

1. Action on this request for a temporary variance from the *Gunnison County OWTS Regulations* is property-specific and limited to the circumstances unique to this application.
2. The applicant has demonstrated that the requested temporary variance from the *Gunnison County OWTS Regulations* is warranted by unique and existing site-specific configurations and conditions that make immediate compliance with the Regulations technically infeasible.
3. The applicant has provided justification through specific conditions that exist which support a finding that approval of the requested temporary variance will result in no greater risk than that associated with compliance with the requirements of the *Gunnison County OWTS Regulations*.
4. The applicant has demonstrated that approval of the requested variance will not be in violation of any minimum standards established in any other applicable federal or state rule or regulation.
5. The applicant has demonstrated that the proposed plan for maintenance and cleaning of the vault systems will not be a nuisance or injurious to public health, safety or welfare.
6. The applicant has demonstrated that no substantial injury will result from the granting of the requested temporary variance.
7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Department file relative to this application; including all exhibits, references and documents.

**DECISION:**

The Gunnison County Environmental Health Board, having reviewed the proposed application and supporting documentation, site observations and public testimony does approve the requested temporary variance to Section 12.C. of the *Gunnison County OWTS Regulations* for Harmels on the Taylor, LLC at their parcel, 6748 County Road 742, under OWTS application OWTS-22-00138, with the following conditions:

1. The applicant shall submit a design plan that shows the location of all the proposed vault tanks, the manufacturers information of each vault tank, and information about the electronic high-water alarm devices for review and approval before any permit be issued for the use of vault systems at the property.



2. Pumping and hauling records be kept for each vault system and available on request.
3. Anyone pumping and/or cleaning vault systems or hauling wastewater at and from this site be licensed OWTS cleaners with Gunnison County.
4. This approval of the temporary use of vault systems at the parcel is limited to 24 months from the date of permit issuance. A one-time extension, of up to one-year can be granted by the Department if justifiable evidence is provided that shows the extension is warranted and necessary for timing of the completion of the future wastewater treatment plant.
5. The system(s) serving Cabins 32-35 be located and inspected; and cleaned and repaired if needed. If repair is not possible, the system(s) shall be replaced with vault system(s) as part of this temporary variance approval.
6. Cabin 2 and the "flyshop" system be connected to a vault system as part of this temporary variance approval.
7. The fields for cabins 5, 6, 10, 13, 16 and 17 shall be located and verified as existing and in working order and not damaged or they also shall be connected to vault system(s) as part of this temporary variance approval.
8. An update on progress towards site approval, permitting, and construction of the State approved wastewater treatment plant shall be submitted by January of each year to the Community Development Department.
9. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
10. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
11. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.



**GUNNISON COUNTY  
TEMPORARY PERMIT FOR USE OF WASTEWATER VAULT  
SYSTEMS**

**PERMIT #: 22-00138**

**OWNER:** Harmels on the Taylor, LLC  
**LICENSED INSTALLER:** Jack Barker

**PERMIT TYPE:** Temporary use of vault systems

**LEGAL DESCRIPTION:** 146.07 Acres in Section 21, 27 &28, 15S84W

**SITE ADDRESS:** 6748 County Road 742

**GENERAL DESCRIPTION OF APPROVED SYSTEM DESIGN:** Temporary use of vault tanks to serve several structures at the property as approved by the Gunnison County Environmental Health Board on June 30, 2022. Pumping and hauling records shall be kept for each vault system and available on request. The approval of the vault systems is limited to 24 months from the date of this permit issuance. Installation and use shall be in accordance with the approved design plans, the Environmental Health Board conditions of approval record number 685714 on July 1, 2022 in the Gunnison County Clerk and Recorder's Office and the Gunnison County OWTS Regulations.

**REMARKS:** Final Inspection and approval of system components by county staff and is required.

**ENVIRONMENTAL HEALTH OFFICIAL:** \_\_\_\_\_

Crystal Lambert

Digitally signed by Crystal Lambert  
DN: c=US,  
E=clambert@gunnisoncounty.org,  
O=Gunnison County, OU=Building Office,  
CN=Crystal Lambert,  
Date: 2022.07.07 09:47:06-06'00'

State OWTS fee of \$20.00

3-26-2024

This permit for temporary use of vault tanks to serve several structures on the property was granted approval by the EHB Board for 24 months, to July 7, 2024, with a potential one-year extension possible.

The applicant has provided logs of pumping and an update on the State permitting of a wastewater treatment plant. The one-time, one-year extension of this permit is granted and this permit is good through July 7, 2025  
Crystal Lambert

# HARMELS

— ON THE TAYLOR —



HARMELS POINT

TO BRAVER CREEK

TO GUNNISON

TAYLOR RIVER

SPRING CREEK

BAR & RESTAURANT

FLY SHOP/ OFFICE  
COFFEE SHOP

LAUNDRY

CHUCK WAGON

COOKOUT  
GROUNDS

CORRAL

STOCKED POND

HOT TUB

HITCHING POST LODGE

TO TAYLOR RESV.

CR 742

CR 744

TO SPRING CREEK RESV.



100



← TO TAYLOR RESV. →

POOL/HOT TUB  
SAUNA AREA

HITCHING POST LODGE

21 26 25 24 23 22 21 20

COOKOUT  
GROUNDS

STAFF BUNKS

FT. HARMEL  
PLAYGROUND



MASSAGE

SERENITY  
GARDEN

TO SPRING CREEK RESV. →

SPRING CREEK

TAYLOR RIVER

<b>2022:</b>	<b>Gallons:</b>	<b>Inv Total:</b>		<b>2023:</b>	<b>Gallons:</b>	<b>Inv Total:</b>
07/14/2022	1700	\$966.00		01/12/2023	1425	\$913.25
07/20/2022	200	\$336.00		03/03/2023	1250	\$784.50
07/26/2022	2300	\$1,210.00		05/24/2023	4,350	\$2,699.50
07/31/2022	1950	\$1,391.25		06/08/2023	2,100	\$1,361.25
08/01/2022	1700	\$932.50		06/16/2023	2,050	\$1,479.25
08/05/2022	3000	\$1,927.50		06/20/2023	1000	\$697.00
08/11/2022	1000	\$755.00		06/26/2023	3,375	\$2,010.00
08/12/2022	1200	\$757.50		07/03/2023	3,675	\$2,163.75
08/22/2022	2000	\$1,577.50		07/10/2023	5,200	\$3,063.75
08/29/2022	1900	\$1,070.00		07/17/2023	2,800	\$1,737.50
09/02/2022	1050	\$705.00		07/19/2023	2,950	\$1,785.95
09/09/2022	2000	\$1,037.50		07/24/2023	1900	\$1,002.50
09/22/2022	3,075	\$1,886.25		07/31/2023	5,400	\$3,128.50
10/19/2022	2100	\$1,072.50		08/07/2023	2,925	\$1,853.00
11/10/2022	1350	\$810.00		08/08/2023	600	\$624.25
11/15/2022	1700	\$932.50		08/14/2023	2825	\$1,344.75
12/19/2022	1800	\$1,170.00		08/21/23	3600	\$2,021.50
				08/25/2023	2,575	\$1,527.75

**Harmel's Septic Pumping 2023**

<b>Date</b>	<b>Gallons</b>	
5/24/23	1925	
5/24/23	600	
5/24/23	1825	
6/8/23	1800	
6/8/23	300	
6/16/23	1500	
6/16/23	550	
6/20/23	1000	
6/26/23	2050	
6/26/23	1325	
7/3/23	2275	
7/3/23	1400	
7/10/23	2050	
7/10/23	1150	
7/10/23	2000	
7/17/23	1000	
7/17/23	1800	
7/19/23	1625	
7/19/23	1325	
7/24/23	1900	
7/31/23	2300	
7/31/23	2300	
7/31/23	800	
8/7/23	1850	
8/7/23	1075	
8/7/23	600	
8/14/23	2300	
8/14/23	525	
8/21/23	1800	
8/21/23	1800	
8/25/23	1700	
8/25/23	875	
9/5/23	2300	
9/6/23	1925	
9/11/23	925	
9/18/23	1975	
9/25/23	1600	
10/3/23	1825	
10/10/23	1775	
11/1/23	1475	

Date	Gallons
5/23/2024	3550
6/3/2024	2475
6/10/2024	5975
6/14/2024	1800
6/17/2024	900
6/24/2024	2925
6/27/2024	1100
7/1/2024	2800
7/8/2024	4300
7/15/2024	4475
7/22/2024	5050
7/29/2024	4325
8/5/2024	3200
8/12/2024	1750
8/19/2024	2750
8/26/2024	1525
9/3/2024	3125
9/9/2024	2150
9/16/2024	3200
9/23/2024	3675
9/30/2024	2650
10/7/2024	1500
10/15/2024	525
10/22/2024	825

## SERVICES AGREEMENT

THIS AGREEMENT is made and entered into effective January 1, 2022 (the "Agreement Date") by and between:

"CLIENT"

Name: Harmels on The Taylor River, LLC and Harmels Operations, LLC

Address: 6748 CR 742  
Almont, CO 81210

Phone: 970-712-4526 Fax: \_\_\_\_\_

Representative: Dave Reynolds

Title: Manager

"OUTBACK"

Name: Outbackjack, llc. A Colorado Limited Liability Company  
Address: 402 W Gunnison Ave Ste 1, Gunnison, Colorado 81230  
Phone: (970) 209-9026  
Email: outbackjackllc@outlook.com  
Representative: Jack Barker, Principal

PROJECT NAME (the "PROJECT"):

Water System Operations for CLIENT

**DESCRIPTION OF WORK:** OUTBACK shall render the services described in Attachment "A" (hereinafter called the "SERVICES") in accordance with this AGREEMENT. OUTBACK may, at its discretion and at any stage, engage sub consultants or employees to perform all or any part of the SERVICES. The CLIENT and OUTBACK by written amendment to this AGREEMENT may from time to time make changes to the SERVICES. All changed work shall be carried out under this AGREEMENT.

**AGREEMENT:** This Agreement sets forth the entire AGREEMENT between the CLIENT and OUTBACK and no terms, conditions, understanding, or agreement purporting to modify or vary the terms of this AGREEMENT shall be binding unless hereafter made in writing and signed by the CLIENT and OUTBACK. All attachments referred to in this AGREEMENT are incorporated herein by this reference; however, in the event of any conflict between attachments and the terms and conditions of this AGREEMENT, the terms and conditions of this AGREEMENT shall take precedence.

**COMPENSATION:** Charges for the SERVICES rendered will be made in accordance with the CONTRACT PRICE indicated in Attachment "A."

Invoices shall be paid by the CLIENT upon receipt. Failure to make any payment when due is a material breach of this Agreement, except any amount that is the subject of a good faith dispute, and will entitle OUTBACK, at its option, to suspend or terminate this Agreement and the SERVICES. Interest will accrue on accounts overdue by 30 days at the lesser of 1.5% per month (18% per annum) or the maximum legal rate of interest.

**REPRESENTATIVES:** Each party shall designate in the space provided above a representative who is authorized to act on behalf of that party and receive notices under this AGREEMENT. Such representatives have complete authority to act on behalf of their principal's in respect to all matters arising under this AGREEMENT.

**NOTICES:** All notices, consents, and approvals required to be given hereunder shall be in writing and shall be given to the representatives of each party. All notices required by this AGREEMENT to be given by either party shall be deemed to be properly given and received within two (2) business days if made in writing to the other party by certified mail, telegram, email, facsimile or telex, addressed to the regular business address of such party as identified above.

**CLIENT'S RESPONSIBILITIES:** The CLIENT shall provide to OUTBACK all relevant information or data pertinent to the PROJECT which is required by OUTBACK to perform the SERVICES. OUTBACK shall be entitled to rely upon the accuracy and completeness of all information and data furnished by the CLIENT, including information and data originating with other consultants employed by the CLIENT whether such consultants are engaged at the request of OUTBACK or otherwise. Where such information or data originates either with the CLIENT or its consultants then OUTBACK shall not be responsible to the CLIENT for the consequences of any error or omission contained therein, unless OUTBACK has actual knowledge that said information or data is inaccurate.

When required by OUTBACK, the CLIENT shall engage specialist consultants directly to perform items of work necessary to enable OUTBACK to carry out the SERVICES. Whether arranged by the CLIENT or OUTBACK, these services shall be deemed to be provided under direct contracts with the CLIENT unless expressly provided otherwise.

The CLIENT shall give prompt consideration to all documentation related to the PROJECT prepared by OUTBACK and whenever prompt action is necessary shall inform OUTBACK of CLIENT's decisions in such reasonable time so as not to delay any schedule for providing the SERVICES.

When applicable, the CLIENT shall arrange and make provision for OUTBACK's entry to the PROJECT site as well as other public and private property as necessary for OUTBACK to perform the SERVICES. The CLIENT shall obtain any required approvals, licenses and permits from governmental or other authorities having jurisdiction over the PROJECT so as not to delay OUTBACK in the performance of the SERVICES.

**OUTBACK'S RESPONSIBILITIES:** OUTBACK shall furnish the necessary qualified personnel to provide the SERVICES. OUTBACK represents that it has access to the experience and capability necessary, and agrees to perform the SERVICES with the reasonable skill and diligence normally provided in the performance of the SERVICES at the time when the SERVICES were performed. This undertaking does not imply or guarantee a perfect PROJECT and in the event of failure or partial failure of the product of the SERVICES, OUTBACK will be liable only for its failure to exercise diligence and reasonable care. This standard of care is the sole and exclusive standard of care that will be applied to measure OUTBACK's performance. There are no other representations or warranties expressed or implied made by OUTBACK. In particular, but not by way of limitation, no implied warranty of merchantability or fitness for a particular purpose shall apply to the SERVICES provided by OUTBACK nor shall OUTBACK warrant or guarantee economic, market or financial conditions, schedules for public agency approvals, or other factors beyond OUTBACK's reasonable control. OUTBACK does not warrant the SERVICES to any third party.

In performing the SERVICES under this AGREEMENT, OUTBACK shall operate as and have the status of an independent contractor and shall not act as, or be an employee of the CLIENT.

The SERVICES performed by OUTBACK shall be subject to the inspection and the review of the CLIENT at all times but such inspection and review shall not relieve OUTBACK from its responsibility for the proper performance of the SERVICES.

**TERMINATION:** Either party may terminate this AGREEMENT without cause upon thirty (30) days' notice in writing. If either party breaches this AGREEMENT, the non-defaulting party may terminate this AGREEMENT after giving seven (7) days' written notice to remedy the breach. On termination of this AGREEMENT, the CLIENT shall forthwith pay OUTBACK for the SERVICES performed to the date of termination except any amount that is the subject of a good faith dispute. Non-payment by the CLIENT of OUTBACK's undisputed invoices within 30 days of OUTBACK rendering same is agreed to constitute a material breach of this AGREEMENT and, upon written notice as prescribed above, the duties, obligations and responsibilities of OUTBACK are terminated.

**ENVIRONMENTAL:** Except as specifically described in this AGREEMENT, OUTBACK's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater.

**PUBLIC REGULATIONS:** OUTBACK shall, to the best of its ability, interpret public regulations as they apply to the PROJECT and as they are published at the time SERVICES commence. However, it is expressly acknowledged and agreed by the CLIENT that such public regulations may change or the interpretation of any public authority may differ from the interpretation of OUTBACK, through no fault of OUTBACK, and any extra costs necessary to conform to such changes or interpretations during or after execution of the SERVICES will be paid by the CLIENT.

When services are provided by other consultants, contractors, persons or entities other than OUTBACK, no acceptance by OUTBACK of the work or services of a contractor or other consultants, whether express or implied, shall relieve such contractor or other consultants from their responsibilities to the CLIENT for the proper performance of such work or services; and further, OUTBACK shall not be responsible to the CLIENT or to the contractor or to the other consultants for the means, methods, techniques, sequences, procedures and use of equipment of any nature whatsoever, whether reviewed by OUTBACK or not, which are employed by the contractor or the other consultants in executing, designing, or administering any phases of the PROJECT, or for placing into operation any plant or equipment or for safety precautions and programs incidental thereto.

**JOBSITE SAFETY:** Neither the activities of OUTBACK, nor the presence of OUTBACK or its employees and sub consultants, shall relieve the CLIENT, and any other entity, of their obligations, duties and responsibilities with respect to job site safety. Subject only to applicable legislation, OUTBACK and its personnel have no authority to exercise any control over any contractor or other entity or their employees in connection with their work or any health or safety precautions.

**LIMITATION OF LIABILITY:** The CLIENT releases OUTBACK from any liability and agrees to defend, indemnify and hold OUTBACK harmless from any and all claims, damages, losses, and/or expenses, direct and indirect, or consequential damages, including but not limited to attorney's fees and charges and court and arbitration costs, arising out of, or claimed to arise out of, the performance of the SERVICES, excepting liability arising from the negligence or willful misconduct of OUTBACK. It is further agreed that the total amount of all claims the CLIENT may have against OUTBACK under this AGREEMENT or arising from the performance or non-performance of the SERVICES under any theory of law, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, shall be strictly limited to the lesser of the fees paid to OUTBACK for the Services or the sum of \$ 1,000,000.00. No claim may be brought against OUTBACK in contract or tort more than two (2) years after the cause of action arose. Any claim, demand or suit shall be directed and/or asserted only against OUTBACK and

not against any of OUTBACK'S employees, officers or members.

OUTBACK's liability with respect to any claims arising out of this AGREEMENT shall be absolutely limited to direct damages arising out of the SERVICES and OUTBACK shall bear no liability whatsoever for any consequential loss, injury or damage incurred by the CLIENT, including but not limited to claims for loss of use, loss of profits and loss of markets

**INDEMNITY.** CLIENT agrees to indemnify and hold the other harmless and its officers, employees, agents and representatives, from and against liability for all claims, losses, damages and expenses, including reasonable attorney fees, claimed by third parties to the extent such claims, losses, damages or expenses are caused by CLIENT'S negligent acts, errors or omissions.

**INDEMNITY FOR MOLD CLAIMS:** It is understood by the parties that existing or constructed buildings may contain mold substances that can present health hazards and result in bodily injury, property damage and/or necessary remedial measures. If, during performance of the SERVICES, OUTBACK knowingly encounters any such substances, OUTBACK shall notify the CLIENT and, without liability for consequential or any other damages, suspend performance of services until the CLIENT retains a qualified specialist to abate and/or remove the mold substances. The CLIENT agrees to release and waive all claims, including consequential damages, against OUTBACK, its sub consultants and their officers, directors and employees arising from or in any way connected with the existence of mold on or about the project site whether during or after completion of the SERVICES unless attributable to OUTBACK'S breach of its duties hereunder, and except for those claims, liabilities, costs or damages caused solely by the gross negligence and/or knowing or willful misconduct of OUTBACK. OUTBACK and the CLIENT waive all rights against each other for mold damages to the extent that such damages sustained by either party are covered by insurance.

**FORCE MAJEURE:** Any default in the performance of this AGREEMENT caused by any of the following events and without fault or negligence on the part of the defaulting party shall not constitute a breach of contract: labor strikes, riots, war, acts of governmental authorities, unusually severe weather conditions or other natural catastrophe, or any other cause beyond the reasonable control or contemplation of either party.

**GOVERNING LAW:** This AGREEMENT shall be governed, construed and enforced in accordance with the laws of the State of Colorado.

**DISPUTE RESOLUTION:** If requested in writing by either the CLIENT or OUTBACK, the CLIENT and OUTBACK shall attempt to resolve any dispute between them arising out of or in connection with this AGREEMENT by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties.

**ATTORNEYS FEES:** In the event of a dispute hereunder, the prevailing party shall be awarded all costs incurred by the prevailing party in enforcing this AGREEMENT and prosecuting the dispute, including reasonable attorneys and expert's fees, whether incurred through formal legal proceedings or otherwise.

**ASSIGNMENT AND SUCCESSORS:** Neither the CLIENT nor OUTBACK shall, without the prior written consent of the other party, assign the benefit or in any way transfer the obligations of this AGREEMENT or any part hereof. This AGREEMENT shall enure to the benefit of and be binding upon the parties hereto, and except as otherwise provided herein, upon their executors, administrators, successors, and assigns.

