



November 25, 2024

Justin Scott  
UIC Program Manager  
Wyoming Department of Environmental Quality  
Water Quality Division  
200 West 17th Street, 2nd Floor  
Cheyenne, Wyoming 82002

Re: Teton Village Wastewater Treatment Plant, Facility ID #WYS-039-042, Permit #2024-0001

Dear Mr Scott:

I am pleased to submit this letter on behalf of Protect Our Water Jackson Hole (POWJH) in response to the Wyoming Department of Environmental Quality's (DEQ) October 24, 2024, public notice inviting comments on the above-referenced Class V Underground Injection Control Permit, No. 2024-001.

POWJH is a locally-based nonprofit organization dedicated to serving Teton County, Wyoming, as a powerful advocate for restoring and protecting the surface waters and groundwater in our community.

#### Regulatory Background

The Underground Injection Control (UIC) program aims to protect existing and potential underground sources of drinking water by regulating the construction and operation of injection wells. The UIC program is authorized by Section 1422 of the Safe Drinking Water Act (SDWA) of 1974. The SDWA allows States to implement federal UIC regulations provided that States have regulations as stringent as the federal regulations. Wyoming's UIC Program was approved by the U.S. EPA and became effective July 15, 1983. Wyoming's UIC statutes and regulations have been incorporated into the federal regulations by reference. See 40 CFR §147.2550 Subpart ZZ. In Wyoming, the rules that provide for the administration of the UIC program are found in the DEQ's Water Quality Rules, Chapters 8, 25, 26, and 27.

#### The Facility

Teton Village Water and Sewer District (the District) has submitted an application to renew its UIC permit for its Domestic Wastewater Treatment Plant Disposal Facility. The facility consists of three subsurface distribution systems used to dispose of treated wastewater collected from commercial and residential properties located within the District.

Treated wastewater from the facility is released into the Snake River Alluvial Aquifer, which is classified by Wyoming DEQ as Class I because the groundwater in this formation is being withdrawn for domestic use at nearby points of withdrawal.

According to the Fact Sheet and Statement of Basis prepared by the DEQ, Part III, Description of Injectate:

**a. What waste will be injected underground at this facility?** The permittee is authorized to inject an average of 702,000 gpd and a maximum of 1,170,000 gpd into three (3) subsurface distribution systems. The wastewater is described as treated domestic sewage received at the wastewater treatment plant from the surrounding Teton Village sewage system. The wastewater will be injected at a depth of approximately 15 to 20 feet below ground surface through existing subsurface distribution systems. The permittee is prohibited from injecting any sump waste, equipment wash-down water, or any other wastewater derived from industrial processes into the system. Injection of any substance defined as hazardous waste, whether hazardous by listing or by characteristic is a violation of the permit.

**b. What is the discharge zone?** This injection facility is authorized to inject a maximum of 1,170,000 gpd and an average of 702,000 gpd of domestic wastewater through three (3) subsurface distribution systems into the Snake River Alluvial aquifer. The inputs and maximum flow volumes from the three (3) subsurface distribution systems are summarized in Table 2. The depth to groundwater in the vicinity of the subsurface distribution systems is approximately 11 feet below ground surface. This information is based on static water levels reported from monitor wells on the facility.

**c. How will the waste disposal be monitored?** The permittee is responsible for monitoring groundwater quality from the wastewater treatment plan effluent (injectate) and four (4) monitoring wells located down-gradient from the treatment plant and injection wells. Additionally, the permittee is responsible for monitoring the total volume, maximum daily volume, and water levels in the monitor wells. The permittee is required to perform weekly sampling on the injectate and analyze for the constituents listed in Table 4 of the Permit. This data will be reported to the WDEQ according to the schedules outlined in Section H of the Permit.

#### POWJH Comments

The treatment facility is located in the headwaters of Fish Creek, a Wyoming DEQ-designated Class 1 surface water that is required to be managed to prevent any further water quality degradation. The Class 1 designation is equivalent to the EPA's Outstanding National Resource Waters, and as such demands the highest level of protection and stewardship under the Clean Water Act. Importantly, hundreds of private residences and numerous EPA-registered public water systems are located downstream of the wastewater treatment facility and rely almost exclusively on the Snake River Alluvial Aquifer for their domestic water supplies.

Regrettably, the Fish Creek watershed is facing an array of threats that include, by way of example, an explosion of residential and commercial development and associated proliferation of small wastewater facilities, land conversion and loss of permeable surfaces, destruction of wetlands and stream channels, operation and maintenance of golf courses, excessive application of chemical fertilizers, construction of ornamental ponds, increasing recreational uses, and continuing livestock grazing and agricultural operations. Primary contact recreation use of the stream is impaired by E.coli, and the DEQ's draft 2024 Integrated Report indicates that nutrient pollution threatens aquatic life and the long-term health of the fishery. All of these

localized impacts are additive to the broad range of effects associated with climate change including warmer temperatures and loss of species diversity.

To many, it appears that Fish Creek is suffering a “death by a thousand cuts.” Unfortunately, the writing is on the wall: if we, as a community, fail to address these threats, the decline of watershed health will continue and we will inevitably all share the blame for allowing an unforgivable tragedy of the commons. We are hopeful that the forthcoming Fish Creek Watershed Management Plan, mandated by Section 303(d) of the Clean Water Act, will recommend corrective actions that will help to restore this damaged watershed, and assist broader community efforts dedicated to achieving sustainable management of our precious water resources.

We believe that as responsible stewards of this unique and threatened resource, the Teton Village Water and Sewer District has taken concrete and meaningful steps to reduce the negative environmental impacts of their wastewater treatment facility, and urge them to continue those efforts. In particular, the reduction of nitrate concentrations in the injectate over the past several decades is significant, and we expect that further improvements to facilities and operations will continue that positive trend. In light of current nitrate levels of between 3 to 4 mg/L, perhaps it is time to consider reducing the maximum permitted concentration of nitrates to 5 mg/L from the existing/proposed level of 10 mg/L?

One area where improvements may be achieved is in education: despite all the attention focused on the protection of water quality in our valley, it is still the case that many people are unaware of simple steps they can take as individuals to prevent the deterioration of water quality. Thus we would encourage the District to consider distributing educational materials to residents, visitors and commercial properties describing the “dos and don’ts” regarding materials and substances suitable for disposal in sinks, drains and toilets.

We see no reference in the draft permit to a Source Water Assessment prepared for Teton Village by Trihydro in 2004. Does the Area of Review delineated in the draft permit include the Source Water Assessment area depicted in the SWA? We have attached the assessment for your information.

We appreciate the opportunity to provide comments on the draft permit, and look forward to future discussions with the District centered on opportunities to further reduce pollutants entering the Fish Creek watershed including, especially, the distribution and posting of educational materials in commercial and residential properties served by this treatment facility.

Please let us know of any additional comment opportunities regarding this permit renewal.

Thank you.

Sincerely,



Dan Heilig  
Senior Policy Advisor

cc: Teton Village Association (via email)  
Teton Village Water and Sewer District (via email)  
Enclosure