



FACT SHEET

**The United States Environmental Protection Agency (EPA)
Plans To Reissue A
National Pollutant Discharge Elimination System (NPDES) Permit To:**

**The City of McCall
216 E. Park Street
McCall, Idaho 83638**

**The Idaho Department of Environmental Quality Proposes to
Certify the Permit**

NPDES Permit Number: ID-002023-1
Public Notice Start Date: October 1, 2002
Public Notice Expiration Date: October 31, 2002

EPA Proposes NPDES Permit Reissuance.

EPA proposes to reissue an NPDES permit to the City of McCall. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to the North Fork Payette River (NFPR). In order to ensure protection of water quality and human health, the permit places limits on the types and amounts of pollutants that can be discharged.

This Fact Sheet includes:

- information on public comment, public hearing, and appeal procedures
- a description of the current discharge
- a listing of draft effluent limitations and other conditions
- a map and description of the discharge location
- detailed technical material supporting the conditions in the permit

The State of Idaho Proposes Certification.

EPA is requesting that the Idaho Department of Environmental Quality certify the NPDES permit for the City of McCall, under section 401 of the Clean Water Act.

Public Comment.

Persons wishing to comment on the draft permit may do so in writing by the expiration date of the

public notice. All comments must be in writing and include the commenter's name, address, and telephone number and either be addressed to the Office of Water Director at U.S. EPA, Region 10, 1200 6th Avenue, OW-130, Seattle, WA 98101; submitted by facsimile to (206) 553-0165; or submitted via e-mail to arnold.nickie@epa.gov.

After the comment period closes, and all significant comments have been considered, EPA's regional Director for the Office of Water will make a final decision regarding permit reissuance. If no comments are received, the tentative conditions in the draft permit will become final, and the permit will become effective upon issuance. If comments are received, EPA will address the significant comments and issue the permit. The permit will become effective 30 days after the issuance date, unless an appeal is filed with the Environmental Appeals Board within 30 days.

Public comment on State certification

Persons wishing to comment on State Certification should submit written comments by the Public Notice expiration date to the Idaho Department of Environmental Quality (IDEQ), c/o Stephen E. West, 1445 N. Orchard Street, Boise, Idaho 83706. A copy of the comments should also be submitted to EPA.

Documents are Available for Review.

The draft NPDES permit and related documents can be reviewed or obtained by visiting or contacting EPA's Regional Office in Seattle between 8:30 a.m. and 4:00 p.m., Monday through Friday (See address below).

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-0523 or
1-800-424-4372 (within Alaska, Idaho, Oregon and Washington)

The Fact Sheet and draft permit are also available at:

EPA Idaho Operations Office
1435 North Orchard Street
Boise, Idaho 83706
(208) 378-5746

Draft permits, Fact Sheets, and other information can also be found by visiting the Region 10 website at www.epa.gov/r10earth/water.htm.

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I. APPLICANT

City of McCall
NPDES Permit No.: ID-002023-1

216 E. Park Street
McCall, Idaho 83638

Contact: Robert Strobe, City Manager

II. BACKGROUND

The City of McCall owns, operates, and has maintenance responsibility for a facility which treats domestic sewage from local residents and commercial establishments. The facility's application indicates that the design flow of the facility is 2.65 million gallons per day (mgd). From 1998 through 2000 the facility's average monthly discharge has been between 0.664 mgd and 0.734 mgd. Domestic wastewater is treated through a three-cell aerated lagoon system, and the facility can provide seasonal sand filtration. Effluent is chlorinated prior to discharge to either the irrigation storage basin or the J-Ditch for slow rate land application during the irrigation season (May 1 through September 30). The city is allowed to discharge to the NFPR only from December 1 through May 31 when insufficient storage capacity exists or is anticipated to exist in the storage basin based upon flow projections.

The current NPDES permit for the wastewater treatment plant was issued on August 12, 1996, and expired on August 13, 2001. The permit was modified effective June 11, 1999, in order to update the construction schedule for the facility upgrade. Under federal law, specifically, the Administrative Procedures Act (APA), a federally issued NPDES permit is administratively extended (i.e., continues in force and effect) provided that the permittee submits a timely and complete application for a new permit prior to the expiration of the current permit. Since the City did submit a timely application (Standard Form A) that was received by EPA on August 10, 2001, for a new permit, the current permit was administratively extended.

