

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WASTE DISCHARGE PERMIT No. WA-002256-0

State of Washington  
DEPARTMENT OF ECOLOGY  
Northwest Regional Office  
3190 – 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1342 et seq.

**CITY OF ARLINGTON**  
238 North Olympic Avenue  
Arlington, Washington 98223

<u>Plant Location:</u> 108 W Haller Avenue Arlington, WA 98223	<u>Receiving Water:</u> Stillaguamish River
<u>Waterbody I.D. No.:</u> 1222633482051	<u>Discharge Location:</u> Latitude: 48° 12' 12" N Longitude: 122° 07' 49.5" W
<u>Plant Type:</u> Sequencing Batch Reactors (SBRs) – Secondary Treatment System	

is authorized to discharge in accordance with the Special and General Conditions that follow.

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Kevin C. Fitzpatrick  
Water Quality Section Manager  
Northwest Regional Office  
Department of Ecology

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**SUMMARY OF PERMIT REPORT SUBMITTALS**

Refer to the Special and General Conditions of this permit for additional submittal requirements.

<b>Permit Section</b>	<b>Testing and Submittal</b>	<b>Frequency</b>	<b>Submittal Date</b>
S2.A(3)	Priority Pollutants - Testing and Submittal of Results	3/permit cycle Testing to be conducted in: July 2012 October 2012 January 2013	Submit test results in Part D, <i>Expanded Effluent Testing Data</i> , of the next permit renewal application
S2.A(5)	Conventional Pollutants - Testing and Submittal of Results	Testing 3/permit cycle	Submit test results in Part B6, <i>Effluent Testing Data</i> , of the next permit renewal application
S3	Discharge Monitoring Report	Monthly	
S3.E	Noncompliance Notification	As necessary	
S4.B	Plans for Maintaining Adequate Capacity	As necessary	
S4.D	Notification of New or Altered Sources	As necessary	
S8	Application for Permit Renewal	1/permit cycle	July 27, 2013
S9	Receiving Water and Effluent Study of Temperature - Sampling and Quality Assurance Plan Submittal	1/permit cycle	December 31, 2010
S10.A, S10.B(9) and S2.A(4)	Acute Toxicity Characterization Testing and Report Submittal	2/permit cycle Testing to be conducted in: June 2012 December 2012	Submit individual characterization test report by: August 31, 2012 February 28, 2013
S10.B(10)	Acute Toxicity Summary Report	1/permit cycle	Submit summary report with the next permit renewal application
S11.A, S11.B(9) and S2.A(4)	Chronic Toxicity Characterization Testing and Report Submittal	2/permit cycle Testing to be conducted in: August 2012 February 2013	Submit individual characterization test report by: October 31, 2012 April 30, 2013
S11.B(10)	Chronic Toxicity Summary Report with Permit Renewal Application	1/permit cycle	Submit summary report with the next permit renewal application
G1	Notice of Change in Authorization	As necessary	
G4	Reporting Planned Changes	As necessary	
G5	Engineering Report for Construction or Modification Activities	As necessary	
G20	Reporting Anticipated Noncompliance	As necessary	
G21	Reporting Other Information	As necessary	
G23	Contract Submittal	As necessary	

## SPECIAL CONDITIONS

In this permit, the word “must” denotes an action that is mandatory and is equivalent to the word “shall” used in previous permits.

### S1. DISCHARGE LIMITATIONS

#### A. Effluent Limitations

All discharges and activities authorized by this permit must comply with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit constitutes a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee may discharge municipal wastewater at the permitted location subject to compliance with the following limitations:

