

RESPONSE TO COMMENTS

City of Fairfield Wastewater Treatment Plant NPDES Permit WA0024384 May 11, 2015

On March 11, 2015, the U.S. Environmental Protection Agency (EPA) issued a public notice for the reissuance of the City of Fairfield Wastewater Treatment Plant (WWTP) National Pollutant Discharge Elimination System (NPDES) Permit No. WA0024384. This Response to Comments provides a summary of significant comments and provides corresponding EPA responses. The comments resulted in the following changes to the permit:

Weekly inspections of discharges to the drainage ditch and an observation log are added as Condition I.B.2.

Condition I.B.1., *Table 1 Effluent Limitations and Monitoring Requirements Outfall 001*, Footnote 8, clarified that monitoring for NPDES Application Form 2A, Part B.6. is required even if discharges do not reach or are not expected to reach Soldier Creek.

Comments were received from the following:

Justin Hayes, Program Director, Idaho Conservation League (ICL)

Jerry L. Staley, Public Works Superintendent, City of Fairfield, (City)

- 1. Comment (ICL):** Clarification on frequency of discharge. The factsheet for this draft NPDES states: “Fairfield discharges three months per years and 10 times per month from March 1 to May 30.” (Factsheet, City of Fairfield draft NPDES, p. 8). The draft NPDES permit states: “the permittee is authorized to discharge pollutants from March 1 through May 31 each year.” (City of Fairfield draft NPDES, p. 5). Could the EPA clarify if the discharge frequency of “10 times per month,” as reported written in the Factsheet, is a note about the historic frequency of past discharges or is this a limitation on discharges going forward?

Response: The discharge frequency of 10 times per month is the historic frequency of past discharges and is not a limitation on discharges going forward. Condition I.A. authorizes and limits discharges to the months of March 1 through May 31 each year.

The permit is unchanged.

- 2. Comment (ICL):**Wasteload Allocations. The Factsheet states that there are no wasteload allocations assigned to this facility:

“The State of Idaho’s 2012 Integrated Water Quality Monitoring and Assessment Report (Integrated Report), designates this segment of Soldier Creek on the 303(d) list as impaired for sediment and temperature. The State of Idaho did not provide an allocation to the City for temperature or sediment.”

And again in Appendix C, stating:

“No allocations were provided for Fairfield.”

However, with regard to sediment, the Camas Creek TMDL does, indeed, assign a wasteload allocation to the City of Fairfield. The TMDL states: “The wasteload allocation for the City of Fairfield is 7.5 t/yr.”

It is not clear to us if the effluent limits included in the permit were developed in a manner consistent with the facility’s Wasteload Allocation. Can you please clarify this.

Response: The limits are consistent with the facility’s waste load allocation provided by the *Camas Creek Subbasin Assessment and Total Maximum Daily Load*, August, 2005 as stated on page 187:

“The wasteload allocation for the City of Fairfield is 7.5 t/yr. The intent of this sediment TMDL is not to make the City of Fairfield’s discharge permit any more restrictive than it already is”

The monthly average is:

$$\frac{7.5 \text{ tons/year} \times 2000 \text{ lbs/ton}}{365 \text{ days/year}} = 41 \text{ lbs/day}$$

The City of Fairfield’s discharge is shown below.

Total Suspended Solids (TSS)	30 mg/L	45 mg/L	---	Influent and Effluent ¹
	41 lbs/day	62 lbs/day	---	
	≥85% removal	---	---	% removal

Consistent with the TMDL the City of Fairfield discharge permit is not “any more restrictive than it already is”. The TSS limits in the reissued permit are the same as those in the prior permit issued on November 17, 2003 and existing at the date of the TMDL.

This allocation was verified by a March 19, 2015 email from Balthasar B. Buhidar, Ph.D., Regional Water Quality Manager, Twin Falls Regional Office to John Drabek, EPA Region 10.

Further, IDEQ has certified the allocation is correct in the final 401 Certification.

The permit is unchanged.

- 3. **Comment (ICL):** Monitoring. The draft permit provides that: “Monitoring is required each week and month the facility is discharging and the flow in the drainage ditch is reaching or is expected to reach Soldier Creek.”

However, there is no discussion in the factsheet, or requirements in the draft NPDES permit, that outline how the City will demonstrate that the discharge from the facility is, or is not, reaching Soldier Creek.

The EPA needs to provide the City with required protocols for determining if the effluent reaches Soldier Creek and the EPA needs to require that the City document this determination when it is used to avoid monitoring.

Response: The EPA agrees. The following is added to the permit:

“The permittee must observe at least weekly if wastewater from the POTW is reaching Soldier Creek. The permittee must maintain a written log of the observation which includes the date,

time, observer, and whether there are discharges to the drainage ditch and if the discharges are reaching Soldier Creek. The log must be retained and made available to EPA or to the Idaho Department of Environmental Quality upon request.”

4. **Comment (ICL):** Further, the current NPDES permit, issued in 2003, provides that “At a minimum, the permittee must monitor in April of each year regardless if the discharge is expected to reach Soldier Creek.” Could the EPA please provide an explanation as to why this requirement to monitor in April dropped?

