



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3140

OFFICE OF
WATER AND WATERSHEDS

AUG - 6 2018

CERTIFIED MAIL – RETURN REQUESTED

The Honorable Shelby Rongstad
Mayor of Sandpoint
1123 Lake Street
Sandpoint, ID 83864

Re: Notification of Stayed Permit Conditions City of Sandpoint National Pollutant Discharge Elimination System (NPDES) Permit, Permit No. ID0020842

Dear Mayor Rongstad:

The above-referenced NPDES Permit No. ID0020842 (Permit) was issued to the City of Sandpoint on September 5, 2017. The Permit authorizes discharges from the City's wastewater treatment plant.

On October 6, 2017, the Idaho Conservation League (ICL) filed a petition for review of the Permit (Appeal No. NPDES 17-06). On January 9, 2018, the EPA provided notice to the Environmental Appeals Board (EAB) and ICL that it was withdrawing the permit's interim and final effluent limits for total phosphorus as P (TP) because the EPA had failed to address ICL's comment concerning the use of the State of Idaho's 2015 Mixing Zone Policy. The EPA then prepared a new draft permit addressing the withdrawn TP effluent limits. The final permit addressing the withdrawn TP limits was issued on June 8, 2018.

On July 12, 2018, ICL filed a second petition for review of the Permit (Appeal No. NPDES 18-01). This letter serves as notification pursuant to 40 CFR 124.16(a)(2) of those permit conditions that are stayed as a result of the filed petition for review. The following contested conditions of the Permit are stayed until final agency action under 40 CFR 124.19(l):

- Part I.B.1, Table 1: The interim and final total phosphorus as P concentration and mass loading effluent limits are stayed.

The final Permit issued on June 8, 2018 only addressed the previously withdrawn TP limits, and the remainder of the Permit conditions became effective on December 1, 2017. Please feel free to contact Brian Nickel, of my staff, at (206) 553-6251, or Nickel.Brian@epa.gov, should you have questions regarding this letter.

Sincerely,

Michael J. Lidgard, Manager
NDPES Permit Unit

cc: Environmental Appeals Board
Ms. June Bergquist, IDEQ Coeur d'Alene Regional Office (via email)
Mr. Matt Nykiel, Idaho Conservation League (via email)
Mr. Rick Grisel, Idaho Attorney General's Office (via email)

CERTIFICATE OF SERVICE

I certify that the foregoing "Notification of Stayed Permit Conditions" was sent to the following persons, in the manner specified, on the date below:

By electronic filing to:

U.S. Environmental Protection Agency
Clerk of the Environmental Appeals Board
1341 G Street NW, Suite 600
Washington, DC 20005

By U.S. Certified Mail to:

The Honorable Shelby Rongstad
Mayor of Sandpoint
1123 Lake Street
Sandpoint, ID 83864

By electronic mail to:

Matthew Nykiel
Conservation Associate
Idaho Conservation League
PO Box 2308
Sandpoint, ID 83864
Tel: (208) 265-9565
Fax: (208) 265-9650
Email: mnykiel@idahoconservation.org

Richard Grisel
Deputy Attorney General
Department of Environmental Quality
1410 N. Hilton, 2nd Floor
Boise, Idaho 83706
Tel: (208) 373-0494
Fax: (208) 373-0481
Email: rick.grisel@deq.idaho.gov

DATED: August 6, 2018



Courtney Weber
Assistant Regional Counsel
U.S. EPA, Region 10