<b>EFFLUENT LIMITATIONS<sup>a</sup>: OUTFALL #1</b>		
<b>Parameter</b>	<b>Average Monthly</b>	<b>Average Weekly</b>
Biochemical Oxygen Demand (5-day) (BOD <sub>5</sub> )	30 mg/L, 501 lbs/day 85% removal of influent BOD <sub>5</sub>	45 mg/L, 751 lbs/day
Total Suspended Solids	30 mg/L, 501 lbs/day 85% removal of influent TSS	45 mg/L, 751 lbs/day
pH <sup>b</sup>	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.	
Fecal Coliform Bacteria (Interim Limits)	200/100 mL	400/100 mL
Fecal Coliform Bacteria (Final Limits – Beginning December 1, 2013) <sup>c</sup>	39/100 mL	128/100 mL
<sup>a</sup> The average monthly and weekly effluent limitations for BOD <sub>5</sub> and TSS are equal to the arithmetic mean of the samples taken. The average monthly and weekly limitations for fecal coliform are equal to the geometric mean of the samples taken.		
<sup>b</sup> Indicates the range of permitted values. The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.		
<sup>c</sup> The Permittee shall comply with the final effluent limitations for fecal coliform beginning December 1, 2013.		

B. Mixing Zone Descriptions

The maximum boundaries of the mixing zones are defined as follows:

1. Chronic Mixing Zone Boundaries:

The length of the chronic mixing zone (parallel to the shoreline) is 304 feet from the outfall port in the downstream direction, and 100 feet from the outfall port in the upstream direction. The width of the chronic mixing zone (perpendicular to the shoreline) is 28 feet. The chronic mixing zone is centered over the outfall port extending 14 feet on both sides.

2. Acute Mixing Zone Boundaries:

The length of the acute mixing zone (parallel to the shoreline) is 31 feet from the outfall port in the downstream direction, and 10 feet from the outfall port in the upstream direction. The width of the acute mixing zone (perpendicular to the shoreline) is 28 feet. The acute mixing zone is centered over the outfall port extending 14 feet on both sides.

C. Dilution Factors

The dilution factors for aquatic life criteria as determined by the maximum allowable based on 2.5% and 25% rules (WAC 173-201A) are as follows:

Acute Dilution Factor = 3

Chronic Dilution Factor = 25

**S2. MONITORING REQUIREMENTS**

A. Monitoring Schedule

The Permittee must monitor in accordance with the following schedule:

Parameter	Sample Point	Minimum Sampling Frequency	Sample Type
<b>(1) Compliance</b>			
Flow	Plant Influent	Continuous <sup>a</sup>	Measurement
BOD <sub>5</sub>	Plant Influent	2/week	24-hr composite
	Final Effluent	2/week	24-hr composite
Total Suspended Solids (TSS)	Plant Influent	2/week	24-hr composite
	Final Effluent	2/week	24-hr composite
pH	Final Effluent	Daily	Grab
Fecal Coliform	Final Effluent	2/week	Grab
<b>(2) Effluent Characteristics</b>			
Total Ammonia as N (NH <sub>3</sub> -N)	Final Effluent	1/month	24-hr composite

Parameter	Sample Point	Minimum Sampling Frequency	Sample Type
<b>(3) Priority Pollutants Listed in Part D of the NPDES Permit Application – Form 3510-2A<sup>b,h</sup></b>			
(a) Metals (Total Recoverable) <sup>c</sup> (b) Cyanide (weak acid dissociable) <sup>d</sup> (c) Total Phenolic Compounds (d) Hardness (as CaCO <sub>3</sub> ) (e) Volatile Organic Compounds (f) Acid-extractable Compounds (g) Base-neutral Compounds	Final Effluent	3/permit term- July 2012 October 2012 January 2013	Grab
<b>(4) Whole Effluent Toxicity (WET) Testing<sup>h</sup></b>			
Acute Toxicity <sup>e</sup>	Final Effluent	2/permit term- June 2012 December 2012	24-hr composite
Chronic Toxicity <sup>f</sup>	Final Effluent	2/permit term- August 2012 February 2013	24-hr composite
<b>(5) Conventional Pollutants listed in Part B6 of the NPDES Permit Application – Form 3510-2A<sup>g,h</sup></b>			
(a) Dissolved Oxygen (b) Total Kjeldahl Nitrogen (TKN) (c) Nitrate plus Nitrite Nitrogen (NO <sub>2</sub> + NO <sub>3</sub> ) - N (d) Oil and Grease (e) Total Phosphorus (f) Total Dissolved Solids (TDS)	Final Effluent	3/permit term	Grab

