

US EPA ARCHIVE DOCUMENT

PART I: ELIGIBILITY

A. Background

The Federal Clean Water Act (CWA) states that discharge of pollutants to Waters of the United States from any point source is prohibited, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. According to Title 40 of the Code of Federal Regulations (CFR) Section 122.28(a)(2), the United States Environmental Protection Agency (USEPA) may promulgate general permits to cover categories of point sources having the following common elements:

- Sources that involve the same or substantially similar types of operation.
- Sources that discharge the same types of wastes or engage in the same type of sludge use or disposal.
- Sources that require the same effluent limitations or operating conditions, or standards for sewage sludge use or disposal
- Sources that require the same monitoring where tiered conditions may be used for minor differences within a class (e.g., size or seasonal activity)
- Sources that are more appropriately regulated by a general permit

This general permit for low threat discharges (LTGP) will provide timely authorization for discharges to Waters of the United States and when properly managed, these discharges will not adversely impact water quality, designated uses, or the environment. Use of a general permit for low threat discharges allows the permitting authority and dischargers to allocate resources in a more efficient manner, obtain timely permit coverage, avoid issuing resource intensive individual permits to each facility. Additionally, providing potential permittees with information about discharge requirements needed to qualify for coverage under the general permit, providing greater certainty and efficiency to the regulated community while ensuring consistent permit conditions for comparable facilities.

B. Definition of Low-Threat Discharge

Low threat discharges that may be authorized by this LTGP are relatively pollutant-free wastewaters that present no or minimal threat to water quality for the environment when managed properly. Discharges that are eligible for coverage under the LTGP are intermittent, low volume, and/or short-term in nature. Discharges covered under the LTGP do not contain pollutants in concentrations that cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality

criterion and are consistent with federal antidegradation policy. Discharges covered under this permit should not create environmental damage or nuisance effects.

The requirements of the LTGP ensure that discharges are managed such that they pose minimal threat to water quality in receiving waters. The implementation of standard technology treatments and/or best management practices (BMPs) are methods to minimize the impact of some discharges, allowing them to qualify for coverage under this LTGP.

C. Eligible Discharges

Discharges to Waters of the United States that meet the definition of low threat as defined in section B. above shall be eligible for coverage under the LTGP and may include, but are not limited to, the following categories of discharges:

- Potable water supply system discharges:
 - Discharges associated with fire hydrant flushes/testing
 - Discharges associated with system operation and maintenance activities (wells, pipelines, tanks, reservoirs)
 - Discharges resulting from potable water filter backwash operations
 - Discharges associated with system repair
 - Discharges from cleaning or flushing of water supply wells, pipelines, tanks and reservoirs
 - Discharges from hydrostatic testing of pipelines, tanks, and reservoirs
 - Discharges resulting from initial system startup and routine startup
 - Discharges resulting from sampling of influent flow, pressure releases, etc.
- Hydrostatic testing of newly constructed pipelines, tanks, and reservoirs used for purposes other than pertaining to a potable water system
- Construction dewatering of water where sediment and naturally occurring parameters (e.g. metals, salts, or other physical parameters such as pH, temperature, etc.) in the ground water are the only pollutants of concern
- Groundwater discharges (not for or from remediation)
 - Pump/well testing
 - Well development water
 - Dewatering discharges
- Other discharges that meet the definition of low-threat as determined by EPA

Eligible discharges of water supply systems or other potable water will be free from pollutants of concern except for chlorine and chlorine by-products and will meet federal

Maximum Contaminant Levels (MCLs). Eligible groundwater discharges will be free from pollutants of concern except for sediment and naturally occurring parameters. Some wastewaters, although not contaminated, have the potential to cause undesirable discharge effect due to high flow or volume; in such cases, the discharge becomes low threat when proper management controls are designed and implemented to avoid environmental effects.

In order to be covered under the LTGP the applicant will identify any contaminants of concern (naturally occurring or otherwise) that are believed to be present in the discharge and to describe the treatment and BMPs that will be used to ensure that the discharge does not cause a violation of the effluent limits or other specified requirements in the permit, or cause effects detrimental to the receiving water body or surrounding environment that are in violation of this LTGP.