A review of the facility's Discharge Monitoring Reports¹ for the past five years indicates that the facility has periodically failed to comply with its permit effluent limits for total suspended solids (TSS), fecal coliform, total residual chlorine and pH.

A map has been included in Appendix A which shows the location of the treatment plant and the discharge location.

¹ Discharge monitoring reports are forms that the facility uses to report the results of monitoring the facility has done in compliance with their NPDES permit.

III. RECEIVING WATER

A. Stream Flows

The treated effluent from the City of McCall wastewater treatment facility can be discharged from Outfall 001, located at latitude 44° 53' 56" and longitude 116° 07' 20", to the NFPR at approximately River Mile 73.

Flow rates in this reach of the NFPR are regulated by gates at the outlet of Payette Lake, approximately three miles upstream of the McCall discharge. USGS gauging station records below Payette Lake indicate gate design assumption flows listed in Table 1. Design flows are derived from the one-day, 1-in-10-year low flow (1Q10, Acute), the seven-day, 1-in-10 year low flow (7Q10, Chronic), 30-day, 1-in-5 year low flow (30Q5, Human Health non-carcinogens), and the Harmonic Mean Flow (Carcinogens) from a Storet version of DFLOW using a simplified log-Pearson Type III method. All design flow assumptions are based on recommendations of EPA's Technical Support Document for Water Quality-Based Toxics Control, March 1991.

Table 1

Flow	USGS Station 313239000
1Q10	1.07 cfs
7Q10	1.19 cfs
30Q5	4.62 cfs
Harmonic Mean flow	21.12 cfs

The low/gate design flows in Table 1 are a direct result of almost total diversion of the normal river flow during low flows periods during fall and winter to a State operated fish hatchery upstream of the gaging station. Consequently, the design flows are extremely low and do not accurately represent actual instream conditions. In addition, based on information from IDEQ, winter freezing conditions may have an effect on the accuracy of the measurements. The fish hatchery provides return flows of approximately 20 cfs downstream of the station.

All the calculated flows in Table 1 are, therefore, augmented by 20 cfs.

B. Water Quality Standards

A State's water quality standards are composed of use classifications, numeric and/or narrative water quality criteria, and an anti-degradation policy. The use classification system designates the beneficial uses (such as cold water aquatic life communities, contact recreation, etc.) that each water body is expected to achieve. The numeric and/or narrative water quality criteria are the criteria deemed necessary, by the State, to support the beneficial use classification of each water body. The anti-degradation policy represents a three tiered approach to maintain and protect various levels of water quality and uses.

The Idaho *Water Quality Standards and Wastewater Treatment Requirements* (IDAPA 58.01.02.140.16) protects the NFPR for the following beneficial use classifications: cold water aquatic life communities, salmonid spawning, primary contact recreation, and domestic water supply.

The criteria that the State of Idaho has deemed necessary to protect the beneficial uses for the NFPR and the State's anti-degradation policy are summarized in Appendix B.

C. Water Quality Limited Segment

A water quality limited segment is any waterbody, or definable portion of water body, where it is known that water quality does not meet applicable water quality standards, and/or is not expected to meet applicable water quality standards. Cascade Reservoir, located approximately 15 miles south of the McCall discharge has been listed as water quality limited for nutrients, dissolved oxygen and pH. The Phase I TMDL for Cascade Reservoir authored by IDEQ for these parameters was approved by EPA on May 13, 1996. The Phase II TMDL, approved by EPA on December 14, 1998, calls for the city of McCall to completely eliminate its contribution of phosphorus to the NFPR and ultimately Cascade Reservoir.

IV. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The McCall permit was issued in August 1996. The draft permit and fact sheet with technical material supporting the conditions in the permit was public noticed on February 15, 1996. The permit was drafted using technology-based guidelines and water-quality

based procedures as described in the EPA document “Technical Support Document for Water Quality Based Toxics Control (March 1991).” Limits were developed for biochemical oxygen demand (BOD₅), TSS, pH, fecal coliform bacteria, and total residual chlorine. The permit contains effluent monitoring to measure parameters with effluent limitations and for other nutrients. The permit only allows a discharge during the period December 1 through May 31 when insufficient capacity exists in the storage lagoon or it is anticipated to exist based upon flow projections.

