



COLORADO

Water Quality
Control Commission

Department of Public Health & Environment

NOTICE OF PUBLIC RULEMAKING HEARING BEFORE THE COLORADO WATER QUALITY CONTROL COMMISSION

SUBJECT:

For consideration of the adoption of new temporary modifications and revisions to current temporary modifications of water quality standards expiring on or before December 31, 2017, and new site specific standards that allow for the deletion of current temporary modifications expiring on or before December 31, 2017, for multiple segments in the Classifications and Numeric Standards for:

- Arkansas River Basin, Regulation #32 (5 CCR 1002-32);
- Upper Colorado River Basin and North Platte River, Regulation #33 (5 CCR 1002-33);
- San Juan River and Dolores River Basins, Regulation #34 (5 CCR 1002-34);
- Gunnison and Lower Dolores River Basins, Regulation #35 (5 CCR 1002-35);
- Rio Grande Basin, Regulation #36 (5 CCR 1002-36);
- Lower Colorado River Basin, Regulation #37 (5 CCR 1002-37);
- South Platte River Basin, Laramie River Basin, Republican River Basin, Smoky Hill River Basin, Regulation #38 (5 CCR 1002-38).

Proposed revisions and proposed Statements of Basis, Specific Statutory Authority and Purpose have been submitted by the following:

- Exhibit 1 - Regulation #32, the Water Quality Control Division (division);
- Exhibit 2 - Regulation #33, the Water Quality Control Division (division);
- Exhibit 3 - Regulation #34, the Water Quality Control Division (division);
- Exhibit 4 - Regulation #35, the Water Quality Control Division (division);
- Exhibit 5 - Regulation #36, the Water Quality Control Division (division);
- Exhibit 6 - Regulation #37, the Water Quality Control Division (division);
- Exhibit 7 - Regulation #38, the Water Quality Control Division (division);
- Exhibit 8 - Regulation #32, City of Pueblo;
- Exhibit 9 - Regulation #32, Resurrection Mining;
- Exhibit 10 - Regulation #33, Peabody Sage Creek Mining and Seneca Coal Company;
- Exhibit 11 - Regulation #33, Climax Molybdenum Company;
- Exhibit 12 - Regulation #35, City of Delta;
- Exhibit 13 - Regulation #35, U.S. Energy Corp.;
- Exhibit 14 - Regulation #36 - Rio Grande Silver.

In these attachments, proposed new language is shown with double-underlining and proposed deletions are shown with ~~strikeouts~~. Any alternative proposals related to current temporary modifications identified in Exhibits 1 through 14, with expiration dates on or before December 31, 2016, will also be considered.

HEARING SCHEDULE:

DATE: Monday, December 14, 2015
TIME: 10:00 a.m.
PLACE: Florence Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246

HEARING SUBMITTALS:

For this hearing, the commission will receive all submittals electronically. Submittals must be provided as PDF documents, except for raw data exhibits which may be provided as Excel workbooks. Submittals may be emailed to cdphe.wqcc@state.co.us, provided via an FTP site, CD or flash drive, or otherwise conveyed to the commission office so as to be received no later than the specified date.

PARTY STATUS:

Party status requests must be in writing and are due in the Commission Office on or before:

DATE: Tuesday, September 29, 2015
TIME: 5:00 p.m.

Each request for party status must provide the **organization's name, a contact person, mailing address, phone number, and email address.**

In accordance with section 25-8-104(2)(d), C.R.S., any person who believes that the actions proposed in this notice have the potential to cause material injury to his or her water rights is requested to so indicate, along with an explanation of the alleged harm, in their party status request.

PREHEARING AND REBUTTAL STATEMENTS:

The division and each party that has proposed revisions must submit a proponent's prehearing statement no later than October 6, 2015. The proponent's prehearing statement must be provided as a separate PDF from any accompanying written testimony or exhibits.

Responsive prehearing statements must be submitted no later than October 27, 2015. The responsive prehearing statement must be provided as a separate PDF from any accompanying written testimony or exhibits.

Rebuttal statements must be submitted no later than November 24, 2015. The rebuttal statement must be provided as a separate PDF from any accompanying written testimony or exhibits. No other written materials will be accepted following this deadline except for good cause shown.

Oral testimony at the hearing should primarily summarize written material previously submitted. The hearing will emphasize commission questioning of parties and other interested persons about their written prehearing submittals. Introduction of written material at the hearing by those with party status will not be permitted unless authorized by the commission.

PREHEARING CONFERENCE:

DATE: Tuesday, November 10, 2015
TIME: 10:00 a.m.
PLACE: Sabin Conference Room
Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

Attendance at the prehearing conference is mandatory for all persons requesting party status. Parties needing to participate by telephone can call 1-857-216-6700 and enter the conference code 543213. Persons choosing to participate by telephone should notify the Commission Office by noon on Monday, November 9, 2015 so any handouts can be emailed to remote participants.

Any motions regarding the conduct of this rulemaking shall be submitted by Thursday, November 5, 2015, so that they can be considered at the prehearing conference. No motions will be accepted after November 5, 2015, except for good cause shown.

PUBLIC PARTICIPATION ENCOURAGED:

The commission encourages input from non-parties, either orally at the hearing or in writing prior to or at the hearing. Written submissions should be emailed to cdphe.wqcc@state.co.us by 1:00 p.m. on Friday, December 11, 2015. Interested persons wishing to submit written comments or other documents after that date and time should bring paper copies to the hearing and provide PDF versions to the Commission office as soon as possible after the hearing.

SPECIFIC STATUTORY AUTHORITY:

The provisions of sections 25-8-202(1)(a), (b), and (2); 25-8-203; 25-8-204; and 25-8-402, C.R.S., provide the specific statutory authority for consideration of the regulatory amendments proposed by this notice. Should the Commission adopt the regulatory language as proposed in this notice or alternative amendments, it will also adopt, in compliance with section 24-4-103(4) C.R.S., an appropriate Statement of Basis, Specific Statutory Authority, and Purpose.

Dated this 11th day of August, 2015 at Denver, Colorado.

WATER QUALITY CONTROL COMMISSION

Trisha Oeth, Administrator

EXHIBIT 1

WATER QUALITY CONTROL DIVISION - 32

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: UPPER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
8b. Mainstem of Iowa Gulch from a point immediately below the ASARCO water supply intake to a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch).	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =100 P=110 ug/l (tot)	As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)-TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications Type A Temperature Nov-Mar T _(DM) =No acute standard T _(MMAT) =14.0 °C Cd(ch)=1.6 Zn(ch)=505 Expiration date of 12/31/2017.