**ENTIRE AGREEMENT:** This AGREEMENT constitutes the sole and entire agreement between the CLIENT and OUTBACK relating to the PROJECT and supersedes all prior agreements

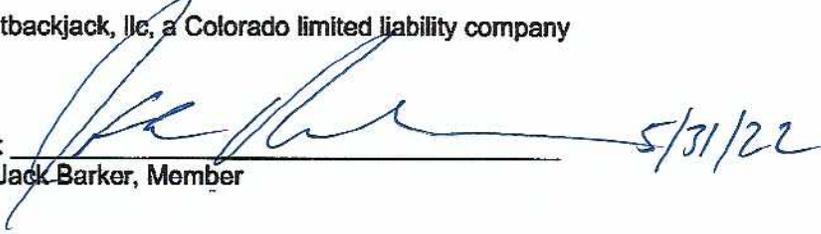
between them, whether written or oral respecting the subject matter hereof and no other terms, conditions or warranties, whether express or implied, shall form a part hereof. This AGREEMENT may be amended only by written instrument signed by both the CLIENT and OUTBACK.

**SEVERABILITY:** If any term, condition or covenant of this AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this AGREEMENT shall be binding on the CLIENT and OUTBACK THE PARTIES EXPRESSLY ACKNOWLEDGE THAT THIS AGREEMENT CONTAINS LIMITATION OF LIABILITY PROVISIONS RESTRICTING RIGHTS FOR THE RECOVERY OF DAMAGES.

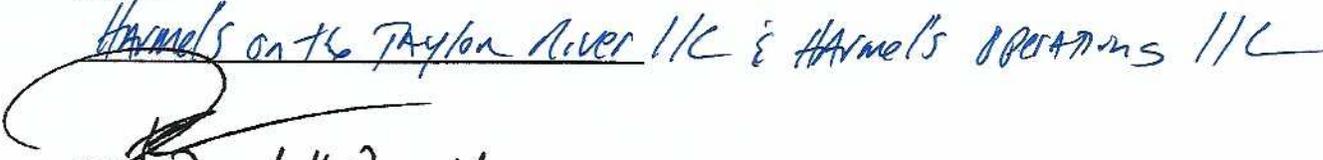
The Parties, intending to be legally bound, have made, accepted and executed this AGREEMENT as of the Agreement Date noted above:

OUTBACK:

Outbackjack, llc, a Colorado limited liability company

By:  5/31/22  
Jack Barker, Member

CLIENT:

  
By: David H Reynolds  
Harmel's on the Taylor River, LLC  
Name: Harmel's Operations, LLC

Title: Manager

**Attachment A Harmel's Ranch Resort**

**SCOPE OF WORK**

1. The Scope of Work shall include the following (or such portions thereof as are applicable based upon any variance received) upon approval of a variance by Gunnison County that allows this work:

- 1.1. Supervision for vaulting of septic systems in compliance with County requirements at the cost of \$65.00 per hour.
- 1.2. Supervision of installation of automated sensors in tanks in compliance with County requirements at the cost of \$65.00 per hour.
- 1.3. Provision of one pumper truck on site at a per day rate of \$250.00, which is \$1,750.00 per week. This truck will not be provided unless and until CLIENT provides a licensed and certified operator to operate the pumper truck on site. CLIENT shall not operate the truck off the site. The truck will be onsite and these charges incurred May 15 through October 1 of each year commencing as soon as the County approves this truck pursuant to a temporary variance for wastewater.
- 1.4. Transportation and dumping of waste at the cost of \$250.00 per trip plus the city's dump fee, which is currently thirty cents per gallon. If trips are required at the weekends and holidays, they are charged at \$350.00 per trip.

2. The following additional work shall be billed at the rate of \$65.00 per hour:

- 2.1 Any required site visits including travel time.
- 2.2 Any associated travel in order to remain in compliance with State and County.
- 2.3 Communications, discussions and assistance in working with the State and County and CLIENT in an effort to be compliant with wastewater standards.

OUTBACK shall be reimbursed by CLIENT for all associated travel expenses, including mileage at the rate of \$.50 per mile, lodging, and meals which shall be due and payable upon invoice.

3. CLIENT shall provide all necessary supplies to perform the scope of work and CLIENT'S expense.

4. The Systems remain the property of CLIENT, and any and all repairs to the Systems are the responsibility of the CLIENT. OUTBACK must be permitted to inspect any and all repairs or replacements to the Systems to verify that the same meets the basic industry standards to protect the public health.

5. CLIENT shall pay to OUTBACK the sum of \$20,000.00 upon the mutual execution of this agreement. This \$20,000.00 is protection from nonpayment. Outback will not apply the \$20,000.00 to outstanding invoices unless such invoices remain unpaid for more than 40 calendar days. Outback will immediately notify Gunnison County of any use of the \$20,000.00 to pay for the Work, including any invoice. Outback will continue to provide the Work notwithstanding nonpayment of any invoice until the \$20,000.00 has been exhausted. Any unpaid or unused portion of the \$20,000.00 will be immediately returned to CLIENT upon

CLIENT: \_\_\_\_\_

OUTBACK: \_\_\_\_\_

5/31/22

termination or conclusion of this agreement and in no event later than November 1, 2023. This \$20,000.00 may not be used, distributed, or paid except as expressly set forth in this paragraph.

6. The term of this Agreement shall run from May 1, 2021, through November 1, 2023.

CLIENT: 

OUTBACK: 

5/31/22



# LAW OF THE ROCKIES

**Members**  
Marcus J. Lock  
Jacob A. With  
Kendall K. Burgemeister  
Daniel P. Spivey

525 N. Main Street, Gunnison, CO 81230 | 970.641.1903  
lawoftherockies.com | Email: [jwith@lawoftherockies.com](mailto:jwith@lawoftherockies.com)

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March 13, 2024

**VIA ELECTRONIC MAIL**

Crystal Lambert  
Gunnison County Building & Environmental Health Official  
[clambert@gunnisoncounty.org](mailto:clambert@gunnisoncounty.org)

***Re: Request for extension of Environmental Health Board Variance Request Action for 6748 County Road 742, 146.07 acres in Sections 21, 27 & 28, Township 15S Range 84W (the "Variance")***

Dear Ms. Lambert,

I am writing to you on behalf of Harmels on the Taylor River LLC ("Harmels") to request a one-year extension of the Variance. Pursuant to paragraph 4 of the Variance, "A one-time extension, of up to one-year can be granted by the Department if justifiable evidence is provided that shows the extension is warranted and necessary for timing of the completion of the future wastewater treatment plant." Harmel's respectfully requests that this variance be provided.

Harmels submitted the application for the wastewater treatment plant to the Colorado Department of Health and Environment ("CDPHE") on February 17, 2023. CPHE responded and requested additional information such as a more detailed site plan, HEC 100 year flood plain analysis, and other items. During the summer of 2023, this additional site investigation was performed, and the additional material in support of the application was submitted January 30, 2024. In addition, CDPHE requested an application relating to the determination of preliminary effluent limits ("PEL"). Harmels also submitted the PEL application on January 30, 2024.

At this time, Harmels has submitted all materials requested by CDPHE and has not heard anything further from CDPHE. In an effort to provide Gunnison County with an anticipated timeline for completion of the wastewater treatment plant, on March 6, 2024, Harmels wrote to the CDPHE, noting that we would like to provide Gunnison County with an expected timeline and requesting an anticipated response date or determination date from CDPHE. To date, we have not received any further response.

At this time, Harmels is working diligently to obtain CDPHE approval for the wastewater treatment plant. Harmels anticipates filing a land use change application permit shortly that will

March 13, 2024

Page 2 of 2

**LAW OF THE ROCKIES**

require a wastewater treatment plant. The wastewater treatment plant is required for Harmels to operate at maximum capacity and to pursue the land use change to improve its commercial operations. Accordingly, Harmels is very much motivated to obtain CDPHE approval as fast as possible.

Given the progress to date, I believe Harmels has shown that it is working in good faith toward obtaining approval for the wastewater treatment plant and that it is motivated to obtain that approval as soon as it is able to obtain it. However, given that Harmels must not only obtain approval of the wastewater plant but then have it delivered and installed, Harmels believes that this will likely be completed at the earliest in June of 2025 as an approval early enough this year may accommodate delivery and installation early next summer. Harmels submits that this is justifiable evidence that the extension is necessary and warranted given the good faith, diligent efforts and earliest potential completion date. Accordingly, Harmels requests the one year extension to June 30, 2025.

Enclosed please find a copy of the submissions to CDPHE and the logs for pumping for 2023.

Your consideration of this request is greatly appreciated.

Sincerely,



Jacob A. With  
LAW OF THE ROCKIES

cc: Harmels  
Enclosures (2)



# LAW OF THE ROCKIES

**Members**  
Marcus J. Lock  
Jacob A. With  
Kendall K. Burgemeister  
Daniel P. Spivey

525 N. Main Street, Gunnison, CO 81230 | 970.641.1903  
lawoftherockies.com | Email: [jwith@lawoftherockies.com](mailto:jwith@lawoftherockies.com)

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March 18, 2025

**VIA ELECTRONIC MAIL**

Gunnison County Environmental Health  
c/o Crystal Lambert  
[clambert@gunnisoncounty.org](mailto:clambert@gunnisoncounty.org)

***Re: OWTS-22-00138; Harmel's variance for certain vaulting pending state approved package plant***

Dear Ms. Lambert,

I am writing to you on behalf Harmels on the Taylor River LLC (“Harmels”) to request an extension of time on the existing variance because of delays with the state of Colorado beyond the control of Harmels. The Environmental Health Board provided a variance dated June 30, 2022 allowing certain vaulting of Harmels’ septic systems for a period of up to 36 months. Harmels expected to have a state permitted package plant approved and installed within that timeframe. To that end, Harmels retained Jerry Greene, P.E. to submit to the state the required applications. The first of these is the state required Primary Effluent Levels application (the “PELs Application”). Mr. Greene submitted the PELs Application at the end of January, 2024. Since that date, the state has not provided any objection, concerns, or requests for additional submissions for the PELs Application, nor any approval for the PELs Application.

Nevertheless, in an effort to do as much as possible to continue moving forward with the state approval process, in addition to having Mr. Greene on board, Harmels has now also retained SCJ Alliance to provide additional engineering and, hopefully, assistance in lobbying the state for its attention to the Harmels PELs Application as well as providing additional submissions, though they are not yet due, in the hopes of causing the state to provide attention to Harmels’ PELs Application.

Though the existing variance, including the already granted extension, does not expire until June 30, 2025, nevertheless Harmels is substantially concerned by the lack of responsiveness by the state and desires to obtain an additional extension for one year with the possibility of an additional extension of up to one-year that can be granted by the Department if justifiable evidence is provided that shows the extension is necessary and warranted for timing of the completion of the future wastewater treatment plant.

If, optimistically, approval is received from the state late this summer or early this winter, it may be possible that the plant can be installed next summer, but if the plant is not approved until 2026, it likely could not be installed until 2027.

I have enclosed with this letter a copy of all the vaulting and transportation records since the date of approval.

I have enclosed a letter from Jerry Greene and another from SCJ Alliance indicating that they are working on the project and are not aware of anything additional required by the state to process the PELs Application.

To my knowledge, Harmels is fully compliant with all state and county regulations. It is working as much as it can be to complete the plant, has hired at substantial expense multiple engineers to prosecute the application, and has authorized and directed them to do everything that they can to move the application forward with the state. Harmels recognizes the genuine desire of the County to ensure that a wastewater plant is on site and operating as soon as possible and shares that desire. Unfortunately, however, at this time, Harmels is at a loss on what else it can do to move the application forward and Harmels is not aware of any viable alternative to obtaining a variance.

Sincerely,



Jacob A. With  
LAW OF THE ROCKIES

cc: Harmels  
Enclosures: 3

**Jerry  
Greene, P.E.**

Consulting Engineer  
28 Quartz Street  
Gunnison, Colorado 81230  
~~(970) 641-9942~~

970 209-9989



TO: Jacob A. With, Law of the Rockies

March 11, 2025

FROM: Greene Engineering

Project # 3293

Harmel's

RE: Variance Request OWTS-22-00138

Jacob, as you requested, this is to confirm that I have contacted the state at various times during this past year in an attempt to obtain approvals for the PEL's Application and the Site Application for the Wastewater Treatment Plant and have received no reply.

A handwritten signature in cursive script that reads 'Jerry Greene'.

Jerry Greene, PE



March 11, 2025

Gunnison County Environmental Health  
c/o Crystal Lambert  
[clambert@gunnisoncounty.org](mailto:clambert@gunnisoncounty.org)

Re: OWTS-22-00138; Harmel's variance for certain vaulting pending state approved package plant

Dear Ms. Lambert

SCJ Alliance has been tasked with aiding Harmels on the Taylor with the permitting and construction of a new wastewater treatment plant. It is our understanding that the first steps to acquiring a permit for the proposed plant, and therefore construction, have already begun. This is mainly in reference to a previously submitted Primary Effluent Levels (PELs) application, as well as a Site Application that was submitted to the Colorado Department of Public Health & Environment (CDPHE) by Jerry Greene, P.E. in 2024. It is our further understanding that there has been no response from CDPHE since that submission, and that SCJ was retained to complete this effort. There should not be any additional information required by CDPHE to process the PELs application, and SCJ Alliance is in the process of ensuring the permitting process moves along at a steady pace.

Though there is an existing variance, we believe a variance extension will be necessary to complete the permitting and construction process due to the delays from CDPHE. SCJ is working hard to complete the permitting and construction of the wastewater treatment plant. SCJ does not believe that the existing septic system usage and vaulting will pose a material risk to environmental health or safety and, accordingly, recommends that it remain in place during permitting and construction. At this time, construction is estimated to be completed in 2027 at the latest depending on permit approvals. Overall, SCJ Alliance is confident in its ability to have this facility operational within this timeline.

Respectfully,

A handwritten signature in blue ink, appearing to read "Cameron Fogerty", is written over a light blue horizontal line.

Cameron Fogerty, EIT  
SCJ Alliance



**COLORADO DISCHARGE PERMIT SYSTEM (CDPS)**  
CPDS DOMESTIC WASTEWATER TREATMENT PLANT PERMIT APPLICATION

PHOTO COPIES, FAXED COPIES, PDF COPIES, or EMAILED COPIES WILL NOT BE ACCEPTED

Please print or type. Original signatures are required. This application must be considered complete by the Division prior to initiation of permit processing. The Division will notify you if additional information is needed to complete the application. (If more space is required to answer any question, please attach additional sheets to the application form.) Applications must be submitted by mail or delivered to:

Colorado Department of Public Health and Environment  
Water Quality Control Division  
4300 Cherry Creek Drive South  
WQCD-P-B2  
Denver, Colorado 80246-1530

Any additional information that you would like the Division to consider in developing the permit should be provided with the application. Examples include data and/or modeling regarding receiving water characteristics, data and/or modeling regarding effluent characteristics, and planned pollutant removal strategies and their implementation timeframe. Please indicate any types of additional information that are provided with this application below.

**PERMIT INFORMATION** Applicant is:  Property Owner  Contractor/Operator

Reason for Application:  NEW  RENEW EXISTING PERMIT or CERT # \_\_\_\_\_

Check Box if the Infrastructure Bill is a reason for the project:

Application is for an Individual Permit

Application is for a Permits First Water Quality Planning Target (WQPT)

Application is for a General Permit - Preliminary Effluent Limit approved the following general permit:

COG590000 WWTF With Chronic Low Flow: Design Flow 100:1

COG591000 WWTF With Chronic Low Flow: Design Flow <100:1

Additional Detail on Purpose/Explanation of Application: (e.g., expanding, converting to a general permit, WQPT, infrastructure bill)

Harmel's Resort has been in existence for many years. The new owner proposes to abandon failed septic systems that do not meet Policy 6 separation S and construct a collection system and WWTP.

For Surface Water Discharge complete this form up to and including Section IX, as required.

For Ground-Water Discharge:

Impoundment Complete all sections and APPENDICES D & D-1;

Land Application Complete pages 1-8 and one copy only of SECTION IX, APPENDICES D & D-2;

Septic System > 2000 gpd Complete all sections and APPENDICES D & D-3.

If both surface water and ground water discharge are checked, then complete the following questions:  
Complete all sections and, APPENDIX D and the appropriate subsection (D-1, D-2 D-3).

**A. Contact Information** (If necessary please add additional pages)

Permittee Organization Formal Name: Harmel's on the Taylor River

1. Permittee the person authorized to sign and certify the permit application. This person receives all permit correspondences and is legally responsible for ensuring compliance with the permit.

Responsible Position (Title): President + CEO

Currently Held By (Person): David H. Reynolds

Telephone No: 970 712-4526 email address dave@impactmhc.com

Mailing Address: P.O. Box 457

City: Cedaredge State: CO Zip: 81413

This form must be signed by the Permittee to be considered complete.

Per Regulation 61: In all cases the permit application shall be signed as follows:

- In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- In the case of a partnership, by a general partner.
- In the case of a sole proprietorship, by the proprietor.
- In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official

2. DMR Cognizant Official (i.e. authorized agent)—the person or position authorized to sign and certify reports required by permits including Discharge Monitoring Reports [DMR's], Annual Reports, Compliance Schedule submittals, and other information requested by the Division. The Division will send pre-printed reports (e.g. DMR's) to this person. If more than one, please add additional pages Same as Permittee Item 1

Responsible Position (Title): \_\_\_\_\_

Currently Held By (Person): \_\_\_\_\_

Telephone No: \_\_\_\_\_

Email address \_\_\_\_\_

Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Per Regulation 61: All reports required by permits, and other information requested by the Division shall be signed by the permittee or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (i) The authorization is made in writing by the permittee;
- (ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
- (iii) The written authorization is submitted to the Division.

3. Site/Local Contact—contact for questions regarding the facility & discharges authorized by this permit Same as Permittee—Item 1

Responsible Position (Title): \_\_\_\_\_

Currently Held By (Person): \_\_\_\_\_

Telephone No: \_\_\_\_\_

Email address \_\_\_\_\_

Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Certified Operator in Responsible Charge (ORC) may designate one or both if needed

A. Wastewater Treatment Facility ORC

Operator ID Number: 399

Operator's legal name: Jack Barker

Telephone No: 970 209-9026

Email address outbackjackllc@outlook.com

Organization: Outbackjack LLC

Mailing Address: 402 W. Gunnison Ave Suite 1

City: Gunnison State: CO Zip: 81230

B. Wastewater Collection System ORC

Operator ID Number: Same as above

Operator's legal name: \_\_\_\_\_

Telephone No: \_\_\_\_\_

Email address \_\_\_\_\_

Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

5. Billing Contact (if different than the permittee)

Responsible Position (Title): Regional Property Accountant  
 Currently Held By (Person): Tyler Reynolds, CPA  
 Telephone No: 970 773-0672  
 Email address: treynolds@impactmhc.com  
 Organization: Impact Communities  
 Mailing Address: P.O. Box 457  
 City: Cedaredge State: CO Zip: 81413

6. Other Contact Types (check below)

Responsible Position (Title): Consulting Engineer  
 Currently Held By (Person): Jerry Greene, PE  
 Telephone No: 970 209-9989  
 Email address: greenecons engr@yahoo.com  
 Organization: Greene Consulting Engineering  
 Mailing Address: 28 Quartz Street  
 City: Gunnison State: CO Zip: 81230

- Pretreatment coordinator
- Environmental Contact
- Biosolids Responsible Party
- Property Owner
- Inspection Facility Contact
- Consultant
- Compliance Contact
- Stormwater MS4 Responsible Person
- Stormwater Authorized
- Representative
- Other \_\_\_\_\_

Add pages if necessary

**B. Permitted Project/Facility Information**

1. Project/Facility Name Harmel's Treatment Plant  
 Street Address or cross streets 6748 CR 742  
 City, State and Zip Code Almont, CO 81210 County Gunnison  
 Type of Facility Ownership  
 City Government  Corporation  Private  Municipal or Water District  
 State Government  Mixed Ownership \_\_\_\_\_

Directions from nearest major cross streets

Proceed north from Gunnison on SH135 approximately 10mi to Almont, then turn right onto CR 742 and travel approx 6mi to Harmel's on the Taylor River. See Vicinity Map.

2. Facility Latitude/Longitude—List the latitude and longitude of the excavation(s) resulting in the discharge(s). If the exact excavation location(s) are not known, list the latitude and longitude of the center point of the construction project. If using the center point, be sure to specify that it is the center point of construction activity.

001A Latitude 38.72278° Longitude 106.77500° (e.g., 39.70312°, 104.93312°)  
 degrees (to 5 decimal places) degrees (to 5 decimal places)

Horizontal Collection Method  GPS unspecified  Interpolation map Map scale number \_\_\_\_\_

Reference Point  Project/Facility entrance  Project/Facility center (Centroid)

Horizontal accuracy measure NAD 83 (WQCD Requires use of NAD83 Datum for all references)

**C. Service Area and Population**

Location Map Defining the legal boundaries of the service area. A north arrow shall be shown.  
 This map must be on paper 8-1/2 x 11 inches.

