May 2017
FACT SHEET
Authorization to Discharge under the National Pollutant Discharge Elimination System For the Navajo Tribal Utility Authority – Northern Edge Navajo Casino Wastewater Treatment Facility NPDES Permit No. NN0030343

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I. SUMMARY

The existing National Pollutant Discharge Elimination System ("NPDES") permit was issued to Navajo Tribal Utility Authority ("NTUA") Northern Edge Navajo Casino wastewater treatment facility in San Juan County, New Mexico on January 27, 2012 and expired on January 31, 2017. An application to renew the permit was submitted to U.S. EPA on or about December 14, 2016, pursuant to the EPA regulations set forth in Title 40, Code of Federal Regulations ("CFR") Part 122.21. This fact sheet is based on information provided by the discharger through its application, along with the appropriate laws and regulations

Pursuant to Section 402 of the Clean Water Act ("CWA"), the U.S. EPA is issuing this permit to NTUA for the discharge of treated domestic wastewater to receiving waters which is an unnamed wash located on the Navajo Nation, and a tributary to the San Juan River, a water of the United States. See Appendix E. of the permit for a map of the location.

II. SIGNIFICANT CHANGES TO PREVIOUS PERMIT

1. The permit, though similar to the previous permit issued in 2012, introduces a different calculation for determining compliance with total ammonia. In addition, measurements for temperature are required to be taken concurrently with ammonia and pH measurements.

2. The permit includes a new requirement for submitting Discharge Monitoring Reports ("DMRs") electronically through EPA's NetDMR system.

3. The permit also includes a new requirement for submitting annual biosolids reports electronically using U.S. EPA's NPDES Electronic Reporting Tool ("NeT").

III. GENERAL DESCRIPTION OF FACILITY

NTUA operates the Northern Edge Navajo Casino wastewater treatment plant located in Upper Fruitland, San Juan County, New Mexico, which is in the northeastern portion of the Navajo Nation. The Northern Edge Navajo Casino is a Publicly Owned Treatment Works ("POTW") that meets the definition of a minor discharger. The facility serves a population of approximately 3000-plus, casino guests and employees and receives domestic sewage only. There is not a hotel or any other residential services that are part of the collection system therefore the influent is equally concentrated.

The Northern Edge Navajo Casino plant is a Membrane Batch Reactor ("MBR"), with an average design flow of 0.03 million gallons per day ("MGD"). The plant is monitored by the Supervisory Control and Data Acquisition ("SCADA") system. This is a computer-monitored alarm, response, control and data acquisition system used by the operator to monitor and adjust treatment processes. The casino collection system transfers wastewater by gravity through an 8-inch pipe to the wastewater facility. Once the wastewater enters the facility it is screened for grit by a drum screen that is sized for a peak flow of 212 gallons per minute ("GPM"). The winterized drum screen has 2 micron perforations. The screened material is transferred to a certified landfill approximately once per month.

Wastewater will then flow to an equalization tank with active volume of 15,000 gallons. The tank is designed to provide instantaneous flows at peak usage from the casino. The equalization tank is designed to feed the MBR package plant at a rate not to exceed 42 GPM. Influent flow is measured prior to entering the MBR plant. The MBR consists of three phases and is designed to handle the 30,000 gallons per day low flow load. The first section is the anoxic zone where a submersible mixer mixes influent with the return activated sludge. Flow is then advanced to the second phase which is the aerobic zone, where the mixed liquor is aerated with bubble diffusers. The waste activated sludge is removed from the bottom of these tanks. Following this biological treatment, wastewater is sent to one of two membrane units which operate in parallel. The two membrane tanks house the membrane modules and air scour equipment. The membranes are cleaned with a 50% citric acid and 50% caustic soda mixture. All solids from the MBR system will be conveyed to a steel roll off container lined with filter cloth and filtered to dry for a minimum of 20 days before being disposed of at a certified landfill. All the liquid filtered will be drained back into the influent pump station. Once the wastewater has completed the MBR process, the permeate is

