

SUBMITTED VIA DEQ PUBLIC COMMENT PORTAL

March 18, 2024

Kathy Shreve
Wyoming Department of Environmental Quality
Department of Environmental Quality Water Quality Division
200 West 17th Street, 2nd Floor
Cheyenne, Wyoming 82002

RE: Grand Targhee Resort WYPDES Permit (No. WY0024708)

Dear Ms. Shreve,

On behalf of Protect Our Water Jackson Hole (POWJH), we are pleased to submit this letter in response to the Wyoming Department of Environmental Quality's (DEQ) February 16, 2024 public notice inviting comments on the above-referenced pollution discharge permit renewal.

POWJH is a nonprofit organization dedicated to serving Teton County, WY as a powerful advocate for restoring and protecting the surface and groundwater in the Snake River Headwaters.

Grand Targhee Resort, LLC is the owner and operator of the wastewater treatment facilities serving the Grand Targhee Resort. The resort is a ski lodge located on the west side of the Teton Mountains near the Wyoming-Idaho state line. Wastewater treatment is accomplished via a package plant consisting of extended aeration and a microfilter to process the removal of solids. The plant also has a UV disinfection system. The treated effluent from the plant (outfall 005) is discharged to Dry Creek (a class 3B water).

Two discharge points are authorized under this permit for the lodge. Outfall 006 authorizes the discharge of non-contact cooling water from the refrigeration units and water from ice machines that are located at the lodge. DEQ notes that no chemicals or corrosion inhibitors are added to the cooling or ice machine water. Outfall 006 was described as outfall 004 in previous renewals issued for this facility. Outfall 005 authorizes the discharge of treated wastewater from the package plant. Both of these outfalls discharge into Dry Creek (a class 3B water).

We appreciate DEQ correcting the quarter/quarter descriptions of outfalls 005 and 006 in this permit renewal. We also appreciate DEQ's consideration of antidegradation protection.

POWJH has the following questions and concerns regarding the draft permit:

- DEQ states “the biological oxygen demand (BOD5) and total suspended solids (TSS), daily maximum effluent limits were removed because these effluent limits are not supported by the EPA’s National Secondary Treatment Standards or Wyoming Water Quality Rules and Regulations.” DEQ further states “[i]n developing effluent limits, all federal and state regulations and standards have been considered and the most stringent requirements incorporated into the permit.” However, DEQ does not explain whether the change in this draft permit was due to a change in the law, DEQ interpretation of the law,

or an error in the previous permit. DEQ should further explain the basis for its change in this draft permit. A technology-based effluent limit for 5-Day BOD and TSS is more difficult to enforce. DEQ should consider additional measures to ensure that the treatment technology is functioning correctly and achieving the desired technological standards.

- In terms of *E. coli*, while we appreciate DEQ presuming “the worst-case scenario of no available dilution provided by the receiving waters,” we have concerns about DEQ making assumptions about the human recreation contact in the receiving water. DEQ notes “576 colonies/100 mL is based on the ‘infrequently used full body contact standard’ per Chapter 1, and is applied in this case because the discharge is located away from the high recreational use area of the resort.” It is unclear whether DEQ reviewed any data or information about recreational use of the receiving water. Are there additional measures that DEQ can take to protect human health and potential recreational contact when the water body is flowing? Is there any human recreational use of this tributary water? Is there any signage to indicate that there is a wastewater outfall present?
- DEQ notes “[e]ffluent Limits for Ammonia: Wyoming Water Quality Rules and Regulations, Chapter 1 does not establish numerical ammonia standards for class 3 waters, so no effluent limits for ammonia are being established in this permit.” Under Chapter One of DEQ’s water quality rules, “Class 3B waters are intermittent and ephemeral streams with sufficient hydrology to normally support and sustain communities of aquatic life including invertebrates, amphibians, or other flora and fauna which inhabit waters of the state at some stage of their life cycles.” Ammonia can decrease species diversity and contribute to nutrient pollution. At a minimum, DEQ should consider requiring monitoring to help establish a baseline in the event ammonia restrictions are added in the future or ammonia has a negative effect on the receiving water.
- Table A requires sampling for *E. coli* “7 times per quarter.” DEQ should consider providing more specificity about sampling timing so that sampling better characterizes the nature of the discharge and to avoid a scenario where the permittee has total discretion of the sampling timing.

We appreciate the opportunity to provide comments on permit no. WY0024708 and we look forward to DEQ’s response to our specific questions and comments.

Sincerely,



Kevin Regan

Law and Policy Advisor