

DRAFT

Page 1 of 37
Permit No. WA0020982



Issuance Date: _____
Effective Date: _____
Expiration Date: _____

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT NO. WA0020982**

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

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 Centralia
1100 North Tower Avenue
Centralia, WA 98531**

Plant Location: 1101 Goodrich Road,
Centralia, WA 98531

Receiving Water: Chehalis River,
Approximate River Mile 61.25

Water Body I.D. No.: Old ID No. WA-23-
1020, New ID No. 1238225469619

Discharge Location:
Latitude: 46° 45' 35" N
Longitude: 123° 01' 40" W

Plant Type: Extended Air Activated sludge with UV disinfection

is authorized to discharge in accordance with the special and general conditions that follow.

Garin Schrieve, P.E.
Southwest Regional Manager
Water Quality Program
Washington State 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.

Permit Section	Submittal	Frequency	First Submittal Date
S1.B.	Final Effluent Limitations	1/permit	March 1, 2013
S1.D.	Copper and Zinc Reduction Activities	Annually	September 1, 2009
S3.	Discharge Monitoring Report	Monthly	<i>Reserved for Issuance</i>
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	
S4.E.	Wasteload Assessment	Annually	<i>Reserved for Issuance</i>
S5.G.	Operations and Maintenance Manual	As necessary	
S5.G.	Operations and Maintenance Manual Update/Review Letter	Annually	<i>Reserved for Issuance</i>
S6.D.	List of Industrial Users	1/permit cycle	October 15, 2008
S8.	Application for permit renewal	1/permit cycle	<i>Reserved for Issuance</i>
S9.	Receiving Water and Effluent Study Sampling and Quality Assurance Plan	1/permit cycle	September 15, 2008
S9.	Receiving Water and Effluent Sampling Reports	Annually	December 15, 2008
S9.	Final Receiving Water and Effluent Study Results	1/permit cycle	April 15, 2012
S10.B.	Acute Toxicity Effluent Test Results with Permit Renewal Application	2/permit cycle	September 15, 2011, March 15, 2012, and June 15, 2012
S11.B.	Chronic Toxicity Effluent Test Results with Permit Renewal Application	2/permit cycle	September 15, 2011, March 15, 2012, and June 15, 2012
S12.	Outfall Evaluation	1/permit cycle	September 15, 2010
G1.	Notice of Change in Authorization	as necessary	
G4.	Reporting Planned Changes	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G21.	Reporting Anticipated Non-compliance	As necessary	
G22.	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. Interim 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 **February 28, 2013**, the Permittee may discharge municipal wastewater at the permitted location subject to compliance with the following limitations (this includes the Compliance Schedule as shown in S1.D.):

INTERIM EFFLUENT LIMITATIONS^a: OUTFALL # 001			
Parameter (at the River Flows Shown Below^f)	Monthly Average	Weekly Average	Daily Maximum^b
BOD ₅ and TSS (Dry Weather) ^c (flows < 200 cfs) (flows 200 -- 1000 cfs)	20 mg/L 20 mg/L 85% removal of influent BOD and TSS		30 mg/L, 826 lbs/day 30 mg/L, 926 lbs/day
(Wet Weather) (flows > 1000 cfs)	30 mg/L, 925 lbs/day 75% removal of influent BOD 70% removal of influent TSS		45 mg/L, 2,530 lbs/day
The dry weather ammonia limits below are limited from March 15 th through November 30 th			
Ammonia (NH ₃ -N) (Dry weather) ^d (flows < 200 cfs) (flows 200--<1000 cfs)			4.0 mg/L, 110 lbs/day 4.0 mg/L, 123 lbs/day
The wet weather ammonia limit below is limited from December 1 st through March 14 th or when flows are more than 1000 cfs			
The dry weather ammonia limits below are limited from December 1 st through March 15 th			