pumped to a holding tank. When the tank level reaches 1.6 feet, the effluent pump turns on and sends the wastewater to disinfection. The effluent flow meter is located prior to two ultraviolet ("UV") units. The UV units operate in parallel with only one unit typically in operation at a time. The units alternate once a month. The UV system incorporated Low-Pressure High-Output Inline UV. Effluent samples are taken immediately following UV disinfection. Flow is then captured in a second equalization tank before discharge. Effluent is discharged through a 6-inch pipe (Outfall No. 001) into an unnamed wash, a tributary to the San Juan River. The San Juan River is approximately 0.7 miles downstream and the Navajo Nation boundary is approximately 0.3 miles downstream.

For odor control, a scrubber is positioned at the pump station/equalization tank, the screenings dumpster, and the dewatering filter roll-off container. A spare scrubber is available for use when needed. In addition, the permittee would like the option to apply the disinfected wastewater to the casino irrigation system. To prevent growth in the irrigation system, sodium hypochlorite will be injected downstream of the UV if the reuse system is allowed to operate.

On June 24, 2016, the Navajo Nation EPA ("NNEPA") conducted an NPDES compliance evaluation inspection which revealed TSS % removal and *E. coli* exceedances in January 2015. This was a result of UV lamps being coated with activated sludge and grease residuals. Operator cleaned the UV chamber and lamp sleeves and put back in service. Since then there have not been any exceedances and the facility appears to be operating well with no outstanding issues.

IV. DESCRIPTION OF RECEIVING WATER

The discharge of treated domestic wastewater is to a non-perennial Unnamed Wash, a tributary to the San Juan River, which is a water of the United States.

V. EFFLUENT CHARACTERISTICS

The applicant indicated the following effluent characteristics in its application based on sampling carried out during the past permit cycle:

Parameter	Mo. Avge.	Daily Max.	No. of Samples
BOD-5	4.18 mg/L	12.70 mg/L	36
E.coli	97.6 #/100ml	2419.6 #/100 ml	36
TSS	6.51 mg/L	24.80 mg/L	36
Ammonia	2.42 mg/L	34.90 mg/L	36
TDS	728.42 mg/L	1026.00 mg/L	12

The applicant indicated that it had performed a priority pollutant scan in May and July 2012 using two accredited laboratories. The results indicated no exceedances or reasonable potential for exceedance of any parameters.

VI. BASIS OF PERMIT REQUIREMENTS

Section 301(a) of the CWA provides that the discharge of any pollutant to waters of the United States is unlawful except in accordance with a NPDES permit. Section 402 of the Act establishes the NPDES program. The program is designed to limit the discharge of pollutants into waters of the United States from point sources [40 CFR 122.1(b)(1)] through a combination of various requirements including technology-based and water quality-based effluent limitations.

Sections 402 and 301(b)(1)(C) of the CWA require that the permit contain effluent limitations to meet water quality standards. Specifically, the regulation under 40 CFR 122.44(d) states that an NPDES permit must contain:

"Water quality standards and State requirements: any requirements in addition to or more stringent than promulgated effluent limitations guidelines or standards under Sections 301, 304, 306, 307, 318 and 405 of CWA necessary to:

(1) Achieve water quality standards established under section 303 of the CWA, including State narrative criteria for water quality.

Section 40 CFR 122.44(d)(i) states the following:

"Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality."

The permit limitations in this permit are based on the following:

A. Navajo Nation Surface Water Quality Standards

In accordance with 40 CFR 122.44(d), the need for discharge limitations for all pollutants that may impact applicable water quality criteria and water quality standards must be evaluated. As part of this evaluation, discharge limitations are based on applicable water quality standards. U.S. EPA approved the 1999 Navajo Nation Surface Water Quality Standards ("NNSWQS"), on March 23, 2006. The NNSWQS were revised in 2007 and approved by U.S. EPA on March 26, 2009. A 2015 *draft* NNSWQS revision has been under review by U.S. EPA. The approved 1999 NNSWQS, the 2007 revisions and the 2015 *draft* will be used on a best professional judgment ("BPJ") basis for purposes of developing water quality based effluent limitations. The requirements contained in the permit are necessary to prevent violations of applicable water quality standards.

