

Response to Public Comments
Issuance of National Pollutant Discharge Elimination System (NPDES) Permits
for Discharges from two CNMI Wastewater Treatment Plants (WWTPs) -
Agingan WWTP No. MP0020028 and Sadog Tasi WWTP No. MP0020010
Operated by the Commonwealth Utility Corporation

Public notice of EPA’s tentative decision to issue draft NPDES permits was published on EPA’s website and in the *Marianas Variety* and the *Saipan Tribune* on June 9, 2022. One entity submitted written comments on each draft permit within the public comment period that closed on July 18, 2022:

Commonwealth Utility Corporation (CUC or “Permittee”)

The written comments that were submitted were reviewed by EPA and considered in the formulation of the final determinations regarding each draft permit. Our responses to the comments follow below.

COMMENTS ON BOTH DRAFT NPDES PERMITS:

1. Part I, Section B, Table 1, Enterococcus Effluent Limit: CUC acknowledges CNMI §65-30-401 establishing a Water Quality Standard (WQS) of 35 Most Probable Number (MPN) per 100 mL based on samples taken in any 30-day interval and that no single sample result shall exceed 130 Enterococci MPN per 100 mL. However, CNMI §65-120 establishes no limit for Enterococci and instead specifies Fecal Coliform as the compliance standard for bacteriological limits from wastewater treatment plants. CUC also requests clarification regarding the waste load allocation for Enterococci assigned to the Agingan WWTP/Sadog Tasi WWTP point discharge based upon the identification of prolific non-point discharges and the terrestrial sources located in the watershed segments in the vicinity of Agingan Outfall 001 and Sadog Tasi Outfall 001. Should currently proposed Enterococci limits be established without a corresponding compliance schedule and necessary grant funding, permit exceedances will result. CUC believes that the available technology to meet proposed Enterococci limits may increase the potential for damage to the fragile marine environment. CUC respectfully requests the opportunity to clarify this proposed modification with the U.S. Environmental Protection Agency (EPA) and Bureau of Environmental and Coastal Quality (BECQ) prior to finalization.

Response: EPA has reviewed the applicable CNMI BECQ WQS and the approved Saipan Coastal Bacteria TMDL (2018) and finds the following relevant information as part of the response.

- i. CNMI §65-120, titled “Wastewater Treatment and Disposal Rules and Regulations,” pertain to on-site wastewater disposal systems or individual wastewater disposal systems for treatment and disposal of wastewater (e.g., septic systems) for protection of groundwater and surface water that

- may be potentially associated with drinking water sources and the Safe Drinking Water Act. See Section 65-120-005 Purpose.
- ii. CNMI §65-130 establishes Water Quality Standards for CNMI, in part under the provisions of the federal Clean Water Act (See §65-130-001 Authority). CNMI §65-130-401 describes the specific water quality criteria for microbiological requirements and defines that criteria for enterococci are applicable to all waters (including marine waters); therefore, the permit contains the appropriate parameter (i.e., enterococci) and the corresponding numeric values (35 MPN as 30-day geomean, and 130 MPN as not to exceed single sample maximum). Each permit also includes the appropriate dilution factor associated with BECQ's Mixing Zone Approval as part of determining the final numeric effluent limits for each WWTP. These 2023 final permits are lowering only the maximum daily effluent limit value for enterococcus; whereas the average monthly effluent limit value for enterococcus remains same as the facility-specific 2017 permit effluent limit.
 - iii. The Saipan Coastal Bacteria TMDLs, approved by EPA in 2018, contain applicable wasteload allocations for each wastewater treatment plant. The effluent limits in each permit are based on the wasteload allocations included in the TMDL, specifically the geomean value (35 MPN/100mL) and statistical threshold value (130 MPN/100mL). Pursuant to federal regulations at 40 CFR §122.44(d)(1)(B)(vii), the effluent limits included in each permit are consistent with the assumptions and rationale for the wasteload allocation(s) for each facility provided in the TMDL. Those enterococcus-specific wasteload allocations were incorporated when determining the effluent limitations for each permit; applicable dilution was also incorporated.
 - iv. The 2018 amendment to CNMI's WQS provides additional relevant information regarding enterococci and observed exceedances of the numeric criteria for microbiology. See Section 565-130-401 (b), which states: *Enterococci and E. coli may originate from environmental sources as well as from human and animal fecal contamination. Where these microbiological standards are exceeded, a determination of the impact on public health and the environment may be based upon additional sampling, a sanitary survey of the drainage area contributing runoff to the contaminated water, or special studies of the environmental sources of Enterococci and E. coli in the waters of the CNMI.*
 - v. The 2014 amendment to CNMI's WQS included an Implementation Guidance Manual (April 2014) which provides the following relevant information regarding microbiology (bacteria) monitoring in receiving waters for NPDES permits:
 1. For NPDES permittees, permit compliance for marine receiving waters shall be determined utilizing the geometric mean of all discrete measurements (all depths, all stations, as required in the permit) over a 30-day period.