- <sup>a</sup> Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance.
- <sup>b</sup> Final effluent shall be tested for pollutants listed in Part D, *Expanded Effluent Testing Data*, of EPA Form 3510-2A, *NPDES Application*. These pollutants are also listed in Appendix E of the fact sheet for this permit. The analysis results shall be reported in Part D of the next NPDES permit application.
- <sup>c</sup> The analytical method for mercury in final effluent grab samples shall be in accordance with EPA Method Number 1631, Revision E (*Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry*) from 40 CFR Part 136. The method detection level (MDL) for mercury using this test method is 0.2 ng/L. The quantitation level (QL) for mercury using this test method is 0.5 ng/L.
- <sup>d</sup> The analytical method for "weak acid dissociable cyanide" shall be in accordance with 4500-CN-I, *Standard Methods for the Examination of Water and Wastewater*, 20<sup>th</sup> Edition, and as revised.
- <sup>e</sup> Testing and reporting requirements for the acute WET tests are specified in Condition S10, *Acute Toxicity*, of this permit. The analysis results and reports shall be submitted no later than the dates specified in Condition S10 of this permit.
- <sup>f</sup> Testing and reporting requirements for the chronic WET tests are specified in Condition S11, *Chronic Toxicity*, of this permit. The analysis results and reports shall be submitted no later than the dates specified in Condition S11 of this permit.

- <sup>g</sup> To provide required data for Part B.6, *Effluent Testing Data*, of the EPA Form 3510-2A, *NPDES Application*, for the next permit renewal, the final effluent shall be tested for these parameters. Samples shall be collected for analysis at least three (3) times during the term of this permit, and results shall be reported in Part B.6 of the next NPDES permit application.
- <sup>h</sup> If the Permittee's upgraded wastewater treatment plant (WWTP) becomes operational prior to the expiration date of this permit, the Permittee need not conduct (i) Priority Pollutants testing, (ii) WET testing, and (iii) Conventional Pollutants testing, required under (3), (4) and (5) respectively, in the table above.

**B. Sampling and Analytical Procedures**

Samples and measurements taken to meet the requirements of this permit must be representative of the volume and nature of the monitored parameters. The Permittee must conduct representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions that may affect effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

**C. Flow Measurement**

The Permittee must select and use appropriate flow measurement devices and methods consistent with accepted scientific practices. The Permittee must install, calibrate, and maintain the flow devices. This work is necessary to ensure the accuracy of the measurements is consistent with the accepted industry standard and the manufacturer's recommendation for that type of device. The Permittee must perform calibration at the frequency recommended by the manufacturer and at a minimum frequency of at least one calibration per year. The Permittee must maintain calibration records for at least three years.

**D. Laboratory Accreditation**

The Permittee must ensure that all monitoring data required by Ecology is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, temperature, pH, and internal process control parameters are exempt from this requirement. Testing for pH must be accredited if the laboratory must otherwise be registered or accredited. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

**S3. REPORTING AND RECORDING REQUIREMENTS**

The Permittee must monitor and report in accordance with the following conditions. Falsification of information submitted to Ecology is a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. The Permittee must submit monitoring results each month. The Permittee must summarize, report, and submit monitoring data obtained during each monitoring period on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. The Permittee must ensure that DMR forms are postmarked or received by Ecology no later than the 15<sup>th</sup> day of the month following the completed monitoring period, unless otherwise specified in this permit. The Permittee must send report(s) to the Department of Ecology, Northwest Regional Office, 3190 – 160<sup>th</sup> Avenue SE, Bellevue, Washington 98008-5452.