REGION: 7 BASIN: MIDDLE ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
6b. Mainstem of the Saint Charles River from the confluence with Edson Arroyo to the confluence with the Arkansas River.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=0.02-10(Trec) ^A Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac)=173 Se(ch)=50 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	See selenium assessment location at 32.6(4). Temporary modification Type B: Temperature="current conditions" Expiration date of 6/30/2017.

REGION: 7 BASIN: LOWER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	Jan-Feb T _{DM} =TVS(WS-II) °C T _{MWAT} =TVS(WS-II) °C Mar-Nov T _{DM} =TVS(WS-II) °C T _{MWAT} =TVS(WS-II) °C Dec T _{DM} =21.5 °C T _{MWAT} =20.7 °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =329	As(ac)=340 As(ch)=0.02-10(Trec) ^A Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=2800 (Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac)= 19.1 Se(ch)=14. 1 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (i) Se(ac/ch) = existing quality; SO ₄ = existing quality. Expiration date of 6/30/2016.
1b. Mainstem of the Arkansas River from the Colorado Canal headgate to the inlet to John Martin Reservoir.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =902	As(ac)=340 As(ch)=0.02(Trec) Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1950(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification Type B: Se(ch)="current conditions" Expiration date of 6/30/2016. Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Water + Fish Standards Apply.
3a. Mainstem of the Apishapa River, including all tributaries and wetlands, from the source to I-25, except for specific listings in Middle Arkansas segment 1 and Lower Arkansas segments 3b and 3c.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110 ug/l (tot)	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
3b. Mainstem of West Torino Canyon Creek, North Fork, Middle Fork and mainstem of Trujillo Creek, Mitotes Canyon Creek, Luis Canyon Creek, Wheeler Canyon Creek, Mauricio Canyon Creek, Daisy Canyon Creek, Adobe Canyon Creek, Gonzales Canyon Creek, Frio Canyon Creek, Borrego Canyon Creek, Munoz Canyon Creek, William Canyon Creek and Castro Canyon Creek, including all tributaries, from their sources to their confluences with the Apishapa River, except for the specific listings in Middle Arkansas segment 1.	UP	Aq Life Warm 2 Recreation N Water Supply Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=630/100ml	NH ₃ (ch)=0.5 CN=0.2 S=0.05	B=0.75 NO ₂ (ac)=1.0 NO ₃ (ac)=10 Cl=250 SO ₄ =WS P=170 ug/l (tot)	As(ac)=340 As(ch)=0.02-10(Trec) ^A Cd(ac)=5.0(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac)=50(Trec) Cu(ac)=200(Trec)	Fe(ch)=WS(dis) Pb(ac)=50(Trec) Mn(ch)=WS(dis)	Hg(ac)=2.0(Trec) Mo(ch)=160(Trec) Ni(ch)=100(Trec) Se(ch)=20(Trec) Ag(ac)=100(Trec) Zn(ch)=2000(Trec)	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
4b. Mainstem of Lorencito Canyon, from the source to the confluence with the Purgatoire River.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011	CN=0.005 S=0.002 B=4.0 NO ₂ =0.5 NO ₃ =100 P=170 ug/l (tot)	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
5b. Mainstem of the North Fork of the Purgatoire River, including all tributaries and wetlands, from a point immediately below the confluence with Guajatomah Creek to the confluence with the Purgatoire River. Mainstem of the Middle Fork of the Purgatoire River from the Bar Ni Ranch Road at Stonewall Gap to the confluence with the North Fork of the Purgatoire River. Mainstem of the South Fork of the Purgatoire River from Tercio to the confluence with the Purgatoire River. Mainstem of the Purgatoire River to Trinidad Lake. Mainstem of Long Canyon Creek from the source to Trinidad Reservoir.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² ^C	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=4.0 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110 ug/l (tot) ^C	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.

REGION: 7 BASIN: LOWER ARKANSAS RIVER	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
5c. Purgatoire mainstem from Trinidad Lake outlet works to I-25. Mainstem of Raton Creek from the source to the confluence of Purgatoire River.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² C	NH ₃ (ac/ch)=TVS CL ₂ (ch)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=2.0 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110 ug/l (tot) ^C	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
6a. All tributaries to the Purgatoire River, including all wetlands, from the source to Interstate 25, except for specific listings in segments 4b, 5a, 5b, 5c and 6b.	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CS-II) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² C	CN=0.2 NO ₂ =10 NO ₃ =100	B=4.0 P=110 ug/l (tot) ^C	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) CrIII(ac/ch)=TVS	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec) Mo(ch)=160(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
6b. Wet Canyon and all tributaries, including wetlands, from the source to the confluence with the Purgatoire River.	UP	Aq Life Cold 2 Recreation E Water Supply Agriculture	T=TVS(CS-II) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	CN=0.2 NO ₂ =1.0 NO ₃ =10 S=0.05	B=2.0 Cl=250 SO ₄ =WS P=110 ug/l (tot)	As(ch)=0.02-10(Trec) ^A Be(ch)=4.0(Trec) Cd(ac)=5.0(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS	CrVI(ac)=50(Trec) CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Fe(ch)=WS(dis) Pb(ac)=50(Trec) Pb(ch)=100(Trec) Mn(ch)=WS(dis)	Hg(ac)=2.0(tot) Mo(ch)=160(Trec) Ni(ch)=100(Trec) Se(ch)=20(Trec) Ag(ac)=100(Trec) Zn(ch)=2000(Trec)	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
15. All lakes and reservoirs tributary to the mainstem of the North Fork of the Purgatoire River from the source to a point immediately below the confluence with Guajatoyah Creek. All lakes and reservoirs tributary to the Middle Fork of the Purgatoire River from the source to the USGS gage at Stonewall mainstem of the South Fork of the Purgatoire River, from the source to Tercio. Monument Lake, North Lake, Trinidad Lake, Long Canyon Reservoir and Lake Dorothey.		Aq Life Cold 1 Recreation E Water Supply Agriculture DUWS*	T=TVS(CL) °C Trinidad Reservoir T=TVS(CLL) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=8 ug/l ^B	NH ₃ (ac/ch)=TVS CL ₂ (ch)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=25 ug/l (tot) ^B	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	*DUWS Applies only to Monument Lake and North Lake Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
16. All lakes and reservoirs tributary to the Purgatoire River from the source to I-25, except for the specific listings in segment 15 and 17.	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CL) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=8 ug/l ^B	CN=0.2 NO ₂ =10 NO ₃ =100	B=0.75 P=25 ug/l (tot) ^B	As(ch)=100(Trec) Be(ch)=100(Trec) Cd(ch)=10(Trec) CrIII(ch)=100(Trec) CrIII(ac/ch)=TVS	CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Pb(ch)=100(Trec) Mo(ch)=160(Trec)	Ni(ch)=200(Trec) Se(ch)=20(Trec) Zn(ch)=2000(Trec)	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.
17. All lakes and reservoirs tributary to Wet Canyon, from the source to the confluence with the Purgatoire River.	UP	Aq Life Cold 2 Recreation E Water Supply Agriculture	T=TVS(CL) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=8 ug/l ^B	CN=0.2 NO ₂ =0.05 NO ₃ =10 S=0.05	B=0.75 Cl=250 SO ₄ =WS P=25 ug/l (tot)	As(ch)=0.02-10(Trec) ^A Be(ch)=4.0(Trec) Cd(ac)=5.0(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS	CrVI(ac)=50(Trec) CrVI(ch)=100(Trec) Cu(ch)=200(Trec) Fe(ch)=WS(dis) Pb(ac)=50(Trec) Pb(ch)=100(Trec) Mn(ch)=WS(dis)	Hg(ac)=2.0(tot) Mo(ch)=160(Trec) Ni(ch)=100(Trec) Se(ch)=20(Trec) Ag(ac)=100(Trec) Zn(ch)=2000(Trec)	Temporary modification Type B: Temperature= "current conditions" Expiration date of 6/30/2016.