INTERIM EFFLUENT LIMITATIONS^a: OUTFALL # 001			
Parameter (at the River Flows Shown Below^f)	Monthly Average	Weekly Average	Daily Maximum^b
Ammonia (NH ₃ -N) (Dry weather) ^d (flows 200–<1000 cfs)			15 mg/L, 463 lbs/day
Ammonia (NH ₃ -N) (Wet weather) (flows >1000 cfs)	10 mg/L		15 mg/L, 657 lbs/day
The following parameters apply to all flows and seasons			
Parameter	Monthly Average	Weekly Average	Daily Maximum
Fecal coliform	200 col/100 ml	400 col/100 ml	
Copper	48 µg/L		71 µg/L
Zinc	90 µg/L		142 µg/L
pH ^e	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.		
^a The average monthly and weekly effluent limitations equal 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.			
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH.			
^c Dry weather limits (except for ammonia) apply on the next day after the 7-day moving average flow at the Grand Mound USGS gage goes below 1,000 cfs and on all subsequent days until the wet weather limits apply.			
^d Dry weather limits (for ammonia only) go into effect 14 days after the seven-day moving average flow at the Grand Mound USGS gage is less than 1,000 cfs. This dry weather limit for ammonia cannot be applied earlier than March 15 of each year following the 14-day phase in.			
^e Indicates the range of permitted values. The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.			
^f River flows must be determined from the Grand Mound USGS gage.			

Should a condition arise where the Permittee is unable to use UV light disinfection, the Permittee is authorized to use chlorine as a final disinfectant on a limited emergency basis. During periods when chlorine use is necessary, the Permittee shall conform to a total residual chlorine discharge limit of 0.5 mg/L monthly average and 0.75 mg/L weekly average. The limit will remain in effect until such time as UV disinfection has been restored.

B. Final 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 **March 1, 2013**, and lasting through the expiration of the permit, the Permittee may discharge municipal wastewater at the permitted location subject to compliance with the following limitations (this includes the Compliance Schedule as shown in S1.D.):

FINAL EFFLUENT LIMITATIONS^a: OUTFALL # 001			
Parameter (at the River Flows Shown Below^f)	Monthly Average	Weekly Average	Daily Maximum^b
BOD ₅ and TSS (Dry Weather) ^c (flows < 200 cfs) (flows 200 -- 1000 cfs)	20 mg/L 20 mg/L 85% removal of influent BOD and TSS		30 mg/L, 826 lbs/day 30 mg/L, 926 lbs/day
(Wet Weather) (flows > 1000 cfs)	30 mg/L, 925 lbs/day 75% removal of influent BOD 70% removal of influent TSS		45 mg/L, 2,530 lbs/day
The dry weather ammonia limits below are limited from March 15 th through November 30 th			
Ammonia (NH ₃ -N) (Dry weather) ^d (flows < 200 cfs) (flows 200--<1000 cfs)			4.0 mg/L, 110 lbs/day 4.0 mg/L, 123 lbs/day
The wet weather ammonia limit below is limited from December 1 st through March 14 th or when flows are more than 1000 cfs			
The dry weather ammonia limits below are limited from December 1 st through March 15 th			

FINAL EFFLUENT LIMITATIONS^a: OUTFALL # 001			
Parameter (at the River Flows Shown Below^f)	Monthly Average	Weekly Average	Daily Maximum^b
Ammonia (NH ₃ -N) (Dry weather) ^d (flows 200–<1000 cfs)			15 mg/L, 463 lbs/day
Ammonia (NH ₃ -N) (Wet weather) (flows >1000 cfs)	10 mg/L		15 mg/L, 657 lbs/day
The following parameters apply to all flows and seasons			
Parameter	Monthly Average	Weekly Average	Daily Maximum
Fecal coliform	200 col/100 ml	400 col/100 ml	
Copper ^g	12.1 µg/L		24.3 µg/L
Zinc ^g	71 µg/L		142 µg/L
pH ^e	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.		
^a The average monthly and weekly effluent limitations equal 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.			
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH.			
^c Dry weather limits (except for ammonia) apply on the next day after the 7-day moving average flow at the Grand Mound USGS gage goes below 1,000 cfs and on all subsequent days until the wet weather limits apply.			
^d Dry weather limits (for ammonia only) go into effect 14 days after the seven-day moving average flow at the Grand Mound USGS gage is less than 1,000 cfs. This dry weather limit for ammonia cannot be applied earlier than March 15 of each year following the 14-day phase in.			
^e Indicates the range of permitted values. The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.			
^f River flows must be determined from the Grand Mound USGS gage.			
^g Ecology will recalculate final limits for copper in 2011 using water quality data collected by the discharger (see Section S9). If recalculated limits are substantially different than those proposed here, Ecology will modify the permit to include the new limits.			