Breakdown of Number and Type of existing taps in the Service Area

Type of Tap	Number	Description (attach list if necessary)	Total Estimated Flow
Residential <u>NA</u>	<u>Also</u>	<u>See Fluidyne's Flow calculations</u>	
Industrial <u>NA</u>			<u>for updated flows to match their system.</u>
Commercial <u>Resort</u>		<u>See Estimated Flows</u>	<u>24,800 gpd</u>
Other: Specify <u>Tourists</u>		<u>"</u>	<u>2,500 gpd</u>
		<u>Total</u>	<u>27,300 gpd</u>

All facilities with a design flow of 1 MGD or greater shall provide a list of non-residential customers which includes the name, address and type of business.

Population of Service Area 400 during peak summer months

Municipalities or Areas Served

Identify any agreements, for the acceptance and treatment of wastewater, with connector systems, districts, subdivisions, counties, cities, or other agencies or persons within or outside the defined service area. All wastewater flows will be generated within the property.

D. Flows and Discharges

Influent Flows: Provide the following data on influent flows to the facility during the past calendar year. Effluent flow data may be substituted where that is no influent flow measuring and recording or totalizing device.

Average daily flow (MGD) during the three minimum flow months. month Jan month Feb month March  
Flows are estimated from septic tank pumping records, flow 0.002 flow 0.002 flow 0.002

Average daily flow (MGD) during the three maximum flow months. month June month July month Aug  
 flow 0.022 flow 0.024 flow 0.023  
 Maximum peak hourly flow (MGD) 0.027

Surface Water Discharge Points indicate the type of discharge (continuous, intermittent, seasonal, etc.), legal description (1/4 of 1/4 Section, Township, Range) and the name and description of the receiving water

Outfall Number	Legal Description (T, R, S, 1/4, 1/4)	Typical Months Of Discharge	Receiving Water	Latitude/Longitude	Method Used **
001A	T15S R4W 6th SW 1/4, NW 1/4 S 27	Intermittent	Taylor River	38.72278/106.77500	Interp.

\*\* Horizontal Collection Method: GPS Unspecified or Interpolation - Map  
 Horizontal Accuracy Measure (WQCD Requires use of NAD83 Datum for all references)

Will the discharge go to a ditch storm sewer, or any other type of conveyance?  YES  NO  
 If YES include  
 any agreement with the ditch owner which authorizes the discharge  
 the notification to the owner that this application is being made and a copy sent to the Division.

Discharge will be to the Taylor River.

Does facility accept septage?  YES  NO  
 If YES, provide description of procedures and quantities. (attach additional pages if necessary)

Will land application of any wastewater be practiced?  YES  NO

If YES Provide the information requested in Appendix D and D-2.  
 The Division may request additional information before the permit can be issued.

Bypassing and Overflow Points for Surface Water discharges and for Ground-Water discharges, as appropriate.

A. On a separate sheet, provide a diagram/map illustrating 1) the location of any bypass and/or constructed overflow point(s), 2) the receiving water, and 3) a description of any bypass and/or constructed overflow point(s) at the treatment facility that are not described in a current permit for the facility. Also provide this information for any lift station or any point in the collection system. NA

B. Include a general discussion of what conditions would cause a discharge from any such point to occur.

**Location Map** Defining the facility property and discharge points. A north arrow shall be shown. Any public water supply intakes within a 5 mile radius of the facility shall also be identified. This map must be on paper 8-1/2 x 11 inches. There are no public water supply intakes within 5mi radius.

**Diagram of the site** showing appurtenant facilities . (buildings, ponds, diversion ditches, treatment processes, etc.), the stream location, numbered discharge points, influent monitoring and effluent compliance sampling points, bypass points and flow monitoring points. This map must be on paper 8-1/2 x 11 inches.

A separate treatment process flow schematic may also be submitted.

**E. Receiving Water Information**

Provide a copy of any studies or other analyses which you feel may help the Division in its development of effluent limitations for your facility. This would include sampling data for pH and temperature, instream sampling and analyses upstream or downstream of the discharge, modeling results, or data for other parameters not currently required by your permit. See USGS printout for Taylor River @ Almont.

Is additional data being submitted for the following categories?

Effluent Data  YES  NO

Sample Upstream of the discharge point  YES  NO

Sample downstream of the discharge point  YES  NO

IF YES for any of these, please submit data on a CD in an excel spreadsheet format.

**F. Treatment Facilities and Sewer System**

Treatment Facility Design Capacity Refer to preliminary calculations by Fluidyne.

- NA {
- Provide design calculations and other engineering data which define the organic and hydraulic capacity of each unit process and the facilities as a whole. If this information was provided with the application for an existing permit, then provide information on any changes or additions at the facility since that time. Plans and specifications and engineering design studies must be certified by a registered professional engineer.
  - When did the facility first begin operating?
  - If this is a lagoon system, please provide verification that the lagoons are lined and provide information pertaining to the liner. Do these lagoons meet the allowable seepage rate requirement of less than or equal to  $1 \times 10^{-6}$  cm/sec? If the lagoons do meet the allowable seepage rate, please submit documentation showing this information. (Also, see Appendix D and D1 of this application.)
  - Has there been an expansion or rerating of the facility since the last permit was issued?  YES  NO
  - Date(s) and Number(s) of the original site approval for the facility and any amendments. \_\_\_\_\_

Collection System-Infiltration/Inflow The collection system is being designed.

- Does the 30-day average flow to the facility exceed 120 gallons/capita-day during any month?  YES  NO  
If so, attach a discussion of the extent of the problems (quantities, sources, etc.) and any ongoing or proposed correction programs (including scope and budget of programs). Attach a copy of the pertinent portions of any I/I studies which have been completed.
- Attach a description of any ongoing sewer system maintenance/repair/rehabilitation programs.
- Attach a description of any ongoing interceptor flow monitoring programs if such data is collected. Include a description of monitoring techniques, the locations of monitoring points and any pertinent data.

**Improvements** Are any facility or collection system (I/I reduction) expansions or improvements planned during the next five years? If so, describe the extent of the expansions/improvements and list any proposed schedules for planning, design and construction.

F. Treatment Facilities and Sewer System (cont)

Lift Stations Provide the following information for all lift stations in the service area:

Lift Station Name/No.	Wet Well Volume	# of Pumps and Capacities (gpm and Hp)	Current Peak Daily Flow (MGD)
There is no treatment plant or sewer system at this time.			
Currently septic tanks are being pumped when full and the wastewater hauled to the dump station in Gunnison. A few of the septic systems are still in operation. The new collection system will have lift stations.			

Include a map that shows the locations of the lift stations. The service area map requested in Item 4 of this application may be used in place of a separate map. *Design not complete at this time.*

Describe the emergency systems in place (alarms, dual grid power feed, generators, holding ponds, etc.) which will be used to prevent a discharge from any lift station. *None at this time.*

G. Operation and Management

\*Provide the following information for the facility. A current plan of operation which includes this information may be substituted.

- A. A copy or description of the staffing plan for the facility, including the number of operators and their certification levels, and operating personnel coverage of the facility during weekdays, weekends, and holidays.
- B. A discussion or outline of the emergency response program used at the facility. This discussion should include:
  - 1. A description of alternate power sources.
  - 2. A discussion of alarm systems installed at the facility, including any remote transmission of alarms.
  - 3. A description of the chain of command in emergency situations.
  - 4. Provide any other information for emergency response.

Provide these details on separate sheets. If information is not available for any of these items please indicate that this is the case and provide a brief explanation of why the item cannot be discussed or described.

- C. Attach a list of any chemicals which are used in the operation of the treatment facility. This includes chemicals added directly to the treatment process (chlorine, copper sulfate, other algicides, alum, etc.) as well as chemicals which are used adjacent to unit processes (ponds, basins, etc.) which may be carried into the treatment system by storm events, snowmelt, etc. MSDS sheets shall be included for any name-brand (Aquashade, Round-Up, etc.) products

Monitoring & Testing

- D. Describe the method of flow measurement for the influent flow to the facility and for each discharge (i.e., V-notch weir, 3- inch Parshall flume, calibrated pumping rate with run-time meter, none, etc.). Also, describe the "range" (minimum- maximum) of any flow metering and recording equipment associated with these devices.

Monitoring Point	Type of Device	Size	Range of Flows Measured	Type of Recorder/ Meter (if any)
300 I (influent)				
001A (effluent)				

**G. Operation and Management (cont)**

E. Describe procedures and tests used to determine the accuracy of the flow measuring and recording devices and note how often the devices are calibrated.

Device	Method	Frequency

F. Attach a description of approved analytical procedures which are used, or will be used, for analyzing each influent and effluent parameter in order to meet the reporting requirements of the permit. Also, describe the location where each analysis is or will be completed and the requirement used for each method not done in the lab. (i.e., BOD<sub>5</sub>-Method 5210B from Standard Methods, etc.) Is a commercial or other WWTP laboratory used? If so, identify the laboratory and submit their analytical methods for each parameter.

G. **\*\*GROUNDWATER** applicant is required to identify which total coliform analytical method will be used at the laboratory performing sample analyses. The analytical methods for total coliform are found in the Eighteenth Edition (or newer) of "Standard Methods for the Examination of Water and Wastewater". The choices of total coliform methods are as follows:

- Membrane Filter Technique (Method 9222B) \_\_\_\_\_ or
- Multiple Tube Fermentation Technique (Method 9221B) \_\_\_\_\_

If this application is for renewal of an existing permit and any violations of effluent limits occurred during the period of such a permit, are there any administrative, design, operational, or financial deficiencies which would prevent the applicant from eliminating such violations prior to the issuance of the renewal permit?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

The applicant shall answer yes if any such deficiencies were previously identified (engineering report, Division inspection, etc.) and have not been eliminated at this time.

If the answer to the above question is yes, then a written report must be included which describes how and when the deficiencies will be eliminated.

**H. Biosolids Handling - Beneficial Use or Disposal**

□ If facility is a lagoon, last time solids were removed? \_\_\_\_\_ Month \_\_\_\_\_ Year

Will biosolids be removed within the next 1-5 years? \_\_\_\_\_ YES      \_\_\_\_\_ NO

Anticipated date of removal: \_\_\_\_\_ Year

□ For a mechanical facility, please attach a short narrative description of the type of treatment (i.e. Class A or Class B), beneficial use (i.e. land application, composting) as described in EPA 503 Regulations/Colorado Biosolids Regulations #64, or disposal method(s) (i.e. landfill, transported to another facility) which are to be utilized.

□ Are biosolids being stored at the facility? \_\_\_\_\_ YES      \_\_\_\_\_ NO      For how long? \_\_\_\_\_

□ Will a contract hauler be utilized? Yes

If yes, please give name and frequency used. outbackjack LLC - the operator of record

□ Please attach a short narrative description on contingency plan for biosolids beneficial use and or disposal practice(s).

□ Describe the handling and final disposal method of screenings, grit and any other similar types of material at the facility (i.e. landfill, surface disposal, certificate of designation, storage).

## I. Industrial Contributors and Pretreatment NA

- Are industrial wastes, which contain any of the toxic pollutants or hazardous substances listed in Appendix A or B or are from any categorical industry listed in Appendix C, discharged to the sewer system?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

- Are there any facilities for acceptance of wastes, other than domestic septage, by rail, truck or dedicated pipeline?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

- If the answers to these questions are no, then answer question B. only.

- A. On a separate sheet, list any of the pollutants found in Appendix A and B which you know or have reason to believe are present in or may be present in the influent to the facility. For every pollutant you list, briefly describe the reasons you believe it to be present and report any analytical data (influent or effluent) in your possession (use separate sheets). If this information has been previously submitted to the Division, please indicate the date of the submittal and who in the Division it was sent to.

- B. Has a list of industrial contributors, including both those referenced in Appendix C and any non-categorical industries, been previously submitted?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

Identify any industries contributing industrial process wastewater that were not covered by previous submittals.

Provide procedures for identifying new industrial/commercial dischargers.

- C. Has an assessment of the quantity and quality of any industrial process wastewater contribution been previously submitted?

\_\_\_\_\_ YES      \_\_\_\_\_ NO

- If no assessment has been submitted and is presently available, please provide the data on an attached sheet.

- Has any additional data for industrial wastewaters been compiled which was not previously submitted?

\_\_\_\_\_ YES      \_\_\_\_\_ NO      If yes, please provide the data on an attached sheet.

- If not previously submitted to the Division, provide the following on separate sheets:

1. A discussion of pretreatment provided by each significant industrial user and/or specific treatment, if any, provided at the domestic treatment plan for any industrial waste received.
2. The estimated degree of reduction in the domestic facility of any relevant pollutant listed in Appendices A and B.
3. A summary or outline of the procedures for monitoring and testing of industrial pollutants generated in the service area.
4. A copy of any pretreatment ordinances and user charge schedules applicable to industrial contributors.
5. A discussion of any problems encountered with contributed industrial wastes and how these problems have been handled.

### J. Other Environmental Permits

Does this facility currently have any environmental permits, or is it subject to regulation, under either of the following programs?

Permit Name	Yes	No	Date Applied For	Permit No.
a. Colorado Division of Reclamation, Mining and Safety— permit anniversary:	<input type="checkbox"/>	<input type="checkbox"/>		
b. Underground Injection Control	<input type="checkbox"/>	<input type="checkbox"/>		
c. Clean Water Act (CWA) Section 404 (Army Corps of Engineers)	<input type="checkbox"/>	<input type="checkbox"/>		
d. Resource Conservation and Recovery Act (RCRA)	<input type="checkbox"/>	<input type="checkbox"/>		
e. CDPS Stormwater	<input type="checkbox"/>	<input type="checkbox"/>		
f. Colorado State Air Pollution Emission	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other	<input type="checkbox"/>			

### K. CERTIFICATION Required Signatures

**Signature of Applicant:** The applicant must be either the owner and/or operator of the construction site. Refer to Part B of the instructions for additional information. The application must be signed by the applicant to be considered complete. In all cases, it shall be signed as follows:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

*Terrill D Reynolds* 2/13/23  
 Signature of Owner (submission must include original signature) Date Signed

Terrill D Reynolds owner  
 Name (printed) Title

*Terrill D Reynolds* 2/13/23  
 Signature of Applicant (submission must include original signature) Date Signed

Terrill D Reynolds For Harmels on the Taylor River - Owner  
 Name (printed) Title

*[Signature]* 2/13/23  
 Signature of Operator (submission must include original signature) Date Signed

\_\_\_\_\_  
 Name (printed) Title

# Harmels on the Taylor River

T.15S.

6TH PM NMPM R.1W.

T.51N.

T.50N.

T.49N.

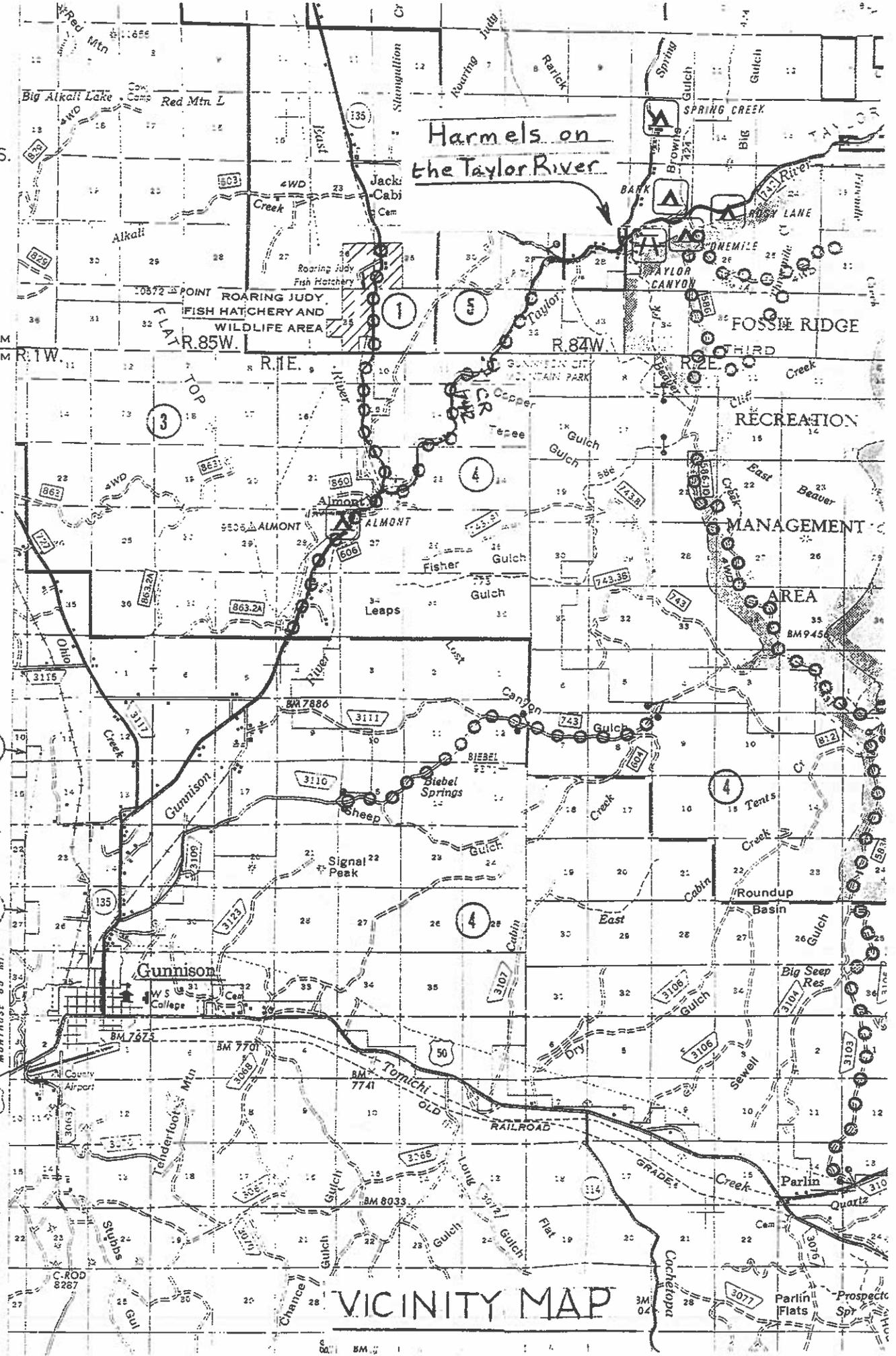
45'

5

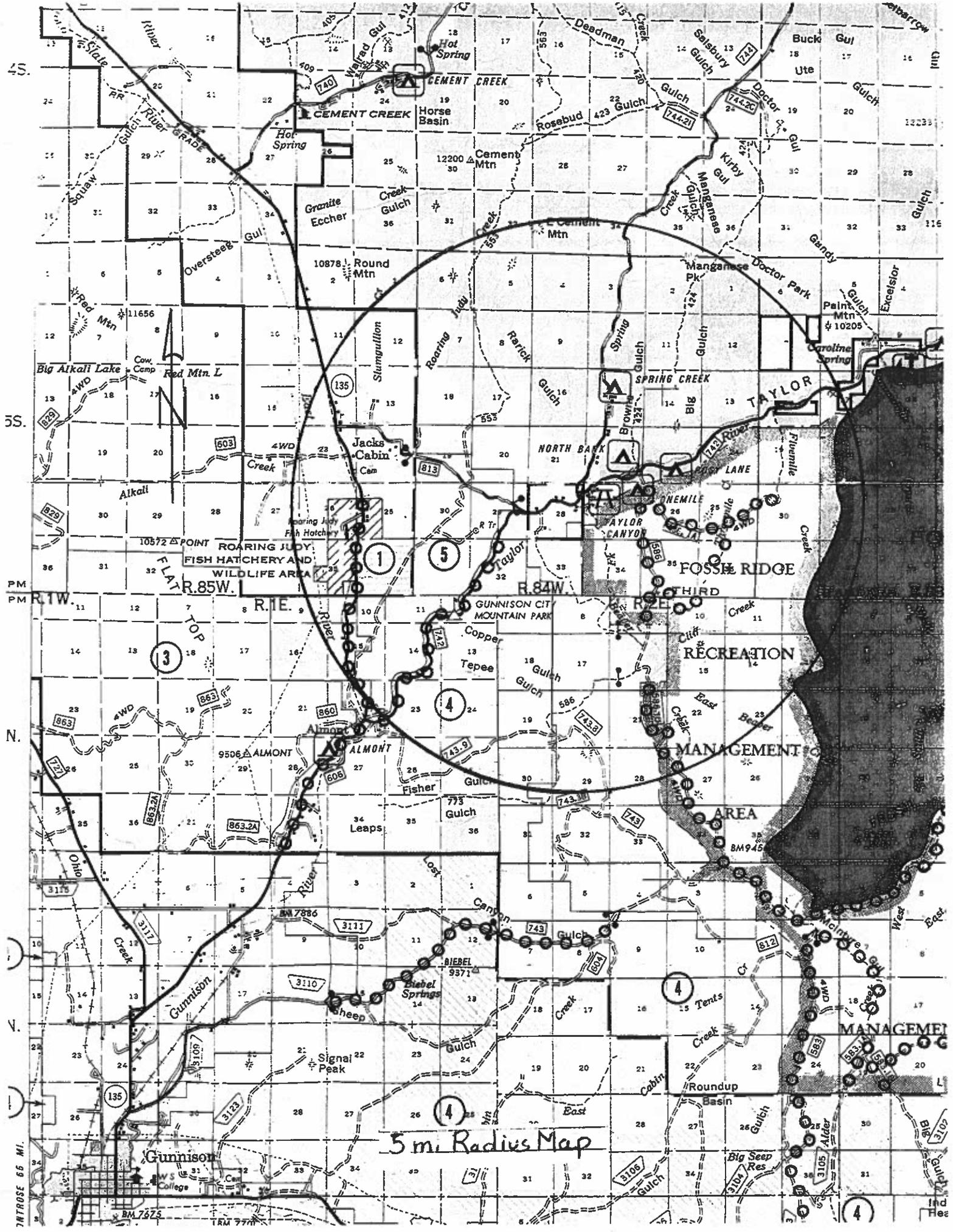
37'  
30"

6

38'  
30"



## VICINITY MAP



5 mi. Radius Map

45.  
35.  
PM  
PM  
N.  
V.  
7.190566 MI.

