

Colorado Department of Agriculture

Plant Industry Division

**Rules and Regulations Pertaining to the Administration and Enforcement of the
Colorado Chemigation Act**

8 CCR 1203-8

SECTION 1. TERMS DEFINED AND CONSTRUED

- 1.01. All terms used in the singular form in these rules shall include the plural, and vice versa, as the case may be. All terms used in these rules shall have the meaning set forth for such terms in the Act. In addition the following terms shall be defined as follows.
- 1.02. "Backflow prevention check valve" means a valve to prevent backflow of irrigation water.
- 1.03. "Chemical injection line check valve" means the check valve in the chemical injection line.
- 1.04. "District" means ground water management district.
- 1.05. "Irrigator" or "Chemigator" means any person employing any device or combination of devices having a hose, pipe, or other conduit, which connects directly to any source of ground or surface water through which water or a mixture of water and chemicals is drawn and applied for agricultural or horticultural purposes.
- 1.06. "Open discharge system" means a system in which the water is pumped or diverted directly into a ditch or canal in such a manner that the force of gravity at the point of discharge into the ditch or canal cannot cause water to flow back to the point from which the water was pumped or diverted.
- 1.07. "Permit holder" means the owner or operator of land who applies or authorized the application of chemical to such land by means of chemigation. The permit holder shall be the party primarily responsible for any liability arising from chemigation on the property.
- 1.08. "Permittee" means the person to whom the permit is issued.
- 1.09. "Pipeline check valve" means a backflow prevention pipeline check valve.

SECTION 2. AFFIDAVIT OF NON-CHEMIGATION

- 2.01. Affidavits shall be submitted annually by March 31 by persons who do not utilize or intend to utilize chemigation. Such affidavits shall be made on a form provided by the Department.
- 2.02. The affidavit shall provide:
 - (a) Name, address and telephone number of the irrigator;
 - (b) Legal description of the location of the irrigation water source; and
 - (c) Signature and date of affidavit.

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SECTION 6. EQUIPMENT, STANDARDS AND INSTALLATION

- 6.01. Any irrigation distribution system through which chemigation is performed, except open discharge systems, shall be equipped with the mechanical devices specified below. The equipment shall be permanently installed in accordance with the manufacturer's specifications and at the location specified therein.
- 6.02. The irrigation pipeline check valve shall be located in the pipeline between the irrigation pump and the point of chemical injection into the irrigation pipeline. Its purpose is to prevent reverse flow, which is a mixture of water and chemical draining or siphoning back into the irrigation water source.
- 6.03. Irrigation systems which, as of July 1, 1989, were equipped with a properly located irrigation pipeline check valve shall be considered in compliance with these rules if the valve provides a seal against reverse flow.
- 6.04. Repealed.
- 6.05. The vacuum relief valve shall be located on the pipeline between the irrigation pump and the irrigation pipeline check valve. Its purpose is to prevent creation of a vacuum in the pipeline and possible reverse flow into the water source when the pump stops.
- 6.06. The vacuum relief valve shall be sized in accordance with the manufacturer's specifications.
- 6.07. If the vacuum relief valve connection will also serve as the inspection port, the permit holder will ensure removal of the valve at the time of inspection. The inspection port shall be located on the pipeline between the irrigation pump and the irrigation pipeline check valve. The inspection port shall be situated in such a manner that the inlet to the low pressure drain can be observed. A minimum four-inch or larger diameter port is required. If a chemigation system has a vacuum relief valve of a minimum two inch diameter, which was in place as of the effective date of these rules, and the irrigator will ensure its removal at the time of each inspection, such valve may be used as the inspection port.
- 6.08. An automatic low-pressure drain shall be located so as to drain any water-chemical mixture which may enter the pipeline between the irrigation pump and the irrigation pipeline check valves by reverse flow when the pump stops. When the pipeline water flow stops, the drain valve shall automatically open. A tube, pipe or other conduit shall be used to discharge the solution at least twenty feet downslope from the irrigation water source or otherwise prevent it from collecting on the ground surface around the well casing.
- 6.09. The drain valve shall be constructed of corrosion resistant material or otherwise coated or protected to prevent corrosion.
- 6.10. The drain shall have an orifice of at least three-quarter inch diameter.
- 6.11. The chemical injection line check valve shall be located at the point of chemical injection into the irrigation pipeline. Its purpose is to prevent flow of water from the irrigation system into the chemical supply tank and to prevent gravity flow from the chemical supply tank into the irrigation pipeline. The valve shall be constructed of chemically resistant materials. The valve shall be designed to prevent water in the irrigation pipeline under operating pressure from entering the chemical injection line.

6.12. Repealed.

6.13. The irrigation pumping plant and the chemical injection pump shall be interlocked so that if the pumping plant stops, the injection pump will also stop. Its purpose is to prevent pumping chemicals into the irrigation pipeline after the irrigation pump stops.

6.14. Repealed.

6.15. Replacement equipment shall meet specified requirements and in the case of irrigation pipeline check valves, shall meet the following minimum requirements:

- (a) The valve body and all components shall be constructed of corrosion resistant materials or otherwise coated or protected to prevent corrosion;
- (b) The valve shall contain a sealing mechanism designed to close prior to or at the moment water ceases to flow in the downstream direction. This mechanism shall be either diaphragm-actuated by hydraulic line pressure, spring loaded or weight loaded to provide a watertight seal against reverse flow;
- (c) All moving components of the valve shall be designed to prevent binding, distortion or misalignment during water flow; and
- (d) The valve shall be designed to allow repair and maintenance, including removal from the pipeline if required to perform such work.

6.16. The equipment required in these rules and regulations shall be maintained in working condition. When required, the equipment shall be repaired to its originally designed condition.

SECTION 7. REPEALED

SECTION 8. EXEMPTIONS

In those instances in which irrigation water is drawn from a reservoir at an elevation higher than the point of chemical injection, the permittee may be exempted from Section 35-11-107(1)(a), (b) or (c) of the Chemigation Act if there is no possibility that the water source can be polluted or contaminated as the result of utilizing such irrigation system for chemigation.

SECTION 9. SEVERABILITY

If any clause, paragraph, subsection or section of these regulations shall be held invalid, it shall be conclusively presumed that the remainder of these regulations not directly related to such clause, paragraph, subsection or section shall not be invalid.

The effective date of these Rules and Regulations is July 1, 1989.

SECTION 10. - 12. RESERVED

SECTION 13. STATEMENTS OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE

13.01. Adopted March 31, 1989 – Effective July 1, 1989

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