

Response to Comments
Draft NPDES Permit No. ID-002030-3
City of Hailey, Idaho

On February 7, 2001, EPA issued a notice of proposed reissuance of a National Pollutant Discharge Elimination System (NPDES) permit for a discharge from the City of Hailey's Woodside Wastewater Treatment Plant (hereafter referred to as the Woodside facility). The facility treats domestic sewage from local residents and commercial establishments. The wastewater from the facility is discharged to the Big Wood River via subsurface disposal. The public review and comment period expired on March 9, 2001.

Written comments regarding the proposed permit for the Woodside facility were received from the City of Bellevue, through a letter from James W. Phillips, Bellevue City Attorney, and from the City of Hailey, through a letter from Ray Hyde, Water and Wastewater Superintendent. The following summarizes and responds to each comment raised.

City of Bellevue's Comments

Background:

The Woodside facility discharges its effluent via an outfall that is buried 6 to 8 feet below the Big Wood River. The outfall is located approximately 1 mile northwest of the City of Bellevue's new municipal well (hereafter referred to as the Chantrelle Well). The City of Bellevue (hereafter referred to as the City) is concerned that the effluent from the Woodside facility may degrade the water quality in the Big Wood River and the well.

1. **Comment:** The fact sheet for the NPDES permit calculates effluent limitations based upon ten-year low flow water conditions. The City is concerned that water quality standards will not be met during periods of extended drought. Inadequate dilution of the Woodside facility's effluent may also occur during periods of extended drought.

Response: The fact sheet incorrectly stated that water quality based effluent limits were based on the low flow conditions. In general, this is the way EPA develops water quality based effluent limits, however, this was not the case for the City of Hailey permit. The water quality based limits were developed based on either an Idaho Department of Environmental Quality (IDEQ) staff evaluation from 1975 (total kjeldahl nitrogen); a 1996 IDEQ anti-degradation analysis which included a modeling analysis to ensure that phosphorus, ammonia, total suspended solids (TSS), and biochemical oxygen demand (BOD₅) would not violate the states water quality standards; or by requiring the permittee to meet the criteria (pH and E. coli) before they discharge to the river (i.e., the limits were developed based on no mixing zone).

Effluent limitations for total kjeldahl nitrogen, phosphorus, ammonia, TSS, and BOD₅ were based on available data. If, in the future, this data turns out to be not protective, the effluent limits can be re-evaluated.

2. Comment: The City requested to know how it was determined that the E. coli bacteria limits and the fecal coliform bacteria limit are safe to the public especially with regard to their presence in domestic drinking water and waters of primary contact recreation.

Response: The E. coli bacteria criteria were developed by EPA to ensure protection of primary contact recreation. Information on how the criteria were developed is beyond the scope of this permit action, however, the commenter can obtain additional information in the document entitled *Quality Criteria for Water 1986* (EPA 440/-86-001). The E. coli criteria were subsequently adopted by the IDEQ for primary contact recreation. IDEQ has not adopted any more stringent criteria for the protection of drinking water, therefore, EPA does not have the authority to put more stringent limits in the permit.

The effluent limit for fecal coliform bacteria is a technology based requirement and represents a minimum level of treatment for municipal point sources based on currently available treatment technologies, the limit is not necessarily protective of human health. Until recently, the state had fecal coliform criteria to protect rivers for primary contact recreation, however, these criteria have been updated and replaced with the E. Coli criteria.

3. Comment: The City stated that it would seem prudent and reasonable to have the Big Wood River TMDL completed by the Idaho Department of Environmental Quality prior to establishing effluent limits for the treatment plant.

Response: While it is desirable to have a TMDL completed by IDEQ, and approved by EPA prior to permit issuance it is not necessary. The federal regulation at 40 CFR §122.62 allows a permit to be modified during its term. This regulation is referenced in Part V.A. of the permit.

4. Comment: The City has commissioned a hydro-geologist to determine if, and to what extent, contamination of the surface and/or ground water by the effluent from the Woodside facility will have a detrimental effect upon the quality of the water at the Chantrelle Well. The City believes it would be prudent and reasonable to have the study completed prior to establishing the NPDES permit conditions for the Woodside facility.

The City also requested that permit require the City of Hailey to install

monitoring wells in order to detect deterioration of the water quality from the Woodside facility before it affects the quality of the water at the Chantrelle Well.

The City stated that the study should be completed in the next few months, and submitted the preliminary results from this study to EPA.

Response: The preliminary results from the study indicate that the effluent from the Woodside facility is not likely to impact the Chantrelle well. Additionally, IDEQ did a source water assessment for the City of Bellevue drinking water and the results of their analysis indicate that the effluent from the Woodside facility will not impact the Chantrelle well. Installation of monitoring wells do not appear to be necessary.

The federal regulation at 40 CFR §122.62 allows a permit to be modified during its term if EPA receives information that was not available at the time of permit issuance and would have justified the application of different permit conditions. If information becomes available indicating that the effluent from the facility is violating water quality standards the City may request a modification of the permit based on this new information. This regulation is referenced in Part V.A. of the permit.

5. Comment: The City requested that a reopener clause be incorporated into the permit if the study being done by the City or subsequent data shows that effluent from the Woodside facility is having or is likely to cause a detrimental effect on the water quality in this particular reach of the Big Wood River or upon the water quality of Bellevue's Chantrelle Well.

Response: A specific reopener does not need to be incorporated into the permit because the federal regulation at 40 CFR §122.62 allows a permit to be modified during its term if EPA receives information that was not available at the time of permit issuance and would have justified the application of different permit conditions. This regulation is referenced in Part V.A. of the permit. If new information becomes available the City may request a modification of the permit.

City of Hailey's Comments

1. Comment: The City of Hailey requested that the receiving water monitoring be changed from monthly monitoring to quarterly monitoring because winter ice and spring runoff make it difficult, if not impossible to collect samples.

Response: Due to the permittee's concerns about safety the final permit has been revised to require quarterly receiving water monitoring for a period of four

years.

2. Comment: The City of Hailey would like to have the opportunity to review the mass loading limits after the TMDL is established. As the treatment plant nears its design capacity it may be more difficult to meet the proposed limits.

Response: The federal regulation at 40 CFR §122.62 allows a permit to be modified during its term if EPA receives information that was not available at the time of permit issuance and would have justified the application of different permit conditions. The City of Hailey may request a modification of the permit based on new information.