

Response to Comments
2005 NPDES Permit Issuance to the Rigby Wastewater Treatment Plant - Rigby, Idaho
NPDES Permit No. ID0020010

City of Rigby
Wastewater Treatment Plant
158 West Femont
Rigby, Idaho 83442

Public Comment Period: 3/30/05 – 4/29/05

During the public comment period specified above comments were received from the City of Rigby. This document summarizes those comments and provides EPA's response to them.

1. Regarding seasonal allowance for I/I

Comment: No allowance is given for seasonal I/I. The City of Rigby is located in an area of high groundwater that can significantly contribute to wastewater dilution making it almost impossible to achieve 85% removal for both TSS and BOD₅. Currently, the City is in the process of preparing a Capital Improvements Plan for the replacement of a large portion of the existing sewer collection system over the next ten years. Such improvements will help to limit I/I and subsequent wastewater dilution. As such, the City of Rigby requests that the EPA only requires 85% removal for both TSS and BOD₅ when average influent BOD₅ is greater than 75 mg/L.

Response: Under 40 CFR § 133, Secondary Treatment Regulation, EPA must include the 85% removal requirement. In accordance with 40 CFR § 133.103(d), the EPA is authorized to substitute a lower percent removal requirement if the permittee satisfactorily demonstrates that the less concentrated influent wastewater is not the result of excessive I/I. Based on the City's DMR data, it appears that the less concentrated influent is the result of excessive I/I. The EPA recognizes the City's beginning efforts to reduce excessive I/I in the collection system and encourages them to continue with these efforts.

2. Regarding mixing zones

Comment: No mixing credit is given even though the draft permit stipulates no discharge is allowed when water in the Dry Bed Canal is turned off. The City of Rigby is of the opinion that the draft permit should be modified to include either a mixing zone credit for the determination of effluent constituent limits, or the City should be allowed to discharge to the Dry Bed Canal without restriction due to upstream flow of the receiving water body.

Response: The EPA agrees. The final permit will be changed to reflect the City's ability to discharge to Dry Bed Canal regardless of the upstream flow of the receiving water body.

3. Regarding design flow rate

Comment: The design flow rate of the City of Rigby's wastewater treatment facility was 0.53 mgd. However, based on recent modifications to increase plant aeration capacity, the City's plant capacity has increased. Further plant modifications are pending the completion of a regional wastewater planning study that is scheduled to be finished in the latter part of 2005. When all modifications are complete, the new design capacity of the City's wastewater treatment facility will be at least 0.90 mgd. Because of rapid growth occurring in and around the City and the potential for high I/I, it is suggested that a design flow rate of 0.90 MGD be used for determining permit loading limits.

Response: EPA regulations at 40 CFR § 122.45(b) require the loading limitations in an NPDES permit to be based on the design flow of the facility. Currently the design flow of the facility is 0.53 mgd. Therefore, the facility is required to comply with loading limitations based on this flow. If, in the future, the facility does decide to increase the design capacity of the treatment plant, the City may request that their permit be modified to reflect the new design flow.

4. Regarding TSS removal

Comment: Based on the current configuration of the City's wastewater treatment facility, the City will have a difficult time meeting 85% TSS removal. The City suggests that the EPA grant a four-year waiver period to allow the City to make necessary improvements to meet the 85% removal requirement. This will allow sufficient time for the completion of the previously mentioned regional wastewater facilities planning study which will provide the City with further guidance as to the best approach for upgrading the wastewater treatment facility.

Response: The EPA does not have the authority to include a compliance schedule in the permit for the TSS limitations because the regulations (40 CFR § 122.47) do not allow compliance schedules for technology-based effluent limits. The EPA recognizes the City's efforts to reduce I/I in the collection system and encourages them to continue with these efforts.