RESPONSE TO COMMENTS

Permittee: Joint School District #171
aka Timberline High School

Permit No.: ID-002391-4

Background: On August 16, 2001, EPA proposed to reissue the NPDES permit for the Timberline High School (THS) located near the city of Weippe, Idaho. The public notice of the proposal initiated a 30-day comment period which expired on September 17, 2001. The only comments received on the draft permit were from the school district and the Idaho Department of Environmental Quality (IDEQ). This document summarizes the comments and EPA's response to those comments.

Comment: Both the permittee and IDEQ requested that the limits and monitoring requirements for phosphorus be removed from the permit. The conclusions of the errata sheet of the TMDL for Grasshopper Creek did not include a waste load allocation for the permittee for phosphorus. Based on the evidence gathered and analyzed for the TMDL, there is nothing to indicate that the permittee's effluent will cause a water quality exceedance for phosphorus in the creek.

Response: The TMDL specifies April through July as the averaging period for estimating critical system loading and determining necessary load reductions. The permittee discharges during this time period. According to TMDL requirements, point sources need to have a waste load allocation to discharge pollutants for which a stream is listed as water quality limited.

Comment: Both the permittee and IDEQ requested that the limits and monitoring requirements for Total Inorganic Nitrogen (TIN) be removed from the permit.

Response: EPA has reviewed and TMDL and concurs with the recommendation. According to the Jim Ford Creek TMDL, no TIN violations were found in Grasshopper Creek so a TMDL for TIN will not be done. TIN limitations and monitoring have been removed from the permit.

Comment: Both the permittee and IDEQ requested that the limits and monitoring requirements for fecal coliform be removed from the permit for the following reasons. The state has recently established a new water quality requirement to protect public health based on e-coli rather than fecal coliform. Since both standards are protective of human health with regard to primary and secondary contact, either standard is appropriate and the use of both standards is redundant. Since e-coli is more sensitive to environmental effects than the fecal coliform group, sampling for e-coli would be more informative to the permittee, the state, and EPA regarding public health protection.

The use of fecal coliform sampling to determine disinfection effectiveness is redundant if sampling for e-coli is also required. Since e-coli is a subgroup of the fecal coliform group, and is more sensitive to environmental factors, sampling for e-coli would allow the permittee to better

determine disinfection effectiveness than the previously used fecal coliform.

The sampling requirement would add from $10,000 to $15,000 to the annual sampling bill for the permittee. Such a sampling requirement would tax the existing facility and jeopardize the ability of the permittee to ensure that public health is protected through proper sampling requirements as they exist today. The permittee would have to divert needed operation, maintenance and improvement funds to pay for sampling that has no impact on the protection of public health and the environment.

IDAPA 58.01.02.401.05 states that exceptions to treatment requirements can be granted on a case-by-case basis when it can be demonstrated that:

i. Such exceptions will not seriously affect existing water quality and uses are adequately protected, and

ii. The treatment requirement is economically prohibitive.

The massive increase to the requirement for fecal coliform testing is economically prohibitive to the permittee and will have no effect on existing water quality and uses.

Response: The state's water quality standards have been revised to delete the reference to fecal coliform in section 58.01.02.420.05. Therefore fecal coliform limits and monitoring requirements have been removed from the permit.

Comment: The permittee requested that the monitoring frequency for e.coli be reduced. The final 401 certification from IDEQ determined that an exemption is warranted and the sampling frequency of once per week for E. coli will be sufficient to reasonably demonstrate compliance with the state's water quality standards. The exemption will not seriously affect existing water quality and will adequately protect the designated beneficial use of primary contact recreation.

Response: The final permit reflects an E.coli monitoring frequency of once per week.

Comment: The permittee and IDEQ requested relief from the TSS percent removal requirement during periods of high inflow and infiltration (I/I).

Most wastewater collection and treatment facilities in Idaho have problems controlling I/I. This can cause the TSS concentration in the influent to be very low and make achieving a 65% reduction for the system impossible. If the EPA is going to require a 65% reduction in TSS, this number should be based on the pounds of TSS entering and leaving the treatment facility, not on concentration.

Waste load allocations are based on the amount of a pollutant that a system can add to the stream, and not based on concentration of the waste stream. TSS restrictions in the NPDES

permit should reflect the requirements of the TMDL and thus on limiting the pounds of TSS entering the stream, not on concentration or removal. By basing the discharge limits on pounds, concentration limits will automatically be adjusted for during periods of I/I and increases in the population will require the permittee to find ways of reducing itsr TSS loading to the stream.

The IDEQ believes, based on the information included above, that the TSS reduction requirement is excessive and should be removed from the permit. If the EPA believes that evidence exists that such a requirement is warranted to protect public health of water quality requirements for Grasshopper Creek, removal should be based on pounds per day and not on concentration.

Response: EPA regulations at 40 CFR 133.101(3) define percent removal using concentration and not loading; the permit has not been changed. There are only two situations where the removal rate for BOD and TSS for lagoons may be less than 65 percent. The first situation is where there is less concentrated influent for separate sewer systems and the second applies to less concentrated effluent for combined sewer systems. To be eligible for this exemption, the permittee must demonstrate satisfactorily that:

i. the treatment works is consistently meeting its permit effluent concentration limits but its percent removal requirements cannot be met because of less concentrated influent wastewater;
ii. to meet the percent removal requirements, the treatment works would have to achieve significantly more stringent limitations than would otherwise be required by the concentration-based standards, and
iii. the less concentrated wastewater is not the result of excessive inflow/infiltration (I/I).

At the present time, the EPA does not have influent data for either BOD_5 or TSS. Until data are available to determine actual percent removal being achieved, a waiver of the requirement is inappropriate. Loading limitations for BOD and TSS have been included in the permit based on the design flow and the treatment equivalent to secondary (TES) requirements:

	AML	AWL
BOD	45 mg/l 2.25 lbs/day	65 mg/l 3.25 lbs/day
TSS	70 mg/l 3.5 lbs/day	105 mg/l 5.25 lbs/day

The minimum percent removal requirements for BOD_5 and TSS have been retained and must be reported on the Discharge Monitoring Reports (DMRs). The monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean

of the effluent values for that month using the following formula:

$$\% \text{ removal} = \frac{(\text{average monthly influent concentration} - \text{average monthly effluent concentration})}{\text{average monthly influent concentration}}$$

Influent and effluent samples must be taken over approximately the same time period.