

Changes to Regulation 22 and the Associated Implementation Policy

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Regulation 22

- What is Regulation 22?
 - The site location and design regulations for domestic wastewater treatment works.
- What is purpose of Regulation 22?
 - Initially adopted to define the proper procedures for applicants to obtain site location approval for domestic wastewater treatment works construction projects and establish the information necessary for the Division to make a determination of site location approval.
- What does Regulation 22 apply to?
 - The construction of domestic wastewater treatment works with a design capacity to receive greater than 2,000 gallons per day of domestic wastewater, as well as certain facilities that produce reclaimed domestic wastewater.

Regulation 22 Implementation Policy

- What is the purpose of the Reg 22 Implementation Policy?
 - To facilitate a better understanding of Regulation 22 and the Division's expectations with regard to site location and design application submittals for domestic wastewater treatment works.
 - Further intended to interpret, clarify, and provide information and direction.
- Previously known as the Regulation 22 Guidance Document

Status of Amended Regulation and Policy

- Regulation 22 - **Effective June 14, 2020**
 - Regulatory alignment
 - Definitional clarity
 - Additions/changes
 - Reorganization/updates
- Regulation 22 Implementation Policy - **Effective November 12, 2020**

Section 22.2 - Definitions

- Design Capacity
 - **Treatment plants:** Comprised of two components, the hydraulic and organic loading capacity. Expressed as a maximum monthly average in terms of gallons per day (gpd) or million gallons per day (MGD) and 5-day biochemical oxygen demand (BOD₅).
 - **On-Site Wastewater Treatment System:** Expressed as a maximum month average at full occupancy.
 - **Lift stations:** Expressed as the firm pump capacity (i.e., with the largest unit out of service).
 - **Interceptors:** Expressed as the peak instantaneous hydraulic flow the interceptor is capable of conveying based on the limiting design conditions at a d/D ratio of 0.8.

Section 22.2 - Definitions

- **On-Site Wastewater Treatment System (OWTS)**
 - An absorption system of any size or flow, or a system or facility for treating, neutralizing, stabilizing, or dispersing sewage generated in the vicinity, which system is not part of or connected to a sewage treatment works.
- **Regional Water Quality Management Plan**
 - A wastewater management and water quality plan produced in accordance with sections 208 and 303(e) of the federal Clean Water Act and state law and approved updates to that plan.
- **Water Quality Planning Targets**
 - Planning limitations issued by the Division. These targets may be derived from the following: preliminary effluent limitation (PELs) documents, individual or general permits, reclaimed water notices of authorization, and/or water quality assessments.

Sections 22.3 - 22.5

22.3 and 22.9 Reorganized - Same Meaning:

- 22.3 Declaration of Policy for the Site Location Decision Process
- 22.4 Procedures for the Site Location Decision Process
- 22.5 Factors to be Considered for Division or Commission Decision Making on Site Location Applications

Sections 22.8 & 22.9

22.6 and 22.7 Reorganized - Same Meaning:

- Section 22.8 - Interceptors and Certification Procedures for Eligible Interceptor Sewers
- Section 22.9 - Lift Stations

Section 22.10 - Amendment of Existing Site Location Approval

- Clarified submittal requirements.
- Amendments still available treatment plants.
- Additions or modifications for lift stations:
 - Odor control treatment
 - Emergency storage or wetwell capacity
 - Grinding/screening equipment
 - Back-up power (generator)
 - Any rehabilitation or replacement not meeting the definition of in-kind replacement due to facility age, or for operational improvements including inlet piping or associated force main(s)

Section 22.11 - Demonstration Projects

- **Demonstration Project**
 - Means testing of an individual process, technology, or chemical, or combination(s) of processes, technologies, and/or chemicals at an existing facility that has previously obtained site location and design approval. Demonstration projects occur at a scale, location in the process, or configuration that may have the potential to affect water quality or treatment capabilities. **Requires site location approval.**
- **Pilot Project**
 - Means testing of an individual process, technology, or chemical, or combination(s) of processes, technologies, and/or chemicals at an existing facility that has previously obtained site location and design approval. Pilot projects occur at a scale, configuration, and location in the process that does not qualify as a demonstration project. **Does not require site location approval, but may require a permit mod.**