2. It is recommended that the permittee consider multiple sampling events in any 30-day period in order to obtain a representative geometric mean.
 3. The use of water quality based effluent limitations for bacteria with end-of-pipe limits which are calculated based on critical initial dilution is permissible for NPDES permits.
- vi. EPA recognizes the Saipan local beaches and coral reefs are invaluable recreational resources and important sources of revenue for the Northern Marianas Islands. The Sadog Tasi WWTP discharges into Saipan Lagoon which is within one and one-half miles of the Managaha Marine Conservation Area which is heavily used for fishing, swimming, surfing, diving, and other activities classified as water contact and noncontact recreation.
 - vii. EPA is responding to the commenter's concern about compliance schedule by providing a less than one year compliance schedule for the maximum daily effluent limitation for enterococcus. Each permit retains the existing facility-specific maximum daily effluent limit until April 30, 2024, however, the Permittee must achieve compliance with the final facility-specific maximum daily effluent limit, which is consistent with the revised water quality standard for enterococcus, by May 1, 2024. EPA is providing Disaster Relief Act funds to each facility to install equipment upgrades in 2023 -2024. These upgrades will restore equipment damaged during typhoon Yutu and improve treatment and removal efficiency of pollutants. For example, a new secondary clarifier is scheduled for installation at the Sadog Tasi facility before October 2023. These upgrades are expected to reduce enterococcus in the effluent. See Factsheet Section III – General Description of Facility.

Within each permit, EPA changed the compliance date for the final maximum effluent limitation for enterococcus to be May 1, 2024. EPA established a compliance schedule based on the Permittee's workplans for upgrades within less than one year from permit effective date. See Permit Part II. Section I in each permit.

For receiving water monitoring, each final permit retains the required parameters and defines sampling frequency on a permit-specific basis. See Comment #5 and response below. See also, Part I, Section F in each permit.

2. Part I, Section B, Table 1, Footnote 2: CUC requests this sentence be modified to "At minimum, at least one sample per quarter must be taken concurrent with semi-annual Whole Effluent Toxicity (WET) monitoring."

Response: As noted in our response to Comment #3 below, each final permit now requires WET monitoring once per year. EPA has made a corresponding edit

to this footnote in each final permit to state, “concurrent with annual Whole Effluent Toxicity monitoring.”

3. Part I, Section C, Table 2, WET Requirements: CUC respectfully requests modification to the Whole Effluent Toxicity (WET) analysis frequency from twice per year to once per year. CUC historical WET testing at Agingan WWTP has not resulted in a “fail” in more than five years. The Agingan WWTP service area has no known industry which might contribute toxic substances to the sewerage system. CUC believes that modification in frequency from twice per year to once per year still maintains the intention of monitoring effluent for toxic effects while reducing the burden of sample collection and analyses. WET testing analysis is \$1,500 in laboratory costs and \$700 in shipping for each sample event. There are no laboratories in the CNMI certified to perform WET testing analyses. All costs for sample collection, shipping, and analysis are considered operating expenses and are borne by CUC customers.

Response: EPA acknowledges the WET results have all been “pass” for the prior five years for each WWTP and has reduced the frequency of WET monitoring to once per year. EPA has made the corresponding edits to each permit.

4. Part I, Section C, Table 2, Footnotes: CUC requests clarification regarding median monthly reporting of WET testing results for samples collected on a semi-annual basis.