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. Analytical results from samples sent to a contract laboratory must include information on the chain of custody, the analytical method, QA/QC results, and documentation of accreditation for the parameter.

The Permittee must submit DMR forms monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, the Permittee must submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. During the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology, the Permittee must extend this period of retention.

C. Recording of Results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by Condition S2 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Notice of Noncompliance Reporting

The Permittee must take the following action upon violation of any permit condition: Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem and, if applicable, immediately repeat sampling and analysis. The results of any repeat sampling must be submitted to Ecology within thirty (30) days of sampling.

1. Immediate Noncompliance Notification

Any failure of the disinfection system must be reported **immediately** to Ecology's Northwest Regional Office 24-hour number 425-649-7000.

Any failure of the disinfection system, any collection system overflows, or any plant bypass discharging to a waterbody used as a source of drinking water must be reported **immediately** to the Ecology and the Department of Health, Drinking Water Program.

The Department of Health's Drinking Water Program number is 360-521-0323 (business hours) or 360-481-4901 (after business hours).

2. Twenty-four-hour Noncompliance Notification

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at 425-649-7000, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

- a. Any noncompliance that may endanger health or the environment, unless previously reported under subpart 1, above.
- b. Any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S4.B., "Bypass Procedures").
- c. Any **upset** that exceeds any effluent limitation in the permit (See G.15, "Upset").
- d. Any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in Section S1.A of this permit.
- e. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

3. Report Within Five Days

The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subparts 1 or 2, above. The written submission must contain:

- a. A description of the noncompliance and its cause.
- b. The period of noncompliance, including exact dates and times.
- c. The estimated time noncompliance is expected to continue if it has not been corrected.
- d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. Waiver of Written Reports

Ecology may waive the written report required in subpart 3, above, on a case-by-case basis upon request if a timely oral report has been received.

5. Report Submittal

Reports must be submitted to the address in S3. (“REPORTING AND RECORDING REQUIREMENTS”).

F. Other Noncompliance Reporting

The Permittee must report all instances of noncompliance, not required to be reported immediately or within 24 hours, at the time that monitoring reports for S3.A ("Reporting") are submitted. The reports must contain the information listed in paragraph E.3, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

The spill of oil or hazardous materials **must** be reported in accordance with the instructions obtained at the following website:

<http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm>.

G. Maintaining a Copy of This Permit

The Permittee must keep a copy of this permit at the facility and make it available upon request to Ecology inspectors.

#### S4. FACILITY LOADING

##### A. Design Criteria

The flows or waste loads for the permitted facility must not exceed the following design criteria:

Average flow for the maximum month	2.0 MGD
BOD <sub>5</sub> loading for maximum month	4,600 lbs/day
TSS loading for maximum month	4,600 lbs/day

##### B. Plans for Maintaining Adequate Capacity

The Permittee must submit a plan and a schedule for continuing to maintain capacity to Ecology when:

1. The actual flow or waste load reaches 85 percent of any one of the design criteria in S4.A for three consecutive months; or
2. The projected increase would reach design capacity within five years, whichever occurs first.

The plan and schedule for continuing to maintain capacity must be sufficient to achieve the effluent limitations and other conditions of this permit. This plan must identify any of the following actions or any other actions necessary to meet the objective of maintaining capacity.

- a. Analysis of the present design, including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A, above.
  - b. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
  - c. Limitation on future sewer extensions or connections or additional waste loads.
  - d. Modification or expansion of facilities necessary to accommodate increased flow or waste load.
  - e. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or waste load.
4. Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by Ecology prior to any construction.