WATER QUALITY CONTROL DIVISION - 32
Proposed

32.55 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on twelve segments were reviewed.

The Commission took no action on the temporary modifications on the following segments.

Upper Arkansas segment 8b (Lower Iowa Gulch): Temporary modification of the temperature, cadmium and zinc standards. ASARCO presented evidence indicating progress is being made on resolving the uncertainty regarding the underlying standards. The Commission made no change to the expiration date of 12/31/2017 as the original time allotment was deemed adequate.

Middle Arkansas segment 6b (Lower St Charles River): Temporary modification of the temperature standard. The Commission made no change to the expiration date of 6/30/2017 as the original time allotment was deemed adequate to resolve the uncertainty.

Lower Arkansas segment 1a: Temporary modifications of the selenium and sulfate standard. The Commission made no change to the expiration date of 6/30/2016 as the original time allotment was deemed adequate to resolve the uncertainty.

Lower Arkansas segment 1b: Temporary modification of the selenium standard. The Commission made no change to the expiration date of 6/30/2016 as the original time allotment was deemed adequate to resolve the uncertainty.

Lower Arkansas segments 3a, 3b, 4b, 5b, 5c, 6a, 6b, 15, 16 and 17: Temporary modification of the temperature standard. The Commission made no change to the expiration date of 6/30/2016 as the original time allotment was deemed adequate to resolve the uncertainty.

EXHIBIT 2 WATER QUALITY CONTROL DIVISION - 33

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Blue River	Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
14.	Mainstem of Tenmile Creek, including all tributaries and wetlands from a point immediately above the confluence with West Tenmile Creek to Dillon Reservoir, except for the specific listing in Segment 16.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) ^{°C} D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² ^C	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110 ug/l (tot) ^C	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=210(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS Zn(ch)=TVS(sc)	Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Temporary modification: Mo(ch)="current conditions" Expiration date of 12/31/16.

REGION:12		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Yampa River	Stream Segment Description			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
13i.	Mainstem of Grassy Creek, including all tributaries and wetlands, from the source to immediately above the confluence with Scotchmans Gulch.	UP	Aq Life Warm 2 Recreation N Agriculture	T=TVS(WS-II) ^{°C} D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH3(ac/ch)=TVS Cl2(ac)=0.019 Cl2(ch)=0.011 CN=0.005	S=0.002 B=0.75 NO2=0.05 NO3=100 P=170 ug/l (tot)	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modification. Fe(ch): "current conditions" for Little Grassy Creek. Expiration date of 12/31/17. Temporary modification: Se(ch): "current conditions" Expiration date of 12/31/18. See section 33.6(4) for iron assessment locations.

WATER QUALITY CONTROL DIVISION
Proposed

33.54 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on two segments were reviewed.

The Commission took no action on the temporary modifications on the following segments.

Blue River segment 14: Temporary modification of the chronic molybdenum standard. Climax Molybdenum has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification and on resolving the uncertainty regarding the underlying molybdenum standards on Blue River segment 14. The Commission made no change to the expiration date of 12/31/2016 as the original time allotment was deemed adequate.

Yampa River segment 13i: Temporary modification of the iron standard. Peabody Coal, Inc has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification and progress is being made on resolving the uncertainty regarding the underlying molybdenum standards. The Commission made no change to the expiration date of 12/31/2017 as the original time allotment was deemed adequate.

EXHIBIT 3 WATER QUALITY CONTROL DIVISION - 34

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 9 BASIN: ANIMAS AND FLORIDA RIVER	Desig	Classifications	NUMERIC STANDARDS			TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l		
Stream Segment Description							
3b. Mainstem of the Animas River, including wetlands, from a point immediately above the confluence with Cement Creek to a point immediately above the confluence with Mineral Creek.	UP	Sept. 11 to May 14 Recreation N May 15 to Sept. 10 Recreation E	D.O. = 3.0 mg/l pH = 6.0-9.0 Sept. 11 to May 14 E.Coli=630/100ml May 15 to Sept. 10 E.Coli=126/100ml			The concentration of dissolved aluminum, cadmium, copper, iron, lead, manganese, and zinc that is directed toward maintaining and achieving water quality standards established for segments 4a and 4b.	Temporary Modification Cd(ac/ch) = current condition Cu(ac/ch) = current condition Zn(ac/ch) = current condition Type B Expiration date 12/31/2017.

REGION: 9 BASIN: LA PLATA RIVER, MANCOS RIVER, McELMO CREEK, AND SAN JUAN RIVER IN MONTEZUMA COUNTY AND DOLORES COUNTY	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
7a. Mainstem of McElmo Creek from the source to the Colorado/Utah border, except for the specific listings in Segment 7b. Mainstem of Yellow Jacket Creek, including all tributaries and wetlands, from the source to the confluence with McElmo Creek.		Aq Life Warm 1 Recreation E Agriculture	T=TVS(WS-II) °C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=2200(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: NH ₃ (ac)=old TVS, NH ₃ (ch)=0.06 (type A) Expiration date of 6/30/2016 <u>g</u> .
8c. Unnamed tributary to Ritter Draw (confluence at 37.40216,-108.54582).	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-III) °C D.O. = 5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS	Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Mn(ac/ch)=TVS Pb(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: NH ₃ =current conditions Type A Expiration date 6/30/2016 <u>g</u> .

