

**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

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In Re:)		
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Four Corners Power Plant)	NPDES Appeal No. 19-06	
NPDES Renewal Permit: NN0000019)		
Arizona Public Service Company (Permittee))		
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)		

**ARIZONA PUBLIC SERVICE COMPANY'S RESPONSE TO
PETITION FOR REVIEW**

ATTACHMENT 20



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

MEMORANDUM

DATE: November 10, 2014

SUBJECT: Reasonable Potential Analysis for NPDES Permit NN0000019

FROM: Gary Sheth

TO: Administrative Record for NPDES Permit NN0000019

Background

The current FCPP NPDES permit was issued to Arizona Public Service Company (APS) effective April 7, 2001 expiring on April 6, 2006. APS timely submitted an application for permit renewal in October 2005 and then at the request of EPA re-submitted a revised application for permit renewal in February 2013. The Current permit is based on a review of that revised application and supporting documents and data as well as current applicable regulations.

Review

In the 2001 Permit effluent limits were established for one external outfall (Outfall 001) and three internal outfalls (Outfall 01A, 01B, and 01E) based on Federal Effluent Limitation Guidelines (ELGs) and Standards for Steam Electric Power Generating Point Source Category. The current proposed Permit has the same internal and external discharge points. The current proposed permit is based on the latest information regarding operations and includes discharge limitations based on 40 CFR Part 423 – ELGs for Steam Electric Power Generating Point Source Category which have not been revised since 1982. We also conducted a reasonable potential analysis based on the requirements of 40 CFR Part 122.44(d) and the guidance contained in the NPDES Permit Writers' Manual (EPA-833-K-10-001). The reasonable potential analysis was designed to determine whether new or revised water quality-based permit limitations would be needed in the permit. As discussed below, we concluded no changes in water quality based limitations are needed in the permit at this time. Thus the limits in the proposed permit are essentially the same as those in the previous permit.

EPA reviewed Data Monitoring Reports (DMRs) submitted by APS pursuant to permit requirements for the past five years. The DMR data included monitoring results for all limits

established in the Permit, including whole effluent toxicity (WET) limits established for internal outfall 01A. The review of the DMRs indicates that effluent limits, including internal outfall limits for WET, were not exceeded. EPA also reviewed inspection reports for inspections conducted at FCPP and these reports also indicated that limits in the permits were not exceeded. We found no basis for changing the existing effluent limitations based on review of these data.

EPA also reviewed DMR data and data submitted by APS as part of its permit renewal application for various pollutants APS indicated it believed to be present in the effluent. EPA compared the data to the Navajo Nation's EPA-approved water quality standards, which are consistent with EPA's criteria recommendations. The data indicated that though present in the effluent, the levels of these pollutants that were detected were sufficiently below Navajo Nation standards and EPA criteria for such pollutants, indicating the lack of reasonable potential of these pollutants to exceed applicable criteria in the effluent.

Additionally, EPA reviewed priority pollutant scan data which APS was required to submit as part of its revised permit application. A review of the priority pollutant scan data indicated that for the majority of the priority pollutants the results were non-detect based on the method detection limits. Where there were pollutants detected they were at levels sufficiently below the established criteria for such pollutants, indicating the lack of reasonable potential of these pollutants to exceed applicable criteria in the effluent.

Although EPA requested from Navajo Nation EPA available ambient data for the waters downstream from the discharge point, no data for the ambient levels of various priority and non-priority pollutants in the receiving waters downstream of the discharge location (i.e. No Name Wash, and Chaco River, and San Juan River near the confluence with Chaco River) were located or received prior to the issuance of the proposed permit. Based on our review of effluent data for the facility, we found no reasonable potential for the discharge to cause or contribute to exceedences of applicable standards and criteria. Therefore, no new water quality based effluent limitations were included in the draft permit. The permit nevertheless includes narrative discharge limitations established pursuant to the Navajo Nation Water Quality Standards for all receiving surface waters to be applied to the effluent from Outfall 001, including a prohibition on the presence of any toxic substance in toxic amounts.