D. Ineligible Discharges

Discharges that EPA does not consider low-threat for the purposes of this LTGP include but are not limited to:

- Discharges containing domestic wastewater
- Discharges resulting from non-potable water filter backwash operations;
- Discharges near or adjacent hazardous waste sites, soil or groundwater remediation sites, or where discharge activities may encounter polluting constituents in groundwater that are naturally occurring in these waters
- Discharge from mining activities
- Discharges from leaking chemical and fuel tanks
- Discharges of industrial waste
- Discharges that would require extensive biological or chemical treatment in order to meet effluent limits or relevant water quality standards
- Discharges of non-contact cooling water
- Discharges of ongoing operation of permanent domestic or industrial water or wastewater treatments plants or industrial processes
- Discharges that are uncharacterized or insufficiently characterized to establish suitability for coverage as low-threat
- Discharges containing additives associated with water treatment or industrial use (other than chlorine for potable water use)

- Discharges of groundwater, surface water, or potable water associated with the on-going testing of pipes, tanks or vessels that have been used to store or transport petroleum, natural gas, or any other substance other than potable water
- Discharge of accidental or unplanned releases from any source
- Discharge of wastewater with pollutants of concern other than those for which effluent limits are specified in this LTGP
- Any other discharges that do not meet the definition of low-threat as determined by the Regional Administrator pursuant to this LTGP

E. Geographic Coverage of Permit

This permit provides coverage for low threat discharges that occur in the Navajo Nation including Navajo Nation Reservation lands in New Mexico and Utah where EPA Region IX is the NPDES permitting authority. A map of the lands covered by this permit is attached as an appendix to the permit for ease of determination of geographic coverage of the permit.

For such discharges in Region IX under the NPDES permitting jurisdiction of a State but outside the areas of coverage above, the State NPDES permitting authority must be contacted to provide coverage under a State-issued NPDES low threat or de minimis permit or under a State-issued individual permit.

PART II: AUTHORIZATION REQUIREMENTS

A. Category of Discharge:

Discharges that meet the requirement for eligibility pursuant to PART I. C. above and fall into one the following categories are authorized for coverage under the LTGP

1. Category I

A discharge from a single outfall of 0.10 MGD or less, AND
A discharge of 30 days or less.

2. Category II

- a. A discharge from a single or multiple outfalls of 0.50 MGD or less (cumulative if multiple outfalls), AND

A discharge of 30 days or less.

- b. A discharge from a single or multiple outfalls of 0.05 MGD or less, AND
A discharge of 30 days or more (continuous or intermittent).

B. Application Requirements:

1. Notice of Intent (NOI)

In order to apply for coverage under this LTGP the applicant in either Category I or Category II must submit a Notice of Intent (NOI) letter and provide all of the supplemental information that it requires pursuant to 40 CFR Section 122.28(b). The requirements are also described in the LTGP itself. In particular the applicant must provide facility information, discharge information, receiving water information, and data that are representative of the discharge. For all discharge types, the applicant must certify that the discharge complies with screening criteria that are described in the LTGP permit. For instance the applicant must certify that the discharge contains no known contaminants of concern (COCs). For potable water related discharges, the applicant must also certify that the discharge meets federal Maximum Contaminant Levels (MCLs). See below for the screening requirements of Category I and Category II dischargers.

Table 1. NOI Screening for Category I discharges			
Parameter	Units	Screening Value	Notes
Total Residual Chlorine	µg/L	11 (4-day average) 19 (1-hour average)	(1)
pH	S.U.	within the range 6.0 to 9.0	
Turbidity	NTUs	50	
Electrical conductivity @ 25°C	µmhos/cm		
Dissolved Oxygen	mg/L	No less than 5	
Constituents with MCLs	--	The discharge meets MCLs for all constituents	(2)

COCs and water treatment additives	--	The discharge has no known COCs and does not contain additives apart from chlorine.	(2)
Color Odor	--	not objectionable	(3)
Floating solids Settled solids Suspended solids Foam Other indicators of pollution	--	no pollutants present to settle to form objectionable deposits; float as debris, scum, oil, or other matter forming nuisances	(3)
Oil sheen		Absent	(3)
Total Suspended Solids	mg/L	30 (30-day average) 45 (7-day average)	

1. For chlorinated discharges. If discharge does not meet the chlorine discharge limit, the NOI must provide the method of de-chlorination that will be used to meet the limit.
2. Based on data
3. Based on visual inspection

NOI Screening for Category II dischargers

In addition to the screening requirements for Category I dischargers, Category II dischargers must conduct a priority pollutant scan to determine whether there is reasonable potential for discharge of pollutants considered to be of principal importance for control under the CWA; a list of these pollutants is provided as Appendix A to 40 CFR Part 423.

