

## RESPONSE TO COMMENTS

City of Grace  
Wastewater Treatment Plant  
NPDES Permit # ID0023825  
September 4, 2014

On June 13, 2014, the U. S. Environmental Protection Agency (EPA) issued a public notice for the reissuance of the City of Grace (Grace) Wastewater Treatment Plant (WWTP) National Pollutant Discharge Elimination System (NPDES) Permit # ID0023825. This Response to Comments provides a summary of significant comments received and the corresponding EPA responses. The comments resulted in the following changes to the draft permit:

- EPA is establishing annual average limits for total suspended solids and phosphorus in the final permit. This is in addition to average monthly and average weekly limits.
- The frequency of effluent temperature monitoring is clarified and established as continuous monitoring within one year from the effective date of the permit.
- The sampling frequency required for phosphorus is changed to 1/month which is consistent with the sampling frequency for biochemical oxygen demand, total suspended solids, and total ammonia.
- The permit allows the permittee to obtain surface water flow measurements from the existing USGS gaging station on the Bear River below the Grace Dam.
- The footnotes in Table 1 are revised to remove 5, 6 & 7 of the original footnotes.

Comments were received from the following:

Jackie Barthlome, Mayor, City of Grace (Grace)  
Hannah Chessin, Idaho Conservation League (ICL)

1. **Comment (Grace):** Permit, Page 7, Table 1: The “Notes” at the bottom of the table include items 5, 6 & 7 that do not appear to be referenced in the body of the table.

**Response:** EPA agrees. The footnotes in Table 1 are revised to remove 5, 6 & 7 of the original footnotes.

2. **Comment (Grace):** The sampling frequency for Phosphorus is identified in Table 1 of the Permit as “1/week”. The sampling frequency for Phosphorus is identified in Table 3 of the Fact Sheet as “1/month”. Request is made to correct the Permit requirement to match the Fact Sheet requirement.

**Response:** EPA agrees. The sampling frequency required for phosphorus is changed to 1/month which is consistent with the sampling frequency for biochemical oxygen demand, total suspended solids, and total ammonia.

3. **Comment (Grace):** Permit, Page 7, Table 1 and Fact Sheet, Table 5: The sampling frequency for Temperature is identified in Table 1 of the Permit as “continuous recording”. The sampling frequency for Temperature is identified in Table 5 of the Fact Sheet as “quarterly grab”. Request is made to correct the Permit requirement to match the Fact Sheet requirement. Also, this correction will affect items 2 and 3 on page 7 of the Permit. Continuous sampling of Temperature for the Grace discharge which is minor with respect to the flow of the receiving stream is excessive and will be costly, unjustified burden for the permittee.

**Response:** EPA is requiring continuous monitoring of temperature for the effluent. The receiving water (the Bear River) is impaired for temperature and does not fully support cold water aquatic life due to the excess temperature. At this time, there are insufficient effluent data available for the effluent to assess the impact of the discharge on the receiving water. The effluent temperature data from the continuous monitoring is needed to conduct a reasonable potential analysis and if necessary develop effluent limitations for temperature.

4. **Comment (Grace):** Permit, Page 8, Item 6: Clarify that the point of compliance may vary for each parameter provided that it is between the discharge of the chlorine contact chamber (i.e. the last treatment unit) and the discharge of the outfall pipe in the river (i.e. prior to discharge into the receiving waters).

**Response:** The effluent sample location may be different for different parameters. However, clarification within the permit is not needed, since the permit does not state that all samples must be collected from the same location. Regarding the sample location, the permit states that “The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.” (See Part I.B.6 of the permit). The permit is unchanged.

5. **Comment (Grace):** Permit, Page 9, Part C: The permit appears to require the permittee to install a flow meter in the surface water (Bear River). However, the cost, value, and practicality of this requirement makes it infeasible. Request is made to revise this section to allow the permittee to obtain surface water flow measurements from the existing USGS gaging station on the Bear River below the Grace Dam.

**Response:** The permit is revised to allow the Permittee to obtain surface water flow measurements from the existing USGS gaging station on the Bear River below the Grace Dam.