The 1996 fact sheet and response to comments, along with the fact sheet and response to comments for the 1999 modification continue to form the basis for the unchanged permit conditions. These documents are available upon request by calling (206) 553-1755. The documents are also available for review at the offices listed on page 2 of this fact sheet.

The Idaho water quality criteria have been revised to include *Escherichia coli* (E.coli) limitations for discharges from wastewater treatment plants to receiving waters protected for primary contact recreation. Therefore, an E.coli limitation and monitoring requirements are included in the draft permit, and the fecal coliform limits and monitoring requirements have been removed. No significant changes have occurred at the facility that were not addressed in the previous permit. Therefore, EPA proposes to reissue the permit with no changes in the permit limitations for BOD, TSS, and total residual chlorine.

V. PROPOSED PERMIT CHANGES

There are a small number of revisions in the draft permit which are described below.

A. E. coli and Fecal Coliform Bacteria

The bacteria *E. coli* is commonly found in publically owned treatment works (POTW) effluent. Therefore, consistent with state water quality standards for the protection of primary contact (i.e. swimming), an *E. coli* effluent limit has been added to the permit.

B. pH

The Idaho state water quality standards require surface waters of the state to have a pH value within the range of 6.5 - 9.5 standard units. The technology-based regulations require that the effluent be between 6.0 and 9.0 s.u. Therefore, a minimum pH value of 6.5 s.u. and a maximum pH value of 9.0 s.u. have been

included in the permit.

- C. Penalties for Violations of Permit Conditions. The 1996 permit contained maximum penalty amounts for civil and criminal penalties. Those amounts have since been modified and are periodically adjusted per the Federal Civil Penalties Inflation Adjustment Act. The permit language of Section III.B. has been modified and now references the appropriate Clean Water Act sections and no longer includes specific fine amounts.
- D. Emergency Discharge Conditions: The draft permit only allows a discharge to the NFPR under emergency conditions during the period December 1 through May 31. Land application or storage of treated effluent is required at all other times in accordance with the TMDL.
- E. Design Flow: According to the most recent application the design flow for the McCall facility is 2.65 mgd. However, mass-based limits for BOD₅ and TSS are based on 2 mgd from the previous permit in order to comply with state water quality standards and the anti-backsliding provisions of 40 CFR 122.44(l). The city has consistently been able to comply with these permit limits.

VI. OTHER LEGAL REQUIREMENTS

A. Endangered Species Act

The Endangered Species Act requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) if their actions could adversely affect any threatened or endangered species. As part of the 1999 permit modification process, EPA contacted both services regarding threatened and endangered species in the area of McCall's discharge. There were no species of concern under the NMFS jurisdiction in the area of McCall's discharge. Species of concern to the NMFS in the vicinity of McCall's discharge have not changed since the 1999 modification. On March 29, 1999, the USFWS provided a written opinion that the listed species were not likely to be adversely affected by the McCall discharge. Two species have been added since the March 29, 1999 written opinion from the USFWS: the Northern Idaho ground squirrel (*Spermophilus brunneus brunneus*) and the Canada lynx (*Lynx canadensis*).

According to USFWS information, the northern Idaho ground squirrel's

population is found within 20 square miles of public and private lands near Council, Idaho. The major threat to the squirrel is habitat loss due to conifer invasion and fire suppression. Other potential threats include agricultural land conversion, urban development, recreational activities, and naturally occurring events such as severe droughts lasting longer than three years.

According to USFWS information, the Canada lynx is a reclusive, highly mobile animal that inhabits large territories in remote areas. The main threat to the lynx may be loss of habitat through a variety of human activities such as logging, road construction, recreational activities, fire suppression and urban development. In the 1980s, high fur prices and trapping for fur pelts caused steep declines in lynx numbers. Winter recreation such as snowmobiling or skiing that packs snow may impact the lynx because trails provide bobcats, cougars and coyotes access to traditional deep snow habitats that were once the lynx's domain. On packed snow, bobcats and coyotes could out-compete the lynx for food and space.