For Category I discharges, the complete NOI must be submitted a minimum of 14 days before commencing the planned discharge; for Category II discharges, the complete NOI must be submitted a minimum of 30 days before commencing the planned discharge.

C. Best Management Practices Plan (BMPP)

Pursuant to 40 CFR Section 122.2, Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of “waters of the United States.” BMPs may

include, but are not limited to, treatment requirements, operating procedures, or practices to control plant site runoff, spillage, etc. In the context of the LTGP such BMPs primarily include but are not limited to flexible practices or procedures that can be used to prevent pollutants from entering receiving waters or other effects such as erosion and flooding.

The Best Management Practices Plan (BMPP) must describe the BMPs that will be implemented to ensure that the discharges proposed for coverage under this LTGP do not threaten receiving water quality. The BMPP must be prepared before or concurrently with when the NOI letter is submitted to EPA for permit coverage. The requirements for the BMPP for all discharges as well as specific requirements for particular categories or classes of discharges (e.g. hydrostatic test discharges) are specified in the LTGP.

D. Authorization and Termination

1. Authorization

Applicants must submit a complete NOI letter requesting coverage at least fourteen (14) or at least thirty (30) days before the expected start of discharge based on the Category of Discharge as provided in Table 2. below

Table 2: NOI Submittal Deadlines/Discharge Authorization Dates		
Category	NOI Submission Deadline	Discharge Authorization Date¹
<u>Category I:</u> – discharges of 0.10 MGD or less from a single outfall AND – 30 days or less duration.	As soon as possible but 14 days before commencing planned discharge.	14 days after receipt of the application from EPA, unless EPA contacts the applicant to deny coverage or request additional information.
<u>Category IIa:</u> – discharges of 0.50 MGD or less from a single or multiple outfalls AND – 30 days or less duration.	A minimum of 30days prior to commencing planned discharge.	30 days after receipt of the application from EPA, unless EPA contacts the applicant to deny coverage or request additional information.

<u>Category IIb:</u> – discharges of 0.05 MGD or less from a single or multiple outfalls AND – 30 days or more duration. ¹	A minimum of 30 days prior to commencing planned discharge.	30 days after receipt of the application from EPA, unless EPA denies coverage or requests additional information. ²
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1. The duration of permit coverage shall not exceed the life of the Permit. The applicant shall reapply for coverage when the Permit is renewed.
2. Based upon review of the NOI or other information, EPA may delay authorization for further review, notify the applicant that additional effluent limitations are necessary, or may deny coverage under this permit and require submission of an application for an individual NPDES permit. In these instances, EPA will notify the applicant (in writing) of the delay, of the need for additional effluent limits, or of the request for submission of an individual NPDES permit application.

2. Termination

Coverage terminates automatically 31 days after the commencement of discharge for facilities that obtained coverage under Category I. and II.a. To terminate permit coverage, under Category II.b. an operator must submit a complete and accurate Notice of Termination (NOT). Information required to be included in a NOT is provided in the LTGP. Authorization to discharge under the LTGP terminates at midnight of the day that a complete NOT is processed and the permittee or operator seeking termination is notified. The NOT for the facility will also be duly posted on EPA Region IX's NPDES Permits webpage.

PART III: EFFLUENT LIMITATIONS

A. Technology-Based Effluent Limits

There are two approaches for developing technology-based effluent limits for industrial facilities: (1) using national effluent limitations guidelines (ELGs) and (2) using Best Professional Judgment (BPJ) on a case-by-case basis (in the absence of ELGs). The intent of a technology-based effluent limitation is to require a minimum level of treatment for point sources based on currently available treatment technologies while allowing the discharger to use any available control technique to meet the limitations. Since industrial discharges and discharges from wastewater treatment plants are not eligible to be covered under this LTGP, no ELGs or secondary standards were available to develop technology based effluent limitations. Instead, BPJ was used to derive technology-based effluent limitations proposed in this permit.

Discharges that are eligible for coverage under this LTGP are considered high-quality wastewaters that are relatively pollutant-free and pose no or minimal threat to water quality. Technology-based effluent limitations were established for two categories of low-threat discharges that are anticipated: potable water discharges and ground water discharges.