Should a condition arise where the Permittee is unable to use UV light disinfection, the Permittee is authorized to use chlorine as a final disinfectant on a limited emergency basis. During periods when chlorine use is necessary, the Permittee shall conform to a total residual chlorine discharge limit of 0.5 mg/L monthly average and 0.75 mg/L weekly average. The limit will remain in effect until such time as UV disinfection has been restored.

C. Mixing Zone Descriptions

The following paragraph defines the maximum boundaries or flow-volume restriction of the mixing zones:

Chronic Mixing Zone

Washington Administrative Code (WAC) 173-201A-400(7)(a)(i) specifies that mixing zones must not extend downstream from the discharge ports for a distance of more than 300 feet plus the depth of water over the discharge ports as measured during the 7Q10 seasonal low flow and must not extend upstream more than one hundred feet. Given a 7Q10 water depth of 5 feet for the Permittee's outfall, the mixing zone boundary is limited to 305 feet downstream and 100 feet upstream from the discharge ports. The maximum width of the mixing zone is limited to not more than 25 percent of the flow and not more than 25 percent of the width of the water body. Therefore, the maximum flow at the 7Q10 flow is limited to 28.5 cfs (18.4 mgd). Because the river width is 160 feet wide at low flow, the maximum plume width is limited to 40 feet. Chronic aquatic life criteria and human health criteria must be met at the edge of the chronic zone.

Acute Mixing Zone

WAC 173-201A-400(8)(a) specifies that in riverine waters a zone where acute criteria may be exceeded must not extend beyond 10 percent of the distance established for the maximum or chronic zone as measured independently from the discharge ports. The acute mixing zone is therefore limited to 30.5 feet downstream, ten feet upstream and no more than 4 feet wider than the maximum width measured from the center of each discharge port. The mixing zone extends from the riverbed to the top of the water surface. Acute aquatic life criteria must be met at the edge of the acute zone.

	Available Dilution (dilution factor)
Acute Aquatic Life Criteria	2.2
Chronic Aquatic Life Criteria	16
Human Health Criteria - Carcinogen	48
Human Health Criteria - Non-carcinogen	17.4

D. Schedule for Meeting Final Effluent Limitations

Copper and Zinc Compliance Activity:

The Permittee must comply with final effluent limits for copper and zinc by **March 1, 2013**. The Permittee must report annually on efforts to reduce copper in the effluent, which may include:

- Control of supply water alkalinity and pH or other corrosion controls.
- Optimizing the existing treatment processes
- Adding additional treatment to remove metals before discharge.
- Identification and control of non-domestic metal sources

Milestone Reporting	Reporting Date
Report on copper and zinc reduction activities	September 1, 2009 , and annually thereafter

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule

The Permittee must monitor in accordance with the following schedule:

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Influent	BOD ₅	mg/L lbs/day	Influent Sampler	5/week	24-hour composite
Wastewater Influent	TSS	mg/L lbs/day	Influent Sampler	5/week	24-hour composite
Wastewater Influent	pH	S.U.	Influent Sampler	Daily	Grab
Wastewater Influent	Temperature	°C	Influent	Continuous ^a	recording
Wastewater Influent	Flow	mgd	Influent mag. meter	Continuous	On-line recording
Wastewater Effluent	Flow	mgd	Effluent Parshall flume	Continuous	On-line recording
Wastewater Effluent	BOD ₅	mg/L	Following post aeration	5/week	24-hour composite
Wastewater Effluent	BOD ₅	lbs/day	Following post aeration	5/week	Calculation
Wastewater Effluent	BOD ₅	% removal	Following post aeration	5/week	Calculation
Wastewater Effluent	TSS	mg/L	Following post aeration	5/week	24-hour composite
Wastewater Effluent	TSS	lbs/day	Following post aeration	5/week	Calculation

