

Response to Comments

City of Tensed Wastewater Treatment Plant

NPDES Permit Number: ID0025101

August 12, 2020

On March 20, 2020, the U.S. Environmental Protection Agency Region 10 (EPA) issued a public notice for the proposed reissuance of the Tensed Wastewater Treatment Plant National Pollutant Discharge Elimination System (NPDES) Permit No. ID0025101. The public comment period was set to end on April 20, 2020; however, EPA allowed for a 60-day extension, thus, the public comment period closed on June 19, 2020.

During the public comment period, EPA received comments from the following:

- City of Tensed (City)
- Washington Department of Ecology (Ecology)
- Idaho Department of Environmental Quality (IDEQ)

EPA made the following change to the Permit as a result of comments received:

- Part II.C.1 of the Permit was edited to be consistent with Table 3 of the Permit in stating that the permittee must achieve compliance with the ammonia limitations by October 31, 2026.

Comment 1. Proposed Increase in Monitoring Frequency for Total Residual Chlorine (TRC) and pH (Ecology)

“Ecology has concerns regarding the proposed compliance monitoring frequency for total residual chlorine (TRC) and pH. Chlorine demand in facultative lagoon effluent can vary, which also impacts the amount of chemical addition necessary to dechlorinate. Given the low water quality based limit for TRC, once per week monitoring is inadequate to assess whether the facility is over- or underdosing. Overdosing of chlorine has toxic effects on aquatic life in the receiving water. Also, once per week monitoring for pH does not provide the ability to accurately assess compliance with the pH limit given the variability of effluent pH in a facultative lagoon system.

We request that EPA increase the compliance monitoring frequency for these parameters to a minimum of 5 times per week. This matches Ecology’s practice for similar facilities and protects aquatic life.

Response.

The primary purpose of monitoring in NPDES permits is to assess compliance with permit effluent limits and conditions. 40 CFR § 122.41(j)(1) requires that “samples and measurements taken for the purpose of monitoring shall be representative... of the activity.”

The monitoring frequency is the same as the previous permit. It was established based on the facility’s design capacity. As explained in the Fact Sheet for the previous permit, facilities with a

design flow below 0.5 mgd should monitor chlorine 1/week. The design flow for Tensed WWTP is 0.03 mgd and, therefore, it was subject to weekly monitoring requirements for TRC and pH. EPA reviewed the monitoring data collected under the previous permit and has determined that weekly monitoring for TRC and pH is sufficient to characterize the effluent quality and to assess compliance.

EPA further notes that nothing precludes the permittee from monitoring more frequently than required by the Permit if there is a concern regarding the effluent quality or treatment efficacy.

EPA did not make any changes to the permit based on this comment.

Comment 2. Proposed Removal of Best Management Practice (BMP) requiring facility to minimize discharge during April and May and during ice conditions in Hangman Creek (City)

Under II(A), the permittee is required to address the following: ‘In the Operation and Maintenance Plan, the permittee must develop and implement best management practices (BMPs) to minimize discharges during April and May and during ice conditions in Hangman Creek’.

The permit limits developed by EPA – in particular for ammonia and TRC – were calculated based on a Reasonable Potential Analysis (RPA) and associated Water Quality Based Effluent Limitations analyses to ensure compliance with the State of Washington and Coeur d’Alene Tribe in-stream water quality standards. Comparable analyses were performed for pollutants BOD, pH, and E. coli to similarly ensure in-stream water quality criteria were met. Associated with these water quality analyses, the new permit allows effluent discharge for the period of November 1 – May 31. There is no evidence presented in the Fact Sheet demonstrating that April/May discharges nor discharges during ice conditions will create conditions wherein effluent that meets the permit will violate water quality standards. Indeed, the Fact Sheet analyses were prepared to ensure compliance with in-stream water quality standards. Therefore, we request this BMP requirement be removed from the permit.

Response.

The BMPs referred to in this comment are a component of the Operation and Maintenance Plan (O&M Plan) in Part II.A of the proposed permit and were added in response to the Coeur d’Alene Tribe’s pre-public notice comments on the draft permit. The substantive portion of the comments from the Tribe read as follows:

The current proposed permit allows for discharge from November 1st through May 31st. In discussions with the current operator, discharges during the months of April and May are often not needed. We suggest that the permit reflect that discharge during these months should only occur in the event of very high rainfall conditions. Cold water salmonids (all life stages) are expected to be migrating through the drainage during these months and ammonia exceedances could be most detrimental during this time period.