4



Spring Creek  
Location

Proposed new  
WW Treatment Plant

Proposed  
Discharge location

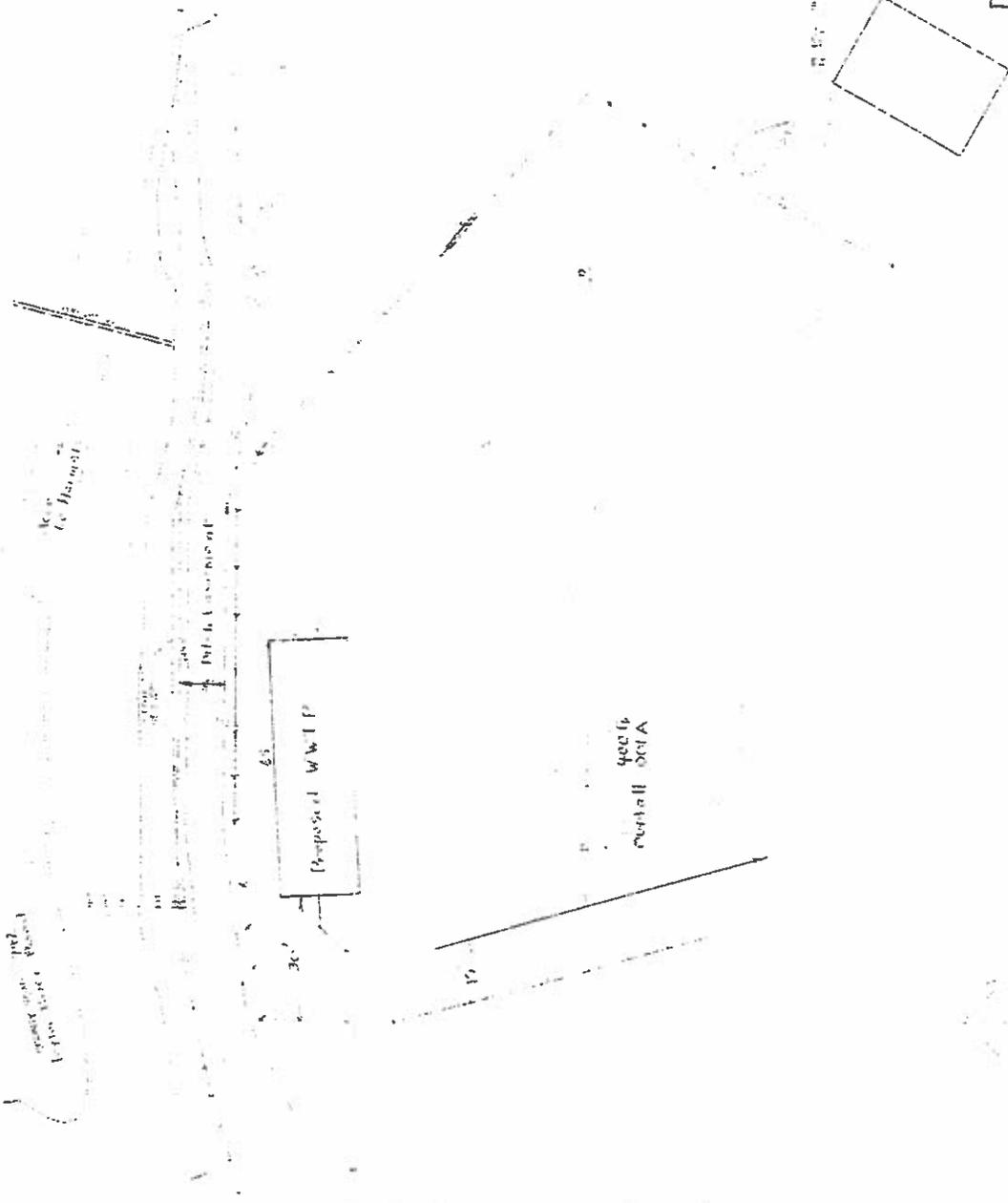
March 2022

### SITE MAP

*Tina E. Rose*  
6-21-22

SITE SURVEY  
PROPERTY OF  
SUNBELT POWER & LIGHT

SHEET 1 OF 1



## APPENDIX A

Toxic Pollutants And Hazardous Substances  
Organic Toxic Pollutants in Each of Three Fractions in  
Analysis by Gas Chromatography/Mass Spectroscopy (GC/MS)

Volatiles

Acrolein  
Acrylonitrile  
Benzene  
Bromoform  
Carbon Tetrachloride  
Chlorobenzene  
Chlorodibromomethane  
Chloroethane  
2-Chloroethylvinyl Ether  
Chloroform  
Dichlorobromomethane  
1,1-Dichloroethane  
1,2-Dichloroethane  
1,1-Dichloroethylene  
1,2-Dichloropropane  
1,2-Dichloropropylene  
Ethylbenzene  
Methyl Bromide  
Methyl Chloride  
Methylene Chloride  
1,1,2,2-Tetrachloroethane  
Tetrachloroethylene  
Toluene  
1,2-Trans-dichloroethylene  
1,1,1-Trichloroethane  
1,1,2-Trichloroethane  
Trichloroethylene  
Vinyl Chloride

Acid Compounds

2-Chlorophenol  
2,4-Dichlorophenol  
2,4-Dimethylphenol  
4,6-Dinitro-o-cresol  
2,4-Dinitrophenol  
2-Nitrophenol  
4-Nitrophenol  
P-chloro-m-cresol  
Pentachlorophenol  
Phenol  
2,4,6-Trichlorophenol

Pesticides

Aldrin  
Alpha-BHC  
Beta-BHC  
Gamma-BHC  
Delta-BHC  
Chlordane  
4'4'-DDT  
4'4'-DDE  
4'4'-DDD  
Dieldrin  
Alpha-Endosulfan  
Beta-Endosulfan  
Endosulfane Sulfate  
Endrin  
Endrin Aldehyde  
Heptachlor  
Heptachlor Epoxide  
PCB-1242  
PCB-1254  
PCB-1221  
PCB-1232  
PCB-1248  
PCB-1260  
PCB-1016  
Toxaphene  
Lindane  
Mirex  
Demeton

Base/Neutral

Acenaphthene  
Acenaphthylene  
Anthracene  
Benzidine  
Benzo(a)anthracene  
Benzo(a)pyrene  
3,4-Benzofluoranthene  
Benzo(ghi)perylene  
Benzo(k)fluoranthene  
Bis(2-chloroethoxy)methane  
Bis(2-chloroisopropyl)ether  
Bis(2-ethylhexyl)phthalate  
4-Bromophenyl phenyl ether  
Butylbenzyl phthalate  
2-Chloronaphthalene  
4-Chlorophenyl phenyl ether  
Chrysene  
Dibenzo (a,h) anthracene  
1,2-Dichlorobenzene  
1,3-Dichlorobenzene  
1,4-Dichlorobenzene  
3,3-Dichlorobenzidine  
Diethyl phthalate  
Dimethyl phthalate  
Di-n-butyl phthalate  
2,4-Dinitrotoluene  
2,6-Dinitrotoluene  
Di-n-octyl phthalate  
1,2-Diphenylhydrazine (as azobenzene)  
Fluoranthene  
Fluorene  
Hexachlorobenzene  
Hexachlorobutadiene  
Hexachlorocyclopentadiene  
Hexachloroethane  
Indeno(1,2,3-cd) pyrene  
Isophorone  
Naphthalene  
Nitrobenzene  
N-Nitrosodimethylamine  
N-Nitrosodi-n-propylamine  
N-Nitrosodiphenylamine  
Phenanthrene  
Pyrene  
1,2,4-Trichlorobenzene  
bis(2-chloroethyl)ether

## APPENDIX B

Toxic Pollutants And Hazardous SubstancesInorganic Toxic Pollutants

Asbestos

Hazardous Substances

Acetaldehyde

Allyl alcohol

Allyl chloride

Amyl acetate

Aniline

Benzonitrile

Benzyl chloride

Butyl acetate

Butylamine

Captan

Carbaryl

Carbofuran

Carbon disulfide

Chlorpyrifos

Coumaphos

Crotonaldehyde

Cyclohexane

2,4-D(2,4-Dichlorophenoxy acetic acid)

acid) Diazinon

Dicamba

acid) Dichlobenil

Dichlone

2,2-Dichloropropionic acid

Dichlorvos

Diethyl amine

Dimethyl amine

Dinitrobenzene

Diquat

Disulfoton

Diuron

Dodecylbenzenesulfonate

Epichlorohydrin

Ethanolamine

Ethion

Ethylene diamine

Ethylene dibromide

Formaldehyde

Furfural

Guthion Isoprene

Isopropanolamine

Keithane

Kepone

Malathion

Mercaptodimethur

Methoxychlor

Methyl mercaptan

Methyl methacrylate

Methyl parathion

Mevinphos

Mexacarbate

Monoethyl amine

Monomethyl amine

Naled

Napthenic acid

Nitrotoluene

Parathion

Phenolsulfanate

Phosgene

Propargite

Propylene oxide

Pyrethrins

Quinoline

Resorcino Cresol

Strontium

Strychnine

Styrene

2,4,5-T(2,5-Trichlorophenoxy acetic

TDE (Tetrachlorodiphenylethane)

2,4,5-TP[2-(2,4,5-Trichlorophenoxy propanoic

Trichlorofan

Triethylamine

Trimethylamine

Uranium

Vanadium

Vinyl Acetate

Xylene

Xylenol

Zirconium

APPENDIX C

CATEGORICAL INDUSTRIES

Adhesives and Sealants  
precious Aluminum Forming  
metals/Subpart B) Auto and Other Laundries  
Manufacturing  
Battery Manufacturing  
Coil Coating  
Copper Forming  
Electrical and Electronic Components

Explosives Manufacturing  
Foundries  
Gum and Wood (all subparts except D and F)  
Subpart D - tall oil rosin  
Subpart F - rosin-based derivatives  
Inorganic Chemicals Manufacturing  
Iron and Steel Manufacturing  
Leather Tanning and Finishing  
Mechanical Products Manufacturing  
Nonferrous Metals Manufacturing

Ore Mining (applies to the base and

Organic Chemicals

Paint and Ink Formulation  
Pesticides  
Petroleum Refining  
Pharmaceutical Preparations Electroplating  
Photographic Equipment and Supplies  
Plastic and Synthetic Materials Manufacturing  
Plastic Processing  
Porcelain Enameling  
Printing and Publishing  
Pulp and Paperboard Mills  
Rubber Processing  
Soap and Detergent Manufacturing  
Steam Electric Power Plants  
Textile Mills (Subpart C - Greige Mills are  
Exempt From This Table)  
Timber Products Processing

## APPENDIX D

## ADDITIONAL REQUIREMENTS FOR DISCHARGES TO GROUND WATER

## IMPOUNDMENTS, LAND APPLICATION AND SEPTIC SYSTEMS &gt;2000 GPD

GENERAL REQUIREMENTS

(1) **FACILITY MAPPING:** A location map of the facility and surrounding area, based on the USGS 7.5 minute quadrangle topographic map series or comparable map, shall be submitted with the following information: (a) facility location; (b) drinking water wells within a one mile radius of the facility in an urban area, or the drinking water wells within a five mile radius in a rural area; (c) the irrigation wells within one mile radius of the facility and indicate the estimated area of influence for each irrigation well.; (d) topography; (e) any known surface area contamination or ground water contamination area; and (f) a North arrow. Map must be no larger than 11 X 17 inches.

(2) **FACILITY SKETCH:** A legible sketch of the site shall be submitted and will include buildings, roads, ditches, ponds, streams, drains, impoundment(s), land application areas, any septic systems and monitoring well locations (indicate if in place or proposed). This sketch may be the same as in surface water discharge permit if no additional information is needed. The sketch will be on 8.5 X 11 inch paper.

(3) **SITE STUDIES/INFORMATION:** Provide a copy of any studies, geological reports, consultant reports, water quality analyses pertinent to your facility/site which you feel may help the Division in the development your ground-water permit. Include such reports/studies that address such areas of interest as ground-water quality analyses that establish ambient (existing ground-water quality prior to your ownership of the property), all Material Safety Data Sheets (MSDS) for each chemical used at your facility (an example MSDS is available from the Ground Water Unit), well driller's logs and pumping information of the local aquifer, any computer modelling results that have been performed for the immediate area, U. S. Geological Survey (USGS) reports for the area, etc.

(4) **GEOLOGY/HYDROGEOLOGY OF SITE:**

(a) Describe the local geology of the site. Identify and describe all lithologic units from the ground surface to the first impermeable stratigraphic unit. Provide the estimated thickness of each unit. Include a geologic map or cross sections, if necessary. Maps will be on 8.5 X 11 paper.

(b) Describe the hydrogeology of the site. Describe in detail the relationship of this site to any alluvial or bedrock water bearing formations (unconfined, confined, or perched) and surface water (lakes, ponds, ditches or streams). Identify aquifer name or formation name for each water bearing formation and provide the depth to water (include water elevation) for each. Describe any unusual geologic or hydrologic features that could affect ground water rate of movement or direction of movement (i.e. faults, fractures).

(c) Describe aquifer characteristics (transmissivity or permeability, porosity and storage capacity) of these water bearing formations. State the source(s) of this information.

(d) Provide potentiometric surface (ground water level) map(s) of the water bearing formations. Document information source(s), if obtained from published data. If water levels are contoured from site data, control points must be annotated with water table elevation and time period of measurements indicated in legend. Map must be legible and no larger than 11 X 17 inches.

(e) Discuss any hydrogeologic investigations or ground-water modeling conducted at this site.

(5) **Water Quality Sampling Requirements** The Discharge Regulations require Domestic Wastewater Treatment works to characterize the raw and effluent wastewater quality related to each discharge at the facility. The Division's quality assessment requirements are listed below. In addition, the Division is requiring an existing ground-water quality characterization, which is found in paragraph (a), below.

(a) Each applicant must submit (i) a description of the ground water in the sample prior to filtration [i.e. clear, murky, cloudy, etc.]; (ii) the below listed analytical data used to document (A) ambient ground water near the impoundment, land application and/or leach field, and (B) the upgradient ground water

Total Coliforms	Biochemical Oxygen Demand (BOD)	Total Ammonia
Temperature	Ph	Nitrate as N

## CHARACTERIZATION OF GROUND WATER (Measured as dissolved concentration)

Sodium (Na)	Chloride (Cl)
Calcium (Ca)	Bicarbonate (HCO <sub>3</sub> )
Magnesium (Mg)	Sulfate (SO <sub>4</sub> )
Potassium (K)	Carbonate (CO <sub>3</sub> )
Iron (Fe)	Total Dissolved Solids

(b) Each applicant must sample, analyze and report to the Division any of the below listed pollutants he/she knows or has reason to believe may be present in the influent to the facility's treatment system or is in the ground water below his/her property:

(i) TABLE II OF APPENDIX D, PART 122, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS; ORGANIC TOXIC POLLUTANTS IN EACH OF THE FOUR FRACTIONS IN ANALYSIS BY GAS CHROMATOGRAPHY/MASS SPECTROSCOPY (GC/MS)--CONSIDER ALL POLLUTANTS LISTED FOR EACH FRACTION FOR A CONTRIBUTING CATEGORICAL INDUSTRY, AS INDICATED IN APPENDIX C OF THIS APPLICATION:

The list of organic toxic pollutants in each of four fractions - "Volatiles, Base/Neutral, Acid and Pesticides" - is found in "Appendix A - Priority Pollutants". Measure the dissolved concentration for each of the parameters listed that you know or believe will be present at your facility.

(ii) TABLE V OF APPENDIX D, PART 122, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS; TOXIC POLLUTANTS AND HAZARDOUS SUBSTANCES.

The list of toxic pollutants and hazardous substances is found in "Appendix B", above. If you believe your influent contains any of the listed toxic/hazardous substances or it is likely that they will be present at your facility, measure the dissolved concentration for each parameter.

(c) Each applicant is required to report whether 2,3,7,8 Tetrachlorodibenzo-P-Dioxin (TCDD) or one of the below listed compounds is used/stored at the site, and, therefore, may be present in the soil or ground water.

- (i) 2,4,5-trichlorophenoxy acetic acid (2,4,5-T) (CAS #93-76-5);
- (ii) 2-(2,4,5-trichlorophenoxy) propanoic acid (Silvex, 2,4,5-TP) (CAS #93-72-1);
- (iii) 2-(2,4,5-trichlorophenoxy) ethyl 2,2-dichloropropionate (Erbon) (CAS #136-25-4);
- (iv) 0,0-dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate (Ronnell) (CAS #299-84-3);
- (v) 2,4,5-trichlorophenol (TCP) (CAS #95-95-4); or
- (vi) Hexachlorophene (HCP) (CAS #70-30-4).

#### D-1 SPECIFIC REQUIREMENTS FOR IMPOUNDMENTS

##### COMPLETE THIS PORTION OF THE APPLICATION FOR IMPOUNDMENTS DISCHARGING TO GROUND WATER

- 1) Provide detailed Plan and Side View sketches of the impoundment, include liner thickness (if lined), type of liner and depth to ground water.
- 2) Provide technical information on liner type, materials used in construction, thickness, expected permeability and how the liner was installed.
- 3) Provide results of "in situ" permeability testing of the clay liner or the expected permeability of the synthetic liner for the bottom and sides of the impoundment.
- 4) If the facility has existing monitoring wells, please include the driller's well completion and pump installation report that provides the the exact location of each well ( i.e. XXXX feet from the South Section line and YYYY feet from the East Section line); the maximum sustained yield; the well log of the material (clay, sand, shale, etc.) and thickness of each of these layer; the casing record (size, kind and length); the perforated casing (size, kind and length); the grouting record (material, intervals and placement method); the gravel pack (size and interval); the Static Water level and the final pumping level; and the total depth plus the water elevation. Please provide the surveyed elevation of the monitoring well's measuring point.
- 5) Provide below requested information for other permits that pertain to this facility (See APPENDIX E for a list of likely permits for your facility.):
  - (a) Issuing Agency and the Date permit application was made to this agency;
  - (b) Permit number;
  - (c) Respond to the relevant questions in Appendix E for Resource Conservation and Recovery Act (RCRA) Subtitle "C", "D" or "I" sites.