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	TSS	% removal	Following post aeration	5/week	Calculation
Wastewater Effluent	pH	Standard Units	Following post aeration	daily	Grab
Wastewater Effluent	Temperature ^b	°C (report 10 th s of a degree)	Post aeration or at outfall vent	Continuous	Recording
Wastewater Effluent	Fecal Coliform	Org./100 mL	Following post aeration	5/week	Grab
Wastewater Effluent	Total Ammonia-(As NH ₃ -N)	mg/L	Following post aeration	5/week	24-hour composite
Wastewater Effluent	Total Ammonia-(As NH ₃ -N)	lbs/day	Following post aeration	5/week	Calculation
Wastewater Effluent	Total Residual Chlorine ^c	mg/L	Following post aeration	As Needed, Daily	Grab
Wastewater Effluent	Soluble Reactive Phosphorus	mg/L	Following post aeration	Monthly	24-hour composite
Wastewater Effluent	Total Phosphorus	mg/L	Following post aeration	Monthly	24-hour composite
Wastewater Effluent	Nitrate + Nitrite N	mg/L	Following post aeration	Monthly	24-hour composite
Receiving Water and Effluent Study	Copper, Zinc, Silver, Lead, Mercury, pH and Hardness	µg/L (Mercury in mg/L)	Effluent	2/month (2008-2010) ^d	Metals with Clean grab, other parameters with grab
Receiving Water	Copper, Zinc, Silver, Lead, Mercury, pH and hardness	µg/L (Mercury in mg/L)	Chehalis River upstream	3/permit	Grab with clean technique
Receiving Water	Temperature ^b	°C	Chehalis River upstream	3/permit	Recording

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Acute Toxicity Testing	As specified in S10.		Effluent	2/permit in last year prior to new permit application	24-hour composite
Chronic Toxicity Testing	As specified in S11.		Effluent	2/permit in last year prior to new permit application	24-hour composite
Reapplication Monitoring to be Completed Prior to Application Submittal					
Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Reapplication Monitoring	Dissolved Oxygen	mg/L	Effluent	1/year	24-hour composite
Reapplication Monitoring	Oil and Grease	mg/L	Effluent	1/year	24-hour composite
Reapplication Monitoring	Total Dissolved Solids	mg/L	Effluent	1/year	24-hour composite
Reapplication Monitoring	EPA Priority Pollutants - metals, cyanide and total phenols. 1M-15M	µg/L	Effluent	1/year	24-hour composite
Reapplication Monitoring	EPA Priority Pollutants – Volatile Organic Compounds. 1V – 31V	µg/L	Effluent	1/year	24-hour composite
Reapplication Monitoring	EPA Priority Pollutants – Acid-extractable compounds 1A – 11A	µg/L	Effluent	1/year	24-hour composite

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Reapplication Monitoring	EPA Priority Pollutants – Base-neutral compounds 1B – 46B	µg/L	Effluent	1/year	24-hour composite
<p>^a Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. The Permittee must sample daily when continuous monitoring is not possible.</p>					
<p>^b Temperature must be measured continuously. A daily maximum must be determined and reported from half-hour measurements in a 24-hour period. If continuous thermister problems are temporarily unavailable, then sample temperature daily with a grab. Sampling must occur when the effluent is at or near its daily maximum temperature which will usually be in the late afternoon.</p>					
<p>^c In the event that chlorine use is required for disinfection, the Permittee shall monitor the final effluent for total residual chlorine concentrations. This monitoring shall be conducted with grab sampling, to be performed each day that chlorine is being used.</p>					
<p>^d Monthly sampling must occur in June, July, September and October of each year from 2008 -2010.</p>					

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 Code of Federal Regulations (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 that the accuracy of the measurements are consistent with the accepted industry standard and the manufacturers recommendation for that type of device. The Permittee must maintain calibration records for at least three years.