WATER QUALITY CONTROL DIVISION
Proposed

34.45 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on 3 segments were reviewed.

Animas River segment 3b: Temporary modifications of the cadmium, copper and zinc standards. The Town of Silverton has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification. The Commission made no change to the expiration date of 12/31/2017 as the original time allotment was deemed adequate.

La Plata et al. segments 7a and 8c: Temporary modifications of the ammonia standards for these segments were extended to 6/30/2018. The Division is working with small domestic dischargers on these segments to explore the possibility of proposing discharger specific variances. Progress continues to be made to improve water treatment for these segments.

EXHIBIT 4 WATER QUALITY CONTROL DIVISION - 35

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10 BASIN: Upper Gunnison River Basin Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)= 0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=191(dis) Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modifications: Type B Cd(ch)= 2.1 Cu(ch)=current conditions Zn(ch)= 440 Expiration date June 30, 2016 As(ch)=hybrid Expiration date of 12/31/21.
20. Mainstem of Indian Creek, including all tributaries, from the source to the confluence with Marshall Creek.		Aq Life Cold 1 Recreation E Agriculture	T=TVS(CS-I) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100	As(ac)=340 As(ch)=7.6(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) U(ac)= lowest practical level U(ch)= lowest practical level Zn(ac/ch)=TVS	Temporary Modification at sampling site SW-33 (38.399519, -106.308190) WGS84 Type B June-July U(ac)=1515(tot) U(ch)=1349(tot) Aug-May U(ac)=1144(tot) U(ch)=1080(tot) Expiration date June 30, 2015

REGION: 10 BASIN: Uncompahgre River Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
4b. Mainstem of the Uncompahgre River from Gunnison Road to the upstream boundary of Confluence Park.	UP	Aq Life Warm 2 Recreation P Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=205/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)=.02(Trec) Cd(ac/ch)=TVS Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)= 1800 (Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS	Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS	Temporary Modification: Type A Se(ch)= current conditions Expiration date of Dec. 31, 2017

REGION: 10 BASIN: Lower Gunnison River Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =480	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Type A Se(ch)= current conditions Expiration date of Dec. 31, 2017 Temporary modification: As(ch)=hybrid Expiration date of 12/31/21.

WATER QUALITY CONTROL DIVISION - 35
Proposed

35.41 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on four segments were reviewed.

The Commission took no action on the temporary modifications on the following segments.

Upper Gunnison River segment 12: Temporary modification of metals standards. US Energy is making progress toward resolution of uncertainty regarding the underlying chronic cadmium, copper and zinc standards. The Commission made no change to the expiration date of 6/30/2016 because the original time allotment was deemed adequate.

Upper Gunnison River segment 20: Temporary modification of the acute and chronic uranium standards. These temporary modifications expired on 6/30/2015 and were removed from the tables.

Uncompahgre segment 4b: Temporary modification of the selenium standards. The Town of Olathe presented evidence that it is making progress towards resolution of uncertainty regarding the underlying selenium standard. The Commission made no change to the expiration date of 12/31/2017 because the original time allotment was deemed adequate.

Lower Gunnison segment 2: Temporary modification of the selenium standards. The Town of Delta presented evidence that it is making progress towards resolution of uncertainty regarding the underlying selenium standard. The Commission made no change to the expiration date of 12/31/2017 because the original time allotment was deemed adequate.

EXHIBIT 5

WATER QUALITY CONTROL DIVISION - 36

REGION: 8		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
BASIN: Rio Grande				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
Stream Segment Description										
4a.	Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	Standards effective through 12/31/2016 As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS CrVI(ch)=WS(dis) Cu(ac/ch)=TVS Cu(ch)=WS(dis) Fe(ch)=1000(Trec) Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Tier 1 standards effective 1/1/2017 through 12/31/2018 As(ac)=340 As(ch)=0.02(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac)=TVS Mn(ac)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Tier 2 standards effective from 1/1/2019 As(ac)=340 As(ch)=0.02(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac)=TVS Mn(ac)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr)	Temporary Modifications: Type B Cd(ch)=current condition Pb(ch)=current condition Zn(ch)=current condition Expiration Date of 12/31/2016 Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. <u>NH₃(ac/ch)=current condition</u> <u>Expiration Date of 12/31/2018</u> *Low flow is August-March **High flow is April-July
							low flow* Cd(ac/ch)=2.6/1.5 Pb(ch)=3.0 Mn(ch)=165 Zn(ac/ch)=548/393	low flow* Cd(ac/ch)=2.0/0.88 Pb(ch)=1.5 Mn(ch)=92 Zn(ac/ch)=306/148		
							high flow** Cd(ac/ch)=1.0/0.63 Pb(ch)=1.3 Mn(ch)=WS(dis) Zn(ac/ch)=272/183	high flow** Cd(ac/ch)=0.83/0.51 Pb(ch)=0.75 Mn(ch)=WS(dis) Zn(ac/ch)=225/136		

REGION: 8		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Rio Grande				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l			
Stream Segment Description									
7.	Mainstem of West Willow Creek from the Park Regent Mine dump to the confluence with East Willow Creek. Mainstem of Willow Creek, including all tributaries from the confluence of East and West Willow Creeks, to the confluence with the Rio Grande.	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CS-II) °C D.O.= 6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² C	NH ₃ (ac/ch)=TVS Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =10 NO ₃ =100 P=110 ug/l (tot) ^C	Standards effective through 12/31/2016 As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS Standards effective through 12/31/2017 As(ac)=340 As(ch)=100(Trec) CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS Standards effective through 12/31/2018 As(ac)=340 As(ch)=100(Trec) CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS Standards effective through 12/31/2019 As(ac)=340 As(ch)=100(Trec) CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS	Temporary Modifications Type B: West Willow Cd(ac)=163 Cd(ch)=21.2 Cu(ac)=227 Cu(ch)=8.9 Pb(ac)=1014 Pb(ch)=104 Ag(ac)=1.32 Zn(ac)=24000 Zn(ch)=5977 Windy Gulch Cd(ac)=9.1 Cd(ch)=6.3 Cu(ch)=5.8 Zn(ac)=2804 Zn(ch)=1914 Willow Cd(ac)=30.8 Cd(ch)=17.9 Cu(ac)=6.4 Cu(ch)=5.6 Pb(ac)=38.0 Pb(ch)=31.3 Zn(ac)=6763 Zn(ch)=4660 Expiration Date 12/31/2016 <u>Willow below Creede WWTF</u> <u>NH₃(ac/ch)=current condition</u> <u>Expiration Date of</u> <u>12/31/2018</u> *Low flow is August-March **High flow is April-July	

WATER QUALITY CONTROL DIVISION - 36
Proposed

36.37 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Existing temporary modifications of standards on two segments and one new proposal were reviewed and the Commission took the following actions:

Rio Grande segment 4a: cadmium, copper, and zinc.