B. Applicable Technology-Based Effluent Limitations, Water Quality-Based Effluent Limitations ("WQBELs) and BPJ

Technology-based effluent limitations require minimum levels of treatment based on currently available treatment technologies. Section 301 of the CWA established a required performance level, referred to as "secondary treatment", that all POTWs were required to meet by July 1, 1997. Federal secondary treatment effluent standards for POTWs are contained in Section 301(b)(1)(B) of the CWA. Implementing regulations for Section 301(b)(1)(B) are found at 40 CFR Part 133. The CWA requires POTWs to meet performance-based requirements based on available wastewater treatment technology. These technology-based effluent limits apply to all municipal wastewater treatment plants, and identify the minimum level of effluent quality attainable by secondary treatment in terms of Five-Day Biochemical Oxygen Demand ("BOD_5") and Total Suspended Solids ("TSS"). The requirements contained in the permit are necessary to prevent violations of applicable treatment standards.

VII. DETERMINATION OF NUMERICAL EFFLUENT LIMITATIONS

Typical pollutants of concern in untreated and treated domestic wastewater include ammonia nitrate, oxygen demand, pathogens, temperature, pH, oil and grease, and solids. U. S. EPA proposes the following provisions and effluent discharge limitations for flow, BOD_5, TSS, *E. coli*, total dissolved solids ("TDS"), Total Residual Chlorine ("TRC") and ammonia taken concurrent with temperature and pH measurements. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge by prior to into receiving water.

A. Federal Secondary Treatment Effluent Discharge Limitations

The permit contains discharge limitations for BOD_5, TSS and priority toxic pollutants. For both BOD_5 and TSS, the arithmetic means of values, by weight, for effluent samples collected in a period of 30 consecutive calendar days cannot exceed 15 percent of the arithmetic mean of values, by weight, for influent samples collected at approximately the same times during the same period.

Discharge Limitations					
Discharge Parameter	Units	Average Monthly	Average Weekly	Maximum Daily	Monitoring Frequency
Flow[1]	MGD	--[2]	n/a	--[2]	Instantaneous
BOD_5[3]	mg/l	30	45	--	Monthly
	kg/day	3.4	5.1	--	
TSS[4]	mg/l	30	45	--	Monthly
	kg/day	3.4	5.1	--	
Priority Pollutants	µg/l	--[2]	n/a	--[2]	Once/1st Quarter during Year 5

NOTES:

1. No flow limit is set at this time but influent and effluent flows must be monitored and reported.

2. Monitoring and reporting required. No limitation is set at this time.

3. Under 40 CFR Section 133.102, the discharge limits for BOD_5 shall not exceed a monthly average of 30 mg/l and a weekly average of 45 mg/l. The mass limits are calculated based upon the 0.03 MGD design flow.

4. Under 40 CFR Section 122.45(f), the discharge limits for TSS shall not exceed a monthly average of 30 mg/l and weekly average of 45 mg/l. These limitations (Alternative State Requirements) are consistent with 40 CFR 133.101(f), 133.103(c), 133.102(b). The mass limits are calculated based upon the 0.03 MGD design flow.

5. Priority Pollutants: During Year 5 of the permit, the permittee shall monitor for the full list of priority pollutants in the Code of Federal Register (CFR) at 40 CFR Part 423, Appendix A. No limit is set at this time. Should the results reveal levels below the Navajo Nation Surface Water Quality Standards and EPA's National Water Quality Criteria for priority pollutants, monitoring will no longer be required for the remainder of the permit cycle.