The city is only allowed to discharge during emergency situations with a minimum 60:1 dilution requirement. Therefore, EPA has determined that issuance of this permit will have **no effect** on any of the endangered species that may occur in the vicinity of the discharge.

B. Essential Fish Habitat

Section 305(b) of the Magnuson-Stevens Act (16 USC 1855(b)) requires federal agencies to consult with the NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated Essential Fish Habitat (EFH) as defined by the Act. The EFH regulations define an *adverse effect* as any impact which reduces quality and/or quantity of EFH and may include direct (e.g. contamination or physical disruption), indirect (e.g. loss of prey, reduction in species' fecundity), site-specific, or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

To date, federal management plans have been approved by the Secretary of Commerce for groundfish and coastal pelagics. None of the 83 West Coast groundfish surveyed for the federal management plan included habitat near the NFPR (see Section III for a description of the discharge location). Similarly, the coastal pelagic species are not effected by the permitted discharges. Appendix A of Amendment 14 to the Pacific Coast Salmon Plan includes a geographic range

freshwater EFH for coho, chinook, and pink salmon (Figure A-1) that does not include the NFPR. Because the permit does not include discharges to EFH, EPA has made a finding of **no potential for adverse effect**.

C. State Certification

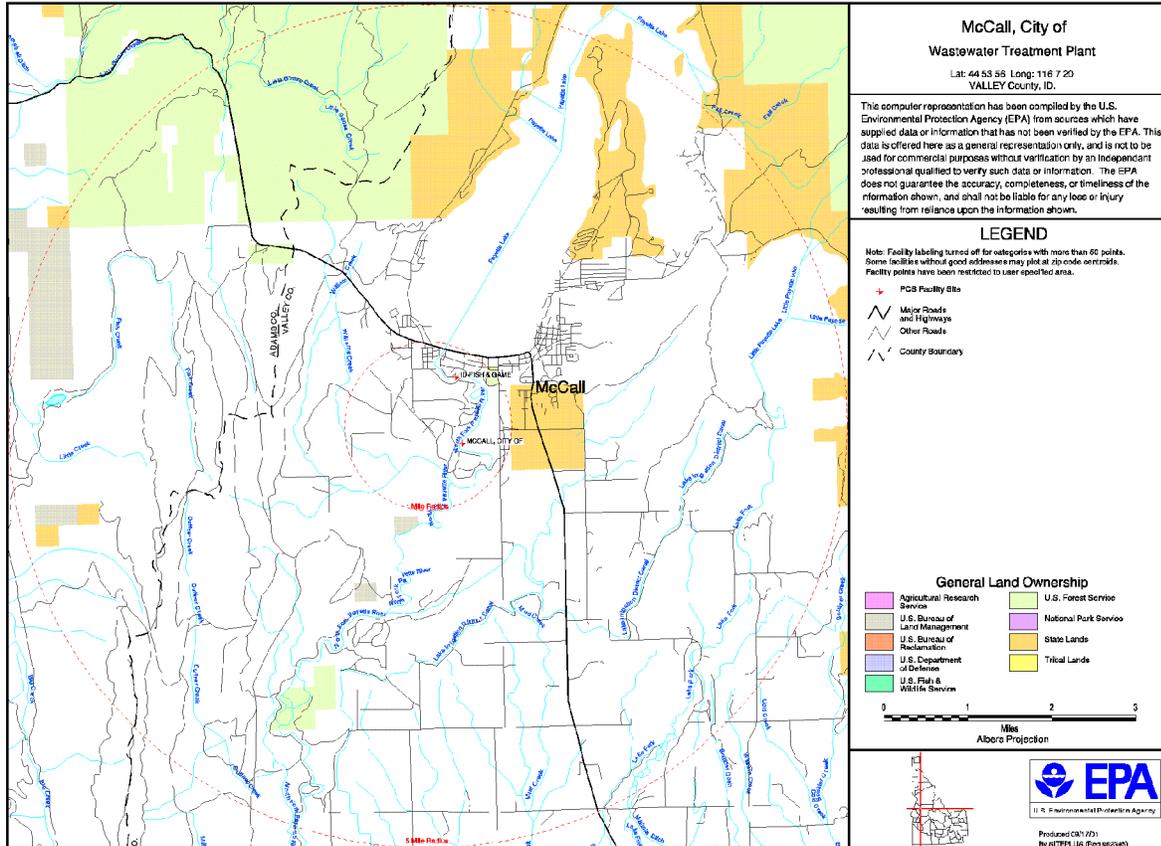
Section 401 of the Clean Water Act requires EPA to seek state certification before issuing a final permit. As a result of the certification, the state may require more stringent permit conditions or additional monitoring requirements to ensure that the permit complies with water quality standards.