D. Laboratory Accreditation

The Permittee must ensure that all monitoring data required by the Department of Ecology (Department) is prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories*.

Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH must be accredited if the laboratory must otherwise be registered or accredited. The Department 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 the Department 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 DMR form provided, or otherwise approved, by the Department. The Permittee must ensure that DMR forms are postmarked or received by the Department no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. The Permittee must submit priority pollutant analysis data no later than 45 days following the monitoring period. Unless otherwise specified, the Permittee must submit all toxicity test data within 60 days after the sample date. The Permittee must send report(s) to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

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. 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; and
6. The results of all analyses.

C. 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.

D. 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 the Department within 30 days of sampling.

1. Immediate Noncompliance Notification

Any failure of the disinfection system, must be reported immediately to the Department's Regional Office 24-hour number **360-407-6300**.

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 Department of 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 (24) Hour Noncompliance Notification

The Permittee must report the following occurrences of noncompliance by telephone, to the Department at **360-407-6300**, 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; or
- 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 (5) 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; and
- e. If the non compliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. Waiver of Written Reports

The Department 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 RECORDKEEPING 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 Department 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:	5.5 mgd
Instantaneous peak flow (max day):	9.3 mgd
BOD ₅ loading for maximum month:	4400 lbs/day
TSS loading for maximum month:	4200 lbs/day

B. Plans for Maintaining Adequate Capacity

The Permittee must submit a plan and a schedule for continuing to maintain capacity to the Department 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.
3. 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 the Department 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 the Department whenever any new discharge or a substantial change in volume or character of an existing discharge into the Publicly Owned Treatment Works (POTW) is proposed which:
 - a. Would interfere with the operation of, or exceed the design capacity of, any portion of the POTW;
 - 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 POTW'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 POTW, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

E. Waste Load Assessment

1. The Permittee must conduct an assessment of their flow and waste load and submit a report to the Department by _____, and **annually** thereafter.
2. The report must contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings; and the percentage change in these parameters since the previous report.
3. The report must also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above.
4. The Department may modify the interval for review and reporting if it determines that a different frequency is sufficient.

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 back-up 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 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 the Department, if possible, 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.

For Reliability Class II - 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. The Department 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 the Department 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:

- The use of auxiliary treatment facilities
 - Retention of untreated wastes
 - Stopping production
 - 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, or
 - Transport of untreated wastes to another treatment facility
- c. The Permittee has properly notified the Department 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 the Department at least 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 State Environmental Policy Act (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; and
 - 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 the Department 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. The Department 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, the Department 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. The Department will approve of a request to bypass by issuing an administrative order under Revised Code of Washington (RCW) 90.48.120.

G. Operations and Maintenance (O&M) Manual

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

The Permittee must review the O&M Manual at least **annually** and confirm this review by letter to the Department by _____, and **annually** thereafter. Whenever the Permittee makes substantial changes or updates to the O&M Manual the Permittee must submit the changes to the Department.

S6. PRETREATMENT

A. General Requirements

The Permittee must work with the Department to ensure that all commercial and industrial users of the POTW 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. Wastewater Discharge Permit Required

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 the Department in accordance with Chapter 90.48 RCW and Chapter 173-216 WAC.

C. Identification and Reporting of Existing, New, and Proposed Industrial Users

1. The Permittee must take continuous, routine measures to identify all existing, new, and proposed SIUs and potential significant industrial users (PSIUs) discharging or proposing to discharge to the Permittee's sewer system (see Appendix B of the Fact Sheet for definitions).
2. Within 30 days of becoming aware of an unpermitted existing, new, or proposed industrial user who may be an SIU, the Permittee must notify such user by registered mail that, if classified as an SIU, they must apply to the Department and obtain a State Waste Discharge Permit. The Permittee must send a copy of this notification letter to the Department within this same 30-day period.
3. The Permittee must also notify all Potential SIUs (PSIUs), as they are identified, that if their classification should change to an SIU, they must apply to the Department for a State Waste Discharge Permit within 30 days of such change.