B. Water Quality Based Effluent Limitations ("WQBELs")

Water quality-based effluent limitations, or WQBELS, are required in NPDES permits when the permitting authority determines that a discharge causes, has the reasonable potential to cause, or contributes to an excursion above any water quality standard. (40 CFR 122.44(d)(1)).

When determining whether an effluent discharge causes, has the reasonable potential to cause, or contributes to an excursion above narrative or numeric criteria, the permitting authority shall use procedures which account for existing controls on point and non-point sources of pollution, the variability of the pollutant or pollutant parameter in the effluent, the sensitivity of the species to toxicity testing (when evaluating whole effluent toxicity) and where appropriate, the dilution of the effluent in the receiving water [40 CFR 122.44 (d)(1)(ii)].

U.S. EPA evaluated the reasonable potential to discharge toxic pollutants according to guidance provided in the *Technical Support Document for Water Quality-Based Toxics Control* (TSD) (Office of Water Enforcement and Permits, U.S. EPA, March 1991) and the *U.S. EPA NPDES Permit Writers Manual* (Office of Water, U.S. EPA, December 1996). These factors include:

1. Applicable standards, designated uses and impairments of receiving water

The 2007 NNSWQS and 2015 *draft* NNSWQS revisions established water quality criteria for the following beneficial uses (Unnamed Wash and the San Juan River) are defined by the NNSWQS as primary and secondary human contact, fish consumption, aquatic and wildlife habit, and livestock watering (Table 205.1, page 24).

2. Dilution in the receiving water

Discharge from Outfall No. 001 is to an unnamed wash that is a tributary to the San Juan River. This unnamed wash may have no natural flow most times of the year. Therefore, no dilution of the effluent has been considered in the development of WQBELs applicable to discharge.

3. Type of industry

Typical pollutants of concern in untreated and treated domestic wastewater include ammonia nitrate, oxygen demand, pathogens, temperature, pH, oil and grease, and solids. Chlorine is of concern when using for disinfection, therefore de-chlorination is necessary to minimize impact on WQBELs.

4. History of compliance problems and toxic impacts

The Northern Edge Navajo Casino has no history of compliance problems.

5. Existing data on toxic pollutants – Reasonable Potential analysis

No existing data is available on toxic pollutants.

B. Rationale for WQBELS

Pursuant to the narrative surface water quality standards (Section 202 of 2007 NNSWQS and Section 203 of 2015 *draft* revisions), the discharge shall be free from pollutants in amounts or combinations that cause solids, oil, grease, foam, scum, or any other form of objectionable floating debris on the surface of the water body; may cause a film or iridescent appearance on the surface of the water body; or that may cause a deposit on a shoreline, on a bank, or on aquatic vegetation.

1. Determination of Effluent Limitations for *E.coli*

Presence of pathogens in untreated and treated domestic wastewater indicates that there is a reasonable potential for *E. coli* bacteria levels in the effluent to cause or contribute to an excursion above the water quality standards. In the proposed permit, the monthly geometric mean shall not exceed 126/100 ml as a monthly average and 235/100 ml as a single sample maximum. These limits are based on the NNSWQS for primary human contact (p. 14). The monitoring frequency is once per month, consistent with the previous permit.

2. Total Dissolved Solids (TDS)

Presence of solids in untreated and treated domestic wastewater indicates that there is a reasonable potential for TDS levels in the effluent to cause or contribute to an excursion above the water quality standards. The regulations at 40 CFR 122.44(i) allow requirements for monitoring as determined to be necessary. The monitoring frequency is once per quarter, consistent with the previous permit.

3. Total Residual Chlorine (TRC)

Chlorination for disinfection purposes indicates that there is reasonable potential for TRC levels in the effluent to cause or contribute to an excursion above the water quality standards. Therefore, a TRC limit of 11µg/l has been established in the proposed permit to protect the beneficial uses of the receiving waters. If chlorination is used, the monitoring is once per month, consistent with the previous permit.

