

## RESPONSE TO COMMENTS

NPDES Permit #ID-002183-1

City of Middleton, Idaho

The public comment period for the draft permit for the City of Middleton wastewater treatment plant (WWTP) began on June 11, 1999 and closed on July 12, 1999. EPA received written comments from the City of Middleton on July 12, 1999. These comments were considered by EPA in establishing proposed final permit conditions. In addition, a letter dated September 16, 1999 from the Idaho Division of Environmental Quality provided conditions for certification under Section 401 of the Clean Water Act. These conditions have been incorporated into the final permit. A revised Fact Sheet will not be issued. The following is a summary of substantive comments and corresponding responses from EPA.

### Comment

The City of Middleton requests that the proposed river monitoring requirements established to collect nutrient data in the Boise River upstream from the discharge be removed from the permit because it duplicates sampling efforts already being carried out by the Idaho Department of Environmental Quality (IDEQ).

### Response

The Boise River monitoring described in the comment is most likely in reference to sampling efforts being conducted by the United States Geological Survey (USGS) upstream from Middleton. Bill Mullins at USGS has confirmed that there is an ambient monitoring site at the end of East Lansing Lane at approximate river mile 29. Samples are collected at this site and analyzed for a number of parameters, including nutrients, about 4 times per year. The Middleton WWTP is located approximately 5 river miles downstream at river mile 24. IDEQ is not currently conducting any river monitoring in the Middleton area.

EPA and IDEQ believe that the 5 mile distance between the USGS monitoring station is large enough to warrant the collection of additional data closer to the discharge location. Furthermore, USGS is currently conducting sampling at a frequency of 4 times per year, which is significantly less than the proposed requirement of once per month contained in the draft permit. As described in the Fact Sheet, this data along with data collected from other dischargers along the Boise River is necessary to assist IDEQ in the development of a TMDL for nutrients in the Boise River. The permit requirement for ambient nutrient monitoring remains unchanged.

### Comment

The City of Middleton contends that the proposed residual chlorine limit is excessively stringent and contradictory to the requirements of the Safe Drinking Water Act. The City requests that the proposed limit be modified to reflect this position. The City also requests a grace period of 30 months to evaluate the current chlorination method to determine whether dechlorination is necessary at the facility.

### Response

EPA is required under the Clean Water Act to incorporate State water quality standards into NPDES permits. As outlined in the Fact Sheet, the proposed limit for total residual chlorine is derived from water quality criteria contained in the Idaho Water Quality Standards. The criteria for chlorine was developed by the State of Idaho for the protection of cold water biota and is reflective of the toxic effect of chlorine on aquatic life. With regard to the Safe Drinking Water Act, requirements for chlorine were developed based on human health criteria for potable water and are not applicable to wastewater discharges. One reason for this difference is that low levels of chlorine, such as those used in the disinfection of drinking water, are non-toxic to humans but may be lethal to aquatic organisms even at such low doses.

EPA does not have the authority to modify criteria contained in State water quality standards. However, EPA agrees that it is reasonable to allow a compliance schedule in order for the permittee to address performance issues with regard to chlorine in the facility's wastewater. The proposed permit will be modified to allow a 2 year interim period before the new limits for chlorine will become effective. During the interim, the permittee will be required to meet the technology-based standard of 0.5 mg/l as a 30-day average for total residual chlorine. In addition, the permittee will be required to submit a progress report to EPA on an annual basis describing progress that has been made toward compliance with the water quality-based chlorine limits. The interim limit will expire 2 years from the effective date of the permit and the final limits for chlorine will become effective.

### Idaho Water Quality Certification

The Idaho Division of Environmental Quality provided certification, pursuant to Section 401 of the Clean Water Act, that the activities allowed under this permit will comply with applicable requirements of the Idaho Water Quality Standards and Wastewater Treatment Requirements (IDAPA 16 Title 01, Chapter 02). As a result of the certification, E. coli bacteria monitoring has been added as a permit condition to be initiated during the fourth year of the permit. Monitoring shall be conducted at the same frequency specified in the permit for fecal coliform bacteria.