Response: This permit requirement is entered into EPA’s ICIS-NPDES database as part of the Discharge Monitoring Report and coded as a median monthly reporting requirement. CUC can report a code on the Discharge Monitoring Report to indicate toxicity testing wasn’t completed that month. No change was made to the final permits.

5. Part I, Section F: CUC respectfully requests the burden for receiving water quality monitoring be transferred in whole or part to BECQ or EPA. CUC accepts responsibility for costs associated with monitoring and reporting of permitted effluent. Costs associated with collecting, analyzing, and reporting ambient water quality should not be borne by utility customers and is more appropriately the domain of regulatory agencies. CUC projects the cost of existing receiving water quality monitoring requirements at \$16,000 per year. Costs for receiving water sampling include boat charter at \$400 per event, internal staff labor costs, \$100 per sample for Total Nitrogen, \$50 per sample for Total Phosphorous, and \$525 for sampling event for shipping. CUC contracts with off island laboratories for all three analytes. All costs for sample collection, shipping, and analysis are considered operating expenses and are borne by CUC customers.

Response: EPA realizes there are costs associated with monitoring, but notes that monitoring at the edge of the mixing zone (i.e., receiving waters) is necessary to confirm CNMI water quality standards are being met at the edge of the mixing

zone and determine if any changes are necessary. Such monitoring is consistent with permit requirements for other WWTPs in the Pacific Islands. EPA maintains this permit requirement is to be completed by the permittee.

Each permit has targeted sample stations associated with the edges of the mixing zone around each outfall and a nearby reference or control station. As described in the factsheet, each permit assumes the effluent is well dispersed at the edge of the mixing zone and thus the discharge meets applicable water quality standards at this edge.

For receiving water monitoring in the Agingan permit, EPA reduced the frequency for several parameters: dissolved oxygen, pH, temperature, turbidity, and enterococcus have gone from monthly monitoring to quarterly; while monitoring for total nitrogen, total phosphorus, and orthophosphate is required twice per year. This reduced frequency is based in part on the location of the outfall, general ambient conditions, and assessment of existing receiving water results (2017-2021).

For the Sadog Tasi permit, EPA has decided to retain monthly monitoring of receiving waters for certain parameters, including dissolved oxygen, pH, temperature, and enterococcus. EPA determined this frequency was necessary due to the outfall location, observed exceedances of several parameters as compared to ambient water quality standards between 2017 and 2021 as well as the outfall's close proximity to recreational use in Tanapag Harbor and nearby Managaha Marine Conservation area. Receiving water sampling for turbidity, total nitrogen, total phosphorus, and orthophosphate is required quarterly. See also Sadog Tasi factsheet Part VI, Section B.5.

Part II, Section A, Paragraph 2 of each final permit provides the permittee with the option of submitting an alternative receiving water sampling plan that may change the locations, frequency, and parameters. If EPA approves the alternate receiving water sampling plan, the contents therein would substitute for and replace the frequency described above and outlined in each final permit.

6. Part I, Section F, Table 4, Receiving Water Monitoring Requirements: CUC respectfully requests the addition of water column monitoring to the receiving water monitoring requirements be removed from the draft permit. Historical water quality monitoring has not demonstrated a significant impact from discharges regulated under this permit. The inclusion of additional water column monitoring to those samples already included in the Agingan WWTP permit place an undue financial burden on the customers of the utility for questionable water quality benefits. Addition of these samples will result in an estimated \$8,000 in laboratory expenses with no additional funding. This statement is predicated upon assumption that discrete analyses are required for each top, middle, and bottom samples. See additional comments regarding Table 4 for clarification. Costs for receiving water sampling include boat charter at \$400 per event, internal staff labor

costs, \$ 100 per sample for Total Nitrogen, \$50 per sample for Total Phosphorous, \$125 per sample for Oil & Grease analyses and \$525 for sampling event for shipping. CUC contacts with off island laboratories for all three analytes. Orthophosphate analyses are performed by the BECQ laboratory and charged at \$40 per analysis. All costs for sample collection, shipping, and analysis are considered operating expenses and are borne by CUC customers.

Response: EPA appreciates the comment on water column monitoring in the receiving waters and the permittee's description of added costs associated with monitoring at multiple depths. EPA believes there is value in monitoring the receiving waters near each outfall and zone of mixing to gather data for comparison with ambient water quality standards. This is common practice for permits that contain mixing zone approvals and dilution credits. EPA notes the permit does not require receiving water monitoring for Oil & Grease. In each final permit, EPA decided to retain the requirement for receiving water monitoring at one depth at each location. See also Comment #5 and response and Comment #8 and response.