EPA anticipates that the wastewater from potable water discharges will not contain contaminants at concentrations of concern apart from residual chlorine or solids that may have settled in the distribution system. Effluent limitations for potable water discharges were established for chlorine, oil and grease, turbidity, settleable solids, suspended solids, and pH. Additionally, the discharge must meet federal MCLs.

Wastewater from ground water discharges covered under this LTGP will not contain contaminants apart from naturally-occurring parameters, including sediments, dissolved solids, and turbidity. Effluent limitations for ground water discharges were established for oil and grease, turbidity, settleable solids, dissolved solids, suspended solids, and pH.

Flow is limited for all discharges such that no single discharge event shall exceed 0.50 MGD over a period of 30 days or less (of continuous flow), or over 0.05 MGD over a period of 30 days or more (of continuous flow, or intermittent flow). Flow must be monitored during each discharge event.

B. Water-Quality Based Effluent Limits

CWA section 301(b)(1)(C) requires that permits include any effluent limitations necessary to meet water quality standards. Such water quality standards in the case of this permit includes the current Navajo Nation Water Quality Standards which have been approved by EPA, as well as federal water quality standards that EPA may consider on a best professional judgment basis. With few exceptions (e.g. chlorine), discharges that are eligible for coverage under this LTGP do not contain pollutants in concentrations that cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality standard. EPA expects that compliance with other conditions in this permit (e.g. the technology-based limitations, best management practices, narrative limitations, etc.) will result in discharges that meet applicable water quality standards; there are no specific water quality-based limitations (WQBELs) in this LTGP. However, EPA may impose additional, more stringent WQBELs, on a site-specific basis if information suggests that the discharge is not controlled sufficiently to meet applicable water quality standards.

C. Narrative Limits

Standard narrative limitations based on the Navajo Nation Surface Water Quality Standards are included in the LTGP.

D. Standard Permit Conditions

Standard permit conditions pursuant to 40 CFR Section 122.41 applicable to all permits issued by EPA Region IX are included in the LTGP.

PART IV: MONITORING AND REPORTING REQUIREMENTS

The monitoring and reporting requirements required under the LTGP are for those parameters that are most likely to be of concern in discharges that qualify as low-threat as defined in Part I. B. above, and therefore likely to be found in discharges from entities seeking coverage under this General Permit.

The individual limitations and monitoring requirements in the LTGP are listed in Table 3. Below:

Table 3. Effluent Limitations and Monitoring Requirements for all Low-threat Discharge Activities.

Parameter	Units	Daily Max. /Min. Limits	Monthly Average Limits ¹	Sample Type ^{2,3}	Monitoring Frequency	Notes
ALL DISCHARGES						
Flow	MGD	Report (MGD)	Report (MGD)	Metered	Continuous	(4), (5) (6)
pH	SU	must remain within 6.0 and 9.0		discrete	(7)	(5)
Total Suspended Solids	mg/L	30	10	discrete	(7)	
Oil and Grease		(8)			(7)	
Turbidity	NTUs	50	10		(7)	
GROUNDWATER DISCHARGES						
Total Dissolved Solids (Electrical Conductivity @ 25 °C)	µmhos/c m	(9)		Discrete	(7)	(5)
POTABLE WATER DISCHARGES						
Total Residual Chlorine	µg/L	<u>19</u>	<u>11</u>		(7)	(5), (10)

1. Average monthly limit applies to Category II discharges, regardless of whether the duration of discharge reaches 30 days. The permittee shall report exceedances of any limits for each parameter regardless of monitoring frequency. For example, monthly limits shall be met even when only monitoring once per month. The permittee may monitor more frequently than required for any parameter.
2. Samples must be collected at a point immediately following discharge from the vessel and prior to commingling with storm water, wastewater, or other flows. For Category I discharges that extend beyond one hour duration, a second sample shall be collected from the last 10% of the effluent. The Discharger must confirm that the EL is met before discharge for field-tested parameters.
3. For hydrostatic testing, grab samples shall be taken of the hydrostatic test water being discharged as it leaves the equipment, piping, or vessels being tested at the beginning and at the end of the discharge and two times during the discharge at evenly spaced time intervals. Each grab sample shall be tested individually, and the highest result reported.
4. The flow must be below the threshold established for each particular Category of discharger as described in Part II. A of the permit
5. Field-testing is permitted, using suitable methods, for flow, pH, total residual chlorine, and electrical conductivity. The permittee shall cease discharge if any of the field-tested parameters exceeds the effluent limitation.
6. Monitor and report only, no numeric effluent limitation. Where no numeric limit is listed, the narrative standards in Part III.2.3 of this permit still apply. The permittee must implement BMPs to control the discharge of these constituents, as appropriate, when they are known or suspected to be present in the discharge.
7. Minimum monitoring frequency of once/discharge Category I. and II. a. ; once/month Category II b.
8. Oils, greases, waxes, floating material shall not create a nuisance or adversely affect beneficial uses.
9. Total Dissolved Solids may be measured indirectly by measuring electrical conductivity. No limit set but monitoring and reporting required.
10. The dechlorination method must be disclosed in the NOI.