4. Ammonia (as N) and Ammonia Impact Ratio ("AIR")

Presence of ammonia in untreated and treated domestic wastewater indicates that there is a reasonable potential for levels in the effluent to cause or contribute to an excursion above the water quality standards. In accordance with the NNSWQS for protection of aquatic and wildlife habitat, the permit contains effluent limitations for total ammonia. The ammonia limits are temperature and pH dependent and are listed in Table 206.2 and Table 206.3 (pages 36-37) of the 2007 NNSWQS and *draft* 2015 NNSWQS revisions. They are also provided as Attachments B and C of the permit. The monitoring frequency is once per month, consistent with the previous permit. Because ammonia criteria are pH and temperature-dependent, the permittee is required to calculate and AIR. The AIR is calculated as the ratio of the ammonia value in the effluent and the applicable ammonia standards as determined by using pH data to derive an appropriate value from the ammonia criteria table in Appendix C of the permit. The AIR limitation has been established as a monthly average of 1.0, equivalent to the standard. The permittee is required to report maximum daily and average monthly ammonia (as N) concentrations in addition to an average monthly AIR.

5. pH

Untreated and treated domestic wastewater could be contaminated with substance that affects the pH. Therefore, there is a reasonable potential for pH levels in the effluent to cause or contribute to an excursion above the water quality standards. In order to ensure adequate protection of beneficial uses of the receiving water, a maximum pH limit of 9.0 and a minimum limit of 6.5 S.U. are established in Section 206.C. of 2007 NNSWQS and *draft* 2015 NNSWQS revisions. The monitoring frequency is once per month, consistent with the previous permit. In order to support the Navajo Nation's established Ammonia standards, which vary with the pH of the effluent, pH monitoring is to be performed concurrently with ammonia and temperature measurements.

6. Temperature

To support the Navajo Nation's established Ammonia standards and their dependence on temperature, monthly temperature monitoring is to be performed concurrently with ammonia and pH measurements.

7. Whole Effluent Toxicity (WET)

It is U.S. EPA Region 9's policy that all continuous dischargers be required to perform WET testing. WET testing is intended to demonstrate that there are no unexpected toxic components of the discharge escaping to the receiving water undetected, and to prompt a response if they are present. Based on a review of the monthly toxicity data collected between January 2012 and January 2013, the monitoring frequency for WET was reduced by EPA in April 2013 to quarterly monitoring using the most sensitive species, i.e. the fathead minnow. The proposed permit therefore requires chronic toxicity testing to be conducted **quarterly** using a 24-hour composite sample of the treated effluent for fathead minnow *(Pimephales promela).* This requirement is representative of the previous permit. During the previous permit cycle, EPA initially required that the facility conduct monthly WET testing with fish, invertebrate and algae which NTUA did over a period of a year in which no toxicity was observed therefore the reduced monitoring.

VIII. REPORTING

The permit requires discharge data obtained during the previous three months to be summarized on monthly DMR forms and reported quarterly. If there is no discharge for the month, indicate "C" in the No Discharge box on the DMR form for that month. The permit includes a new requirement for electronically submitting compliance monitoring data by July 28, 2016, using the electronic reporting tools (NetDMR) provided by U.S. EPA Region 9. These reports are due January 28, April 28, July 28, and October 28 of each year. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the U.S. EPA and the NNEPA.

IX. GENERAL STANDARDS

The permit sets general standards that are narrative water quality standards contained in the NNSWQS, Section 203. These general standards are set forth in Part I, of the permit.

X. PERMIT REOPENERS

A. At this time, there is no reasonable potential to establish any other water quality-based limits. Should any monitoring indicate that the discharge causes, has the reasonable potential to cause, or contributes to excursions above a water quality criterion, the permit may be reopened for the imposition of water quality-based limits and/or whole effluent toxicity limits. The permit may be modified, in accordance with 40 CFR 122 and 124, to include appropriate conditions or effluent limits, monitoring, or other conditions to implement new regulations, including U.S. EPA-approved

new Tribal water quality standards; or to address new information indicating the presence of effluent toxicity or the reasonable potential for the discharge to cause or contribute to exceedences of water quality standards.