## D-2 - SPECIFIC REQUIREMENTS FOR LAND APPLICATION

- (1) Analytical data used to document ambient ground-water quality should be submitted for the following parameters (Unless otherwise indicated, determine the dissolved concentration of each of the following):

Aluminum	Beryllium	Arsenic	Silver
Boron	Cobalt	Barium	Cadmium
Copper	Lithium	Chromium	Cyanide (Weak Acid Dissociable)
Nickel	Vanadium	Fluoride	Lead
Mercury		Zinc	
Nitrite		Selenium	
Manganese		Color	
Copper		Corrosivity	
Foaming Agents		Odor	
Gross Alpha (excl. Radon/Uranium)			
Beta and Photon Emitters			

- (2) Provide a description of the A and B soil horizons mapped at this site by the U. S. Soil Conservation Service.
- (3) Describe the existing vegetative cover at the site. Include plans for any proposed disturbance or planting.
- (4) Does this land application plan use the root zone for attenuation of effluent components? If so, explain in detail. Include a report of the vadose zone modelling, if performed.
- (5) Provide all information pertaining to precipitation, evapotranspiration, and infiltration for this site (supplemental irrigation, solar and wind evaporation, plant uptake, infiltration tests).
- (6) Describe the proposed rate and schedule of application and its expected effects on ground water levels.
- (7) The following parameters should be determined from soil samples taken at one foot intervals to a depth of five feet. It is preferred that these soil samples be collected in the spring and analyzed as total available [Parameters are to be measured as Total concentrations [using the AB-DPTA extraction—Contact Jim Self at the CSU Soil Laboratory), as appropriate.]. These results are to be provided to the Division, when they are available.

aluminum	copper	nitrate residuals	zinc
iron	nickel	ammonia residuals	
arsenic	lead	phosphorous	
cadmium	mercury	potassium	
chromium	molybdenum	selenium	

- (8) Describe the effluent storage capacity during inclement weather and/or frozen ground.
- (9) Provide below requested information for other permits that pertain to this facility (See APPENDIX E for a list of likely permits for your facility.):
- Issuing Agency and the Date permit application was made to this agency;
  - Permit number;
  - Respond to the relevant questions in Appendix E for Resource Conservation and Recovery Act (RCRA) Subtitle "C", "D" or "I" sites.

D-3 - SPECIFIC REQUIREMENTS FOR SEPTIC SYSTEMS

1) FACILITY

Circle "Facility Type" and indicate the Design Capacity of the septic system plus whether the facility also has impoundment(s) or land application associated with it.

"Facility Type"

Industrial/Domestic Wastewater (a) Business; (b) Ski Area; (c) Campground/R.V. Park;

(d) Motel/Hotel/Dude Ranch; (e) Community System; (f) School; (g) Church; (h) Hardrock Mining/Milling / Placer Mining / Coal Mining; (i) Sand and Gravel Production; (j) Construction Dewatering; (k) Ground Water Cleanup of Gasoline/Diesel

SEPTIC SYSTEM DESIGN CAPACITY = \_\_\_gpd

Circle the appropriate components of the septic

system: TWO STAGE SYSTEM:

FIRST STAGE

- (a) SEPTIC TANK
(b) AERATION SYSTEM

SECOND STAGE

- (a) BED (1) PIPE & GRAVEL
(2) GRAVELLESS CHAMBERS (b) TRENCH
(3) GRAVELLESS PIPE

THREE STAGE SYSTEM:

FIRST STAGE

- (a) SEPTIC TANK
(b) AERATION SYSTEM

SECOND STAGE

SAND FILTER

THIRD STAGE

- (a) BED (1) PIPE & GRAVEL
(2) GRAVELLESS CHAMBERS (b) TRENCH
(3) GRAVELLESS PIPE

Indicate whether there are impoundments and/or land application at this facility:

IMPOUNDMENT \_\_\_(Y)\_\_\_(N) # \_\_\_ Watted Surface Area of Each \_\_\_ft^2 \_\_\_ft^2 \_\_\_ft^2

LAND APPLICATION \_\_\_(Y)\_\_\_(N) Type \_\_\_\_\_

If the response is "Yes" to either the impoundment or land application question, please refer to D-1 OR D-2, RESPECTIVELY.

2) OTHER PERMIT(S) FOR THIS FACILITY:

ARE THERE "PERMITS"/"ACTION PLANS" IN PLACE FOR THIS PROPERTY?

\_\_\_ YES \_\_\_ NO

(a) REFER TO APPENDIX E FOR SUGGESTIONS AS TO WHAT ARE INCLUDED AS "OTHER PERMIT(S)" (b) IF THE ANSWER IS "YES" TO THE ABOVE QUESTION, ATTACH ADDITIONAL PERMIT INFO AS AN ATTACHMENT TO THIS APPENDIX.

ENVIRONMENTAL PERMIT INFORMATION

## TYPES OF PERMITS AVAILABLE FOR FACILITIES:

1. USEPA UNDERGROUND INJECTION CONTROL PERMIT;
2. COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT STORMWATER PERMIT;
3. COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AIR POLLUTION EMISSION PERMIT;
4. COLORADO DIVISION OF MINERALS AND GEOLOGY PERMIT;  
(Please include the mined land reclamation board permit anniversary date.)
5. RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) I.  
RCRA SUBTITLE C HAZARDOUS WASTE:
  - i) PROVIDE YOUR RCRA EPA ID NUMBER;
  - ii) PROVIDE YOUR STATE RCRA PERMIT NUMBER;
  - iii) DO YOU NOW HAVE OR HAVE YOU IN THE PAST HAD INTERIM STATUS?II. RCRA SUBTITLE D SOLID WASTE:
  - i) HAS A CERTIFICATE OF DESIGNATION (CD) FOR SOLID WASTE DISPOSAL BEEN ISSUED FOR THIS SITE?
  - ii) ARE YOU DISPOSING OF YOUR OWN WASTE ON YOUR OWN PROPERTY?
  - iii) DO YOU HAVE AN APPLICATION FOR A CD PENDING?
  - iv) IF THIS FACILITY IS A MINING OPERATION, ARE YOU DISPOSING OF MINE WASTE ON YOUR OWN PROPERTY?
  - v) HAVE YOU DONE ANY RECYCLING AT THIS SITE?
  - vi) IS THERE BENEFICIAL USE OR DISPOSAL OF BIOSOLIDS OR SEPTAGE AT THIS PROPERTY?
  - vii) IS YOUR PROPERTY USED AS A TRANSFER STATION?III. RCRA SUBTITLE I UNDERGROUND STORAGE TANKS
  - i) ARE THERE EITHER ABOVE GROUND OR BELOW GROUND TANKS ON THIS PROPERTY?
  - ii) HAS THERE BEEN A RELEASE FROM THE TANK SYSTEM?--IF YES, THEN RESPOND TO "iii)".
  - iii) HAS ASSESSMENT WORK BEEN PERFORMED?--IF YES, THEN RESPOND TO "iv)". iv) HAS A CORRECTIVE ACTION PLAN BEEN APPROVED OR PERFORMED?
6. COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT URANIUM MILLS TAILINGS REMEDIAL ACTION PROGRAM (UMTRAP):
  - IS THERE A REMEDIAL ACTION PLAN PENDING OR IN PLACE AT THIS PROPERTY?
    - i) IS THERE A SURFACE DISCHARGE PERMIT?
    - ii) IS THERE AN AIR EMISSIONS PERMIT?
7. COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA):

IS THIS PROPERTY LISTED AS A SUPER FUND SITE?

## LOCAL RESOURCES OF INFORMATION

U.S. Geological Survey Library  
Building 20  
Denver Federal Center \*

Telephone: 303/236-1000

U.S. Geological Survey Map Sales  
Building 810  
Denver Federal Center \*

Telephone: 303/236-7476

\* Located in Lakewood between Sixth Avenue and Alameda Boulevard, Kipling Street and Union Boulevard

Office of the Colorado State Engineer  
1313 Sherman Street  
Room 818  
Denver, Colorado

Telephone: 303/866-3581

Soil Survey Maps are located at:  
Soil Conservation Service  
655 Parfet Street  
Room E 200 C  
Lakewood, Colorado 80215-5517

Telephone: 303/236-2897

US EPA Region VIII  
Underground Injection Control Program  
999 18th St.  
Suite 500  
Denver, Colorado 80202-2466

Telephone: 303/293-1430

Air Pollution Control Division  
Hazardous Materials and Waste Management Division  
Radiation Control Division  
Colorado Department of Public Health and Environment  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530

Telephone: 303/692-3100

Telephone: 303/692-3300

Telephone: 303/692-3030

Laboratory Division at the  
Colorado Department of Public Health and Environment  
8100 Lowry Blvd.  
Denver, Colorado 80220-6928

Telephone: 303/692-3090

## INFORMATION TO BE SAVED FOR OTHER USE

(i) TABLE III OF APPENDIX D, PART 122, TITLE 40 OF THE CODE OF FEDERAL REGULATIONS; OTHER TOXIC POLLUTANTS (METALS AND CYANIDE) AND TOTAL PHENOLS (UNLESS INDICATED OTHERWISE, ANALYZE THE FOLLOWING FOR THE DISSOLVED CONCENTRATION):

ANTIMONY	ARSENIC
BERYLLIUM	CADMIUM
CHROMIUM	COPPER
LEAD	TOTAL MERCURY
NICKEL	SELENIUM
SILVER	THALLIUM
ZINC	CYANIDE
TOTAL PHENOLS??	

A detailed summary of the design criteria for the land application processes including groundwater quality criteria to be met at an identified point of compliance. Include process utilized for treatment (nutrient removal, coliform removal, etc.), storage (including evaporation and percolation data), and/or disposal of wastewater effluent, such as exfiltration ponds, impoundments, underground injection, underground percolation, landscape irrigation etc. Also, provide a diagram which shows the land application site(s) and monitoring device (well, lysimeter, etc.) locations, construction details (materials, etc.) and their depths.

C. Provide any operating data (application rates, nutrient loadings, groundwater quality, etc.) for existing land application systems.

Dear Permittee/Applicant

The Water Quality Control Division of the Colorado Department of Public Health and Environment is using a geographic information system to update the way we organize data. One of the most important pieces of data the Permits Unit tracks is the location of the facility and, in particular, the location of each discharge point. From our permittees, we will need the best possible locational data for their discharge points. Please fill out the form on the reverse side of this page and return it to the address below as soon as possible or with your application. The better the locational information we receive, the more timely the work on your application/renewal/amendment can proceed. Delay in processing your permit may result if poor information is received.

A GPS unit is a hand-held instrument that uses satellite signals to pinpoint the users location in terms of longitude and latitude. If you do not own a GPS unit and do not wish to purchase one, one may be borrowed from a sportsman (GPS units of good quality are sold in sporting goods stores for hunting or hiking). Surveyors or engineers that are working on the project may have one. If maps are used, please send the whole topo map including the margins, legend and scale. Please mark the Discharge point(s) clearly and accurately.

Thank you for providing this information. It will help us provide better and more timely assistance to our customers as well as aid in decision making internally.

Colorado Department of Public Health and Environment  
Water Quality Control Division  
WQCD-P-B2  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530  
(303)+692-3500

The following choices for the data acquisition are listed in order of preference. Please check the box that applies to the method used for collection of the locational data of your Discharge points.

Global Positioning System (GPS) unit accurate to within 30 yards.

Global Positioning System (GPS) unit accurate to greater than 30 yards.

Point on original USGS topographic map.

Point on good quality city street map (if point is in city).

Engineering drawing/plan with latitude and longitude

reference. Point on copy of USGS topographic map.

Point on copy of city street map (if point is in

city). Other. Explain

Name of facility

Permit Number (if renewal or amendment)

Facility contact name

Contact phone Number

45'

T.15S.

# Harmels on the Taylor River

6TH PM NMPM R.1W.

T.51N.

51

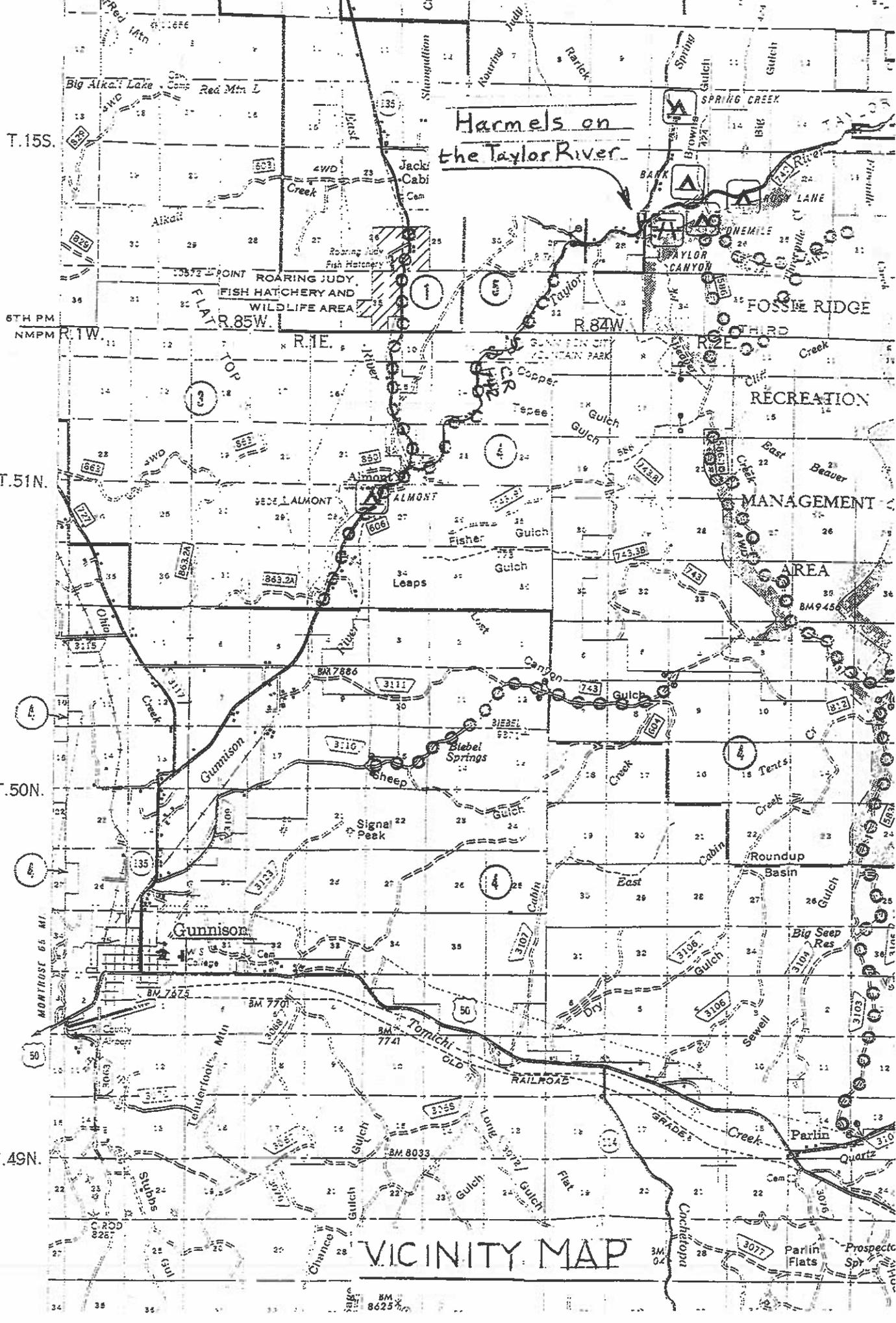
37' 30"

T.50N.

50

T.49N.

33' 30"



## VICINITY MAP

LAUNDRY / PUBLIC & PRIVATE  
25 UNITS: 1-2 BEDROOM EACH  
WITH KITCHEN & BATH

ADDITIONAL FUTURE  
RV AREA

8-16 ADDITIONAL  
CABINO UNITS

MT. BASE

MAJOR STEEL  
BUILDING

6- ADDITIONAL  
CABINS

WWTP

4- STONE FAMILY  
HOMES

ATCH LINE

Legal Boundary  
and  
Service Area

LOCATION MAP

CRAB Study No 740  
City of Alameda  
County of Alameda  
State of California  
8/2/00



GRAPHIC SCALE  
1" = 100'



- 10' contour lines
- 20' contour lines
- 30' contour lines
- 40' contour lines
- 50' contour lines
- 60' contour lines
- 70' contour lines
- 80' contour lines
- 90' contour lines
- 100' contour lines
- 110' contour lines
- 120' contour lines
- 130' contour lines
- 140' contour lines
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- 370' contour lines
- 380' contour lines
- 390' contour lines
- 400' contour lines
- 410' contour lines
- 420' contour lines
- 430' contour lines
- 440' contour lines
- 450' contour lines
- 460' contour lines
- 470' contour lines
- 480' contour lines
- 490' contour lines
- 500' contour lines
- 510' contour lines
- 520' contour lines
- 530' contour lines
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- 580' contour lines
- 590' contour lines
- 600' contour lines
- 610' contour lines
- 620' contour lines
- 630' contour lines
- 640' contour lines
- 650' contour lines
- 660' contour lines
- 670' contour lines
- 680' contour lines
- 690' contour lines
- 700' contour lines
- 710' contour lines
- 720' contour lines
- 730' contour lines
- 740' contour lines
- 750' contour lines
- 760' contour lines
- 770' contour lines
- 780' contour lines
- 790' contour lines
- 800' contour lines
- 810' contour lines
- 820' contour lines
- 830' contour lines
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- 850' contour lines
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- 900' contour lines
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- 940' contour lines
- 950' contour lines
- 960' contour lines
- 970' contour lines
- 980' contour lines
- 990' contour lines
- 1000' contour lines

**HARMEL'S ON THE TAYLOR RIVER**

**ESTIMATED WATER & WASTEWATER FLOWS**

The uses are taken from the capacity study prepared by Timothy Hays. The Estimated Daily Wastewater Flows were taken from State and County Regulations.

<u>OTHER BUILDINGS</u>	<u>USES</u>	<u>UNIT FLOWS</u>	<u>TOTAL FLOW</u>
Office/Store w/3 bathrooms	3	50	150
Laundry assume 4 washers	4	400	1,600
Maintenance Bldg & Sheds	2	50	100
Restaurant w/100 people	100	50 gal/seat	5,000
			<hr/> 6,850 gal/day
 <u>STAFF HOUSING</u>			
Apts 1, 2, 3, and 4	4 bdrms	50gpd	200
Bunk A	1 bdrm	"	50
Bunk B w/laundry	1 bdrm	"	50
	1 washer	400g/washer	400
Bunk C	2 bdrms	50 gpd	100
Wrangler Bunk	1 bdrm	50 gpd	50
Cabins 2 thru 39	42 bdrms	50 gpd	2,100
			<hr/> 2,950 gal/day
 <u>FUTURE USES</u>			
Cabins	57 bdrms	50gpd	2,850
RV Lots w/indiv hookups	35 bdrms	100	3,500
Residential Homes	20 bdrms	100	2,000
Steel Bldg	1 bd equiv	50	50
Wedding Facilities assume	100 people	50	5,000
Laundry assume 4 washers	4	400	1,600
			<hr/> 15,000 gal/day
 <u>FOR TOURISTS IN ADDITION TO THE GUESTS</u>			
For Restaurant use 50 people for 150 days			
During the summer months 50 gal/guest			2,500 gal/day
<hr/> <b>TOTAL OF ALL FLOWS</b>			<hr/> <b>27,300 GAL/DAY</b>





# TAYLOR RIVER AT ALMONT, CO.

IMPORTANT [Legacy real-time page](#) 

Monitoring location 09110000 is associated with a STREAM in GUNNISON COUNTY, COLORADO. Current conditions of DISCHARGE, GAGE HEIGHT, and TEMPERATURE are available. Water data back to 1910 are available online.