Rio Grande segment 7: cadmium, copper, lead, silver and zinc

Rio Grande Silver has presented evidence that they are making progress on the plan for eliminating the need for the temporary modification and on resolving the uncertainty regarding the underlying standards. The Commission made no change to the expiration date of 12/31/2016 as the time allotment was deemed adequate.

New: Rio Grande segment 4a and 7: ammonia.

The Town of Creede presented evidence that its wastewater treatment facility has a predicted compliance problem with ammonia effluent limits based on water quality standards in segment 7 and 4a and there is uncertainty regarding the feasibility of meeting the ammonia limits. Creede has submitted a plan to resolve the uncertainty. Based on that plan the Commission adopted a "Current Conditions" temporary modification to the ammonia standard with an expiration date of 12/31/2018.

EXHIBIT 6
WATER QUALITY CONTROL DIVISION - 37

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:11	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Lower Colorado River			PHYSICAL and BIOLOGICAL	INORGANIC mg/l			METALS ug/l		
Stream Segment Description									
4e. Mainstem of Dry Creek including all tributaries and wetlands from the source to immediately above the Last Chance Ditch.	UP	Aq Life Cold 2 Recreation N Agriculture	T=TVS(CS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=630/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100 P=110 ug/l ^c	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary Modifications: Cu(ac/ch)=current conditions Expiration 6/30/2017 Fe(ch)=current conditions Expiration 12/31/2017.

WATER QUALITY CONTROL DIVISION - 37
Proposed

37.35 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated or extended. Temporary modifications of standards on one segment was reviewed.

Lower Colorado segment 4e: Temporary modifications of the copper and iron standards. Tri-state Power and Generation Inc. provided evidence that it is making progress on the plan for eliminating the need for the temporary modification and on resolving the uncertainty regarding the underlying standards. The Commission made no change to the expiration date of 12/31/2017 as the time allotment was deemed adequate.

EXHIBIT 7
WATER QUALITY CONTROL DIVISION - 38

REGULATION #38 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 3 AND 4 BASIN: UPPER SOUTH PLATTE RIVER	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS µg/l				
Stream Segment Description									
3. All tributaries to the South Platte River, including all wetlands from a point immediately below the confluence with Tarryall Creek to a point immediately above the confluence with the North Fork of the South Platte River, except for specific listings in Segment 1b.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E. Coli=126/100ml Chla=150 mg/m ² C	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110ug/l (tot) ^C	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=5.0(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac)=50(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(Tot) Mo(ch)=150(Trec)	Ni(ac/ch)=TVS Ni(ch)=100(Trec) Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications: NH ₃ (ac/ch) = current condition below the Florissant Wastewater Treatment Facility outfall. Expiration date of 12/31/2017. As(ch)=hybrid Expiration date of 12/31/21.

WATER QUALITY CONTROL DIVISION
Proposed

38.91 STATEMENT OF BASIS SPECIFIC STATUTORY AUTHORITY AND PURPOSE DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017 to determine whether the temporary modification should be modified, eliminated or extended. Temporary modification of standards on one segment was reviewed.

Upper South Platte segment 3: Temporary modification of ammonia. The Town of Florissant is making progress toward resolution of uncertainty regarding the underlying chronic cadmium, copper and zinc standards. The Commission made no change to the expiration date of 6/30/2017 because the original time allotment was deemed adequate.

EXHIBIT 8
CITY OF PUEBLO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-32

REGULATION NO. 32

**STREAM CLASSIFICATIONS AND WATER QUALITY STANDARDS
FOR ARKANSAS RIVER BASIN**

...

32.6 TABLES

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: Lower Arkansas River Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS µg/l			
1a. Mainstem of the Arkansas River from a point immediately above the confluence with Fountain Creek to immediately above the Colorado Canal headgate near Avondale.	UP	Aq Life Warm 2 Recreation E Water Supply Agriculture	Jan-Feb T _{DM} =TVS(WS-II)° C T _{MWAT} =TVS(WS-II)° C Mar-Nov T _{DM} =TVS(WS-II)° C T _{MWAT} =TVS(WS-II)° C Dec T _{DM} =21.5°C T _{MWAT} =20.7°C D.O. = 5.0 mg/l pH = 6.5-9.0 E.Coli=126/100m	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 CN=0.005 S=0.002	B=0.75 NO ₂ =0.5 NO ₃ =10 Cl=250 SO ₄ =329	As(ac)=340 As(ch)=0.02-10(Trec) ^Δ Cd(ac/ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=2800 (Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis) Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac)=19.1 Se(ch)=14.1 Ag(ac/ch)=TVS Zn(ac/ch)=TVS	Temporary modifications: type (i) Se(ac/ch) = existing quality. <u>Expiration date of 6/30/2026.</u> SO ₄ = existing quality. Expiration date of <u>6/30/2016-12/31/2018.</u>

CITY OF PUEBLO PROPOSAL

32.55 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications to determine whether the temporary modification should be modified, eliminated or extended.

Lower Arkansas River Segment 1a.

The Commission retained the temporary modification for selenium and sulfate equal to existing conditions for Lower Arkansas segment 1a. The Commission set expiration dates of December 31, 2018 for the temporary modification to the sulfate standard, and June 30, 2026 for the temporary modification to the selenium standard.

As discussed in previous hearings (see 1998, 2007, and 2012 Statement of Basis), the selenium and sulfate issues in segment 1a are complicated. Uncertainty regarding the appropriate underlying selenium standard continues with the delay in release of the federal 304(a) draft criteria. In addition, there is significant uncertainty about whether a variance to the selenium or sulfate standards is appropriate. Finally, there is uncertainty about whether the water supply use and the sulfate standard for Segment 1a should be removed.

The Commission extended these temporary modifications to allow time for the City of Pueblo to pursue a discharger-specific variance or other more permanent solution. The Commission reviewed Pueblo's implementation plan for removing the need for the temporary modifications, and found that Pueblo made significant progress implementing its plan to remove the uncertainty about the selenium and sulfate standards. The Commission also found that keeping the "current conditions" temporary modifications in place will not allow any increased impact on the uses of the stream in Segment 1a or in waters located downstream. Finally, the Commission found that the process for developing a discharger-specific variance, and the additional studies necessary to support that process, will require significantly more time and expense for the City than the Commission anticipated in previous hearings.

