

RESPONSE TO COMMENTS

Chiquita Processed Foods, LLC

Payette, Idaho

NPDES Permit No.: ID-000021-3

Public Comment Period: July 18 - September 4, 2001

During the public comment period specified above, only the permittee submitted comments. This document summarizes the comments and the EPA responses to the comments.

1. Comment: The description of the discharge “from a wastewater treatment facility located in Emmett, Idaho” should be “of non-contact cooling water from a food processing facility in Payette, Idaho.”

 Response: The permit has been revised to correct the description.
2. Comment: “Surface Water Monitoring” is missing from the Table of Contents.

 Response: The permit has been revised to include “Surface Water Monitoring” in the Table of Contents.
3. Comment: The requirement for flow monitoring indicates an instantaneous sample type. Currently, daily total flow is measured using flow meters. We propose to continue to monitor and report our flows in this manner. There is no reference in the table to note 3. We propose a one year monitoring period for the following constituents: total phosphorus, orthophosphorus, total ammonia, total kjeldahl nitrogen, and nitrate-nitrite. These constituents are not typically present in our cooling water in significant concentrations.

 Response: The permit current in effect requires that an instantaneous sample type of flow be collected. However, using flow meters is an acceptable type of flow measurement and the permit has been revised to require the method actually employed by the permittee. Note 3 should have applied to the items mentioned above. EPA has revised the permit to require one year’s worth of monitoring instead of two years.
4. Comment: The test in I.A.2 indicates once per week monitoring for pH while the table indicates once per month. Please clarify.

 Response: The monitoring frequency for pH should be once per month and the permit has been revised to reflect this frequency.

5. Comment: We request that only one year of surface water monitoring be required under this permit. The increased monitoring for this facility will cost at least \$10,000 annually in outside sampling and analytical costs.

Response: In response to this comment and comments made by the Cities in this watershed, EPA has reduced the required surface water monitoring to collecting and analyzing only 12 samples per parameter, except for mercury. The monitoring requirement for mercury has been reduced to collecting and analyzing 10 samples, while allowing a year to begin the mercury monitoring. The requirement for downstream monitoring has been deleted. In addition, surface water monitoring program and the quality assurance plan deadlines have been extended to 180 days after the effective date of the permit.

6. Comment: We request that the river flow measurements required at this permit be measured at the upstream USGS monitoring station located between Payette and Fruitland.

Response: EPA has revised the permit to clarify that the Payette USGS gauging station be used to determine flow.

7. Comment: It is our understanding that grab-composite samples shall consist of three samples taken at the upstream or downstream cross-section of the river as appropriate and composited together. Please verify that this is accurate.

Response: This is accurate and the permit has been revised to clarify the kind of sampling required for surface water monitoring.

8. Comment: Item 8 requires a surface water monitoring report due with the next NPDES permit application. Item 9 refers to a monthly monitoring report for reporting surface water monitoring events that cannot be completed during the reporting month. Is this report the monthly discharge monitoring report (DMR)? Are other surface water results to be reported monthly, as opposed to the single report required under I.C.8?

Response: Item 9 allows the permittee to notify EPA, through the DMR required for that month, that surface water monitoring was not possible that month and the required monitoring will occur as soon as possible. The permit has been revised to clarify what is meant at Item 9.

9. Comment: In the last sentence of II.A., “limited” should be changed to “listed.”
- Response: The permit has been revised to reflect this comment.
10. Comment: The current permit requires that the quarterly DMR be submitted by the 28th of the month. We respectfully request that deadline be incorporated into the new permit instead of the 10th of the month in the draft.
- Response: The current permit was issued in 1975. Standard practice now is to require the submittal by the 10th, unless the remoteness of the location or uniqueness of the monitoring program requires a later deadline up to the 20th. Neither of these situations apply to the Chiquita facility, so the permit has not been revised to change the due date for the DMRs.

Additional revisions to the draft permit.

Upon review of the permit in responding to the comments, EPA discovered that the temperature limit had inadvertently been left out of the draft permit. The fact sheet had specified that the temperature limit was being carried over from the previous permit. The permit has been revised to include a daily maximum limit of 17.8 ° C (100° F), as was required under the permit issued in 1974 and modified in 1975.

In addition to the changes noted above, the draft permit has been revised to correct typographical errors. Also, upon review of the permits in the Lower Payette watershed, EPA has revised the effluent and receiving water monitoring for nutrients and mercury to quarterly.

EPA believes that laboratories should be capable of producing blank levels 10 times less than the regulatory compliance level. EPA recognizes that trying to achieve a method detection limit of 0.001 ug/L may cost more than achieving a 0.01 ug/L method detection limit. In the interest of easing the financial burden of mercury monitoring, EPA has revised the permit in several ways regarding mercury monitoring.

The permit has been revised to require a range of 0.01 to 0.005 µg/L for the method detection limit. The permittee now has a year in which to find a suitable laboratory before beginning the mercury monitoring. The number of samples required have been reduced to 10 effluent (from 12 in the draft permit) as well as 10 upstream samples. The permit has also been revised to allow reduction or deletion of the mercury monitoring upon approval from EPA. Before EPA could consider the request,

the permittee must show that the first five samples taken from the monitoring location resulted in non-detects in the range of 0.01 to 0.005 µg/L. Finally, the permit has been revised to allow quarterly monitoring for the mercury monitoring.

In a letter dated November 16, 2001, the State of Idaho certified under section 401 of the Clean Water Act that the activities allowed under this permit that there is a reasonable assurance that this permit will comply with the *Idaho Water Quality Standards and Wastewater Requirements*.