7. Part I, Section F, Table 4, Receiving Water Monitoring Requirements: CUC requests clarification regarding the aliquots forming the composite sample for Turbidity, Total Nitrogen, Total Phosphorus, and Orthophosphate. Is the composite an equal volume of samples collected from each Top, Middle, and Bottom location in the column?

Response: EPA has decided to retain the sampling for receiving waters to occur via grab sample at one depth, just below surface in the final permit. To respond to the commenter's question, EPA clarifies that a composite is separate and equal volumes collected from each depth and then mixed prior to saving in the final sample collection bottle for analysis.

8. Part II, Section A, Paragraph 2: CUC respectfully requests this paragraph be removed from the draft permit. EPA retains the right to re-open the permit in accordance with 40 CFR 122 and 124. However, according to the Total Maximum Daily Loads for Coastal Waters Impaired by Bacteria on Saipan report dated September 2017, the causes are complex and varied and should not alone be the basis for mandating disinfection of effluent from this facility.

Response: Part II, Section A, Paragraph 2 in the public notice draft permits describes that EPA may re-open the permit to add disinfection to the treatment system prior to discharge and this may result in added limits for residual chlorine. In each final permit, EPA decided to modify this provision to describe that the permittee may choose to submit a receiving water monitoring plan to EPA for review and approval. The goal of such an alternate plan for receiving water monitoring is to allow the permittee the option of proposing different sampling locations, frequency and/or parameters to accurately assess how the effluent

discharges from the WWTPs may impact the receiving waters. This alternate plan may be specific to one WWTP or both WWTPs. This may be based on the permittee's own analysis of enterococci results in effluent and/or receiving water samples. As of date of issuance of each final permit, EPA is not mandating disinfection of effluent from each facility.

9. Part II, Section C, Paragraph 4.b: CUC requests EPA's reconsideration of extended hold times for Pacific Island Territories. CUC has found transit times for samples increasing since supply chain impacts of the COVID-19 pandemic. Repeat samples have been required due to delivery services exceeding the current 72-hour variance resulting in added costs to utility customers.

Response: EPA has recognized the challenges of shipping WET samples from the Pacific Island Territories to mainland for analysis. As explained in the permit Part II, Section C, Paragraph 4.b, EPA has already issued a variance (2015) that extended the WET sample hold time from 36 hours to 72 hours. Based on current available information, including current WET methods and guidelines, EPA cannot confirm a hold time beyond 72 hours will ensure sample integrity. No change was made in each final permit.

10. Part II, Section E, Paragraph 1.f: CUC respectfully requests that this paragraph be modified to reflect CUC owned and operated equipment only. Subcontracted waste haulers are regulated independently.

Response: Per 40 CFR 503.5, the permittee should "ensure" that any contractor it uses also complies with these requirements, otherwise the permittee alone will be fully responsible. Therefore, EPA holds the Permittee and its sub-contractor to be responsible for compliance with biosolids requirements. CUC should ensure these requirements are part of the contract with waste management company. No change was made in each final permit.

11. Part II, Section E, Paragraph 5: CUC respectfully requests that this paragraph be modified to reflect CUC owned and operated equipment and facilities only. Subcontracted waste management companies are regulated independently.

Response: EPA holds the Permittee and its sub-contractor to be responsible for compliance with biosolids requirements. CUC should ensure these requirements are part of the contract with waste management company. No change was made in each final permit.

12. Part II, Section F, Paragraph 1: CUC respectfully requests, "and c) wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other a

building lateral.” be removed from this paragraph until the Peak Wet Weather Flows Management Rule has been promulgated.

Response: EPA has changed the specified language. Updated language follows with addition in **bold**...“and c) wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other **than** a building lateral.”

EPA does not intend to put the responsibility of blockage and sewer overflows in private buildings onto the permittee. No other changes were made regarding this language in each final permit.