5. If the Permittee intends to apply for state or federal funding for the design or construction of a facility project, the plan must also meet the requirements of a "Facility Plan" as described in 40 CFR 35.2030. The plan must specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Duty to Mitigate

The Permittee must take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

D. Notification of New or Altered Sources

1. The Permittee must submit written notice to Ecology whenever any new discharge or a substantial change in volume or character of an existing discharge into the Permittee's wastewater treatment plant (WWTP) is proposed which:
  - a. Would interfere with the operation of, or exceed the design capacity of, any portion of the WWTP;
  - b. Is not part of an approved general sewer plan or approved plans and specifications; or
  - c. Would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act.
2. This notice must include an evaluation of the WWTP's ability to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the WWTP, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

## **S5. OPERATION AND MAINTENANCE**

The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes keeping a daily operation logbook (paper or electronic), adequate laboratory controls, and appropriate quality assurance procedures. This provision of the permit requires the Permittee to operate backup or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Certified Operator

This permitted facility must be operated by an operator certified by the state of Washington for at least a Class III plant. This operator must be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class II plant must be in charge during all regularly scheduled shifts.

B. O & M Program

1. The Permittee must institute an adequate operation and maintenance program for the entire sewage system.
2. The Permittee must keep maintenance records on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records must clearly specify the frequency and type of maintenance recommended by the manufacturer and must show the frequency and type of maintenance performed.
3. The Permittee must make maintenance records available for inspection at all times.

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee must:

1. Give written notification to Ecology, if possible, thirty (30) days prior to such activities.
2. The notice must detail the reasons for, length of time of, and the potential effects of the reduced level of treatment.
3. This notification does not relieve the Permittee of its obligations under this permit.

D. Electrical Power Failure

The Permittee must ensure that adequate safeguards prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations. Adequate safeguards include, but are not limited to: alternate power sources, standby generator(s), or retention of inadequately treated wastes.

The Permittee must maintain Reliability Class II (EPA 430/9-74-001) at the wastewater treatment plant. Reliability Class II requires a backup power source sufficient to operate all vital components and critical lighting and ventilation during peak wastewater flow conditions. Vital components used to support the secondary processes (i.e., mechanical aerators or aeration basin air compressors) need not be operable to full levels of treatment, but must be sufficient to maintain the biota.

E. Prevent Connection of Inflow

The Permittee must strictly enforce its sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

Bypass is the intentional diversion of waste streams from any portion of a treatment facility. This permit prohibits bypass. Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass is for essential maintenance without the potential to cause violation of permit limits or conditions.

This permit authorizes a bypass if it allows for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass is unavoidable, unanticipated, and results in noncompliance with the conditions of this permit.

This permit authorizes such a bypass only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
  - b. No feasible alternatives to the bypass exist, such as:
    - i. The use of auxiliary treatment facilities.
    - ii. Retention of untreated wastes.
    - iii. Stopping production.
    - iv. Maintenance during normal periods of equipment downtime, but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass.
    - v. Transport of untreated wastes to another treatment facility.
  - c. The Permittee has properly notified Ecology of the bypass as required in Condition S3.E of this permit.
3. If bypass is anticipated and has the potential to result in noncompliance of this permit.

- a. The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain:
  - i. A description of the bypass and its cause.
  - ii. An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
  - iii. A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
  - iv. The minimum and maximum duration of bypass under each alternative.
  - v. A recommendation as to the preferred alternative for conducting the bypass.
  - vi. The projected date of bypass initiation.
  - vii. A statement of compliance with SEPA.
  - viii. A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
  - ix. Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- b. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during preparation of the engineering report or facilities plan and plans and specifications and must include these to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.
- c. Ecology will consider the following prior to issuing an administrative order for this type of bypass:
  - i. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
  - ii. If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

- iii. If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public will be given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Ecology will approve a request to bypass by issuing an administrative order under RCW 90.48.120.

G. Operations and Maintenance Manual

The Permittee must keep the approved Operations and Maintenance Manual available at the treatment plant and all operators must follow the instructions and procedures of this manual.

**S6. PRETREATMENT**

A. General Requirements

The Permittee must work with Ecology to ensure that all commercial and industrial users of the Permittee's wastewater treatment plant (WWTP) comply with the pretreatment regulations in 40 CFR Part 403 and any additional regulations that may be promulgated under Section 307(b) (pretreatment) and 308 (reporting) of the Federal Clean Water Act.

