



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Stormwater Enforcement: Colorado Department of Public Health & Environment Notice of Violation/Cease and Desist Order to Adams County Facility Fabricating Structural Steel

10/23/2023

The Colorado Department of Public Health & Environment issued on October 3rd to Zimmerman Metals, Inc. ("Zimmerman") a document styled:

*Notice of Violation/Cease and Desist Order/Order for Civil Penalty ("NOV")*

See In the Matter of: Zimmerman Metals, Inc.

CDPS General Permit No. COR900000

Certification No. COR900987

Adams County, Colorado

The NOV states that Zimmerman owns and/or operates a facility ("Facility") which performs industrial activities associated with the fabrication of structural steel in Denver, Colorado.

Zimmerman's discharges from the Facility are stated to be subject to a stormwater discharge permit ("Permit") associated with non-extractive industrial activity. The Permit authorizes Zimmerman to discharge treated stormwater from industrial activities associated with the Facility through Outfall 001 to an unnamed ditch tributary to Clear Creek which eventually flows to the South Platt River.

The NOV alleges the following violations:

- Failure to submit Discharge Monitoring Reports
- Failure to submit Annual Reports

The NOV proposes that Zimmerman undertake corrective action that includes:

- Cease and desist from violations referenced in the NOV.
- Within 30 calendar days of the NOV submit all delinquent Discharge Monitoring Reports as well as records of the effluent discharge monitoring at the Facility for the period from July 1, 2021, through the date of the NOV.
- Within 30 calendar days of receipt of the NOV, submit the delinquent annual report of the Facility for years 2021 and 2022.

- Within 30 calendar days of receipt of the NOV, review the requirements of the stormwater permit and certification with Zimmerman staff responsible for ensuring compliance with the terms and conditions of the Permit focusing on items referenced in Paragraph 17 of the NOV.

A civil penalty of \$6,500 is proposed.

Zimmerman has the opportunity to provide an answer and request a hearing.

A copy of the *NOV* can be downloaded [here](#).