13. Part II, Section G, Asset Management: CUC respectfully requests this new section be removed from the draft permit. Including asset management requirements into a permit is redundant to 40 CFR §122.41 (e) as proper operations and maintenance is already required under regulatory statute. CUC disagrees that a mandated asset management format developed upon mainland United States needs will be applicable to the unique circumstances of the CNMI. In addition, CUC has already partnered with EPA to develop a system-wide asset management program through its consultant PG Environmental. The inclusion of this requirement in the NPDES permit will limit the creativity of the partnership forcing a format not developed specifically for the challenges in the CNMI.

Response: EPA acknowledges the District Court of Commonwealth of Northern Marianas Islands Stipulated Order (2009) between EPA, Department of Justice and CUC includes a requirement for CUC to develop and implement an asset management plan (AMP) for wastewater treatment. EPA also recognizes that CUC is currently receiving technical assistance from EPA Water Division Infrastructure Office via a contract with PG Environmental, who is tasked to work with and develop an AMP that is specific to CUC needs. EPA disagrees with the comment regarding the AMP is redundant to 40 CFR 122.41 because EPA believes the NPDES permittees that successfully implement the AMP will be appropriately evaluating the treatment system and forecasting future needs for maintenance and equipment repairs/replacement with the goal of preventing future operational failures, and the subsequent untreated or partially treated discharges and pollutants to local waterbodies. This NPDES permit requirement is not intended to expand or to conflict with the AMP required by the Stipulated Order and supported by the technical assistance contract; it does not create any new AMP work for CUC to accomplish that is above and beyond the requirements within the Stipulated Order and contract. The AMP requirement is appropriately included in each final permit; it must be developed, implemented, and retained on site for future inspections or permit reviews.

14. Part II, Section H, Special Study: CUC respectfully requests that the schedule for completion of the outfall inspection be increased from “During the first three years” to

“During the first four years” to provide sufficient time to budget, schedule, procure, and complete the investigation.

Response: EPA acknowledges the comment and request to extend the timeframe for completion of the outfall inspection to the first four years. EPA chooses to keep the requirement to be completed during the first three years, because the results from outfall inspection may lead to needed equipment repairs, such as cleaning or fixing the diffuser, so it is fully functional and appropriately disperses the discharged effluent to be well-mixed into the receiving waters. The full functionality of the outfall (i.e., no leaks) and the diffuser (i.e., no biofouling or closed ports) are assumed within BECQ’s approval of Mixing Zone approvals and dilution credits for each WWTP. No change was made to the schedule for completing the outfall inspection in the final permits.

As part of the outfall inspection, each final permit also includes a requirement for the concurrent visual assessment of benthic physical conditions and habitat surrounding each outfall. The goal is to obtain results that are important for establishing an environmental baseline condition of habitat surrounding each outfall. National Marine Fisheries Service, as part of consultations for Endangered Species Act and Essential Fish Habitat requirements for NPDES permits, supported the requirement for visual assessment within each permit. To ensure the outfall inspection and visual assessment is adequately performed to obtain these results, EPA has included a requirement for the permittee to develop and submit an outfall inspection/habitat assessment plan for review by EPA and NMFS prior to initiating the inspection.

15. Part II, Section H, Special Study: There is a typographical error in the last sentence of the third paragraph.

Response: EPA appreciates the comment, and the appropriate typographical correction has been made within each final permit.

16. Part II, Section H, Special Study: CUC respectfully requests the schedule for submission of the outfall inspection report be increased from within 90 days of completion to within 180 days of completion to provide sufficient time for review and analysis of the investigation.

Response: EPA has accommodated the request and extended the timeframe for the outfall inspection report to be due 180 days after completion of the inspection date. The appropriate change has been made in each final permit.

17. Part II, Section J, Table 6: CUC respectfully requests removal of the Asset Management Plan from the table of Special Reports.

Response: See Comment item #13 above and Response. No change was made from the draft to each final permit.

18. The above subject Permit comments apply to the corresponding sections of the associated Fact Sheet.

Response: EPA has made the appropriate edits to the fact sheets for each final permit.

19. Part II, Section E, Paragraph 1.a.: CUC requests that both Agingan and Sadog Tasi Permit language be consistent in this paragraph.

Response: Part II, Section E. 1. a. pertains to Biosolids general requirements. EPA has made the appropriate changes to each final permit.

