

Comments for the ~~User's Guide~~ **Volume 2 POTW Application and Instructions**

Meeting Date	Comment Date	Commenter	Comment No.	Section	Page	Topic	Comment
7/19/2017	27-Jul-17	EPA Region 10	1	Part D	13-18	Expanded Effluent Testing Data	<p><b>*THIS COMMENT IS ALSO APPLICABLE TO THE DRAFT POTW APPLICATION INSTRUCTIONS*</b> This section should not include an option for the permittee to state that any of the pollutants listed are “not anticipated to be present.” According to the permit application requirements at 40 CFR 122.21(j)(4)(iv), POTWs with a design flow equal to or greater than one million gallons per day and POTWs with approved pretreatment programs or required to develop a pretreatment program “must sample and analyze for the pollutants listed in Appendix J, Table 2” of 40 CFR Part 122.</p> <p>The preamble of the rule establishing these testing requirements states that “numerous commenters provided input on EPA’s decision to require testing of the pollutants listed on the Appendix J, Table 2 list. Many commenters provided individual preferences on which parameters they felt should be required. EPA has reviewed the comments carefully and feels that testing for the complete list is necessary for the development of environmentally protective permits” (64 FR 42449).</p> <p>The regulation at 40 CFR 122.21(j) does allow for the EPA’s Regional Administrator to “waive any requirement of this paragraph that is not of material concern for a specific permit,” (emphasis added). Since this waiver must be approved by the Regional Administrator on a case-by-case basis for a specific permit, it is not appropriate to allow for exceptions to the generally applicable effluent testing requirements on the application form.</p> <p>In addition, the regulation at 40 CFR 122.21(j)(4)(iv) states that POTWs with a design flow equal to or greater than one million gallons per day and POTWs with approved pretreatment programs or required to develop a pretreatment program must sample and analyze for “any other pollutants for which the State or EPA have established water quality standards applicable to the receiving waters. In Idaho, water quality standards have been established for pentachlorobenzene, polychlorinated biphenyls (PCBs) and 2,3,7,8 TCDD (dioxin) and 2,4,5-trichlorophenol, which are not listed in Appendix J, Table 2 of 40 CFR Part 122. These pollutants, and any others for which the State of Idaho has established water quality standards, should be included in the “Expanded Testing Data” section of the application.</p>