D. Annual Submittal of List of Industrial Users

The Permittee must submit to the Department a list summarizing all existing and proposed SIUs and PSIUs. The Permittee must submit this list to the Department by **October 15, 2008**, and **annually** thereafter.

E. Duty to Enforce Discharge Prohibitions

1. Under 40 CFR 403.5(a), the Permittee must not authorize or knowingly allow the discharge of any pollutants into its POTW which cause pass through or interference, or which otherwise violate general or specific discharge prohibitions contained in 40 CFR Part 403.5 or WAC-173-216-060.
2. The Permittee must not authorize or knowingly allow the introduction of any of the following into their treatment works:
 - a. Pollutants which create a fire or explosion hazard in the POTW (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).
 - b. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, or greater than 11.0 standard units, unless the works are specifically designed to accommodate such discharges.
 - c. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the POTW.
 - d. 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 POTW.

- e. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass through.
 - f. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity which may cause acute worker health and safety problems.
 - g. Heat in amounts that will inhibit biological activity in the POTW resulting in interference but in no case heat in such quantities such that the temperature at the POTW headworks exceeds 40 degrees Centigrade (104 degrees Fahrenheit) unless the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.
 - h. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.
 - i. Wastewaters prohibited to be discharged to the POTW by the Dangerous Waste Regulations (Chapter 173-303 WAC), unless authorized under the Domestic Sewage Exclusion (WAC 173-303-071).
3. This Permit prohibits all of the following from discharge to the POTW unless approved in writing by the Department under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or the need to augment sewage flows due to septic conditions):
- a. Noncontact cooling water in significant volumes.
 - b. Stormwater, and other direct inflow sources.
 - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment, or would not be afforded a significant degree of treatment by the system.
4. The Permittee must notify the Department if any industrial user violates the prohibitions listed in this section.

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. The Permittee shall comply with WAC 173-308 and any associated order for handling biosolids.

S8. APPLICATION FOR PERMIT RENEWAL

The Permittee must submit an application for renewal of this permit by _____.

S9. RECEIVING WATER AND EFFLUENT STUDY OF TEMPERATURE, HARDNESS AND METALS

The Permittee must collect information on the effluent and receiving water to confirm that the effluent has a reasonable potential to cause a violation of the water quality standards. The Permittee must conduct chemical analyses of influent and effluent samples collected from the wastewater treatment system in accordance with protocols, monitoring requirements, and QA/QC procedures specified in this section. The Permittee must conduct sample analysis in accordance with 40 CFR Part 136.

Quality Assurance Project Plan for metals and temperature: The Permittee must submit a sampling and quality assurance plan for temperature and metals monitoring for the Department review and approval by **September 15, 2008**. The Permittee must conduct all sampling and analysis 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>). A model Quality Assurance Plan specific for temperature may be found at: <http://www.ecy.wa.gov/programs/wq/permits/guidance.html>.

Temperature Sampling

Temperature must be measured in the effluent and in the ambient water upstream of the outfall. Temperature must be measured at a minimum during the months of April through October of each year, beginning April 1, 2008.

Temperature must be monitored using micro-recording temperature devices known as thermistors. The Department'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/biblio/0503202.html>. Calibration as specified in this document is not required if the Permittee uses recording devices which are certified by the manufacturer. The Department 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 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.

Temperature data from each April-October sampling period must be submitted to the Department by **December 15th** of that year.

Metals and Hardness Sampling

The Permittee shall sample and analyze the **influent, effluent, and receiving water** twice monthly during the critical season (June, July, August, September, and October) during the years 2008 through 2010 (inclusive) for the following parameters: Hardness, pH, Copper, Zinc, Lead, Silver, and Mercury.