COMMENTS ON AGINGAN NPDES PERMIT (NPDES No. MP0020028):

1. Part I, Section B, Table 1, Nitrate-Nitrogen Limit: CUC respectfully requests that the Nitrate-Nitrogen permit limit added to the draft Agingan permit be removed. CUC disagrees that effluent from this facility has reasonable potential to cause or contribute to an exceedance of the most stringent Nitrate-Nitrogen water quality criterion. Reasonable potential calculations are statistical in nature and therefore the determination of reasonable potential is subject to variation. EPA's calculated Projected Maximum Effluent Concentration of 148 mg/l Nitrate-Nitrogen is only 4 mg/l above the Most Stringent Water Quality Criterion of 144 mg/l. Historical Nitrate sampling has demonstrated effluent concentrations appreciably below proposed effluent limits that would contribute to an exceedance of the most stringent Nitrate-Nitrogen water quality criterion and therefore establishment of a limit is not necessary. Should USEPA disagree with CUC's proposed complete removal, we propose, as an alternative, quarterly monitoring only of Nitrate-Nitrogen for a period of five years to produce sufficient data necessary to evaluate the need for a limit.

Response: NPDES permits must include limitations to control pollutants that may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard (*see* 40 CFR § 122.4(d)(1)(i)). Using available data, EPA has determined there is a reasonable potential for nitrate-nitrogen levels in the effluent from Agingan WWTP to cause or contribute to an excursion about an applicable water quality standard. EPA has decided to accommodate the request to reduce monitoring for Nitrate-Nitrogen to quarterly. Appropriate changes were made to the monitoring requirements for Nitrate-Nitrogen in the final permit. No other changes were made in the final permit.

2. Part I, Section C, Table 2, Footnote 4: CUC requests text be modified to reflect that in the Sadog Tasi Permit.

Response: EPA has made the requested change in the final permit.

3. Part I, Section F, Introduction: CUC respectfully requests that the introduction be written to reflect the format included in the Sadog Tasi WWTP Draft Permit including the table and graphic identifying sample locations. CUC requests that specific geographic coordinates be provided for receiving water sample locations. CUC specifically requests the following be added: "All individual measurement values shall be reported as an attachment to the DMR form. If ocean conditions prevent the permittee from safely obtaining a representative sample, then receiving water monitoring is not required. In such instances, the permittee shall report 'N/A — sample could not be obtained due to environmental conditions.'"

Response: EPA has included a table and graphic identifying sample locations in Attachment B of the permit. EPA has included the specified language above in Part 1, Section F, Table 4. EPA has provided general information related to the location of each receiving water sampling station and asks the permittee to provide the latitude/longitude values for each station. This procedure is similar to the permittee providing the latitude/longitude values associated with the outfall location. The permittee shall determine the latitude/longitude of Site 41 and retain that information on site for future inspections or permit reviews.

4. Part I, Section F, Table 3: CUC respectfully requests that Site 41 be eliminated as a required ambient water quality monitoring location due to employee safety concerns. It is unsafe to collect samples from a vessel at this location as waves are typically several feet in height and Site 41 is along a rock cliff. Similarly, CUC staff have tried to collect samples from the cliff surface, but due to the angle of the cliffs, staff must position themselves at the precipice exposing them to potential fall. CUC petitions that an existing BECQ ambient water monitoring location be substituted for Site 41.

Response: EPA acknowledges the employee safety concerns raised by CUC. EPA has changed the description of Site 41 to be “1,000 to 1,200 meters up current and away from edge of ZOM. Free of influence from ZOM.” EPA has also included an option for CUC to submit an alternative monitoring plan, which may include a proposed alternative control site that would replace Site 41. See Agingan comment #6 and response below.

5. Part I, Section F, Table 4, Receiving Water Monitoring Requirements: CUC requests Temperature be added to the list of monitoring requirements to provide consistency with the Sadog Tasi Permit.

Response: EPA appreciates the comment and has edited Table 4 to include quarterly monitoring for temperature in the final permit.