Response: The requirement to monitor discharges every April was to characterize the discharges even if no wastewater reaches Soldier Creek. This condition has been replaced with Condition I.B.1. *Table 1 Effluent Limitations and Monitoring Requirements Outfall 001* and “Footnote 8 For Effluent Testing Data, in accordance with instructions in NPDES Application Form 2A, Part B.6.” By adding this effluent characterization in the permit as an enforceable condition the April monitoring is no longer necessary. The condition will be clarified that the monitoring is required even if discharges do not reach or are not expected to reach Soldier Creek.

5. **Comment (ICL):** Ammonia. The factsheet states: “Ammonia monitoring is required to allow the EPA to determine the reasonable potential of Fairfield to violate the ammonia water quality standards in the next permit.” in the Factsheet, City of Fairfield draft NPDES, p. 13. However, ammonia monitoring was required in the current (2003) permit. Why is it that the EPA is not able to determine the reasonable potential of Fairfield to violate the ammonia water quality standards with this data? We ask that the EPA do so and develop appropriate limits as necessary.

Response: Although the ammonia effluent monitoring was required in the prior permit it did not require the City to monitor Soldier Creek for pH, temperature and ammonia that is required to determine the surface water quality standards for ammonia. As the Fact Sheet states “The Idaho Water Quality Standards contain criteria for the protection of aquatic life from the toxic effects of ammonia (IDAPA 58.01.02.250.01.d.). The water quality standards apply the criteria for early life stages to water bodies (IDAPA 58.01.02.250.01.d.(3)). The criteria are dependent on pH and temperature, because the fraction of ammonia present as the toxic, un-ionized form increases with increasing pH and temperature.”

Condition I.C. of the reissued permit requires the ambient monitoring that is necessary to determine the reasonable potential of Fairfield to violate the water quality standards for ammonia.

The permit is not changed.

6. **Comment (City):** We talked a while back about being able to discharge water year round, does this need to be spelled out in the permit so as to dissolve any confusion. The City is not requesting year round limits only clarification.

Response: To clarify the comment a telephone conversation between Jerry L. Staley of the City and John Drabek of the EPA Region 10 on April 9, 2015 affirmed discharges are only authorized between March 1st and May 30th. Condition I.A will continue to authorize discharges from March 1st to May 30th as in the draft permit and in the previous permit.

The permit is not changed.

7. **Comment (City):** Clarify that the monitoring is not required if the effluent infiltrates into the drainage ditch prior to reaching Soldier Creek. Also clarify when the effluent limitations apply.

Response: Condition I.B. of the permit only requires monitoring “each week and month the facility is discharging and the flow in the drainage ditch is reaching or is expected to reach Soldier Creek.” However the permit states the effluent limitations apply all year:

“The permittee must comply with the effluent limits in the table at all times, unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.” Monitoring is required each week and month the facility is discharging and the flow in the drainage ditch is reaching or is expected to reach Soldier Creek.

The permit is not changed.

- 8. Comment (City):** Can you add some clarification on the NPDES Application Form 2A Effluent Testing Data (where is it located, what does it entail...)?

Response: Below is the link to Application 2A. Section B.6. includes the parameters required to be monitored.

<http://www.epa.gov/npdes/pubs/final2a.pdf>

Application Form 2A and Section B.6. are required for reissuance of the permit which expires in five years. Three years of monitoring is required even if discharges do not reach Solder Creek. This will be clarified in the final permit.

The permit is not changed.

- 9. Comment (City):** Is it necessary to test for BOD₅ and TSS each week during March through May?

Response: Weekly monitoring is required to ensure compliance with the weekly limits for TSS and BOD₅. However, monitoring is only required if the facility is discharging and the flow in the drainage ditch is reaching or is expected to reach Solder Creek.

The permit is not changed.

- 10. Comment (City):** The draft for the new permit calls out that the City shall monitor the surface water for flow weekly and ammonia, temperature, and pH once for the months March through May. At best the drainage ditch enters Soldier Creek 1/2 of a mile from the nearest public access road crossing Soldier Creek. The creek does not have any location to get a good flow reading other than estimates that (I am guessing) you would use to develop new monitoring requirements for the City's next NPDES renewal. Is this necessary, if so, what kind of monitoring quality are these estimates going to provide?

Response: The permit is requiring flow *estimates* (emphasis added) in *Table 3: Surface Water Monitoring Requirements*. Methods of estimating flow were provided to the City by the EPA. A location upstream near a bridge with public access is available as discussed in a telephone conversation between Jerry L. Staley of the City and John Drabek of the EPA Region 10 on April 9, 2015. One half mile upstream of the discharge is acceptable as an ambient monitoring location. In addition, Condition I.C.2. states: “The permittee must seek approval of the surface water monitoring station from IDEQ.”

The flow measurements will be used in determining the reasonable potential for Fairfield to violate the IDEQ ammonia water quality standards. Based on this determination effluent limits and new monitoring requirements may be required in the next permit reissuance. The permit is not changed.