The Rationale for specific limits provided in the table above are as follows:

Flow:

The flow must be below the threshold for the particular Category as described in Part II. A. above that the permittee is seeking coverage under in this LTGP. A permittee seeking coverage under Category I. shall not exceed a maximum flow of 0.1 MGD or 100,000 gallons per day from the permitted outfall. A permittee seeking coverage under Category II. a. shall not exceed a maximum cumulative flow of 0.5 MGD or 500,000 gallons per day from the permitted outfall or outfalls. A permittee seeking coverage under Category II. b. shall not exceed a maximum cumulative flow of 0.05 MGD or 50,000 gallons per day from the permitted outfall or outfalls.

pH

The limit of between 6.0 and 9.0 standard units is based on the minimum secondary treatment standards for wastewater established under 40 CFR Section 122.45

Total Suspended Solids (TSS)

The TSS daily maximum limit of 45 milligrams per liter and the monthly average limit of 30 milligrams per liter are based on minimum secondary treatment standards for wastewater established under 40 CFR 133.102(b)

Oil and Grease

No numeric limits have been established, but the permittee must meet the narrative requirement that the effluent not have oils, greases, waxes, floating material in amounts that create a nuisance or adversely affect beneficial uses.

Turbidity

The turbidity daily maximum limit of 50 NTUs and monthly average limit of 10 NTUs is based on best professional judgment (BPJ) taking into account the CWA 304(a) National Recommended Water Quality Criteria, which defer to the narrative statement found in the Red Book Quality Criteria for Water, 1976.

Total Dissolved Solids (TDS)

No numeric limits have been established, but the permittee must meet the narrative standards requirement that the discharge not produce objectionable color, odor, taste or turbidity; or produce adverse physiological responses in humans, animals or plants.

Total Residual Chlorine (TRC)

The TRC daily maximum limit of 19 micrograms per liter and the monthly average limit of 11 micrograms per liter are based on the Navajo Nation Surface Water Quality Standards.

PART V: ESA AND NHPA

A. Endangered Species Act

Section 7 of the Endangered Species Act (ESA) of 1973 (16 U.S.C. § 1536) requires federal agencies to ensure that any action authorized, funded, or carried out by the federal

agency does not jeopardize the continued existence of a federally listed or candidate species, or result in the destruction or adverse modification of its habitat.

The scope of the action authorized by the EPA pursuant to this proposed NPDES permit is to allow discharge from wastewater sources that are classified as low-threat sources. Low-threat discharges are clean or relatively pollutant-free wastewaters that present no or minimal threat to water quality for the environment when managed properly. Discharges that are eligible for coverage under the LTGP are generally intermittent, low volume, and/or short-term in nature and do not contain pollutants in concentrations that cause, have the reasonable potential to cause, or contribute to an excursion above any applicable water quality criterion. Discharges covered under this LTGP pose minimal threat to water quality in receiving waters, and so are unlikely to jeopardize the continued existence of a federally listed or candidate species, or result in the destruction or adverse modification of its habitat. However, since the specific geographic locations of facilities covered under the LTGP is currently unknown, each applicant must submit information regarding federally listed or candidate endangered species, and protected habitat found in the vicinity of the applicant's proposed discharge location. The procedure for each applicant to follow to comply with the requirements of the ESA are detailed in Attachment C. of the permit.

B. National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effect of their undertakings on historic properties that are either listed on, or eligible for listing on, the National Register of Historic Places.

