

**RESPONSE TO COMMENTS  
FINAL PERMITTING DECISION**

Response to comments received on the subject draft permit in accordance with regulations promulgated at 40 CFR Part 124.17 are as follows:

Permit No.: AR0047384

Applicant: Anthony Forest Products Company (AFP) - Urbana Sawmill

Prepared by: Shane Byrum

Public Notice Date: The draft permit was publicly noticed on 3/14/2012.

The following comments have been received on the draft permit:

Correspondence from Stephen Murphy, AFP to Shane Byrum, ADEQ dated 4/4/2012.

**ISSUE #1**

Effluent limitations for Total Suspended Solids (TSS) were added to the permit. The previous permit did not contain TSS limits, only monitoring and reporting requirements. The draft permit has numerical limits of 35 mg/l (monthly average) and 53 mg/l (daily maximum). The fact sheet stated that due to a lack of technology-based limits or water quality-based limits, the TSS limits included in the draft permit were based on best professional judgement using the typical limits imposed on other facilities with similar wet decking operations.

AFP commented that the TSS limitations are not necessary since the permit already contains a limitation on debris discharged and a requirement that there can be no discharge of distinctly visible solids, scum or foam of a persistent nature, nor shall there be any formation of slime, bottom deposits, or sludge banks. AFP requested that the TSS limits be removed and report only requirements be continued through the next permitting cycle. AFP also requested that if the TSS limits are not removed, a three year compliance schedule be granted as is allowed by Regulation No. 2.

**RESPONSE #1**

The Department does not agree to remove the TSS limits. The TSS effluent limits have been included in the permit since the water used to wet the logs and stormwater that the raw materials are exposed to has the potential to carry suspended solids, and to ensure that the sedimentation ponds are properly operated and regularly maintained so that adequate detention time in the ponds is maintained in order to achieve proper sedimentation of the suspended solids in the stormwater runoff and wet deck runoff prior to discharging to Waters of the State. Although the permit contains a requirement to not discharge any visible debris or solids, not all TSS measured in the water column is readily visible with a simple visual observation. TSS can cause turbidity in the receiving water if discharged at elevated concentrations. TSS can also impact the benthic environment after settling in the receiving stream. Suspended solids that settle in the receiving

stream can exert an oxygen demand in the receiving stream which can contribute to unacceptable dissolved oxygen sags in the receiving stream as a result of high suspended solids. Due to the lack of technology based limits or water quality limitations, the TSS limits have been determined based on best engineering judgment using the typical values assigned to numerous other wet decking operations with similar operations. Several other facilities with similar operations which contain TSS limits of 35 mg/l (monthly average) and 53 mg/l (daily maximum) include, but are not limited to, AR0047902, AR0047911, AR0048232, AR0047503, AR0050482, and AR0044474.

A three year schedule of compliance is being provided to achieve compliance with the new TSS limits as allowed by Reg. 2.104. The Department is granting the full three year allowance because during the past five years the facility has only discharged during only one month (June 2011) of the permit term, therefore at this time there is not enough TSS data on the discharge to determine if additional control measures will be needed to consistently meet the limit. Therefore, a three year compliance schedule will enable more data to be collected on concentrations of TSS discharged so that the facility can determine what additional control measures, if any, will be necessary to achieve consistent compliance with the TSS limits.

#### ISSUE #2

The draft permit contains a dissolved oxygen limit of 2.0 mg/l expressed as an instantaneous minimum. AFP commented that the previous permit expressed this limitation as a monthly average minimum. AFP requested that the dissolved oxygen limit be expressed as a monthly average minimum as in the previous permit.

#### RESPONSE #2

The numerical value of the dissolved oxygen limitation was not changed from the previous permit. However, the limitation is now expressed as an instantaneous minimum rather than a monthly average minimum because dissolved oxygen standards must be met in the receiving stream at all times in accordance with Reg. 2.505. Facilities are no longer being allowed to average the dissolved oxygen readings throughout the month to demonstrate compliance with an instantaneous standard. Therefore, the dissolved oxygen limit in the final permit will remain at 2.0 mg/l, but expressed as an instantaneous minimum rather than a monthly average minimum. Further clarification for this change was added to Section 13 of the Statement of Basis.

#### ISSUE #3

Part 1B of the draft permit requires the facility to acquire a licensed Class I wastewater treatment operator within 6 months after the effective date of the permit. AFP requested to extend this deadline to 12 months after the effective date of the permit because of concerns that 6 months would not be an adequate amount of the time to obtain a licensed operator.

#### RESPONSE #3

ADEQ records indicate that ADEQ issued general permit number ARG550398 for the domestic wastewater treatment system serving the office building on 10/17/2011. This general permit

requires a licensed Class II wastewater operator on the date of permit coverage. Phone conversation with the facility's consultant on 4/17/2012 confirmed that the facility currently have a licensed Class II operator. It was not the Department's intention to require the facility to obtain an additional operator. The current operator used by the facility satisfies Condition No. 1 of Part II. The phrase "Within six months after the effective date of this permit" will be removed from Condition No. 1 of Part II since the facility currently has a licensed operator, thus there is no need to include a deadline to acquire a licensed operator since the facility is already compliant with this requirement.

#### ISSUE #4

Condition No. 8 of Part II of the draft permit requires that stormwater runoff that is commingled with wet deck runoff, boiler blowdown, kiln condensate, make-up water, and treated domestic wastewater discharged from Outfall 001 be managed with Best Management Practices (BMPs) to control the quality of stormwater discharges associated with industrial activity that is authorized by this permit. AFP stated that since permitted Outfall 001 already contains numerical limits to monitor the quality of the discharge, then meeting these numerical limits should indicate that the facility is implementing appropriate management practices which removes the necessity to include BMP requirements in this permit. AFP requested that this condition be removed from the permit since this permit already includes numerical limitations on the discharge of stormwater from Outfall 001.

#### RESPONSE #4

As stated in Condition No. 9 of Part III, this NPDES individual permit will not cover any stormwater discharged at outfalls other than outfall 001. Therefore, in lieu of imposing stormwater pollution prevention plan requirements for stormwater discharged at Outfall 001, this individual permit requires the stormwater runoff that is ultimately discharged at Outfall 001 to simply be managed with BMPs. The broad nature of the language in Condition 8 and the definition of BMPs in Condition 4 is intended to give the facility flexibility to choose what type of BMPs are necessary based on site specific conditions. Using BMPs to manage the stormwater runoff that flows to the sedimentation ponds associated with Outfall 001 will aid the facility in meeting the numerical limits assigned in this permit for Outfall 001. This stormwater may also potentially contain several other pollutants that are not assigned limits in the permit. The use of BMPs will also serve to control the quantity of these potential pollutant as well. Therefore, Condition No. 8 of Part II will remain in the permit.