## Summary of all available data

USGS Parameter Group	Data Types	Start Date	End Date
Information	Water-quality	1978-11-27	2022-10-20
Inorganics, Major, Metals	Water-quality	1977-12-06	1978-11-27
Inorganics, Major, Non-metals	Water-quality	1977-12-06	2022-10-05
Inorganics, Minor, Non-metals	Water-quality	1993-11-17	1996-09-09
Inorganics, Minor, metals	Water-quality	1977-12-06	1996-09-09
Microbiological	Water-quality	1993-11-17	2000-08-29
Nutrient	Water-quality	1977-12-06	2000-08-29

Physical	Daily Values, Unit Values, Water-quality	1910- 07-27	2023- 02-12
Stable Isotopes	Water-quality	2021- 03-16	2022- 10-20
n/a	Peak Measurements	1910- 08-01	2022- 06-07
n/a	Site Visits	1948- 06-04	2022- 12-07
n/a	USGS Annual Water Data Reports Site	2005- 01-01	2022- 01-01

### Water Data for the Nation inventory

### Location metadata

Metadata Element	Location Metadata	Metadata Code
Agency ⓘ	U.S. Geological Survey	USGS
Site identification number ⓘ	09110000	n/a
Site name ⓘ	TAYLOR RIVER AT ALMONT, CO.	n/a
Site type ⓘ	Stream ⓘ	ST
DMS latitude	383952	n/a
DMS longitude	1065041	n/a

Decimal latitude	38.66443715	n/a
Decimal longitude	-106.8453172	n/a
Latitude-longitude method ⓘ	Interpolated from MAP.	M
Latitude-longitude accuracy ⓘ	Accurate to + or - 5 sec.	F
Latitude-longitude datum ⓘ	North American Datum of 1927	NAD27
Decimal Latitude-longitude datum	North American Datum of 1983	NAD83
District ⓘ	Colorado	08
State ⓘ	Colorado	08
County ⓘ	Gunnison County	051
Country	US	n/a
Land net location description	NWSES22 T051N R001E	n/a
Name of location map		n/a
Scale of		n/a



Drainage area ⓘ	476	n/a
Contributing drainage area		n/a
Time Zone abbreviation	MST	n/a
Site honors Daylight Saving Time ⓘ	Y	n/a
Data reliability ⓘ		n/a
Data-other GW files	NYNNNNNN	n/a
National aquifer		n/a
Local aquifer		n/a
Local aquifer type ⓘ		n/a
Well depth		n/a
Hole depth ⓘ		n/a
Source of depth data		n/a
Project number		n/a

Operated in cooperation with:



Upper Gunnison River Water Conservancy District



USGS - Federal Priority Streamgages

Questions or Comments

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2.

It should also be noted that emergency services  
Are also available from Ambiente H2O Services, Inc.

C. CHEMICALS AND FLOW MEASUREMENT

Chemicals

Two chemicals may be used in the treatment process; sodium hydroxide for alkalinity control and sodium hypochloride as a substitute for an UV system. Alternatives will be finalized when the PEL's are known and the treatment process finalized.

Flow measurement

Flow measurement and testing will be as required in the Permit and will be provided as part of the treatment plant.



Wastewater &  
Water Treatment  
Specialists



Wastewater &  
Water Treatment  
Specialists

May 17, 2022

**STEVEN G. HANSEN, PE**

Tim Hays  
Impact Communities  
PO Box 457  
Cedaredge, CO. 81413  
[timothy.hays@impactmhc.com](mailto:timothy.hays@impactmhc.com)  
970.209.9989

1500 W. Hampden Ave., Ste. 5D  
Sheridan, CO 80110  
[shansen@ambienteh2o.com](mailto:shansen@ambienteh2o.com)

Phone: 303-433-0364  
Fax: 303-380-0664  
Cell: 303-638-1608

Project: Packaged Wastewater Treatment - Harmels on the Taylor, Almont, CO

Dear Tim,

Ambiente H<sub>2</sub>O Inc. is pleased to offer several options for wastewater treatment for the subject project. As you know there are many treatment technologies for small wastewater systems. In fact, Ambiente H<sub>2</sub>O Inc. has supplied dozens of such systems in Colorado and for the Harmels project we are recommending the Fluidyne SAM SBR process. We can take a deep dive into the technology once you had a chance to review the attached proposals but in summary:

- 1) Experience in Colorado and with the CDPHE. Fluidyne has 20+ systems operating in the State and all have been through the State approval process.
- 2) Simple design, low operation and maintenance requirements which make it ideal for contract operations.
- 3) Even though this a low tech option it boasts advanced treatment capabilities. We have assumed based on similar jobs in Colorado that Harmels will be required to meet a Total Inorganic Nitrogen effluent limit of < 10mg/L. These limits can be particularly difficult to meet with wide ranging seasonal flows, as we anticipate will be the case for this site. It is our experience the lower the flows and the more they vary, the more difficult it is to keep the process stable and in compliance. Fluidyne technology is ideally suited for this application.

As part of this document, Fluidyne has provided design calculation based on influent water quality and anticipated effluent limits. They have also given options to bring the system in on the back of a truck in steel basins to be buried, partially buried or set on grade. Alternatively, Fluidyne can supply just the equipment and process controls to be installed in concrete basins (precast or poured in place) by "others." They have also provided options for gravity discharge (for the Slab on grade option or effluent EQ if the finished effluent needs to be pumped to the final discharge point. At any point during evaluation, it may be appropriate to meet and/or do a technology exchange to address questions that come up. Please do not hesitate to ask.

Lastly, Fluidyne was requested to incorporate an existing 17,000 gallon tank into the design. It can be put to good use as a sludge holding tank to store waste sludge between hauling. The Fluidyne proposal includes the use of this tank in their process design. If the existing tank does not prove to be viable then its function can be replaced with new construction.

FLUIDYNE SEQUENCING BATCH REACTOR CALCULATIONS  
 PROJECT: SAM™ System - Harmel's on The Taylor River  
 ENGINEER: egm  
 PROJECT #:  
 DATE & TIME:  
 7/19/2022 7:22

Max Day

INFLUENT CONDITIONS

Flow (mgd)	0.0248
Flow(gpm)	17
Flow(peak instantaneous gpm)	17
BOD (mg/l)	350
(lb/d)	72
BOD to SBR (mg/l) 25% removal through ISAM	263
(lb/d)	54
TSS (mg/l)	300
(lb/d)	62
TKN (mg/l)	40
(lb/d)	8

EFFLUENT (Monthly Average)

BOD (mg/l)	30
TSS (mg/l)	30
TIN (mg/l)	10

OXYGEN REQUIREMENTS

Pounds TKN required for synthesis	3.62
Pounds of NO3-N produced	5
Pounds O2 recovered/pound NO3-N reduced	N/A
Pound of Oxygen/ pound of BOD	1.4
Pound of Oxygen/pound of TKN	4.6
Actual Oxygen Demand (lb O2/d) Total	114
Alpha	0.85
Beta	0.95
Theta	1.024
Operating Dissolved oxygen (mg/l)	2
Clean Water oxygen sat. at op. temp (mg/l)	11.33
Clean Water oxygen sat. at std. temp (mg/l)	9.09
Clean water O2 sat, std temp, mid depth(mg/l)	10.49
Std. condition ambient pressure (psia)	14.7
Oper. condition ambient pressure (psia)	10.9
Wastewater temperature (c)	10
SOR/AOR ratio	2.17
Standard Oxygen Demand (lb O2/d) total	247
Standard Oxygen Demand (lb O2/hr)	21
Specific oxygenation rate (mg/l-hr)	68
Pounds of oxygen/pound of air	0.23
Clean water efficiency (%)	15
Pounds of air/cubic foot of air	0.075
Aeration hours per day	12.0

## PROJECT: SAM™ System - Harmel's on The Taylor River

Kn, half velocity constant (mg/l)	0.73
Design growth rate for heterotrophs/nitrifiers	0.0586
Specific utilization rate, lbs BOD5/lb mlvss	0.20
lbs. mlvss required for BOD removal	367
mlvss (mg/l)	2000
Tank volume req. for BOD removal (MG)	0.022
Denitrification rate (g/g/day)	0.066
lbs mlvss required for denitrification	71
Tank volume required for NO3 removal (MG)	0.00423
Total tank volume required (MG)	0.0262

## SBR TANK CONFIGURATION

No. of tanks	1
Length overall (ft)	33
Length SAM tank (ft)	11.00
Length SBR tank (ft)	22.00
Width (ft)	14.00
Bottom water level (ft)	8
Top water level (ft)	10.5
Top of Wall (ft)	12
No. Decanters/tank	1
Total SAM™+SBR Volume @ TWL(MG)	0.0363
Total Tankage Volume @ TWL(MG)	0.0506
SAM™+SBR HRT (hrs)	35.11
Total HRT	48.95

## CYCLE TIMES/CAPACITY CALCULATIONS

Total decant volume (cubic feet)	770
Total decant volume (gallons)	5,760
Decant volume per tank (gallons)	5,760
Number of cycles per day/tank	4.3
Total time per cycle (minutes)	334
Fill rate (gpm)	968
Fill time (minutes)	6
Interact period (min)	220
Settle period (minutes)	60
Average decant rate (gpm/ft decanter)	30
Decanter length (feet)	4
Decanting time (minutes)	48
Decanting rate (gpm)	120
Idle period time (minutes)	0
Maximum aeration period available (hours/day)	16.25

## EQUIPMENT SELECTION

Lbs O2 per nozzle	21
Number of nozzles required (per tank)	0.98
Number of nozzles provided (per tank)	2

## PROJECT: SAM™ System - Harmel's on The Taylor River

## POWER CONSUMPTION CALCULATIONS

Pump efficiency	0.70
Pump horsepower, BHP/tank	13
Mixing BHP/MG	346
Total horsepower, BHP/tank	13
Aeration BHP/MG	346
Total design equivalent horsepower, BHP	6

## SLUDGE PRODUCTION

Sludge Yield Factor	0.7
Net Sludge Yield (lbs/d)	51
Sludge Concentration (%)	0.700
Sludge Wasting Rate (gpd)	868
Waste Sludge /cycle (gal)	202
WAS Pumping Rate (gpm)	50
Waste Sludge Cycle Time (min)	4.0
Thickened Sludge Concentration (%)	3
Thickened Sludge (gpd)	203

MLSS (mg/l) @ TWL	2857
MLSS (mg/l) @ BWL	3750
Sludge inventory (lbs)	865
SRT ( 1/days )	17.06
F/M	0.08
SVI (ml/g)	150
Sludge blanket level (ft)	4.51
Organic loading (lbs BOD/1000 ft3)	14.92

## ISAM

Surface Area Required	62
Number of tanks	1
Length required (ft)	4.43
Length (ft) provided	13.00
Width (ft)	14
TWL (ft)	10.5
Total volume (gal) available	14,294
Pounds sludge destroyed	26
% sludge reduction	51
Thickened, digested sludge (gpd)	100
Inerts accumulation (gal/d)	25
Days sludge storage available after digestion	63





Dedicated to protecting and improving the health and environment of the people of Colorado

David H. Reynolds, President and CEO  
Harmel's on the Taylor River  
P.O. Box 457  
Cedaredge, CO 81413

MEMORANDUM

**TO:** Harmel's on the Taylor River - Harmel's Treatment Plant  
David H. Reynolds, President and CEO, [dave@impactmhc.com](mailto:dave@impactmhc.com)

**FROM:** Maddie Johnson, Permit Writer, Permits Unit 2 ([madeline.johnson@state.co.us](mailto:madeline.johnson@state.co.us))  
Michelle DeLaria, Permits Unit 2 Manager, ([Michelle.DeLaria@state.co.us](mailto:Michelle.DeLaria@state.co.us))

**DATE:** 3/23/2023

**RE:** Request for Information (RFI) - General Permit Application (Water Quality Planning Target)  
Harmel's on the Taylor River - Harmel's Treatment Plant  
Permit No: COG590149

On February 17, 2023, the Water Quality Control Division (Division) received a permit application from Harmel's on the Taylor River for Harmel's Treatment Plant. The application is incomplete.

The permittee requests a Water Quality Planning Target (WQPT) for a new facility. Effluent from the facility discharges to segment COGUUG04 to the Taylor River, a tributary of the Gunnison River.

The Division is requesting additional information on the following from the legal contact:

1. Please provide a delayed effective date for the certification. Note that this date can be changed if needed under the permit modification process.
2. There is a discrepancy in the legal contact (permittee) of the application. In Part A.1, David H. Reynolds is listed as the permittee, which is "the person authorized to sign and certify the permit application."



A. Contact Information (If necessary please add additional pages)

Permittee Organization Formal Name: Harmel's on the Taylor River

1. Permittee the person authorized to sign and certify the permit application. This person receives all permit correspondences and is legally responsible for ensuring compliance with the permit.

Responsible Position (Title): President + CEO

Currently Held By (Person): David H. Reynolds

Telephone No: 970 712-4526 email address dave@impactmbc.com

Mailing Address: P.O. Box 457

City: Cedaredge State: CO Zip: 81413

This form must be signed by the Permittee to be considered complete.

Per Regulation 61: In all cases the permit application shall be signed as follows:

- a) In the case of corporations, by a responsible corporate officer. For the purposes of this section, the responsible corporate officer is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official

In Part K, the application is signed by Terri D. Reynolds.

K. CERTIFICATION Required Signatures

Signature of Applicant: The applicant must be either the owner and/or operator of the construction site. Refer to Part B of the instructions for additional information. The application must be signed by the applicant to be considered complete. In all cases, it shall be signed as follows:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

David H. Reynolds 2/13/23  
Signature of Owner (submission must include original signature) Date Signed

Terri D Reynolds owner  
Name (printed) Title

David H. Reynolds 2/13/23  
Signature of Applicant (submission must include original signature) Date Signed

Terri D Reynolds For Harmel's on the Taylor River - Owner  
Name (printed) Title

[Signature] 2/13/23  
Signature of Operator (submission must include original signature) Date Signed

Name (printed) Title

The permittee listed in Part A.1 is required to sign the application form for it to be considered complete. Please reconcile the discrepancy of the permittee.



3. In Part B.2 of the permit application, the facility latitude/longitude is listed as shown:

**B. Permitted Project/Facility Information**

1. Project/Facility Name Harmel's Treatment Plant

Street Address or cross streets 6748 CR 742

City, State and Zip Code Almont, CO 81210 County Gunnison

Type of Facility Ownership

- City Government  Corporation  Private  Municipal or Water District  
 State Government  Mixed Ownership \_\_\_\_\_

Directions from nearest major cross streets

Proceed north from Gunnison on SH135 approximately 10mi to Almont, then turn right onto CR 742 and travel approx 6mi to Harmel's on the Taylor River. See Vicinity Map.

2. Facility Latitude/Longitude—List the latitude and longitude of the excavation(s) resulting in the discharge(s). If the exact excavation location(s) are not known, list the latitude and longitude of the center point of the construction project. If using the center point, be sure to specify that it is the center point of construction activity.

001A Latitude 38.72278° Longitude 106.77500° (e.g., 39.70312°, 104.93312°)  
degrees (to 5 decimal places) degrees (to 5 decimal places)

Horizontal Collection Method  GPS unspecified  Interpolation map Map scale number \_\_\_\_\_

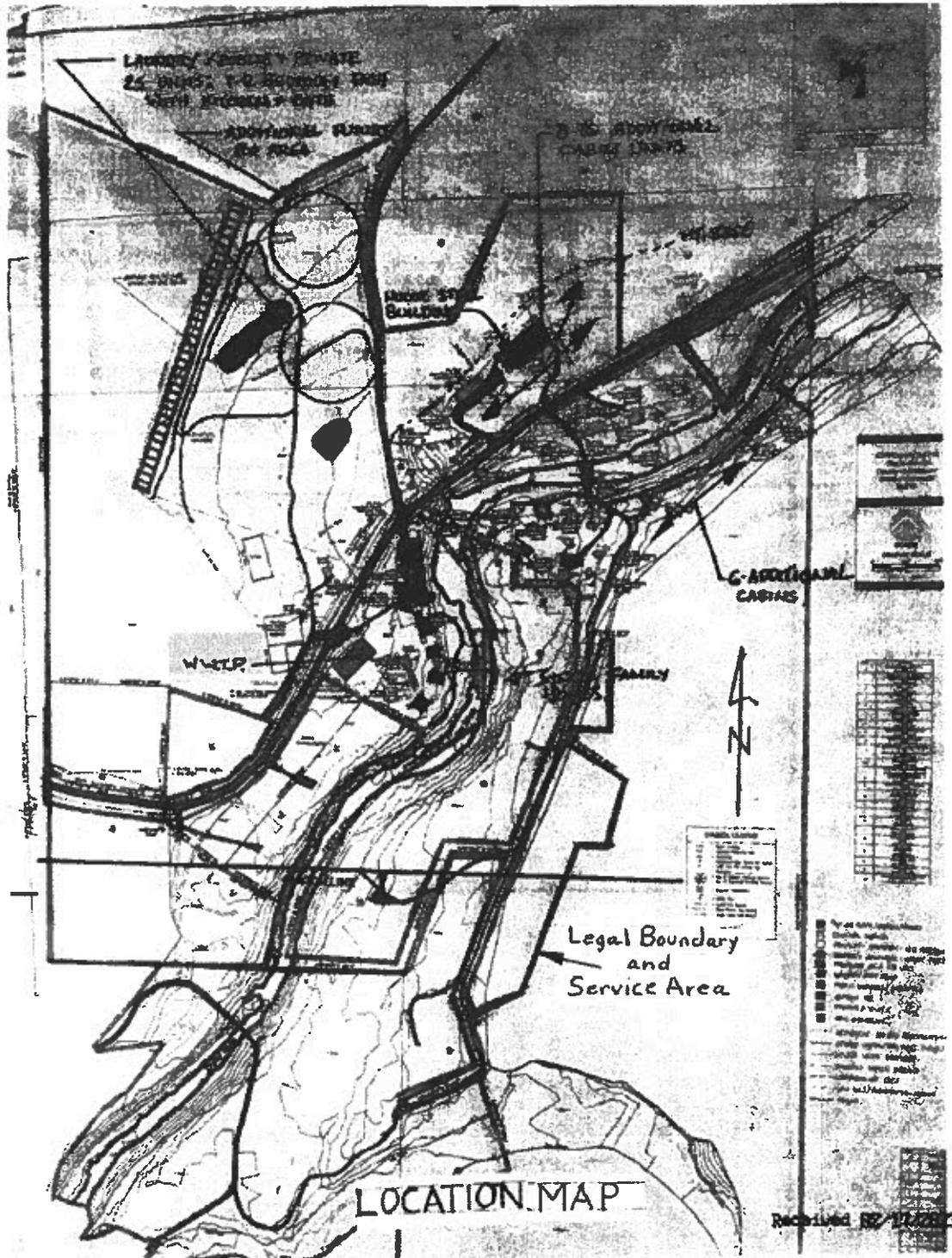
Reference Point  Project/Facility entrance  Project/Facility center (Centroid)

Horizontal accuracy measure NAD 83 (WQCD Requires use of NAD83 Datum for all references)

When this location is searched in a mapping tool, the coordinates show the location of the facility just below the confluence with Spring Creek, as demonstrated by the yellow pin in this snip:



In the location map attached to the permit application, the facility is shown to be southwest of the listed coordinates.



Please provide the correct latitude and longitude measurements to 5 decimal places for the facility.



4. In Part D of the permit application, the outfall is listed as shown:

**DOMESTIC WASTEWATER DISCHARGE APPLICATION** [WWW.COLORADOWATERPERMITS.COM](http://WWW.COLORADOWATERPERMITS.COM)  
**D. Flows and Discharges**

Influent Flows: Provide the following data on influent flows to the facility during the past calendar year. Effluent flow data may be substituted where that is no influent flow measuring and recording or totalizing device.