B. Discharge Authorization Required

Significant commercial or industrial operations shall not be allowed to discharge wastes to the Permittee's sewerage system until they have received prior authorization from Ecology in accordance with chapter 90.48 RCW and chapter 173-216 WAC, as amended. The Permittee shall immediately notify Ecology of any proposed new sources, as defined in 40 CFR 403.3(k), from significant commercial or industrial operations.

C. General Prohibitions

In accordance with 40 CFR 403.5(a), a non-domestic discharger may not introduce into the Permittee's sewerage system any pollutant(s) that cause pass-through or interference.

D. Specific Prohibitions

In accordance with 40 CFR 403.5(b), the following non-domestic discharges shall not be discharged into the Permittee's sewerage treatment system.

1. Pollutants that create a fire or explosion hazard in the WWTP (including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21).

2. Pollutants that will cause corrosive structural damage to the WWTP, but in no case discharges with pH lower than 5.0 standard units, unless the works are specifically designed to accommodate such discharges.
3. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the WWTP.
4. Any pollutant, including oxygen-demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the WWTP.
5. Heat in amounts that will inhibit biological activity in the WWTP resulting in interference, but in no case heat in such quantities such that the temperature at the WWTP exceeds 40°C (104°F) unless Ecology, upon request of the Permittee, approves, in writing, alternate temperature limits.
6. Petroleum oil, non-biodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass-through.
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the WWTP in a quantity which may cause acute worker health and safety problems.
8. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.

E. Notification of Industrial User Violations

The Permittee shall notify Ecology if any non-domestic user violates the prohibitions listed in S8.C and S8.D above.

F. Industrial User Survey

If required by Ecology, the Permittee shall perform an industrial user survey, or other activities (e.g., sewer use ordinance and local limits development), which are necessary for the proper administration of the state pretreatment program. The Permittee must not allow any significant industrial users (SIUs) to discharge wastewater to the Permittee's sewer system until such user has received a wastewater discharge permit from Ecology in accordance with chapter 90.48 RCW and chapter 173-216 WAC.

## **S7. RESIDUAL SOLIDS**

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee must store and handle all residual solids in a manner that prevents their entry into state ground or surface waters. The Permittee must not discharge leachate from residual solids to state surface or ground waters.

## **S8. APPLICATION FOR PERMIT RENEWAL**

The Permittee must submit an application for renewal of this permit by July 27, 2013, or within 180 days prior to the anticipated start up of the new plant.

## **S9. RECEIVING WATER AND EFFLUENT TEMPERATURE STUDY**

After the Permittee's upgraded wastewater treatment plant (WWTP) becomes operational, the Permittee must collect information on the effluent and receiving water to determine if the effluent has a reasonable potential to cause a violation of the water quality standards for temperature. If reasonable potential exists, Ecology will use this information to calculate effluent limits.

Quality Assurance Project Plan (QAPP): The Permittee must submit a sampling and quality assurance plan to Ecology for review and comment by December 31, 2010. The QAPP must include the following items:

1. The QAPP must specify the time period during which the temperature data will be collected.
2. All sampling and analysis must be conducted in accordance with the guidelines given in *Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies*, Ecology Publication 04-03-030 (<http://www.ecy.wa.gov/pubs/0403030.pdf>).
3. Temperature must be measured in the effluent and in the ambient water immediately upstream of the outfall.
4. Temperature must be monitored using micro-recording temperature devices known as thermistors. Ecology's Quality Assurance Project Plan Development Tool (*Continuous Temperature Sampling Protocols for the Environmental Monitoring and Trends*) contains protocols for continuous temperature sampling. This document is available online at <http://www.ecy.wa.gov/programs/eap/qa/docs/QAPPtool/Mod6%20Ecology%20SOPs/Protocols/ContinuousTemperatureSampling.pdf>. Calibration as specified in this document is not required if the Permittee uses recording devices which are certified by the manufacturer. Ecology does not require manufacture-specific equipment as given in this document; however, if the Permittee wishes to use measuring devices from another company, the accuracy must be demonstrated to be equivalent. The recording devices must be set to record at one-half-hour intervals.

