

**U.S. Environmental Protection Agency  
Region 10**

**Response to Comments  
City of Bonners Ferry  
Permit No. ID-002022-2**

**Background**

On December 18, 2003, EPA proposed to reissue the National Pollutant Discharge Elimination System (NPDES) Permit for the City of Bonners Ferry wastewater treatment facility. The Public Notice of the draft permit initiated a public comment period which expired on February 2, 2004. The EPA received comments on the draft permit from the City. No other comments were received.

This document summarizes the 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 1**

The City's lagoon operation has seasonal algal blooms that result in higher total suspended solids (TSS). The City's current permit has TSS limits of 70 mg/L and 105 mg/L (average monthly limit and average weekly limit, respectively). The Idaho Department of Environmental Quality is in the process of developing "Alternative State Requirements" which will address the need for higher TSS limits during the seasons when algal blooms occur. The City requests that these "Alternative State Requirements" be automatically included in their permit as soon as they are available for use in NPDES permits.

**Response 1**

The NPDES regulations require effluent limits to be based on current technology based standards (40 CFR 122.44(a)). However, when IDEQ develops the "Alternative State Requirements" and EPA has approved them, then the City can request that the permit be modified to include the "Alternative State Requirements." In addition to requesting a permit modification the City should supply all supporting documentation that will demonstrate that the TSS concentrations in their lagoons are higher during seasonal algal blooms.

**Comment 2**

The lagoons experience "turnover" early in the year when winter is ending. The most significant effect of "turnover" is its effect on BOD when liquid at the floor of the ponds rise to the surface. The City requests that a provision be included in their permit that recognizes this occurrence so that a formal violation can be avoided. Possibly higher limits could apply when the City can show turnover has taken place during the reporting period. In general, accommodation is appropriate since Idaho lagoons cannot consistently meet TES during this natural upset condition.

**Response 2**

The NPDES regulations do not allow for waivers from technology based effluent limits. Additionally, EPA does not know of, and the commenter did not provide, any information to support the statement “...Idaho lagoons cannot consistently meet TES during this natural upset condition.” Therefore, the comment cannot be evaluated. The final permit retains the limits contained in the draft permit.

**Comment 3**

The City requested that the schedule for the Operation and Maintenance Plan and Quality Assurance Plan be extended to 12 months to allow them sufficient preparation time.

**Response 3**

To allow the City additional time to develop the Operation and Maintenance Plan and Quality Assurance Plan, the final permit has been revised to require the documents to be developed and implemented within 12 months of the effective date of the permit.