Average daily flow (MGD) during the three minimum flow months. month Jan month Feb month March  
Flows are estimated from septic tank pumping records, flow 0.002 flow 0.002 flow 0.002

Average daily flow (MGD) during the three maximum flow months. month June month July month Aug  
 flow 0.022 flow 0.024 flow 0.023  
 Maximum peak hourly flow (MGD) 0.027

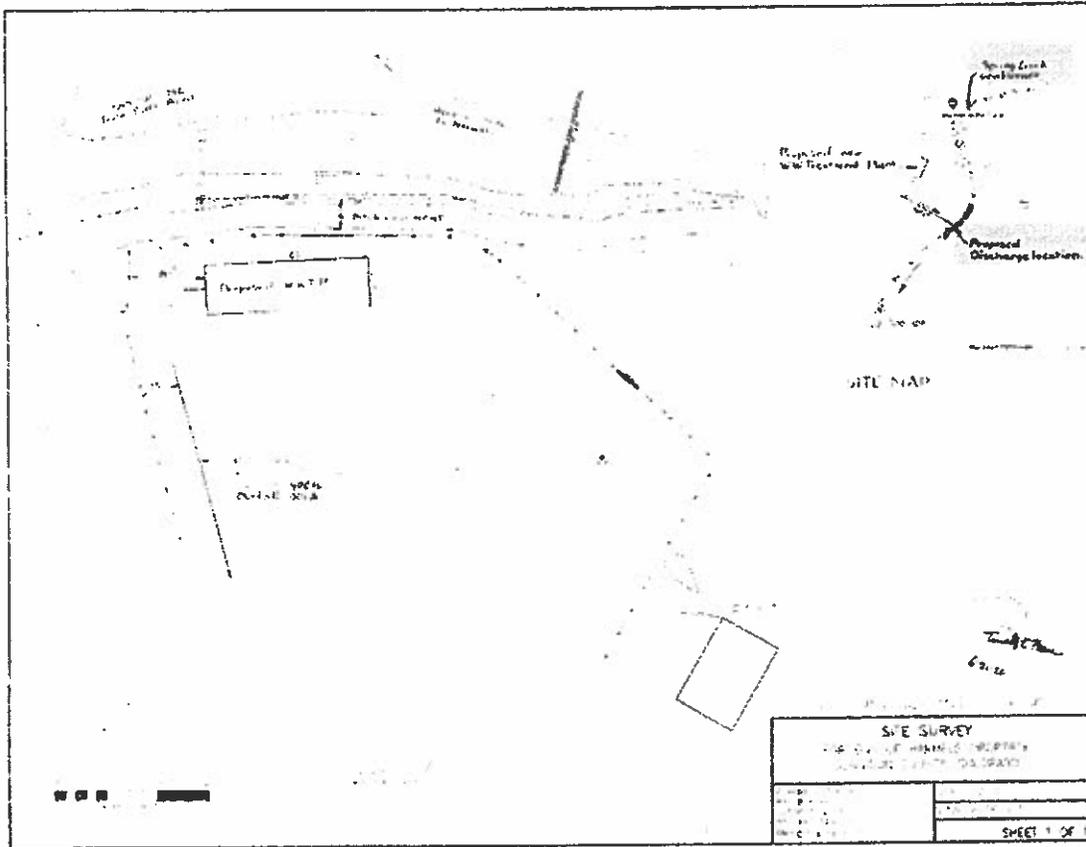
Surface Water Discharge Points indicate the type of discharge (continuous, intermittent, seasonal, etc.), legal description (1/4 of 1/4 Section, Township, Range) and the name and description of the receiving water

Outfall Number	Legal Description (T, R, S, 1/4, 1/4)	Typical Months Of Discharge	Receiving Water	Latitude/Longitude	Method Used **
001A	T15S R4W 6th SW 1/4 NW 1/4 S27	Intermittent	Taylor River	38.72278 / 106.72500	Interp.

When this location is searched in a mapping tool, the coordinates show the location of the outfall just below the confluence with Spring Creek, as demonstrated by the yellow pin in this snip:

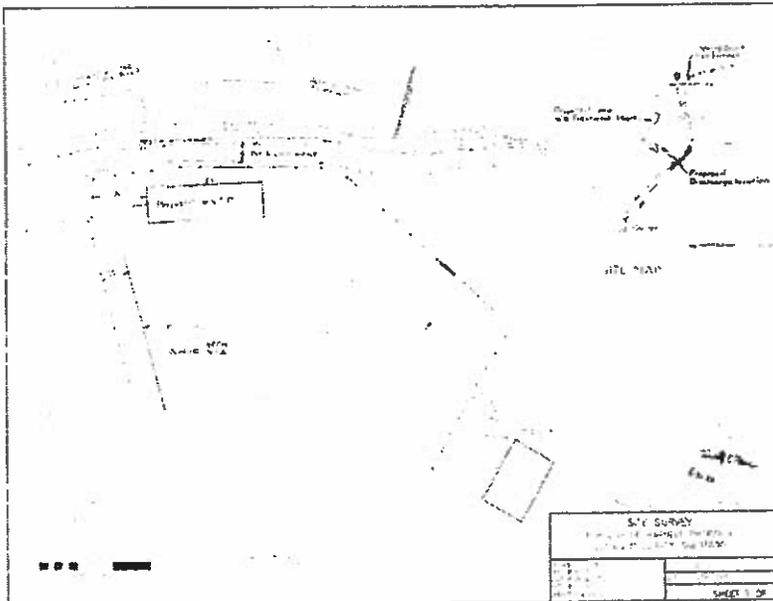


In the site map attached to the permit application, outfall 001A is shown to be south of the listed coordinates.



Please provide the correct latitude and longitude measurements to 5 decimal places for outfall 001A.

5. The site survey attached to the permit application has poor resolution.



Please provide a clearer site map.



6. In part C of the permit application, the design flow of the facility is estimated to be 0.0273 MGD.

**C. Service Area and Population**

Location Map Defining the legal boundaries of the service area. A north arrow shall be shown.  
This map must be on paper 8-1/2 x 11 inches.

Breakdown of Number and Type of existing taps in the Service Area

Type of Tap	Number	Description (attach list if necessary)	Total Estimated Flow
Residential NA			
Industrial NA			
Commercial Resort		See Estimated Flows	24,800 gpd
Other: Specify Tourists		"	2,500 gpd
		<b>Total</b>	<b>27,300 gpd</b>

All facilities with a design flow of 1 MGD or greater shall provide a list of non-residential customers which includes the name, address and type of business.

However, in the engineering design from Ambiente H2O Inc. attached to the permit application, the flow is listed as 0.0248 MGD.

FLUIDYNE SEQUENCING BATCH REACTOR CALCULATIONS  
 PROJECT: SAM™ System - Harmel's on The Taylor River  
 ENGINEER: egm  
 PROJECT #:  
 DATE & TIME:  
 7/19/2022 7:22 Max Day

**INFLUENT CONDITIONS**

Flow (mgd)	0.0248
Flow(gpm)	17
Flow(peak instantaneous gpm)	17

Please confirm the design flow in MGD to be used in the WQPT.



7. In the engineering design from Ambiente H2O Inc. attached to the permit application, the organic capacity is listed as 72 pounds/day.

**FLUIDYNE SEQUENCING BATCH REACTOR CALCULATIONS**

**PROJECT: SAM™ System - Harmel's on The Taylor River**

**ENGINEER: egm**

**PROJECT #:**

**DATE & TIME:**

**7/19/2022 7:22**

**Max Day**

**INFLUENT CONDITIONS**

Flow (mgd)	0.0248
Flow(gpm)	17
Flow(peak instantaneous gpm)	17
BOD (mg/l)	350
(lb/d)	72
BOD to SBR (mg/l) 25% removal through ISAM	263
(lb/d)	54
TSS (mg/l)	300
(lb/d)	62
TKN (mg/l)	40
(lb/d)	8

Please confirm the organic capacity loading in pounds/day to be used in the WQPT.



## Request for Information Summary

1. Reconcile the discrepancy of the legal contact (permittee).
2. Provide a delayed effective date.
3. Provide the correct coordinates to five decimal places for the facility.
4. Provide the correct coordinates to five decimal places for outfall 001A.
5. Provide a clearer site map.
6. Confirm the design flow in MGD.
7. Confirm the organic capacity loading in pounds/day.

Please provide this information as quickly as possible on a complete Permit Application Supplement form to complete your General Permit Application for the Water Quality Planning Target consistent with Regulation 61 (Colorado Discharge Permit System), specifically 61.5(1)(c). The Permit Application Supplement form can be found on the [Water Quality forms webpage](#).





## Re: Harmels on the Taylor River Reference # COG590149

From: Wallace - CDPHE, Jon (jon.wallace@state.co.us)

To: [greenconsengr@yahoo.com](mailto:greenconsengr@yahoo.com)

Cc: [dave@impactmhc.com](mailto:dave@impactmhc.com); [rdailey@impactmhc.com](mailto:rdailey@impactmhc.com); [jwith@lawoftherockies.com](mailto:jwith@lawoftherockies.com)

Date: Thursday, January 25, 2024 at 04:57 PM MST

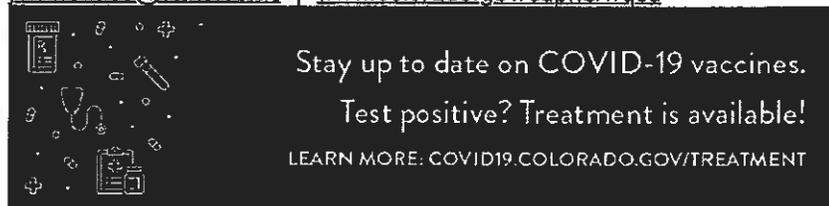
Hi Jerry,

We discussed that you are submitting a PEL application for the Harmels on the Taylor WWTF.

Please submit documents to:  
[cdphe.wqrecordscenter@state.co.us](mailto:cdphe.wqrecordscenter@state.co.us)

Thank you,

Jon Wallace, P.E.  
Environmental Protection Specialist  
Permits Section Unit #2  
P 303.692.3609  
4300 Cherry Creek Drive South, Denver, CO 80246  
[jon.wallace@state.co.us](mailto:jon.wallace@state.co.us) | [www.colorado.gov/cdphe/wqcd](http://www.colorado.gov/cdphe/wqcd)



On Thu, Jan 25, 2024 at 10:38 AM Jerry Greene <[greenconsengr@yahoo.com](mailto:greenconsengr@yahoo.com)> wrote:

Jon, I am completing the PEL Application and the reply to the Permit Application and would like to submit all next week. I do have a couple of questions about the requirements and communications as we go forward. Do I submit all thru you or to others?

For your information, this past summer and fall we have been working on preparation of a detailed Site Plan showing surveyed topo, 100 yr floodplain based on HEC-RAS program and existing and proposed improvements.

We have also reviewed the proposed wastewater improvements with treatment suppliers and chosen Fluidyne as the supplier and have continued to work with Gunnison County on the Land Use Regulation requirements.

Jerry Greene, PE 970 209-9989



**Water Quality Planning Target/PEL  
 APPLICATION**

**1. Requestor Information**

- a. Requestor Name David H. Reynolds
- b. Company name Impact Communities
- c. Mailing Address P.O. Box 457
- d. City/State/Zipcode Cedaredge, Colorado 81413
- e. Phone Number 970 712-4526
- f. Email Address dave@impactmhc.com

**2. Billing Information - the person who will received the invoice prior to PEL being issued**

This is the same as number 1

- a. Billing Contact Name Tyler Reynolds, CPA
- b. Company name Impact Communities
- c. Mailing Address P.O. Box 457
- d. City/State/Zipcode Cedaredge, Colorado 81413
- e. Phone Number 970 773-0672
- f. Email Address treynolds@impactmhc.com

**3. Facility Information**

- a. Facility Name Harmels on the Taylor River
- b. Facility Address 6748 County Road 742
- c. Facility City Almont CO Zip code 81210
- d. Facility County Gunnison
- e. Domestic Discharge ~~Industrial Discharge~~
- f. SIC Code(s) \_\_\_\_\_
- g. If applicable, existing CDPS permit numbers for the facility COG 590149
- h. General description of operations

Harmels Resort has been in existence for many years, parts since the late 1800s. The new owners propose to abandon the existing septic tank systems that do not meet current county and state regulations and the requirements of Policy 6 and to construct a collection system and wastewater treatment plant.

- 4. Date of filing of site location application 2-17-23 Date of payment none made

5. Why are you applying for a Water Quality Planning Target?

- New facility
- Expansion of facility
- Derating of facility
- Chemical Evaluation
- Change in treatment - add an explanation and why or why not you expect it to have an impact upon water quality

- Change in outfall
- Conversion of groundwater permit to surface water permit
- Other - add explanation and why or why not you expect it to have an impact upon water quality

The new collection and treatment system will prevent wastewater from entering the ground water and eventually entering the Taylor River.

6. What kind of Water Quality Planning Target would you like to use for your facility?

- Existing permit (the "permits-first" approach). If you check this box, you do not need to fill out the rest of this application.
- Older existing permit
- Existing permit or PEL + limited scope PEL for nutrients or temperature because current permitting documents do not include nutrients or temperature limits. If you check this box, you do not need to fill out the rest of this application.
- Existing permit or PEL + limited scope PEL for additional chemicals. If you check this box, you do not need to fill out the rest of this application but you must complete a chemical evaluation form, found here.
- New PEL
- Water Quality Assessment
- Other - add

Don't know

7. Discharge Information

a. Proposed discharge location See location at bottom center of the SITE PLAN.

- Is this a change from the current location?  YES  NO
- Latitude (5 dec.degrees) 38.72083
- Longitude (5 dec.degrees) -106.77515
- Name of receiving stream (or indicate groundwater if applicable): Taylor River
- Is the discharge to a storm sewer?  YES  NO
- Proposed discharge flow rate 0.025125 mgd 17 gpm See Fluidyne Calculations

If the proposed discharge is to groundwater, is the discharge location located within 500 feet of a surface water body?  YES  NO

See 24 x 36 Site Plan.

Attach a map showing the facility and discharge point location(s)

b. Additional discharge locations (Additional fees may apply)

- Latitude (5 dec.degrees) \_\_\_\_\_
- Longitude (5 dec.degrees) \_\_\_\_\_
- Name of receiving stream (or indicate groundwater if applicable) \_\_\_\_\_
- Proposed discharge flow rate \_\_\_\_\_ mgd (six significant digits are required)

Attach a map showing the facility and discharge point location(s) See 24x36 Site Plan.

c. Pollutants of concern (Check all that apply)

- BOD
- CBOD
- Temperature
- Cyanide
- Nitrate/Nitrite
- Metals (all inclusive)
- Ammonia
- Radionuclides (ex. Radium. List specific radionuclides below)
- Organics (List specific organics below)

WWTP Lat 38.72122

WWTP Long -106.77613

d. List radionuclides (or note All Inclusive)

e. List organics (or note All Inclusive)

f. List all added chemicals and what they are used for (e.g. de-scalent, etc). Include MSDS sheets for each chemical.

Chemical Added	Description of use of chemical
Based on current design, no chemicals are proposed to be added to the treatment system	
However, if required provisions can be made to the Treatment Plant.	

g. List any other pollutant of concern or additional information

Refer to Fluidyne Sequencing Batch Reactor Calculations attached. Sludge will be created in this process and periodic hauling will be required. A 3 inch waste sludge drawoff connection is shown in the plant schematic. At design capacity, there is 63 days of sludge storage available.

Attach extra pages as needed

1. 24x36 Site Plan
2. Fluidyne Sequencing Batch Calcs
3. Harmels Water System

**Jerry  
Greene, P.E.**

Consulting Engineer  
28 Quartz Street  
Gunnison, Colorado 81230  
~~(970) 644-3342~~  
(970) 209-9989 C



## **HARMELS WATER SYSTEM**

The source of water for Harmels is three wells, all of which are located on site. This is a Public Water System PWSID CO 0226333

The only treatment is with chloring tablets and there is no waste generated to be treated at the proposed Wastewater Treatment Plant.

The Operator is Jack Barker and company name the Turd Herder.

#  
3293

## Harmels on the Taylor - Process Design Calculations

From: Steven Hansen (shansen@ambienteh2o.com)

To: greeneconsengr@yahoo.com

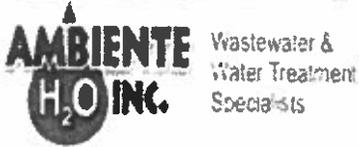
Date: Friday, January 26, 2024 at 12:47 PM MST

Jerry,

Calcs are attached. They include the sludge production and storage numbers we discussed. Let me know what else you may require,

Steve

Steven G. Hansen, PE



Colorado/Corporate Headquarters  
1500 W. Hampden Ave, STE 5D  
Sheridan, CO. 80110  
Phn: 303.433.0364 Cell: 303.6381608  
[shansen@ambienteh2o.com](mailto:shansen@ambienteh2o.com)



Harmel's ISAM calcs 052523.pdf  
64.3kB

FLUIDYNE SEQUENCING BATCH REACTOR CALCULATIONS

PROJECT: SAM™ System - Harmel's on The Taylor River

ENGINEER: egm

PROJECT #:

DATE & TIME:

5/25/2023 15:06

Max Day

INFLUENT CONDITIONS

Flow (mgd)	0.025125
Flow(gpm)	17
Flow(peak instantaneous gpm)	17
BOD (mg/l)	250
(lb/d)	52
TSS (mg/l)	300
(lb/d)	63
TKN (mg/l)	40
(lb/d)	8

EFFLUENT (Monthly Average)

BOD (mg/l)	30
TSS (mg/l)	30
TIN (mg/l)	10

OXYGEN REQUIREMENTS

Pounds TKN required for synthesis	2.62
Pounds of NO3-N produced	6
Pounds O2 recovered/pound NO3-N reduced	N/A
Pound of Oxygen/ pound of BOD	1.4
Pound of Oxygen/pound of TKN	4.6
Actual Oxygen Demand (lb O2/d) Total	112
Alpha	0.85
Beta	0.95
Theta	1.024
Operating Dissolved oxygen (mg/l)	2
Clean Water oxygen sat. at op. temp (mg/l)	11.33
Clean Water oxygen sat. at std. temp (mg/l)	9.09
Clean water O2 sat, std temp, mid depth(mg/l)	10.49
Std. condition ambient pressure (psia)	14.7
Oper. condition ambient pressure (psia)	10.9
Wastewater temperature (c)	10
SOR/AOR ratio	2.17
Standard Oxygen Demand (lb O2/d) total	243
Standard Oxygen Demand (lb O2/hr)	20
Specific oxygenation rate (mg/l-hr)	67
Pounds of oxygen/pound of air	0.23
Clean water efficiency (%)	15
Pounds of air/cubic foot of air	0.075
Aeration hours per day	12.0

## PROJECT: SAM™ System - Harmel's on The Taylor River

Kn, half velocity constant (mg/l)	0.73
Design growth rate for heterotrophs/nitrifiers	0.0424
Specific utilization rate, lbs BOD5/lb mlvss	0.17
lbs. mlvss required for BOD removal	312
mlvss (mg/l)	2000
Tank volume req. for BOD removal (MG)	0.019
Denitrification rate (g/g/day)	0.066
lbs mlvss required for denitrification	87
Tank volume required for NO3 removal (MG)	0.00523
Total tank volume required (MG)	0.0239

## SBR TANK CONFIGURATION

No. of tanks	1
Length overall (ft)	33
Length SAM tank (ft)	11.00
Length SBR tank (ft)	22.00
Width (ft)	14.00
Bottom water level (ft)	8
Top water level (ft)	10.5
Top of Wall (ft)	12
No. Decanters/tank	1
Total SAM™+SBR Volume @ TWL(MG)	0.0363
Total Tankage Volume @ TWL(MG)	0.0506
SAM™+SBR HRT (hrs)	34.66
Total HRT	48.31

## CYCLE TIMES/CAPACITY CALCULATIONS

Total decant volume (cubic feet)	770
Total decant volume (gallons)	5,760
Decant volume per tank (gallons)	5,760
Number of cycles per day/tank	4.4
Total time per cycle (minutes)	330
Fill rate (gpm)	968
Fill time (minutes)	6
Interact period (min)	216
Settle period (minutes)	60
Average decant rate (gpm/ft decanter)	30
Decanter length (feet)	4
Decanting time (minutes)	48
Decanting rate (gpm)	120
Idle period time (minutes)	0
Maximum aeration period available (hours/day)	16.15

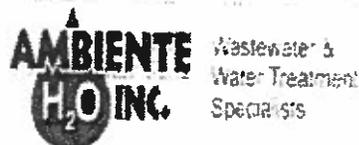
## EQUIPMENT SELECTION

Lbs O2 per nozzle	21
Number of nozzles required (per tank)	0.96
Number of nozzles provided (per tank)	2

PROJECT: SAM™ System - Harmel's on The Taylor River  
 POWER CONSUMPTION CALCULATIONS

