

**U.S. Environmental Protection Agency Region 10
Response to Comments
City of Genesee
Permit No. ID-002012-5**

Background

On June 24, 2004, EPA proposed to reissue the National Pollutant Discharge Elimination System (NPDES) Permit for the City of Genesee wastewater treatment facility. The Public Notice of the draft permit initiated a public comment period which expired on July 23, 2004. The EPA received comments on the draft permit from the City of Genesee.

This document summarizes significant comments received on the draft permit, and EPA's response to the comments. The document provides a record of the basis for changes made from the draft permit to the final permit. The Fact Sheet that accompanied the draft permit was not revised because it is already a final document that provides a basis for the draft permit.

Comment

The City requested to discharge year-round. The draft permit limited discharge to the period from November to July. Although the City has historically only discharged from November to July, the City would like the flexibility to discharge year-round. The previous permit did not require seasonal discharge. The City anticipates the need to discharge year-round due to increasing influent flows and required lining of the lagoons to eliminate seepage.

Response

The EPA agrees. As discussed in the Fact Sheet, the water quality-based effluent limits (WQBEL) for chlorine are based on low flow conditions in the receiving water. To allow the facility to discharge year-round, the chlorine WQBELs were recalculated based on low flow conditions for the entire year, instead of from November to July. Results of the WQBEL calculations are summarized below. The revised permit limits have been incorporated into the final permit.

Chlorine Effluent Limit Calculations		
Criteria ($\mu\text{g/L}$)	Acute	19
	Chronic	11
Coefficient of Variation, CV		0.6
Upstream Flow, Q_u (mgd)	1Q10	0
	7Q10	0
Effluent Flow, Q_e (mgd)		0.15
Upstream Concentration C_u ($\mu\text{g/L}$)		0
Wasteload Allocation, WLA ($\mu\text{g/L}$)	Acute	19
	Chronic	11
Long-Term Average, LTA ($\mu\text{g/L}$)	Acute	6
	Chronic	6
Maximum Daily Limit, MDL ($\mu\text{g/L}$)		18.1
Average Monthly Limit, AML ($\mu\text{g/L}$)		7.2

Permit Modifications:

Chlorine limits in Table 1 *Effluent Limitations and Monitoring Requirements* are revised.

Section I.A.1 is revised to remove the seasonal discharge requirement.

Comment 2

The City requested a compliance schedule to meet E. coli bacteria limits in May 2008. The facility currently has no disinfection process other than sunlight and detention time. The City's Facility Plan recommended a new treatment system which includes disinfection. The treatment system will take several years to finance, design, and construct.

The City requested that monitoring for E. coli be delayed until May 2008.

The City requested that the monitoring frequency for E. coli be once per week instead of five times per month. The City is not capable of performing the analyses on-site. The sampling schedule creates logistical complications and will impose a significant financial burden on the City.

Response 2

The EPA agrees that a compliance schedule is warranted for the water quality-based effluent limits for E. coli. The permit provides a compliance schedule until May 2008 to meet the limits. This will allow the facility sufficient time to modify their treatment facilities to meet the limits. Monitoring for E. coli is required beginning on the effective date of the permit.

The requirement to sample 5 times per month is a stipulation of the Idaho Water Quality Standards (58.01.02). Section 251 *Surface Water Quality Criteria for Recreation Use Designations* requires that waters designated for primary contact recreation not contain E. coli bacteria in concentrations exceeding "a geometric mean of 126/100 ml based on a minimum of five samples taken every 3-5 days over a 30 day period." The monitoring frequency of 5 samples per month was incorporated directly into the permit.

Permit Modifications: Section I.C *E. coli Schedule of Compliance* and Note 3 of Table 1 *Effluent Limitations and Monitoring Requirements* is added to require *E. coli* compliance by May 1, 2008.

Comment 3

The City requested 65% removal for BOD₅ instead of 85%. The previous permit did not have a percent effluent removal requirement; therefore the City has no historical data to determine if the facility can meet the limit. The City believes this is warranted under the Treatment Equivalent to Secondary Requirements.

Response

The EPA disagrees. The facility currently has no data to indicate that the facility cannot meet the 85% removal for BOD₅. Further, based on the Discharge Monitoring Report (DMR) data, the facility does not qualify for Treatment Equivalent to Secondary Limits. To qualify for Treatment Equivalent to Secondary effluent limitations all of the following requirements must be met:

- The BOD₅ and TSS effluent concentrations consistently achievable through proper operation and maintenance of the treatment works exceed Secondary Treatment Effluent Limits.
- A trickling filter or waste stabilization pond is used as the principal treatment process.
- The treatment works provide significant biological treatment of municipal wastewater (i.e., a minimum of 65% reduction of BOD₅ is consistently attained).

The facility does not meet the first requirement. Based on the City's DMR data, BOD₅ effluent concentrations consistently meet secondary treatment effluent limits.

Permit Modification: None

Comment 4

The City requested that compliance with the water quality based effluent limits for chlorine be extended to May 2008. This date coincides with the scheduled date for start-up of improvements to the treatment system. Currently, the facility has no disinfection system.

Response 4

The EPA agrees. The compliance schedule to meet water quality based effluent limits for chlorine is extended until May 1, 2008. This will allow the facility sufficient time to modify their new treatment facilities to meet the limits. An interim limit of 0.5 mg/L is retained in the permit. As indicated on footnote 5 of the Table 1, chlorine monitoring is only required if the facility is using chlorine disinfection.

Permit Modification: Section I.B *Chlorine Schedule of Compliance* and Note 6 of Table 1 *Effluent Limitations and Monitoring Requirements* are modified to require chlorine compliance by May 1, 2008.

Comment 5

The City requested a compliance schedule of May 2008 for all sampling revisions, and completion of the Operation and Maintenance Plan and Quality Assurance Plan. The May 2008 date corresponds to the anticipated start-up of the new facilities. The City does not have adequate reserves to fund all aspects of the permit.

Response 5

Completion of the Operation and Maintenance Plan is delayed until May 1, 2008, to coincide with start-up of the new facilities. The Quality Assurance Plan is delayed until 18 months from the effective date of the permit to allow additional time for completion.

The initiation of surface water sampling has been delayed for one year. This will allow the permittee additional time to prepare for monitoring. There are no revisions to the effluent sampling requirements.

Permit Modifications:

Section I.E. (Operation and Maintenance Plan) is modified to require that the plan be developed by May 2008.

Section I.F. of the permit (Quality Assurance Requirements) is modified to require that the QAP be developed within 18 months of the effective date of the permit.

Section I.D.4 of the final permit has been revised to delay surface water monitoring to begin one year from the effective date of the permit.