Temperature monitoring data must be recorded and reported as daily maximum, seven-day running average of the daily maximums, and the monthly maximum of the seven-day running average. The model Quality Assurance Plan shows an example of these calculations.

## S10. ACUTE TOXICITY

### A. Testing Requirements

The Permittee must:

- Conduct acute toxicity testing on final effluent during June 2012 and December 2012.
- Conduct acute toxicity testing on a series of at least five concentrations of effluent, including 100% effluent, and a control.
- Use each of the following species and protocols for each acute toxicity test:
  1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).
  2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012).
- If the Permittee's upgraded wastewater treatment plant (WWTP) becomes operational prior to the expiration date of this permit, the Permittee need not conduct the acute toxicity testing specified in this section.

### B. Sampling and Reporting Requirements

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology's database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.
2. The Permittee must collect 24-hour composite effluent samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.
3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*.

4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in Subsection C and Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If Ecology determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.
5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in Subsection A or pristine natural water of sufficient quality for good control performance.
6. The Permittee must conduct whole effluent toxicity tests on an unmodified sample of final effluent.
7. The Permittee may choose to conduct a full dilution series test during compliance testing in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the acute critical effluent concentration (ACEC). The ACEC equals 33% effluent.
8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing must comply with the acute statistical power standard of 29% as defined in WAC 173-205-020. If the test does not meet the power standard, the Permittee must repeat the test on a fresh sample with an increased number of replicates to increase the power.
9. Reports of individual characterization tests conducted in June 2012 and December 2012 must be submitted to Ecology by August 31, 2012, and February 28, 2013, respectively.
10. The Acute Toxicity Testing Summary Report must be submitted to Ecology with the permit renewal application.

## **S11. CHRONIC TOXICITY**

### **A. Testing Requirements**

The Permittee must:

- Conduct chronic toxicity testing on final effluent during August 2012 and February 2013.
- Conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control. This series of dilutions must include the acute critical effluent concentration (ACEC). The ACEC equals 33% effluent.
- Compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

- Perform chronic toxicity tests with all of the following species and the most recent version of the following protocols:

Freshwater Chronic Test	Species	Method
Fathead minnow	<i>Pimephales promelas</i>	EPA-821-R-02-013
Water flea	<i>Ceriodaphnia dubia</i>	EPA-821-R-02-013
Alga	<i>Selenastrum capricornutum</i> / <i>Raphidocelis subcapitata</i>	EPA-821-R-02-013

- If the Permittee’s upgraded wastewater treatment plant (WWTP) becomes operational prior to the expiration date of this permit, the Permittee need not conduct the chronic toxicity testing specified in this section.

**B. Sampling and Reporting Requirements**

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology’s database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.
2. The Permittee must collect 24-hour composite effluent samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.
3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*.
4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in subsection C and the Ecology Publication No. WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If Ecology determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.
5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in Subsection C or pristine natural water of sufficient quality for good control performance.
6. The Permittee must conduct whole effluent toxicity tests on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance testing in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the CCEC and the ACEC. The CCEC and the ACEC may either substitute for the effluent concentrations that are closest to them in the dilution series or be extra effluent concentrations. The CCEC equals 4% effluent. The ACEC equals 33% effluent.
8. All whole effluent toxicity tests that involve hypothesis testing must comply with the chronic statistical power standard of 39% as defined in WAC 173-205-020. If the test does not meet the power standard, the Permittee must repeat the test on a fresh sample with an increased number of replicates to increase the power.
9. Reports of individual characterization tests conducted in March and September 2012 must be submitted to Ecology by October 31, 2012, and April 30, 2013, respectively.
10. The Chronic Toxicity Summary Report must be submitted to Ecology with the permit renewal application.

