

**EPA RESPONSE TO COMMENTS**  
**From Mr. Harry Begaye of NTUA dated September 25, 2012**  
**NTUA Kayenta Wastewater Treatment Facility (“WWTF”)**  
**NPDES Permit No. NN0020281**

During a 30-day comment period following EPA’s public notice of its tentative decision to issue the permit, EPA received the following comments from NTUA.

**Comment 1:**

NTUA: EPA indicated that the Kayenta facility is a major NPDES facility even though the design flow for this facility is 0.9 million gallons per day (MGD) and below the 1.0 MGD threshold.

EPA Response: Based on review of the August 2012 permit fact sheet and proposed permit, Kayenta WWTF was not deemed a major NPDES facility.

**Comment 2:**

NTUA: The proposed permit is requiring 24-hour composite sampling for BOD<sub>5</sub> and TSS. NTUA Fort Defiance District does not have 24-hour sampling equipment and is concerned with the operating cost. NTUA therefore requests to have the permit require composite sampling at 8-hour composite instead of 24-hour sampling.

EPA Response: The NTUA Kayenta facility has a continuous discharge over 24 hours and is required to collect samples representative of a normal discharge operation. EPA does not believe that composite sampling over 8 hours during a day would be adequate to provide representative sampling of flow during any 24-hour period of discharge. NTUA needs to have an automatic 24-hour composite sampler to collect time-proportional mixture of not less than eight discrete aliquots obtained at equal time intervals (e.g., 24-hour composite means a minimum of eight samples collected every three hours.) The proposed permit remains unchanged upon issuance of the final permit.

**Comment 3:**

NTUA: NTUA requests that the frequency of analysis for ammonia nitrogen be less frequent than the proposed requirements.

EPA Response: In accordance with applicable Navajo Nation surface water quality standards for ammonia for protection of aquatic and wildlife habitat, the proposed permit contains new effluent limitations for total ammonia. The monitoring frequency is set at monthly. Since this is a new requirement and in the absence of historical ammonia data at Kayenta facility, and since NTUA cannot ascertain any toxicity impact of ammonia from its discharge, it is necessary for EPA to collect enough data before making a determination as to whether a reduction in monitoring frequency is warranted. In addition, monthly testing of ammonia will further allow

EPA and NTUA to get a sense of seasonal variation in the discharge. The proposed permit remains unchanged upon issuance of the final permit.

**Comment 4:**

NTUA: NTUA requests that the frequency of analysis for Whole Effluent Toxicity (WET) be less frequent than the proposed requirements.

EPA Response: The proposed permit requires WET testing be performed on a monthly basis for the first 12 months and, if no toxicity is found in the WET test results during the first 12 monthly test results, the requirement is reduced to a quarterly basis thereafter. After reviewing historical flow information, EPA finds that Kayenta facility has long been operating and discharging significantly below its design capacity, and that the reduction to a semiannual monitoring frequency is warranted for smaller size facilities. As further discussed in the enclosed October 2012 supplemental fact sheet, the final permit will indicate a reduction to a semiannual basis, following the initial 12 months of testing to demonstrate that there are no unexpected toxic impacts of the discharge effluent.

**Comment 5:**

NTUA: The proposed permit requires federal secondary treatment standards for biochemical oxygen demand (BOD<sub>5</sub>) and total suspended solids (TSS). NTUA is requesting an increase for equivalent to secondary treatment for BOD<sub>5</sub> and TSS as the facility has experienced a number of exceedances for these parameters.

EPA Response: After considering NTUA's request, and as further discussed in the October 2012 supplemental fact sheet, EPA is establishing permit limitations for BOD<sub>5</sub> and TSS consistent with equivalent to secondary treatment regulations at 40 CFR Sections 133.105 and 40 CFR 133.103(c). The permit now contains revised limits as requested by NTUA.