Discharge during prolonged ice conditions within Hangman Creek should be avoided. Hangman Creek can develop very long geographical distances of ice

cover during prolonged cold winter conditions. BOD, ammonia and residual chlorine loads discharged under iced over conditions may create hypoxic or anoxic conditions in iced over pool habitats due to lack of re-aeration caused by ice cover or have additional deleterious impacts on aquatic life forms. WWTP discharges during these conditions should be minimized. The SOP for the plant should reflect that discharges during instream iced over conditions should be avoided whenever possible.

As noted by the commenter, the ammonia and other water quality based effluent limits are based on low stream flows to meet water quality standards. Since the facility will not be able to meet the final ammonia effluent limits when this permit is issued, the permit contains a compliance schedule that requires the facility to meet the final ammonia effluent limits by October 31, 2026. In the meantime, as stated above, the Tribe is concerned about the effects of the discharge on cold water salmonids. To address this concern and ensure protection of the aquatic life designated use, the permit requires the City to document in the O&M Plan procedures that the facility will implement to minimize discharges in April and May. As explained in the Fact Sheet and above, this condition is necessary to protect all life stages of the cold water salmonids that are expected to be migrating through the drainage during April and May.

Similarly, the permit requires the City to implement BMPs to minimize discharges during ice conditions in Hangman Creek. Again, as explained in the Fact Sheet and above, this condition was included in the permit to ensure the aquatic life designated use is protected. Discharge during iced over periods may create hypoxic or anoxic conditions due to the lack of re-aeration caused by ice cover or have additional deleterious impacts on aquatic life forms.

EPA did not make any changes to the permit based on this comment.

Comment 3. Proposed Correction to Inconsistency in Compliance Schedule Completion Dates (City of Tensed)

Under II(C), and also in the Fact Sheet, compliance with ammonia limitations are first stated to be achieved by October 31, 2025, but in Table 3 the permittee is allowed until October 31, 2026 to achieve compliance. It would appear from Table 3 that 2026 is intended.

Response.

Thank you for your comment. EPA intended for compliance to occur by October 31, 2026. It should be noted that Part VII.A.1 of the Fact Sheet says 2025 and it should also say 2026. EPA does not revise fact sheets. Instead, this response to comments document serves to correct any statements/information in the Fact Sheet.

Part II.C.1 in the permit was changed to be consistent with Table 3 of the permit in stating that the permittee must achieve compliance with the ammonia limitations by October 31, 2026.

Comment 4. Lack of Permittee Involvement in Permitting Process (City of Tensed)

It bothers me that the city did not get a chance to engage in developing the permit, yet the tribe was consulted. I don't have a problem with tribe consultation, but the permittee should also be part of the process.

Response.

EPA Region 10's Tribal Consultation and Coordination Procedures state that an invitation should be sent to tribal governments to consult with EPA regarding Agency actions which includes providing tribes with the opportunity to review and comment on preliminary draft permit documents. EPA followed these procedures when it provided the Tribe with the preliminary draft permit for the City. EPA generally does not provide permittees the opportunity to review and comment on draft permit conditions prior to the public comment period. However, EPA did engage the City when it was developing the permit. Specifically, EPA visited the City of Tensed on July 22, 2019 and met with City representatives including the Mayor, the city clerk, the day to day operator, and the responsible charge operator. The purpose of the meeting was to tour the lagoons and discuss the draft permit conditions and their implications for the City. Further, EPA coordinated extensively by phone with the responsible charge operator regarding draft permit conditions. EPA extended the public comment period by 60 days to provide the City additional time to review the permit materials and provide comments.

EPA did not make any changes to the permit based on this comment.

Comment 5. 2014 Impaired Waters List (303d list) utilized for Idaho Waters Instead of 2016 Impaired Waters List (IDEQ)

One other observation from my quick review of [the Tensed] fact sheet is the reference to the 2014 Integrated Report for Idaho waters. The 2016 Integrated Report is the most current approved Integrated Report for Idaho at the present time.

Response.

Thank you for your comment. The commenter is correct that the Fact Sheet should reference the 2016 Integrated Report. However, no changes were made to the Integrated Report that is relevant to the waterbody that this facility discharges to.