## GENERAL CONDITIONS

### G1. SIGNATORY REQUIREMENTS

A. All applications, reports, or information submitted to Ecology must be signed and certified.

1. In the case of corporations, by a responsible corporate officer.

For the purpose of this section, a responsible corporate officer means:

- (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
- (ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. In the case of a partnership, by a general partner.

3. In the case of sole proprietorship, by the proprietor.

4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.

B. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2, above, must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section must make the following certification:

“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

## **G2. RIGHT OF INSPECTION AND ENTRY**

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy, at reasonable times and at reasonable cost, any records required to be kept under the terms and conditions of this permit.
- C. To inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor, at reasonable times, any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

### **G3. PERMIT ACTIONS**

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon Ecology's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 40 CFR 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
  - 1. Violation of any permit term or condition.
  - 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
  - 3. A material change in quantity or type of waste disposal.
  - 4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination.
  - 5. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit.
  - 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
  - 7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
  
- B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:
  - 1. A material change in the condition of the waters of the state.
  - 2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
  - 3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
  - 4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
  - 5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.
  - 6. Ecology has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.

7. Incorporation of an approved local pretreatment program into a municipality's permit.
- C. The following are causes for modification or alternatively revocation and reissuance:
1. When cause exists for termination for reasons listed in A1 through A7 of this section, and Ecology determines that modification or revocation and reissuance is appropriate.
  2. When Ecology has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

#### **G4. REPORTING PLANNED CHANGES**

The Permittee must, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to Ecology of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:

- 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b);
- 2) a significant change in the nature or an increase in quantity of pollutants discharged; or
- 3) a significant change in the Permittee's sludge use or disposal practices.

Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

#### **G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities must be constructed and operated in accordance with the approved plans.

#### **G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this permit must be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

#### **G7. TRANSFER OF THIS PERMIT**

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee must notify the succeeding owner or controller of the existence of this permit by letter, a copy of which must be forwarded to Ecology.

A. Transfers by Modification

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies Ecology at least thirty (30) days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

**G8. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with its permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

**G9. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

**G10. DUTY TO PROVIDE INFORMATION**

The Permittee must submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to Ecology upon request, copies of records required to be kept by this permit.

#### **G11. OTHER REQUIREMENTS OF 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

#### **G12. ADDITIONAL MONITORING**

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

#### **G13. PAYMENT OF FEES**

The Permittee must submit payment of fees associated with this permit as assessed by Ecology.

#### **G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit is deemed guilty of a crime, and upon conviction thereof must be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit will incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is deemed to be a separate and distinct violation.

#### **G15. UPSET**

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- 1) an upset occurred and that the Permittee can identify the cause(s) of the upset;
- 2) the permitted facility was being properly operated at the time of the upset;
- 3) the Permittee submitted notice of the upset as required in Condition S3.E; and
- 4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement action the Permittee seeking to establish the occurrence of an upset has the burden of proof.

**G16. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

**G17. DUTY TO COMPLY**

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

**G18. TOXIC POLLUTANTS**

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

**G19. PENALTIES FOR TAMPERING**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit must, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two (2) years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this condition, punishment must be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

**G20. REPORTING ANTICIPATED NONCOMPLIANCE**

The Permittee must give advance notice to Ecology by submission of a new application or supplement thereto at least one hundred eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during noncritical water quality periods and carried out in a manner approved by Ecology.

**G21. REPORTING OTHER INFORMATION**

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to Ecology, such facts or information must be submitted promptly.

**G22. COMPLIANCE SCHEDULES**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than fourteen (14) days following each schedule date.

**G23. CONTRACT REVIEW**

The Permittee must submit to Ecology any proposed contract for the operation of any wastewater treatment facility covered by this permit. The review is to ensure consistency with chapters 90.46 and 90.48 RCW. In the event that Ecology does not comment within a thirty (30)-day period, the Permittee may assume consistency and proceed with the contract.