6. Part I, Section F, Table 4, Receiving Water Monitoring Requirements: CUC respectfully requests that monitoring for nitrogen, phosphorus, and orthophosphate be removed from the table of requirements. Permit limits have not been established for these parameters and the burden of monitoring should not be upon the utility. Costs for receiving water sampling include boat charter at \$400 per event, internal staff labor costs, \$100 per sample for Total Nitrogen, \$50 per sample for Total Phosphorous, \$125 per sample for Oil & Grease analyses and \$525 for sampling event for shipping. CUC contracts with off island laboratories for all three analytes. Orthophosphate analyses are performed by the BECQ laboratory and charged at \$40 per analysis. All costs for sample collection, shipping, and analysis are considered operating expenses and are borne by CUC customers.

Response: EPA acknowledges the costs of conducting receiving water monitoring. EPA has reduced monitoring frequency for nitrogen, phosphorus, and orthophosphate in the receiving water for Agingan WWTP to twice per year because the permit for Agingan WWTP does not include effluent limits for these parameters and previous monitoring has not shown receiving water exceedances for these parameters. The appropriate change has been made in the final permit for Agingan WWTP. See Agingan comment #4 and response for other changes made to the receiving water monitoring requirements.

7. Part II, Section B, Paragraph I: CUC requests this paragraph be modified to provide language consistent with the Sadog Tasi Permit.

Response: EPA has made the requested change in the final permit.

8. Part II, Section H, Special Study: CUC respectfully requests that the second sentence of the second paragraph be modified to reflect the Sadog Tasi Permit.

Response: EPA has made the requested change in the final permit.

9. Part III, Attachment D, Introduction: CUC requests the “Note: certain priority pollutants (in BOLD) are volatile compounds and should be collected using grab samples; whereas, the remaining priority pollutants are recommended to be collected via composite samples.” be added to provide consistency with the Sadog Tasi Permit.

Response: EPA has made the requested change in the final permit.

COMMENTS ON SADOG TASI NPDES PERMIT (NPDES No. MP0020010):

1. Part I, Section B, Table 1, pH Limits: CUC respectfully requests proposed changes to pH limits be removed from the permit and that current pH limits of 6.0SU to 9.0SU be restored.

Response: EPA agrees with the request and has made the appropriate change to pH limits in the final permit.

2. Part I, Section C, Table 2: CUC respectfully requests Minimum Frequency be modified from “Semi-Annually” to “Twice per year” for clarity and to maintain consistency with Agingan WWTP Permit.

Response: EPA has addressed this comment. See Both Permits Comment #4 above and response. EPA has made the appropriate change in the final permit.

3. Part I, Section F, Table 3: CUC respectfully requests that RW001 be removed from the table as there are no requirements associated with this location.

Response: EPA has made the requested change in the final permit.

4. Part I, Section F, Table 3: CUC requests that specific geographic coordinates be provided for receiving water sample locations.

Response: EPA has provided general information related to the location of each receiving water sampling station and asks the permittee to provide the latitude/longitude values for each station. This procedure is similar to the permittee providing the latitude/longitude values associated with the outfall location. If necessary, the permittee can provide this information via email to EPA, within the first quarter of receiving water monitoring after the permit effective date.

5. Part I, Section F, Table 4, Receiving Water Monitoring Requirements: CUC requests the sample type for Dissolved Oxygen and Temperature be changed from “Meter” to “Grab” to provide consistency with the Agingan Permit and to reflect permitted analytical methods.

Response: EPA has made the requested change in the final permit. In the final permit, EPA also retained monitoring for turbidity which was included in the prior permit and is an applicable narrative water standard.

6. Part II, Section B, Paragraph 1: Correct “CNMO” to “CNMI.” CUC also requests that the email address for BECQ be removed to reflect the requirement to report orally.

a. **Response:** EPA has corrected the spelling. No change was made to the BECQ address, since that agency has requested submittal via both phone and email.

7. Part II, Section C: CUC requests this section be modified to provide language consistent with the Sadog Tasi Permit.

Response: EPA has made the appropriate changes in the final permit.

8. Part II, Section D, Paragraph 1: CUC requests this paragraph be modified to provide language consistent with the Sadog Tasi Permit.

Response: Part II, Section D. 1. pertains to BMPs and Pollution Prevention. EPA has made the appropriate changes to the final permit.

9. General: CUC respectfully requests single line spacing between subparagraphs be added to formatting of the Sadog Tasi Permit to reflect that of the Agingan Permit for clarity and consistency.

Response: EPA has made the requested change in the final permit.