B. In accordance with 40 CFR 122.44(c), U.S. EPA may promptly modify or revoke and reissue any permit issued to a treatment works treating domestic sewage (including "sludge only facilities") to incorporate any applicable standard for sewage sludge use or disposal promulgated under Section 405(d) of the CWA, if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

XI. SEWAGE SLUDGE REQUIREMENTS

The permit includes a requirement for submitting a report 60 days prior to disposal of sewage sludge. The proposed permit also includes a new requirement that goes into effect December 21, 2016, for submitting reports electronically using U.S. EPA's NPDES Electronic Reporting Tool (NeT). For example, the annual report for calendar year 2016, which is due by February 19, 2017, must be submitted electronically. The report shall discuss an estimate of the quantity of sewage sludge currently on site, and a projection of when sewage sludge will next be removed. Ninety (90) days prior to removing sewage sludge for use or disposal, the permittee is required to submit a plan describing the quantity of sewage sludge to be removed, mechanisms for removing, and a proposed sampling plan for pollutants regulated under the use or disposal option being selected. Upon approval of this plan by U.S. EPA and NNEPA, the permittee will have the sewage sludge removed as described. The permit also requires compliance with all applicable requirements of Section 405(d) of the CWA, and 40 CFR 258 (for sewage sludge sent to a municipal landfill) and 503 (for sewage sludge placed in a sludge-only surface disposal site, land applied as fertilizer, used in land reclamation, or incinerated.

XII. OTHER CONSIDERATIONS UNDER FEDERAL LAW

A. Anti-Degradation

U.S. EPA's anti-degradation policy at 40 CFR Section 131.12 and the NNSWQS require existing water uses and the level of water quality necessary to protect the existing uses to be maintained. As described in this fact sheet, the permit establishes effluent limits and monitoring requirements to ensure that all applicable water quality standards are met. The permit does not include a mixing zone; therefore, these limits will apply at the end of the pipe without consideration of dilution in the receiving water. Therefore, due to the low levels of toxic pollutants present in the effluent, the high level of treatment being obtained, and water quality-based effluent limitations, it is not expected that the discharge will adversely affect receiving water bodies.

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 permit does not establish limits less stringent than those in the previous permit and does not allow backsliding.

C. Threatened and Endangered Species and Critical Habitat

1. Background

Section 7 of the Endangered Species Act (ESA) of 1973 requires Federal agencies such as U.S. EPA to ensure, in consultation with the U.S. Fish and Wildlife Service (FWS), that any actions authorized, funded or carried out by the Agency are not likely to jeopardize the continued existence of any Federally-listed endangered or threatened species or adversely modify or destroy critical habitat of such species.

Since the issuance of NPDES permits by U.S. EPA is a Federal action, consideration of a permitted discharge and its effect on any listed species is appropriate. The proposed NPDES permit authorizes the discharge of treated domestic wastewater into an unnamed tributary of the San Juan River, a water of the United States. Federally listed threatened and endangered species that may occur in the vicinity of the discharge location as provided in an Official Species List provided by the New Mexico Ecological Services Field Office of the FWS are described below. The FWS has deferred all of its survey and information collection in the Navajo Nation to the Navajo Nation NHP who may also provide additional species for consideration.

a. Mammals:
Canada Lynx (*Lynx canadensis*)
New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*)

b. Birds:
Southwestern Willow Flycatcher (*Empidonax traillii extimus*)
Yellow-billed Cuckoo (*Coccyzus americanus*)

c. Fishes:
Colorado Pikeminnow (*Ptychocheilus lucius*)
Razorback Sucker (*Xyrauchen texanus*)
Zuni Bluehead Sucker (*Catostomus discobolus yarrowi*)

d. Plants:
Knowlton's Cactus (*Pediocactus knowltionii*)
Mancos Milk-vetch (*Astragalus humillimus*)
Mesa Verde Cactus (*Sclerocactus mesae-verdae*)

The FWS also indicated final designated critical habitat for the Colorado Pikeminnow (*Ptychocheilus lucius*) and proposed critical habitat for the Yellow-billed Cuckoo (*Coccyzus americanus*) are located in the vicinity of the discharge location.

