

Exhibit A

TOWN OF CRESTONE DISCHARGE PERMIT

WITH

BAGA GRANDE WATER AND SANITATION DISTRICT

DRAFT

JANUARY 2025

TABLE OF CONTENTS

1 INTRODUCTION AND TERMS OF AGREEMENT 1
2 PERMIT HOLDER INFORMATION..... 1
3 WASTEWATER FLOW MONITORING..... 1
4 WASTEWATER SAMPLING REQUIREMENTS AND LOCATIONS 3
5 WASTEWATER FLOW AND CONSTITUENT LIMITS 4
6 DISCHARGE FEE ERROR! BOOKMARK NOT DEFINED.
7 PERMIT MODIFICATION PROCESS..... 5
8 CONTINGENCY..... 6
9 PERMIT ACCEPTANCE 7

DRAFT

1 INTRODUCTION AND TERMS OF AGREEMENT

The Town of Crestone, (hereafter known as the Town) operates a sanitary sewer collection system that ties into the Baca Grande Water and Sanitation District (BGWSD or District) collection system. Wastewater received from the Town flows to the BGWSD Aspen Institute Wastewater Treatment Plant (AIWWTP) for treatment and discharge.

The AIWWTP operates under Colorado Discharge Permit System (CDPS) Number CO-0046914. The District is solely responsible for compliance with the discharge permit and is legally required to ensure compliant effluent limits. Therefore, the District is required to ensure it is aware of the flowrates, constituents, and other parameters entering the District's collection system from the Town of Crestone.

This discharge permit agreement dictates the allowable flow and constituent loading from the Town of Crestone to the BGWSD flow metering vault. This vault is designated as the Town of Crestone's discharge point. This permit also dictates flow monitoring requirements and frequency, discharge fees and penalties, and outlines the permit modification process.

This discharge permit shall expire at midnight December 31, 2025. If all parties are in agreement, the permit expiration date may be extended upon review by the District after any necessary changes are agreed upon by both parties. Extensions of this discharge permit shall extend only to the expiration date of the District's CDPHE discharge permit for the AIWWTP. The District is responsible for compliance with its discharge permit issued by CDPHE. CDPHE renews permits every five (5) to ten (10) years. Prior to renewal of the District's discharge permit CDPHE issues a public notice version of the permit. The new permit may contain new limits that will affect the District and the Town. Upon receiving the 30-day public notice version of the CDPHE discharge permit for the district's wastewater treatment plant, review of this permit shall begin.

2 PERMIT HOLDER INFORMATION

Owner Name: **Town of Crestone**

Contact Person (Responsible Party for Permit Compliance): **Town Mayor**

Phone Number: _____

Email: _____

3 WASTEWATER FLOW MONITORING

Effluent flows from the Town of Crestone shall be monitored by an ultra-sonic transducer, flow meter, and flume. The transducer shall be calibrated annually and certified by a calibration technician. The District will maintain one flow meter and continuing manufacturer's recommended calibration schedules and will provide the calibration data and results to the Town at any time upon request.

Historic flow monitoring records shall be retained by the District for a minimum of five (5) years. This will include the most recent month of continuous flow monitoring data and maximum, minimum, and average day flow for all other months. These records shall be made available to the Town at any time upon request. Sampling and analysis methods shall follow those approved by the Environmental Protection Agency (EPA) as listed in 40 CFR 136.3. Reporting of data gathered shall be on a monthly basis. Monitoring and reporting requirements are shown in the tables below.

Monitoring Parameters and Frequency

Reporting Requirements

The first six (6) months of discharge will require a sample frequency of one (1) time per month for each Total Phosphorus and TKN. This may be reduced after the initial 6-month monitoring period has ended at the agreement of both the District and Town.

4 WASTEWATER SAMPLING REQUIREMENTS AND LOCATIONS

The District shall conduct the following sampling routine at the sampling location at the Town of Crestone flow measurement vault and outfall.

The initial frequency of sampling for BOD₅ and TSS shall be one (1) time per week, and TP and TKN shall be one (1) time per month. If District staff determines that discharge characteristics are reasonably consistent, sampling may decrease at the District's discretion. The District may also increase sampling if deemed necessary by District operations staff.

All sampling will be submitted to the Town upon request after the District obtains results.