Based on these factors, the Commission found that an extension of the temporary modification to the sulfate standard through 2018 is appropriate. The Commission expects that the City of Pueblo will conduct a Use Attainability Analysis to determine whether the water supply use should be removed, for the Commission to consider at or before the June 2018 scheduled Arkansas Basin review hearing. The Commission also found that an extension of the temporary modification to the selenium standard through 2026 is appropriate. The City of Pueblo's study plan supports the long-term extension of the temporary modification to allow time for additional studies regarding the feasibility of selenium control.

The sulfate temporary modification will be reviewed in the 2016 and 2017 annual temporary modification reviews and can be resolved or extended in those proceedings. The selenium temporary modification will be reviewed in the 2016 and 2021 Basin issues scoping hearings, the 2018 and 2023 Basin review hearings, and the 2024 and 2025 annual temporary modification reviews. This review plan ensures that significant progress in implementing the City's plan will be made during the temporary modification term.

The Commission can resolve or extend the temporary modification in the Basin review hearings or annual temporary modification review hearings. The Commission can set a separate rulemaking hearing based on its review in an issues scoping hearing, or at other times upon petition from the City or others.

EXHIBIT 9
RESURRECTION MINING COMPANY

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL COMMISSION

5 CCR 1002-32

REGULATION NO. 32

STREAM CLASSIFICATIONS AND WATER QUALITY STANDARDS
FOR ARKANSAS RIVER BASIN

.....
32.6 TABLES
.....

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 13 BASIN: UPPER ARKANSAS RIVER Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
8b. Mainstem of Iowa Gulch from a point immediately below the ASARCO water supply intake to a point immediately below the headgate of the Paddock #1 Ditch (Iowa Ditch).	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CS-II) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	NH ₃ (ac/ch)=TVS CL ₂ (ac)=0.019 CL ₂ (ch)=0.011 S=0.002	B=0.75 NO ₂ =0.05 NO ₃ =100 P=110ug/l (tot)	As(ac)=340 As(ch)=100(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)-TVS	Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary modifications Type A Temperature Nov-Mar T _(DM) =No acute standard T _(M/AT) =14.0°C Cd(ch)= 1.6 <u>Cd(ac)= 2.8</u> Zn(ch)= 505 <u>Zn(ac)= 754</u> Expiration date of 12/31/2017.

RESURRECTION MINING COMPANY PROPOSAL

32.55 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Upper Arkansas Segment 8b has temporary modifications for chronic cadmium and chronic zinc that are due to expire December 31, 2017. These temporary modifications were updated and extended at the June 2013 Regulation 32 Basin Hearing. In the past when ambient standards were adopted the Commission's practice was not to adopt any acute temporary modification for parameters with a chronic ambient temporary modification, therefore acute values were not proposed during the 2013 Basin Hearing. However, the Commission's current practice is to adopt an 85th percentile value for chronic standards and a 95th percentile value for acute standards. Therefore, the Commission expanded the temporary modification to include acute cadmium and acute zinc and retained the expiration date for the current temporary modification, in recognition that RMC provided data predicting a compliance issue associated with its permitted discharge on Segment 8b, and there is still uncertainty as to the appropriate acute and chronic standards for Segment 8b. The acute values were calculated using the same data presented to calculate the chronic temporary modifications in the 2013 Basin Hearing. It is understood that RMC will collect and evaluate additional data during the temporary modification period to better define the uses and appropriate acute and chronic water quality standards for Segment 8b.

EXHIBIT 10
SENECA COAL, INC. AND PEABODY SAGE CREEK MINING LLC

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL COMMISSION

5-CCR-1002-33

REGULATION NO. 33
CLASSIFICATIONS AND NUMERIC STANDARDS
FOR

UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12)

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 12 BASIN: YAMPA RIVER Stream Segment Description	DESIG	CLASSIFICATIONS	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
13d. Mainstem of Dry Creek, including all tributaries and wetlands, from the source to just above the confluence with Temple Gulch.	UP	Aq Life Warm 2 Recreation E Agriculture	T=TVS(WS-II)°C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ²	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =100 P=170 ug/L (tot)	As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Mar-Apr Fe(ch)=3040(Trec) May-Feb Fe(ch)=1110(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=160(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac/ch)=TVS Zn(ac/ch)=TVS	See section 33.6(4) for iron assessment locations. Temporary modifications. Fe(ch): "Mar-Apr; current conditions" Expiration date of <u>12/31/16</u> Se(ch): "current condition" Expiration date of 12/31/2018.

SENECA COAL AND PEABODY-SAGE CREEK MINING PROPOSAL

33.54 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Yampa River Segment 13d

The Commission reviewed the definitive temporary modification implementation plan submitted by Seneca Coal Company and Peabody-Sage Creek Mining, LLC ("Peabody"). Based on the existence of that plan and the progress being made by Peabody to implement the plan, the Commission extended the temporary modification to the iron standard for Yampa River Segment 13d December 31, 2017.

EXHIBIT 11
CLIMAX MOLYBDENUM COMPANY

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL COMMISSION

5-CCR-1002-33

REGULATION NO. 33

CLASSIFICATION AND NUMERIC STANDARDS
FOR
UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 12)

.....

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION:12 BASIN: Blue River	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
14. Mainstem of Tenmile Creek, including all tributaries and wetlands from a point immediately above the confluence with West Tenmile Creek to Dillon Reservoir, except for the specific listing in Segment 16.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) ^o C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² C	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS P=110 ug/l (tot) ^c	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(tot) Mo(ch)=210(Trec)	Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS Zn(ch)=TVS(sc)	Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. Temporary modification: Mo(ch)="current conditions" Expiration date of 12/31/16,12/31/17

CLLIMAX MOLYBDENUM COMPANY PROPOSAL

33.54 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE

Blue River Segment 14

At the Upper Colorado River hearing in 2014 the Commission adopted a water supply molybdenum standard Mo(ch)=210 ug/L (Trec) in Blue River Segment 14 as well as a temporary modification of Mo(ch)="Current Conditions," expiration 12/31/16. In so doing the Commission recognized that there was new toxicological information that should be included in development of a human health based criterion. The Commission determined that "it is more appropriate to address this situation in the review of the Basic Standards and the expiration date was set to accommodate that schedule." The Commission and Climax expected that an anticipated study by the International Molybdenum Association would be completed in 2015 in time for consideration in the 2016 Basic Standards proceedings. Although this study is underway, the results will not be available in time for consideration in the June 2016 Basic Standards hearing. Therefore, the Commission extended the expiration date of the "Current Conditions" temporary modification for molybdenum to 12/31/17 in order that the expected study results may be considered at a special hearing subsequent to the regularly scheduled Basic Standards hearing in June 2016.