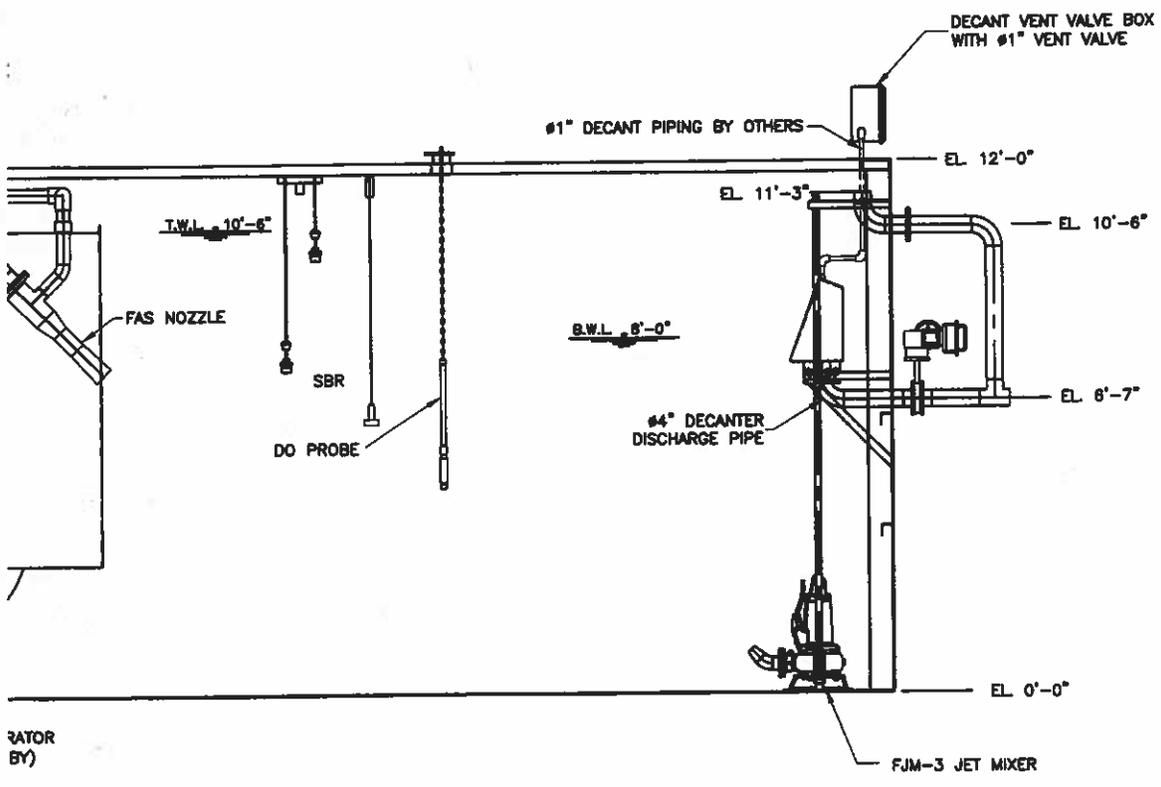
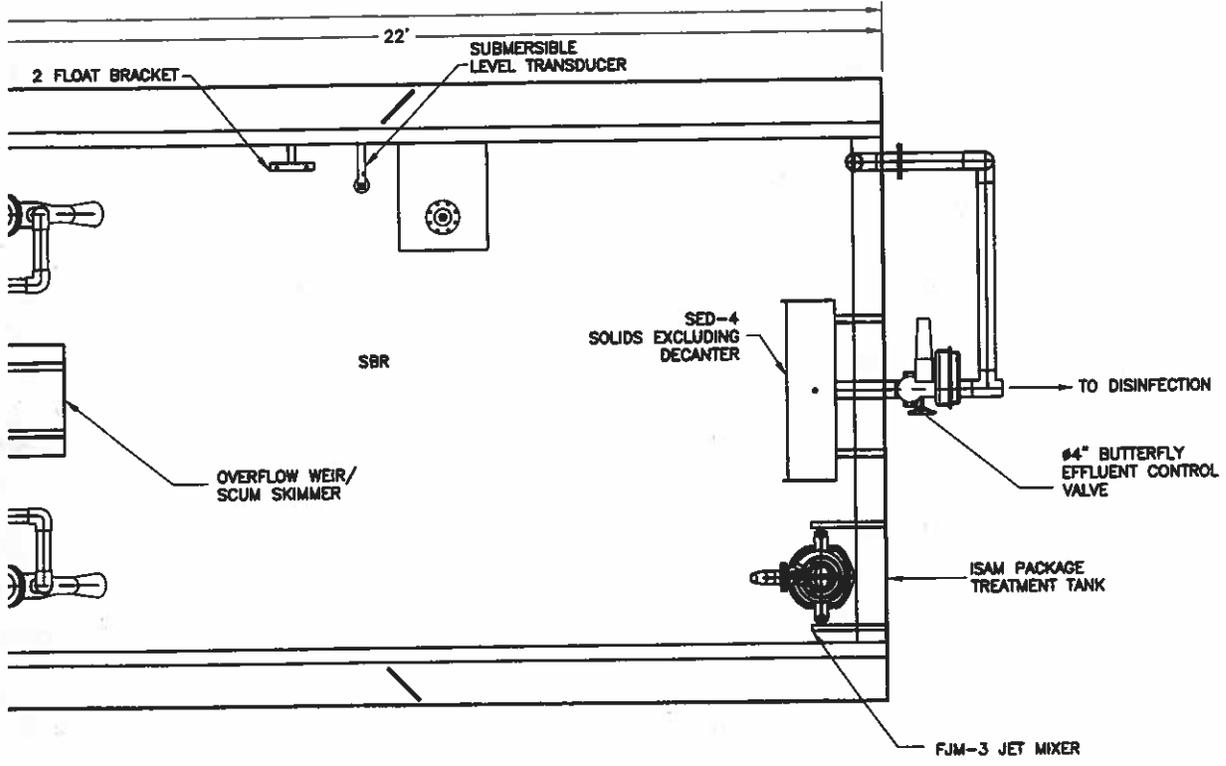
Pump efficiency	0.70
Pump horsepower, BHP/tank	13
Mixing BHP/MG	346
Total horsepower, BHP/tank	13
Aeration BHP/MG	346
Total design equivalent horsepower, BHP	6
<b>SLUDGE PRODUCTION</b>	
Sludge Yield Factor	0.7
Net Sludge Yield (lbs/d)	37
Sludge Concentration (%)	0.700
Sludge Wasting Rate (gpd)	628
Waste Sludge /cycle (gal)	144
WAS Pumping Rate (gpm)	50
Waste Sludge Cycle Time (min)	2.9
Thickened Sludge Concentration (%)	3
Thickened Sludge (gpd)	147
MLSS (mg/l) @ TWL	2857
MLSS (mg/l) @ BWL	3750
Sludge inventory (lbs)	865
SRT ( 1/days )	23.58
F/M	0.06
SVI (ml/g)	150
Sludge blanket level (ft)	4.51
Organic loading (lbs BOD/1000 ft3)	10.80
<b>ISAM</b>	
Surface Area Required	63
Number of tanks	1
Length required (ft)	4.49
Length (ft) provided	13.00
Width (ft)	14
TWL (ft)	10.5
Total volume (gal) available	14,294
Pounds sludge destroyed	23
% sludge reduction	62
Thickened, digested sludge (gpd)	55
Inerts accumulation (gal/d)	25
Days sludge storage available after digestion	89

Steven G. Hansen, PE



Colorado/Corporate Headquarters  
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REV.	DESCRIPTION	DATE	APPROVE
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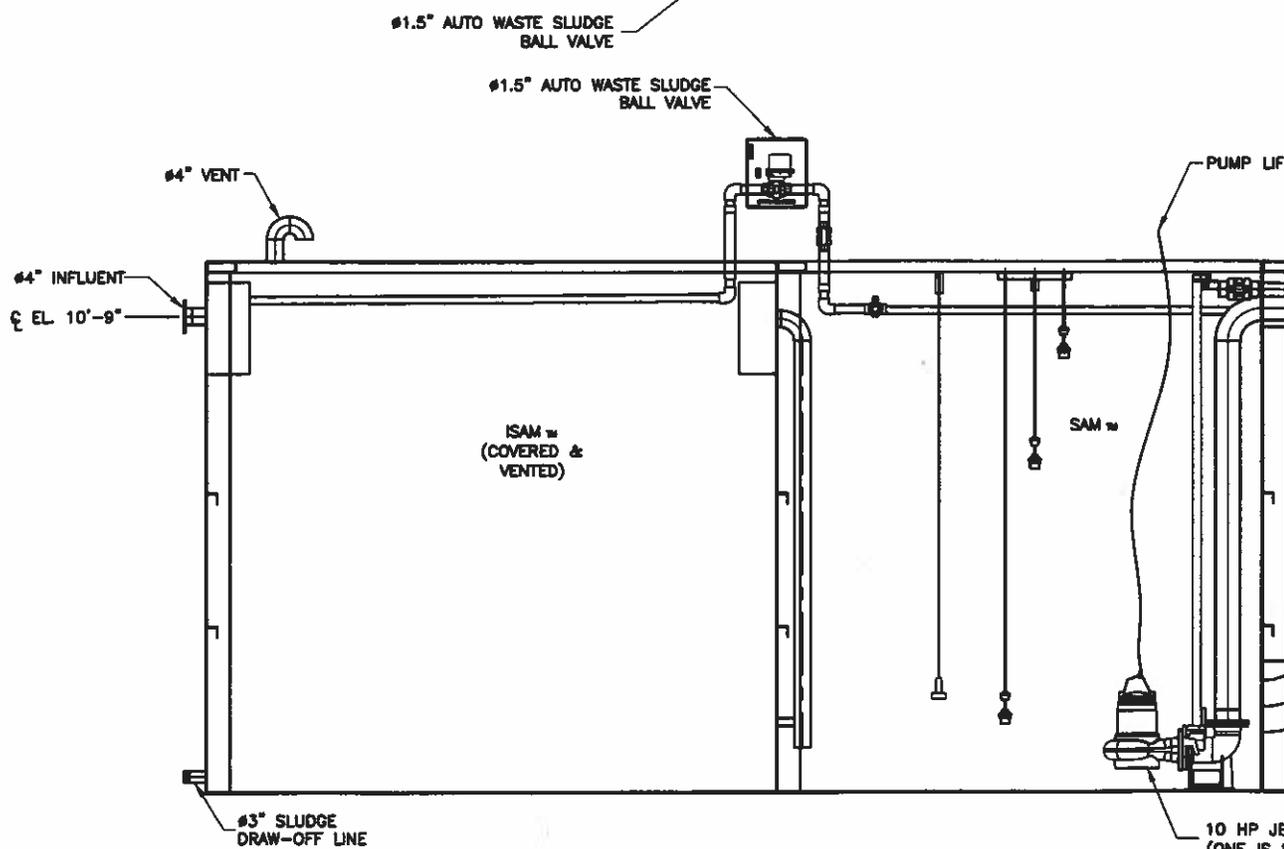
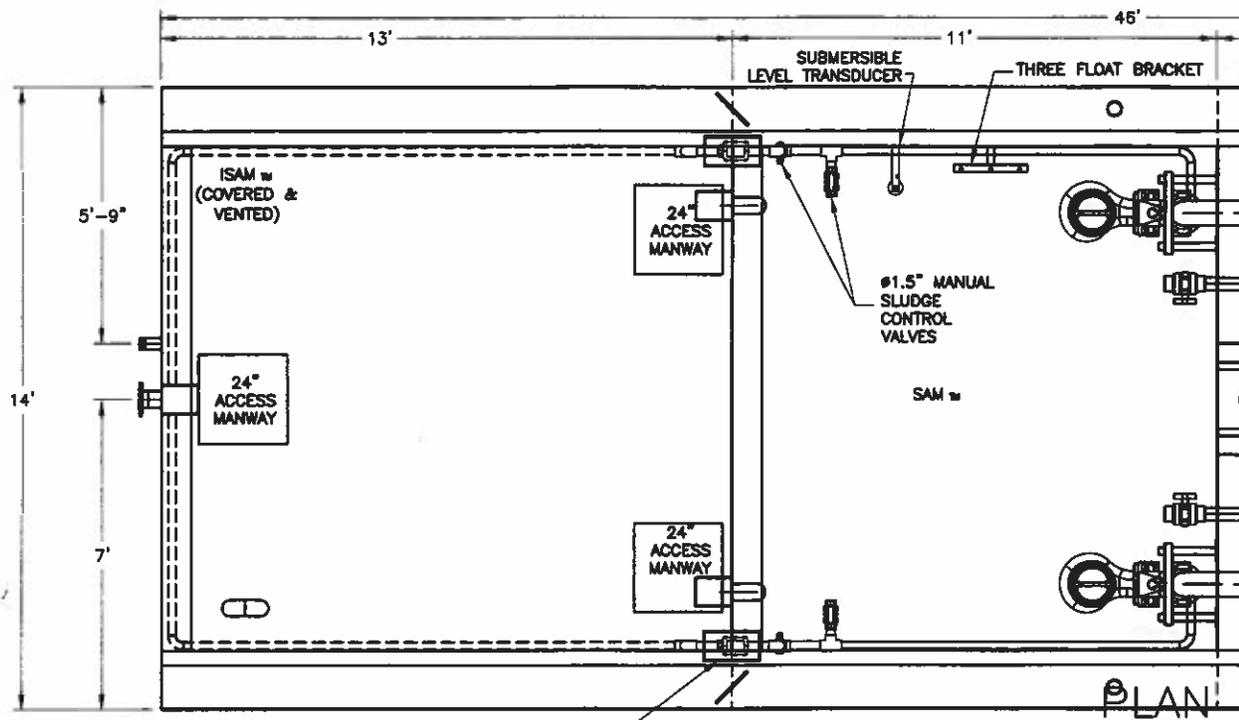
RATOR  
BY)

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ISAM-46 W-DO-LT

DRAWN JAK/CAS	DATE 7/19/22	JOB #	CAD FILE ISAM-46 W-DO-LT	RE
CHECKED	DATE	SCALE	SHEET 1 OF 1	



NOTE:

TANK MATERIAL: 1/4 STEEL PLATE REINFORCED AS REQUIRED

ALL FLANGES ARE ASA 150# DRILLING, SIZE AS INDICATED.

TANK INCLUDES ALL IN-BASIN EQUIPMENT

INTERNAL PIPING IS SCHEDULE 40 STEEL OR SCHEDULE 80 PVC.

PROTECTIVE COATING: SANDBLAST ENTIRE UNIT TO SPECIFICATIONS SSPC-SP6/SP10  
 PAINT INSIDE AND OUTSIDE COAL-TAR EPOXY 14-16 MILS.

EFFLUENT VALVE AND PIPING MUST BE FREEZE PROTECTED



GENERAL PERMIT APPLICATION COG 590149

This is a list of items requested by the CDPHE Memorandum of 3-23-23 for the General Permit Application. The list follows the numbered items in the memorandum.

1. Delayed Effective date of for the certification.  
We have spent 2023 updating the Site Plan, including addition of surveyed topo, designation of the 100 yr floodplain using HEC Program, updating proposed development and flows with Ambient and are ready to move forward with this certification as soon as possible. We do understand that it will take the state some time to establish the PELs and review all the data.
2. Legal contact for the Application.  
David H. Reynolds, President and CEO is the legal contact for this project and is the Permittee. A new Signature page is attached.
3. Facility Latitude/Longitude.  
When originally submitted the Lat and Long were given for the office and entry area for the facility. These remain the same. However, the location of the WWTP has been changed and the coordinates are:

WWTP	Lat.	38.72122
	Long.	-106.77613
4. Latitude and Longitude for the outfall.

Outfall	Lat.	38.72083
	Long.	-106.77515
5. The site survey attached has poor resolution.  
Please disregard the two site drawings on this page. As noted, a new and detailed Site Map is being submitted.
6. Confirmation of design flow.  
Please refer to the updated flows prepared by Ambient. A copy of the 3 page calculations is attached.
7. Confirmation of organic capacity loading in pounds/day.  
Please refer to the updated flows prepared by Ambient.

### J. Other Environmental Permits

Does this facility currently have any environmental permits, or is it subject to regulation, under either of the following programs?

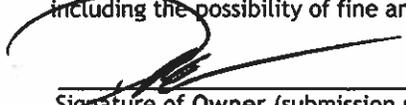
Permit Name	Yes	No	Date Applied For	Permit No.
a. Colorado Division of Reclamation, Mining and Safety—permit anniversary:	<input type="checkbox"/>	<input type="checkbox"/>		
b. Underground Injection Control	<input type="checkbox"/>	<input type="checkbox"/>		
c. Clean Water Act (CWA) Section 404 (Army Corps of Engineers)	<input type="checkbox"/>	<input type="checkbox"/>		
d. Resource Conservation and Recovery Act (RCRA)	<input type="checkbox"/>	<input type="checkbox"/>		
e. CDPS Stormwater	<input type="checkbox"/>	<input type="checkbox"/>		
f. Colorado State Air Pollution Emission	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other	<input type="checkbox"/>			

### K. CERTIFICATION Required Signatures

**Signature of Applicant:** The applicant must be either the owner and/or operator of the construction site. Refer to Part B of the instructions for additional information. The application must be signed by the applicant to be considered complete. In all cases, it shall be signed as follows:

- a) In the case of corporations, by a principal executive officer of at least the level of vice-president or his or her duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the application originates.
- b) In the case of a partnership, by a general partner.
- c) In the case of a sole proprietorship, by the proprietor.
- d) In the case of a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee if such representative is responsible for the overall operation of the facility from which the discharge described in the form originates.

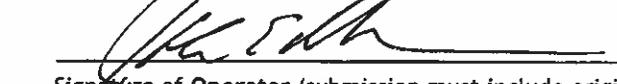
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

  
 Signature of Owner (submission must include original signature) 1-30-24  
Date Signed

David H Reynolds  
 Name (printed) Manager/Member  
Title

  
 Signature of Applicant (submission must include original signature) 1-30-24  
Date Signed

David H Reynolds  
 Name (printed) Manager/Member  
Title

  
 Signature of Operator (submission must include original signature) 1/28/24  
Date Signed

JACK E BURKE  
 Name (printed) O.R.C.  
Title

## Draft-ENVIRONMENTAL HEALTH BOARD VARIANCE REQUEST ACTION

**APPLICANT:** Harmels on the Taylor, LLC

**DATE:** May 12, 2025

**SITE LOCATION:** 6748 County Road 742

**ACTION:** Request for a variance to the *Gunnison County OWTS Regulations* for the temporary use of vault systems throughout the resort while work to design, permit, and construct a permanent wastewater treatment plant is undertaken.

**PREPARED BY:** Crystal Lambert, Building and Environmental Health Official

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### PROPOSED PROJECT:

The applicant is requesting a variance to the Gunnison County OWTS Regulations so that the Environmental Health Office can permit the temporary use of vault systems throughout the resort while working to design, permit, and construct a permanent wastewater treatment plant.

### GUNNISON COUNTY ENVIRONMENTAL HEALTH OFFICE ACTION:

The application and proposed design narrative have been reviewed by the Environmental Health Office for compliance with the *Gunnison County OWTS Regulations*. The proposed use of vault systems is prohibited per *Section 12.C.* of the *Gunnison County OWTS Regulations* and a permit for the use of vault systems cannot be issued without a variance granted by the Gunnison County Environmental Health Board.

### APPLICANT'S REQUEST FOR A VARIANCE:

A request for a Public Hearing with the Environmental Health Board for the consideration of a variance to *Section 12.C.* of the *Gunnison County OWTS Regulations* has been received.

### PUBLIC HEARING:

On May 12, 2025, the Gunnison County Environmental Health Board conducted a Public Hearing on this request for a variance.

### FINDINGS:

Based on a review of all the information included with the OWTS application, the request for a variance, and staff reports for this project and consideration of any and all

testimony and public input received relative to this application, the Gunnison County Environmental Health Board finds that:

1. Action on this request for a temporary variance from the *Gunnison County OWTS Regulations* is property-specific and limited to the circumstances unique to this application.
2. The applicant has demonstrated that the requested temporary variance from the *Gunnison County OWTS Regulations* is warranted by unique and existing site-specific configurations and conditions that make immediate compliance with the Regulations technically infeasible.
3. The applicant has provided justification through specific conditions that exist which support a finding that approval of the requested temporary variance will result in no greater risk than that associated with compliance with the requirements of the *Gunnison County OWTS Regulations*.
4. The applicant has demonstrated that approval of the requested variance will not be in violation of any minimum standards established in any other applicable federal or state rule or regulation.
5. The applicant has demonstrated that the proposed plan for maintenance and cleaning of the vault systems will not be a nuisance or injurious to public health, safety or welfare.
6. The applicant has demonstrated that no substantial injury will result from the granting of the requested temporary variance.
7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Department file relative to this application; including all exhibits, references and documents.

**DECISION:**

The Gunnison County Environmental Health Board, having reviewed the proposed application and supporting documentation, site observations and public testimony does approve the requested temporary variance to Section 12.C. of the *Gunnison County OWTS Regulations* for Harmels on the Taylor, LLC at their parcel, 6748 County Road 742, under OWTS application OWTS-22-00138, with the following conditions:

1. Pumping and hauling records be kept for each vault system and available on request and submitted annually.

2. Anyone pumping and/or cleaning vault systems or hauling wastewater at and from this site be licensed OWTS cleaners with Gunnison County.
3. This approval of the temporary use of vault systems at the parcel is limited to 24 months from the date of this approval. A one-time extension, of up to one-year can be granted by the Department if justifiable evidence is provided that shows the extension is warranted and necessary for timing of the completion of the future wastewater treatment plant.
4. An update on progress towards site approval, permitting, and construction of the State approved wastewater treatment plant shall be submitted by January of each year to the Community Development Department.
5. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
6. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.