Samples shall be obtained and analyzed for the following parameters:

- BOD₅
- TSS
- TP
- TKN

For all other analyses, District and/or Town staff will obtain samples and send them to SDC Laboratory (2329 Lava Ln, Alamosa, CO 81101) for analysis (or other mutually agreed upon state certified testing laboratory). An electronic copy of the results shall be sent directly to the District and the Town.

The Town will assume full financial responsibility for all testing and sampling costs performed by the Town.

In addition to these sampling requirements, the facility shall be subject to sampling and analysis by District representatives at any time. The cost of these samples will be covered by the District.

The District and Town shall maintain all sampling records, documents for a period of not less than five (5) years.

Wastewater Flow and constituent Limits

The following effluent limitations are set at the Town outfall (metering location) to the District collection system.

Discharge Monitoring Requirements

Parameter	30-Day Average	Sample Type
Flow (gpd)	60,000	Recorder
BOD ₅ (mg/L)	450	Composite
TSS (mg/L)	450	Composite
Total Phosphorus (mg/L)*	10	Grab
TKN (mg/L)*	50	Grab

Recorder sampling requires the continuous operation of a totalizing flow meter.

A composite sample is a sample proportioned according to flow.

Grab sampling is a single “dip and take” sample so as to be representative of the parameter being monitored.

DRAFT

5 VIOLATIONS

Town discharges at the outfall (metering location) must comply with this permit and the Rules and Regulations of this permit. Any violation of this discharge permit, the District's Rules and Regulations, or any orders made pursuant to this discharge permit, or modifications to this permit, shall be subject to a fine of one thousand dollars (\$1,000) per permit violation per day for such violation, together with all fines, costs, charges, damages, or other expenses incurred or suffered by the District or other third parties as a result of such violation, including but not limited to any fines, costs, charges, or other financial consequence imposed on the District by CDPHE where the Town's violation of this permit results in the District's violation of its CDPS Permit. Each day on which a violation occurs or continues shall be deemed a separate and distinct violation. In the case of violations of monthly or other longer-term average discharge limitations, penalties may be assessed for each day in the period covered by the violation. The District may also recover reasonable attorney's fees, court costs, court reporter's fees, and other expenses of litigation when such costs and expenses result from the Town's violation of this permit or the orders issued hereunder.

Any atypical conditions or emergency situations that affect effluent characteristics or flow to the treatment plant within the Town's collection system shall be reported to the District immediately. The District's point of contact shall be the District Manager and the District's lead wastewater treatment plant operator. Reportable situations could include, but are not limited to, spills, known illegal dumping of chemicals or other materials, or significant changes to the character or volume of waste discharge (i.e. addition of an industrial user or non-residential connection).

If violations have occurred, a meeting will be held within 10-days with the Town, the District and the District's engineer to discuss the severity of the violations and their effect on the District's discharge compliance.

If violations do not cause compliance violations at the AIWWTP, the Town shall be given 3-months to perform corrective procedures or seek a modification of this permit.

If violations cause more than one compliance violations for the AIWWTP, this discharge permit and the Intergovernmental Agreement between the Town and the District may be terminated by the District 365 days after the first reported violation at the discretion of the District Board.

6 PERMIT MODIFICATION PROCESS

Should both parties wish to reach a mutually agreeable modification of this permit, the parties agree that the following process shall be followed:

1. The proposed modification shall be sent in writing to the opposite party for review.
2. The opposite party shall have 14 calendar days to review the proposed modifications, make any changes (in writing), and return to the original party requesting the modification.
3. This process shall continue up to 90 days until all parties are in agreement with any proposed modification. If after 90 days, no agreement has been made, the proposed modification shall be deemed rejected and the current terms and conditions of the permit shall remain in full force and effect.
4. In the event proposed permit modifications have been agreed upon, both parties shall sign a

permit modification agreement form (drafted by the district engineer), and the permit shall be officially modified.

7 CONTINGENCY

If, during the first three (3) months of operation and sampling, it is apparent that the actual effluent concentrations are outside of the requirements of this permit, the District and Town agree to meet to determine if the ranges set forth herein are manageable or if this permit requires modification.

DRAFT

8 PERMIT ACCEPTANCE

Sign: _____

Sign: _____

Print Name: _____

Baca Grande Water and Sanitation District

Print Name: _____

Town of Crestone

DRAFT