EXHIBIT 12
CITY OF DELTA

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5-CCR-1002-35

REGULATION NO. 35

**CLASSIFICATION AND NUMERIC STANDARDS
FOR
GUNNISON AND LOWER DOLORES RIVER BASINS**

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10 BASIN: LOWER GUNNISON RIVER	Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
Stream Segment Description									
2. Mainstem of the Gunnison River from a point immediately above the confluence with the Uncompahgre River to the confluence with the Colorado River.		Aq Life Warm 1 Recreation E Water Supply Agriculture	T=TVS(WS-II) °C D.O.=5.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₃ =0.05 NO ₂ =10 Cl=250 SO ₄ =480	As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=WS(dis)	Hg(ch)=0.01(Tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modification: Type A Se(ch)= current conditions Expiration date of Dec-31-,2017 <u>Dec-31-,2022</u> Temporary modification: As(ch)=hybrid Expiration date of 12/31/21.

CITY OF DELTA PROPOSAL

35.41 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

Lower Gunnison Segment 2: The Commission extended the Temporary Modification for Chronic Selenium with a narrative value of “current condition” to December 31, 2022 to coincide with the next basin review. The City of Delta wastewater treatment facility is currently discharging selenium at an average concentration of 8.45 ug/l, and is addressing the inflow and infiltration into their collection system that is the cause of elevated selenium in their effluent. The City of Delta recently purchased a new wheeled collection system camera and has identified, with video and sampling, a few sources of I & I (Inflow and Infiltration) and funds up to \$150,000 for this year have been allocated for pipe replacement. More time is needed to identify additional sources of I & I and secure funding for addition rehabilitation or replacement. There is also still significant uncertainty concerning the underlying selenium standard. Time is needed to wait for the EPA’s new selenium criteria and implementation guidance, and to determine an appropriate underlying selenium standard for Lower Gunnison Segment 2. The progress on resolving the uncertainty with the selenium standard will be reviewed in the annual Temporary Modification hearing December 2020.

EXHIBIT 13
U.S. ENERGY CORP.

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL COMMISSION

5-CCR-1002-35

REGULATION NO. 35

CLASSIFICATION AND NUMERIC STANDARDS
FOR
GUNNISON AND LOWER DOLORES RIVER BASINS

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STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

REGION: 10 BASIN: Upper Gunnison River Basin Stream Segment Description	Desig	Classifications	NUMERIC STANDARDS						TEMPORARY MODIFICATIONS AND QUALIFIERS
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l				
12. Mainstem of Coal Creek, including all tributaries and wetlands from a point immediately below the Crested Butte Water Supply intake which is above the confluence with the Mount Emmons/Red Lady Basin drainage to the confluence with the Slate River, with the exception of Wildcat Creek.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) °C D.O.=6.0 mg/l D.O.(sp)=7.0 mg/l pH=6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	As(ac)=340 As(ch)= 0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS	Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Mn(ch)=191(dis) Hg(ch)=0.01(tot) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS	Ag(ac)=TVS Ag(ch)=TVS(tr) Zn(ac/ch)=TVS	Temporary Modifications: Type B Cd(ch)= 2.1 Cu(ch)=current conditions Zn(ch)= 440 Expiration date <u>December 31, 2017</u> June 30, 2016 As(ch)=hybrid Expiration date of 12/31/21.

U.S. ENERGY CORP. PROPOSAL

35.41 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

Temporary Modifications

Pursuant to the requirements in the Basic Standards (at 31.7(3)), the Commission reviewed the status of temporary modifications scheduled to expire before December 31, 2017, to determine whether the temporary modification should be modified, eliminated, or extended.

Upper Gunnison River Basin Segment 12:

The Commission extended the existing Type B Temporary Modifications for cadmium, copper, and zinc, to December 31, 2017. These temporary modifications were scheduled to expire on June 30, 2016. Sufficient progress is being made on the development of site-specific water quality-based standards for cadmium, copper, and zinc, among other constituents, for Segment 12 to support this extension. U.S. Energy is working with the Water Quality Control Division and other interested stakeholders and intends to propose these site-specific standards at the next Rulemaking Hearing to consider revisions to the San Juan and Gunnison River basins water quality classifications and standards, Regulations #34 (5 CCR 1002-34) and #35 (5 CCR 1002-35), currently scheduled for June 2017. This extension reconciles the expiration date for the existing temporary modifications with the projected effective date for revised water quality standards expected to be adopted during the June 2017 basin hearing. U.S. Energy also presented evidence that sufficient progress is being made on the Study Plan to Evaluate Metals Loading in the Coal Creek Watershed in the Vicinity of the Keystone Mine (the "Study Plan"), which the Commission approved in 2012. Data collection and analysis should be completed in 2016. The results of the Study Plan will be used to identify and quantify sources of cadmium, copper, and zinc loading that may be affecting water quality in Segment 12 and in developing the site-specific standards. These temporary modifications will be reviewed again at the annual temporary modification hearing in December 2016.