D. Permit Expiration

This permit will expire five years from the effective date of the permit.

APPENDIX A

Wastewater Treatment Plant Location



APPENDIX B

Water Quality Standards

A. Water Quality Criteria

The following water quality criteria were considered for the protection of the beneficial uses of the NFPR:

1. IDAPA 58.01.02.200.02 - Surface waters of the State shall be free from toxic substances in concentrations that impair designated beneficial uses. Furthermore, IDAPA 58.01.02.210.01 incorporates the National Toxics Rule by reference as found in 40 CFR 131.36(b)(1) that includes numeric criteria for toxic substances.
2. IDAPA 58.01.02.200.05 - Surface waters of the State shall be free from floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair designated beneficial uses.
3. IDAPA 58.01.02.200.06 - Surface waters of the State shall be free from excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses.
4. IDAPA 58.01.02.250.01.a. - Hydrogen ion concentration (pH) values within the range of 6.5 to 9.5 standard units.
5. IDAPA 58.01.02.250.01.c.i. - The one-hour average concentration of total residual chlorine shall not exceed 19 ug/L.
6. IDAPA 58.01.02.250.01.c.ii. - The four-day average concentration of total residual chlorine shall not exceed 11 ug/L.
7. IDAPA 58.01.02.250.02.a. - Dissolved oxygen concentrations shall exceed 6 mg/L at all times.
8. IDAPA 58.01.02.250.02.e - Waters designated for salmonid spawning are to exhibit the following characteristics during the spawning period and incubation for the particular species inhabiting those waters:
9. IDAPA 58.01.02.250.02.e.i - Intergravel dissolved oxygen shall have a one day minimum of not less than 5.0 mg/L and a seven day average mean of not less than

6.0 mg/L.

10. IDAPA 58.01.02.250.02.e.ii - Water column dissolved oxygen shall have a one day minimum of not less than 6.0 mg/L or 90% saturation, whichever is greater; and water temperatures of 13 degrees C or less with a maximum daily average no greater than 9 degrees C.
11. IDAPA 58.01.02.251.01 Waters designated for primary contact recreation are not to contain E. coli bacteria significant to the public health in concentrations exceeding:
 - 406/100 mL at any time,
 - a geometric mean of 126/100 mL based on a minimum of five samples taken every 3 to 5 days over a thirty day period.

B. Anti-Degradation Policy

The State of Idaho has adopted an anti-degradation policy as part of their water quality standards. The anti-degradation policy represents a three-tiered approach to maintain and protect various levels of water quality and uses. The three tiers of protection are as follows:

Tier 1 – Maintenance of Existing Uses for all Waters - The existing in stream uses and the level of water quality necessary to protect the existing uses shall be maintained and protected.

Tier 2 – High Quality Water – Where the quality of the water exceeds levels necessary to support propagation of fish, shellfish and wildlife and recreation in and on the water, that quality shall be maintained and protected unless the Department finds, after full satisfaction on the intergovernmental coordination and public participation provisions of the Department’s continuing planning process, that allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. In allowing such degradation or lower water quality, the Department shall assure water quality adequate to protect existing uses fully.

Tier 3 - Outstanding Resource Waters – Where high quality waters constitute an outstanding natural resource, such as waters of national and state parks and wildlife refuges, and waters of exceptional recreational or ecological significance, that water shall be maintained and protected from the impacts of point and nonpoint source activities.

The NFPR is a Tier 2 waterbody; therefore, the existing stream water quality must be maintained and protected. An NPDES permit cannot be issued that would result in the water quality being degraded. The draft permit contains effluent limits which ensures that the existing water quality will be maintained and protected.