

Comments for the User's Guide Volume 2

Meeting Date	Comment Date	Commenter	Comment No.	Section	Page	Topic	Comment
8/30/2017	8-Sep-17	AIC	1	2.2.7.2	20	Facility Plans	AIC suggests revising the section heading from "Facility Planning" to "Facility Capacity" in order to more clearly emphasize the issue and the means to determine appropriate performance. Population and customer growth trends and projections should be considered when assessing facility capacity needs. AIC also recommends that the list of activities that address ensuring adequate capacity also include a "project specific engineering reports" as an additional alternative to a facility plan; and that the engineering report be prepared by an Idaho licensed professional engineer. Please see the attached document mark up for suggested content revisions.
8/30/2017	8-Sep-17	AIC	2	2.2.7.7.1	36	Mercury Plans	The text states that facilities without detectable concentrations of mercury in their effluent do not have to prepare a minimization plan. In the August meeting DEQ indicated this was taken from the DEQ 2005 guidance, but we were unable to substantiate this upon our review. AIC suggests that this sentence be removed to avoid issues with analytical methods and detection levels. Also, this section should note that EPA has recently promulgated a regulation at 40 CFR 441 that requires all dental offices that replace or remove mercury amalgam utilize amalgam separation BMPs. This is the primary minimization approach for municipalities and thus will greatly simplify any needed minimization plans for Idaho.
8/30/2017	8-Sep-17	AIC	3	2.2.7.8	37	Phosphorus Plan	The text states that this plan may be required if a TMDL "has not been fully implemented." This language is too vague and should be deleted. Fully implemented could be interpreted to mean all point and nonpoint sources are meeting TMDL goals and the waterbody is now deemed to meet all water quality standards. If the TMDL WLA is included in a particular permit, then that establishes all necessary requirements and an additional "plan" is unnecessary.
8/30/2017	8-Sep-17	AIC	4	2.2.7.9	38	Mixing Zone Study	This section is also too vague regarding the various steps involved in establishing a mixing zone before and after a particular permit is issued. These considerations should have been established during permit application and issuance, and if not, the permit reissuance should have been delayed until this information is available. At the very least, there needs to be a compliance schedule to conduct the study, and then implement the results in the context of WQBELs that can be established or delayed as final limits pending the outcome of the study.
8/30/2017	8-Sep-17	AIC	5	2.2.7.14	39	Combined Sewer Systems	This section in a permit need only be included if there are actual overflows (CSOs), not simply because combined sewers exist in a system.
8/30/2017	8-Sep-17	AIC	6	2.2.8	41	Standard Conditions	The QAPP, O&M and ERP plans should be identified as Special Conditions, not Standard Conditions. This has been the common practice for NPDES permits in Idaho and should remain as such. These plans are not required by the NPDES regulations and should be subject to revisions in individual permits at each issuance or reissuance. The Standard Conditions should be confined only to those elements dictated explicitly by the NPDES regulations.
8/30/2017	8-Sep-17	AIC	7	2.1.5	8	WET testing	Recommend changing salinity to conductivity, more commonly measured for freshwater tests.
8/30/2017	8-Sep-17	AIC	8	2.1.5	8	WET testing	Recommend the guidance clarify the what the "type" of dilution means (i.e., define "type of dilution").
8/30/2017	8-Sep-17	AIC	9	2.1.5	9	WET testing	Ammonia concentrations are usually determined on the sample before WET testing, not daily during testing. AIC recommends that the procedure follow the WET test methods specified.
8/30/2017	8-Sep-17	AIC	10	2.1.5	9	WET testing	Recommend that "summary of the test result" be clarified to "as defined in the permit."