The scope of the action authorized by the EPA pursuant to this proposed NPDES permit is to allow discharge from wastewater sources that are classified as low-threat sources. Low-threat discharges are clean or relatively pollutant-free wastewaters that present no or minimal threat to water quality for the environment when managed properly. Since the specific geographic locations of facilities covered under the LTGP is unknown, each applicant must submit information regarding historic properties that are listed on or eligible for listing on, the National Register of Historic Place found in the vicinity of the applicant's proposed discharge location, for the USEPA and the appropriate State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) to evaluate. The procedure for each applicant to follow to comply with the requirements of the NHPA are detailed in Attachment D. of the permit

PART VI: OTHER CONSIDERATIONS UNDER FEDERAL LAW

A. Antidegradation

EPA's antidegradation policy at 40 CFR Section 131.12 requires existing water uses and the level of water quality necessary to protect the existing uses to be maintained.

Due to the nature of the discharge activities, management practices that ensure clean or relatively pollutant-free wastewaters, and the effluent limitations designed to be comparable to wastewater that has received a high level of treatment, it is not expected that the discharge will adversely affect the receiving water.

B. Anti-Backsliding

Section 402(o) of the CWA prohibits the renewal or reissuance of an NPDES permit that contains effluent limits less stringent than those established in the previous permit, except as provided in the statute. The LTGP permit is not a renewal and therefore does not allow backsliding.

C. Environmental Justice

EPA has conducted a screening level evaluation of the potential impact of this permit using EPA's EJSCREEN tool. As the exact location of potential facilities that may be authorized pursuant to this permit is indeterminate, EPA instead evaluated the evaluated demographic characteristics of the population of the Navajo Nation, which indicated that the population may be at relatively higher risk if exposed to environmental contaminants than the national population. Demographic characteristics that showed potentially sensitive scores were a high proportion of minority and low-income population and population with less than high school education.

EPA concludes that the facilities authorized to discharge pursuant to this permit are unlikely to contribute to any EJ issues, as permit coverage is restricted to facilities that discharge relatively pollutant-free wastewaters that are intermittent, low volume, and/or short-term in nature and present no or minimal threat to water quality for the environment when managed properly. EPA believes that implementing the limits established in this permit which require compliance with the provisions of the Clean Water Act, are designed to ensure full protection of human health and the environment and ensure that the discharges will not cause or contribute to human health risk in the vicinity of the facilities covered by the permit.

D. Water Quality Certification Requirements

Pursuant to 40 CFR sections 124.53 and 124.54 USEPA is requesting certification from the Navajo Nation, that the proposed permit will meet all applicable water quality standards.

PART VII: ADMINISTRATIVE INFORMATION

A. Administrative Record

The Administrative Record for the LTGP and any additional information related to this proposed permit is available at:

U.S. Environmental Protection Agency, Region IX
CWA Standards & Permits Office Mail Code: WTR-5
75 Hawthorne Street
San Francisco, California 94105
Telephone: (415)972-3516
Attn: Gary Sheth

B. Public Notice and Comment/Public Hearing

Pursuant to 40 CFR section 124.10 the public notice is the vehicle for informing all interested parties and members of the general public of the contents of a draft NPDES permit or other significant action with respect to an NPDES permit or application. A copy of the proposed draft permit and draft factsheet will be mailed to all potential stakeholders both electronically and via the United States Post, and a copy of the proposed draft permit and factsheet will also be posted on USEPA Region IX's website at: <http://www.epa.gov/aboutepa/region9.html> with a minimum of 30 days provided for interested parties to respond in writing to USEPA. After the closing of the public comment period, USEPA will respond to all significant comments at the time a final permit decision is reached or at the same time a final permit is actually issued.

A public hearing may be requested in writing by any interested party. The request should state the nature of the issues proposed to be raised during the hearing. A public hearing will be held if EPA determines there is a significant amount of interest expressed during the 30-day public comment period or when it is necessary to clarify the issues involved in the permit decision.

PART VIII: REFERENCES

EPA. 1991. *Technical Support Document for Water Quality-based Toxics Control*. Office of Water, EPA. EPA/505/2-90-001.

EPA. 2010. *U.S. EPA NPDES Permit Writers' Manual*. Office of Water, EPA. EPA-833-K-10-001.

NNEPA Water Quality Program. 2008. *Navajo Nation Surface Water Quality Standards 2007*

USFWS 2017. *List of threatened and endangered species for the APS Four Corners Power Plant*.

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