2. U.S. EPA's Finding

This permit authorizes the discharge of treated wastewater in conformance with the federal secondary treatment regulations and the NNSWQS. These standards are applied in the permit both as numeric and narrative limits. The standards are designed to protect aquatic species, including threatened and endangered species, and any discharge in compliance with these standards should not adversely impact any threatened and endangered species.

U.S. EPA believes effluent released in compliance with this permit will have no effect on any federally-listed threatened or endangered species or its critical habitat that may be present in the vicinity of the discharge. The treatment facility has been in existence for some time, and no new construction or modifications will be made to it due to the renewal of this NPDES permit. Therefore, no requirements specific to the protection of endangered species are proposed in the permit.

D. Consideration of Environmental Justice (EJ) Impact

U.S. EPA has conducted a screening level evaluation of the potential impact of this facility and other permitted facilities within the immediate area on local residents through use of U.S. EPA's EJSCREEN tool. Specifically, U.S. EPA used EJSCREEN to identify facilities near the NTUA Northern Edge facility that could pose risk to local residents through discharge of environmental contaminants. U.S. EPA has also evaluated whether demographic characteristics of the population living in the vicinity of the NTUA facility indicate that the local population might be particularly susceptible to such environmental risks. The results show that, at the time of this analysis conducted on the area in which the Northern Edge facility is located was above the 90th percentile for proximity to hazardous waste facility and for the respiratory hazard index. The demographic characteristics of the community living near the facility indicates the local 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.

U.S. EPA also considers the characteristics of the wastewater treatment facility operation and discharges, and whether those discharges, in combination with discharges from local hazard sources, pose exposure risks that the NPDES permit needs to further address. The Northern Edge facility is unlikely to discharge any noticeable respiratory hazard index contributing pollutants. U.S. EPA finds no evidence to indicate the wastewater facility discharge poses a significant risk to local residents. U.S. EPA concludes that the facility is unlikely to contribute to any EJ issues. Furthermore, U.S. EPA believes that by implementing and requiring compliance with the provisions of the Clean Water Act, which are designed to ensure full protection of human health, the permit is sufficient to ensure the facility discharges to not cause or contribute to human health risk in the

vicinity of the wastewater facility.

XIII. ADMINISTRATIVE INFORMATION

A. Public Notice (40 CFR 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.

B. Public Comment Period (40 CFR 124.10)

The permit was public noticed on EPA's website with a minimum of 30 days provided for interested parties to respond in writing to EPA. No comments were received during the comment period which closed on May 22, 2017.

C. Water Quality Certification Requirements (40 CFR 124.53 and 124.54)

For States, Territories, or Tribes with EPA approved water quality standards, EPA requests certification from the affected State, Territory, or Tribe that the proposed permit will meet all applicable water quality standards. The Navajo Nation provided Certification under section 401 of the Clean Water Act for this permit on May 26, 2017.

D. Requests for Information

Requests for additional information relating to this permit may be directed to:

Gary Sheth
Water Division (WTR-2-3)
EPA Region IX
75 Hawthorne Street
San Francisco, CA 94105
Tel: (415) 972-3516
Email: sheth.gary@epa.gov

XIV. REFERENCES

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

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

EPA. 1996. *Regions IX & X Guidance for Implementing Whole Effluent Toxicity Testing Programs*, Interim Final, May 31. 1996.

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