8/30/2017	8-Sep-17	AIC	11	2.1.6.1	9	SIU	Recommend changing final bullet point from "Any upsets that the POTW attributed to waste discharge by the SIU/CIU" to "Any instances of interference or pass through that the POTW can attribute to wastes discharged by the SIU/CIU"
8/30/2017	8-Sep-17	AIC	12	2.2.7.3.3.	21	WET testing	Recommend the trigger used here is "as defined by the permit."
8/30/2017	8-Sep-17	AIC	13	2.2.7.3.5	21	WET testing	Recommend the guidance revise the word "and" to "or" in the first paragraph of the section, third sentence. Toxicants can be non-persistent and intermittent, while the accelerated testing will verify that the issue is resolved.
8/30/2017	8-Sep-17	AIC	14	2.2.7.3.6	22	WET testing	The text states that a TRE must be initiated within 15 days of receiving accelerated test results that indicate continued toxicity. Recommend that guidance clarify the appropriate process and provide adequate time to develop a TRE, and associated work plan. Different process and time frames should apply to WET limits vs. WET triggers. AIC will provide additional recommendations to DEQ regarding TRE processes.
8/30/2017	8-Sep-17	AIC	15	2.2.7.4.2	22	Pretreatment	Recommend removal of the bullet list and simply reference 40 CFR 403.5(b) to avoid confusion due to paraphrased prohibitions.
8/30/2017	8-Sep-17	AIC	16	2.2.7.4.3	23	Pretreatment	Consider changing "Industrial User Survey" to "Significant Industrial User Survey". 40 CFR 403 can be confusing as it often refers to "Industrial User" when it actually means "Significant Industrial User". The clarification would benefit readers.
8/30/2017	8-Sep-17	AIC	17	2.2.7.4.3	23	Pretreatment	Recommend changing "This is done with an industrial user survey" to "This may be done with an industrial user survey"
8/30/2017	8-Sep-17	AIC	18	2.2.7.4.3	23	Pretreatment	Number 8 of the Master List requirements is unnecessary and should be removed. The Pretreatment rules don't reference either code as this classification doesn't have any direct bearing on the wastewater discharged by any particular industry. If this information is desired, identify the main NAICS code. NAICS seems preferable as it is precise and continually updated whereas SIC is very broad and no longer in consistent use (except in federal storm water regulations). The main industrial activity is what determines eligibility for coverage under the MSGP, so as DEQ takes this program over, they could base eligibility on NAICS, and if the main NAICS code of each nondomestic user is known, this would be a good starting point for initiating the MSGP.
8/30/2017	8-Sep-17	AIC	19	2.2.7.4.4	24	Pretreatment - Table 3	Recommend that Table 3 include the CFR reference for ease of use by POTWs.
8/30/2017	8-Sep-17	AIC	20	2.2.7.5	25	Pretreatment - Table 3	AIC recommends the guidance add a clarification to the footnote that the presence of a dental office only does not necessarily mandate the development of a formal pretreatment program.
8/30/2017	8-Sep-17	AIC	21	2.2.7.6	25	Pretreatment	Recommend adding an "Enforcement Response Plan" to the list.
8/30/2017	8-Sep-17	AIC	22	2.2.7.6	26	Pretreatment	Recommend changing the sentence "A POTW must develop specific limits or BMPS to implement the General Pretreatment Program prohibitions specified in section 2.2.7.4.2 to "A POTW must develop specific limits or BMPs as necessary to implement the General Pretreatment Program prohibitions specified in section 2.2.7.4.2, and must enforce such limits."
8/30/2017	8-Sep-17	AIC	23	2.2.7.6.1	26	Pretreatment	Change "Develop technically defensible local limits for all pollutants of concern" to "Develop technically defensible local limits for all pollutants of concern, or demonstrate that they are not necessary."
8/30/2017	8-Sep-17	AIC	24	2.2.7.6.3	33	Pretreatment	Under Pretreatment Annual Report, User Inventory, see #18 NAICS comment above.
8/30/2017	8-Sep-17	AIC	25	2.2.7.7.2	37	Mercury Monitoring	For multiple dischargers into the same watershed, AIC recommends the consideration of a watershed based fish tissue monitoring program (similar to the Lower Boise River Program).

8/30/2017	8-Sep-17	AIC	26	2.2.7.7.1	36	Mercury Monitoring	The requirement to evaluate conditions that may contribute to methylation of elemental mercury in the collection and treatment systems may be cost prohibitive to small POTWs. AIC recommends this requirement be clarified to include an optional, qualitative evaluation of technical information readily available in the literature for minor facilities.
8/30/2017	8-Sep-17	AIC	27	2.2.7.16	39	Trading & Offsets	AIC recommends referring to the 2016 guidance only to ensure consistency. The first paragraph should include "temperature," and be retained. However, the remainder of the section should be removed in deference to existing guidance.
8/30/2017	8-Sep-17	AIC	28	2.2.7.16	39	Trading & Offsets	In addition to trading, some permittees may develop and obtain offsets. AIC recommends that this guidance note that possibility.
8/30/2017	8-Sep-17	AIC	29	2.2.8.1.2.	41	O&M Plan & Manual	The O&M "Plan" may also be called an O&M "Manual." AIC recommends revising this section to include both terms.
8/30/2017	8-Sep-17	AIC	30	2.2.5.3.1.	18	Non-Compliance Rejection	Bypass prohibition as it pertains to "all treatment processes" warrants further discussion with DEQ and EPA, especially in the context of tertiary treatment processes and/or seasonal limitations.