EXHIBIT 14
RIO GRANDE SILVER

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5-CCR-1002-36

REGULATION NO. 36

**CLASSIFICATION AND NUMERIC STANDARDS
FOR
UPPER COLORADO RIVER BASIN AND NORTH PLATTE RIVER (PLANNING REGION 8)**

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS

EGION: 8 BASIN: Rio Grande	Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS	
			PHYSICAL and BIOLOGICAL	INORGANIC mg/l		METALS ug/l			
4a. Mainstem of the Rio Grande from a point immediately above the confluence with Willow Creek to a point immediately above the confluence with the South Fork Rio Grande.		Aq Life Cold 1 Recreation E Water Supply Agriculture	T=TVS(CS-I) °C D.O. = 6.0 mg/l D.O. (sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml	NH ₃ (ac/ch)=TVS Cl ₂ (ac)=0.019 Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =0.05 NO ₃ =10 Cl=250 SO ₄ =WS	Standards effective through 12/31/2016 <u>12/31/2018</u> As(ac)=340 As(ch)=0.02(Trec) Cd(ac)=TVS(tr) Cd(ch)=TVS CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Mn(ch)=WS(dis) Mn(ac/ch)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=TVS	Tier 1 standards effective 1/1/2017 <u>12/31/2018</u> <u>12/31/2020</u> As(ac)=340 As(ch)=0.02(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Mn(ac)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) low flow* Cd(ac/ch)=2.6/1.5 Zn(ac/ch)=548/393 high flow** Cd(ac/ch)=1.0/0.63 Pb(ch)=1.3 Mn(ch)=WS(dis) Zn(ac/ch)=272/183	Tier 2 standards effective from 1/1/2019 <u>12/31/2018</u> <u>1/1/2021</u> As(ac)=340 As(ch)=0.02(Trec) CrIII(ac)=50(Trec) CrIII(ch)=TVS CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=WS(dis) Fe(ch)=1000(Trec) Pb(ac)=TVS Mn(ac)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ac)=TVS Ag(ch)=TVS(tr) low flow* Cd(ac/ch)=2.0/0.88 Pb(ch)=1.5 Zn(ac/ch)=306/148 high flow** Cd(ac/ch)=0.83/0.51 Pb(ch)=0.75 Mn(ch)=WS(dis) Zn(ac/ch)=225/136	Temporary Modifications: Type B Cd(ch)=current condition Pb(ch)=current condition Zn(ch)=current condition Expiration Date of <u>12/31/2016-12/31/2018</u> Temporary modification: As(ch)=hybrid Expiration date of 12/31/21. *Low flow is August-March **High flow is April-July

REGION: 8		Desig	Classifications	NUMERIC STANDARDS					TEMPORARY MODIFICATIONS AND QUALIFIERS
BASIN: Rio Grande				PHYSICAL and BIOLOGICAL	INORGANIC mg/l	METALS ug/l			
Stream Segment Description									
7.	Mainstem of West Willow Creek from the Park Regent Mine dump to the confluence with East Willow Creek. Mainstem of Willow Creek, including all tributaries from the confluence of East and West Willow Creeks, to the confluence with the Rio Grande.	UP	Aq Life Cold 2 Recreation E Agriculture	T=TVS(CS-II) °C D.O.= 6.0 mg/l D.O.(sp)=7.0 mg/l pH = 6.5-9.0 E.Coli=126/100ml Chla=150 mg/m ² C	NH ₃ (ac/ch)=TVS Cl ₂ (ch)=0.011 CN=0.005	S=0.002 B=0.75 NO ₂ =10 NO ₃ =100 P=110 ug/l (tot) ^c	Standards effective through 12/31/2016 <u>12/31/2018</u> As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Pb(ac/ch)=TVS Mn(ac/ch)=TVS Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS Zn(ac/ch)=TVS Standards effective through 12/31/2016 <u>12/31/2018</u> As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS West Willow Cd(ac/ch)=163/21 Cu(ac/ch)=227/8.9 Pb(ac/ch)=1014/104 Mn(ac/ch)=TVS Ag(ac)=1.3 Zn(ac/ch)=24000/5977 Windy Gulch Cd(ac/ch)=9.1/6.3 Cu(ac/ch)=TVS/5.8 Pb(ac/ch)=TVS Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=2804/1914 Willow mainstem low flow* Cd(ac/ch)=17.5/15.4 Cu(ac/ch)=TVS Pb(ac/ch)=TVS/30 Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=4541/3917 high flow** Cd(ac/ch)=15.6/10.3 Cu(ac/ch)=TVS Pb(ac/ch)=TVS/22 Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=4190/3009	Tier 1 standards effective 4/1/2017 through 12/31/2018 <u>12/31/2020</u> As(ac)=340 As(ch)=100(Trec) Cd(ac/ch)=TVS CrIII(ac/ch)=TVS CrIII(ch)=100(Trec) CrVI(ac/ch)=TVS Cu(ac/ch)=TVS Fe(ch)=1000(Trec) Hg(ch)=0.01(Trec) Mo(ch)=160(Trec) Ni(ac/ch)=TVS Se(ac/ch)=TVS Ag(ch)=TVS West Willow Cd(ac/ch)=163/21 Cu(ac/ch)=17.6/15.0 Pb(ac/ch)=268/183 Mn(ac/ch)=TVS/1779 Ag(ac)=TVS Zn(ac/ch)=11873/11022 high flow** Cd(ac/ch)=32/19.2 Cu(ac/ch)=15.0/9.4 Pb(ac/ch)=103/47 Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=8772/5611 Windy Gulch Cd(ac/ch)=9.1/6.3 Cu(ac/ch)=TVS/5.8 Pb(ac/ch)=TVS Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=2804/1914 Willow mainstem low flow* Cd(ac/ch)=13.9/11.2 Cu(ac/ch)=TVS Pb(ac/ch)=TVS/18.6 Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=2521/1733 high flow** Cd(ac/ch)=14.5/8.9 Cu(ac/ch)=TVS Pb(ac/ch)=TVS/13.1 Mn(ac/ch)=TVS Ag(ac)=TVS Zn(ac/ch)=3635/2373	Temporary Modifications Type B: West Willow Cd(ac)=163 Cd(ch)=21.2 Cu(ac)=227 Cu(ch)=8.9 Pb(ac)=1014 Pb(ch)=104 Ag(ac)=1.32 Zn(ac)=24000 Zn(ch)=5977 Windy Gulch Cd(ac)=9.1 Cd(ch)=6.3 Cu(ch)=5.8 Zn(ac)=2804 Zn(ch)=1914 Willow Cd(ac)=30.8 Cd(ch)=17.9 Cu(ac)=6.4 Cu(ch)=5.6 Pb(ac)=38.0 Pb(ch)=31.3 Zn(ac)=6763 Zn(ch)=4660 Expiration Date <u>12/31/2016</u> <u>12/31/2018</u> *Low flow is August-March **High flow is April-July

RIO GRANDE SILVER PROPOSAL

36.37 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE: DECEMBER 14, 2015 RULEMAKING; FINAL ACTION JANUARY 11, 2016; EFFECTIVE DATE JUNE 30, 2016

The provisions of C.R.S. 25-8-202(1)(a), (b) and (2); 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

BASIS AND PURPOSE:

Rio Grande River, Segments 4a and 7

At the December 2013 Temporary Modification hearing the Commission adopted site specific standards and temporary modifications in Rio Grande Segments 4a and 7. Site specific standards for each segment were effective through 12/31/2016. Tier 1 standards for each segment were effective 1/1/2017 through 12/31/2018. Tier 2 standards for each segment were effective after 1/1/2019. In addition Temporary Modifications for each segment were adopted with an expiration date of 12/31/2016. At the 2015 Temporary Modification hearing the Commission extended all of the above dates by two years due to the delay in implementation of the Rio Grande Silver Bulldog Mine redevelopment project.