6. **Comment (Grace):** Permit, Page 18, Part K: Request is made to clarify this section. Is this stating that a 14 day “grace period “ is allowed for complying with any compliance dates, reporting schedules, or other deadlines specified in the permit?

**Response:** This is a requirement to submit reports of compliance or noncompliance within 14 days following each schedule date in a compliance schedule. This is a standard NPDES condition that must be included in all NPDES permits (*See* NPDES Regulations at 40 CFR § 122.41 (l)). It is not a 14 day “grace period”.

7. **Comment (Grace):** Permit (in general): No schedule for compliance is given for meeting new requirements of the permit. In particular, the limit for Total Residual Chlorine (TRC) has been significantly lowered. To comply with this new limit, the permittee will need to implement an upgrade project to either install dechlorination equipment or convert to an ultraviolet disinfection system. Either of these alternative will require time for compliance to obtain funding, perform preliminary and design engineering, gain agency approvals, and complete construction and commissioning. In addition, continuous monitoring of effluent flow and temperature and of surface water temperature has been added which will require equipment upgrades to comply. As such, request is made to delay compliance with the new permit limits for TRC and continuous monitoring of effluent flow and temperature and surface water temperature for three years from the date of issuance of the new permit.

**Response:** EPA recognizes Grace’s request to delay the permit condition for continuous monitoring of the effluent temperature. Therefore, the permit is revised to require continuous effluent monitoring of temperature within 1 year of the effective date of the permit.

The NPDES regulations allow compliance schedules for new water quality based effluent limits when appropriate. In evaluating the need for a compliance schedule, the data must demonstrate that the permittee will be out of compliance with the new effluent limit on the effective date of the permit. A review of the effluent data for the Grace WWTP show that the facility can meet the new chlorine limits on the effective date of the permit. Therefore, the permit cannot include a compliance schedule for chlorine.

8. **Comment (Grace):** Fact Sheet, Part II, Section A. and elsewhere: Clarify the average daily design flow of the existing WWTP is 0.290 mgd, and the maximum daily design flow is 0.435 mgd.

**Response:** Comment noted. Fact Sheets are not revised, so this response to comments provides the clarification.

9. **Comment (Grace):** Fact Sheet, Part VII, Section F: Reference is made to Special Conditions D.2 and D.6 in the Permit, but these references appear to be incorrect.

**Response:** The Fact Sheet incorrectly referenced Special Conditions D.2 and D.6 in the Permit; the correct references are Special Condition C.2 and C.6. Fact Sheets are not revised, so this response to comments provides the update.

10. **Comment (ICL):** The draft permit contains total suspended solids limits that are inconsistent with the Total Maximum Daily Load (TMDL). If the permit contains a maximum yearly limit that is consistent with the TMDL, the existing water quality will be properly protected.

**Response:** The final permit is revised to include an annual average limit for total suspended solids of 8.51 lbs/day. This ensures that the annual loading of total suspended solids (TSS) will not exceed the Waste Load Allocation for TSS of 3,106.3 lbs/year. The annual average limit is in addition to average monthly and average weekly limits.

11. **Comment (ICL):** The draft permit contains total phosphorus limits that are inconsistent with the Total Maximum Daily Load (TMDL). If the permit contains a maximum yearly limit that is consistent with the TMDL, the existing water quality will be properly protected.

**Response:** The final permit is revised to include an annual average limit for total phosphorus of 2.36 lbs/day. This ensures that the annual loading of total phosphorus (TP) will not exceed the Waste Load Allocation for TP of 861 lbs/year. The annual average limit is in addition to average monthly and average weekly limits.

12. **Comment (ICL):** The draft permit fails to monitor and create sufficient effluent limitations for temperature.

**Response:** There are insufficient data at this time to assess the reasonable potential of the discharge to cause or contribute to an excursion of the water quality criteria for temperature. This Response to Comments document clarifies that the final permit requires continuous temperature monitoring within one year from the effective date of the permit. These data will be used to assess potential and develop temperature limits if needed.