Section 22.11 – Demonstration Projects

Table 11-1 Pilot and Demonstration Project Categories and Requirements

Project Type	Pilot Project	Demonstration Project	Site Location Approval Required
Equipment Trial for less than 6 months in duration	X		No
Equipment Trial for more than 6 months in duration		X	Yes
Temporary testing projects which discharge directly to the environment		X	Yes
Temporary testing projects with hydraulic throughputs less than 1.5 percent of the treatment works' current daily average hydraulic flow where the project effluent routes upstream of secondary treatment	X		No
Temporary testing projects with hydraulic throughputs greater than 1.5 percent of the treatment works' current average daily hydraulic flow		X	Yes

Section 22.12 - In-Kind Replacement

- Replacement of any process treatment component or hydraulic conveyance component at an existing, approved domestic wastewater treatment works with a similar (i.e., not exactly alike or identical) component as part of normal or emergency replacements to assure continued compliance with applicable site location, design, and permit conditions, including effluent limitations.
- Replacement of multiple, independent pieces of equipment or structures may be submitted within a single written notice.

Section 22.12 - In-Kind Replacement

- Operation and maintenance (O&M) or identical replacement does not require Division notification or site location approval.
 - **Replacement with same size and technology in the same location.** The term “size” refers to the rating of the equipment, and O&M activities applies to the replacement of the equipment where the rating is maintained. Under these conditions, the impeller/rotor diameter, impeller/motor speed, motor horsepower, or pump outlet diameter may vary.
 - **Non-wastewater lifting pumps.** Replacement of non-wastewater lifting pumps that can affect the organic design capacity of a treatment plant (e.g., RAS pumps, waste activated sludge (WAS) pumps, etc.) is not considered an O&M activity.
 - **Replacement of piping.** The replacement of force main piping is not considered an O&M activity, unless the piping being replaced is an identical replacement.

Section 22.12 - In-Kind Replacement

- Operation and maintenance (O&M) or identical replacement does not require Division notification or site location approval.
 - **Monitoring equipment.** Replacement of monitoring equipment required to document continued compliance with applicable site location, design, and permit conditions is not considered an O&M activity. The replacement of all other monitoring equipment (e.g., that which is used for process optimization and control and status observation) is considered an O&M activity.

Section 22.13 - The Design Application Process

- Domestic Wastewater Treatment Plants
 - Two-step design application, review, decision process consisting of submittal of the Process Design Report (PDR) and Self-Certification.
- Lift Stations
 - One-step design application, review, decision process consisting of submittal of the Basis of Design Report (BDR).
- Interceptor Sewers
 - Self-Certification only process.

Note, an applicant may be required to submit a final design when required by the funding agency or at the discretion of the Division.

Historical Lift Stations and Interceptors

- Process to address historical or existing lift stations and interceptors that cannot demonstrate site location or design approval was not included in the regulation. Expected to be addressed in the next triennial review.
- Appendix C of the Implementation Policy provides interim policy on how to deal with this historical infrastructure when discovered.
- Existing infrastructure may be discovered when connecting new infrastructure, sanitary sewer overflows (SSOs), and compliance evaluation inspection (CEI).

Historical Lift Stations and Interceptors

- Division may evaluate the infrastructure base on:
 - Reliability (i.e., degree of hydraulic loading, condition of infrastructure, record of SSOs);
 - Location relative to habitable structures or waterways (i.e., floodways, 100-year floodplain, and storm drains);
 - Adequacy of emergency facilities (i.e., redundant pump, secondary power, alarms, overflow storage, etc.) and an emergency response plan; and
 - Odor complaints.
- Specific to CEIs, the interim policy provides direction on how Division staff will deal with this infrastructure. Lift stations and interceptors that pose a risk to public health and the environment will be referred to the site location and design application process.

Thank you

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