The Permittee must follow the clean sampling techniques (Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, EPA Publication No. 821-R-95-034, April 1995). The clean sampling techniques described in method 1669 are intended for ambient monitoring and must be modified for effluent sampling. All metals and hardness samples must be taken as grab samples. Clean sampling requires two samplers working as a team with; one sampler with “dirty hands” and another sampler with “clean hands.” The sampling station accuracy requirements are ± 20 meters. The receiving water sampling location must be outside the zone of influence of the effluent. All chemical analysis shall be conducted according to methods given in 40 CFR 136 and shall have the following detection levels:

POLLUTANT PARAMETER	METHOD	DETECTION LIMIT REQUIRED (Total Recoverable)
Copper (T)	200.8	1.0 µg/L
Zinc (T)	200.8	2.0 µg/L
Lead	200.8	1.0 mg/L
Silver	200.8	0.1 mg/L
Mercury	1631 c	0.2 ng/L

Priority pollutant metals must be sampled and tested as total recoverable except for arsenic which is tested for both total and inorganic. The additional metals, that do not have listed minimum detection limits in the table above, require the Permittee to follow minimum detection levels according to the recommended testing procedures given in 40 CFR 136. Any subsequent sampling and analysis must also meet these requirements. The Permittee may conduct a cooperative receiving water study with other National Pollutant Discharge Elimination System (NPDES) Permittees discharging in the same vicinity. The Permittee must submit the results of the study to the Department within 90 days of completing the effluent and receiving water studies.

Sampling reports must be submitted which detail the results of the sampling. The Permittee must submit the first report by **December 15, 2008**, the second report by **December 15, 2009**, and the final report by **December 15, 2010**. The reports must contain the results of all sampling to date.

S10. ACUTE TOXICITY

A. Testing When There Is No Permit Limit for Acute Toxicity

The Permittee must:

- Conduct acute toxicity testing on final effluent during **July 2011** and **January 2012** (once in the last summer and once in the last winter prior to submission of the application for permit renewal). Resubmit the results to the Department with the permit renewal application by **June 15, 2012**.
- Conduct acute toxicity testing on a series of at least five concentrations of effluent, including 100 percent 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).
3. Rainbow trout, *Oncorhynchus mykiss* (96-hour static-renewal test, method: EPA-821-R-02-012).

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 # 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 the Department's database, then the Permittee must send the data to the Department along with the test report, bench sheets, and reference toxicant results.
2. The Permittee must collect 24-hour composite effluent samples or grab 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 # 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 # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If the Department 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 50 percent 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 percent 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 or compliance test results must be submitted to the Department within 60 days after each sample date.
10. The Acute Toxicity Summary Report for the summer sampling must be submitted to the Department by **September 15, 2011**, and the winter sampling must be submitted by **March 15, 2012**. You must also resubmit the full test results to the Department with the permit renewal application by **June 15, 2012**.

S11. CHRONIC TOXICITY

A. Testing When There Is No Permit Limit for Chronic Toxicity

The Permittee must:

- Conduct chronic toxicity testing on final effluent during **July 2011** and **January 2012** (once in the last summer and once in the last winter prior to submission of the application for permit renewal by **June 15, 2012**).
- Submit the results to the Department with the permit renewal application.
- 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 5 percent 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

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 # 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 the Department's database, then the Permittee must send the data to the Department 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 # 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 # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If the Department 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 8 percent effluent. The ACEC equals 50 percent effluent.
8. All whole effluent toxicity tests that involve hypothesis testing must comply with the chronic statistical power standard of 39 percent 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 or compliance test results must be submitted to the Department within 60 days after each sample date.
10. The Chronic Toxicity Summary Report for the summer sampling must be submitted to the Department by **September 15, 2011**, and the winter sampling must be submitted by **March 15, 2012**. You must also resubmit the full test results to the Department with the permit renewal application by **June 15, 2012**.

S12. OUTFALL EVALUATION

The Permittee must inspect the submerged portion of the outfall line and diffuser **once per permit** to document its integrity and continued function. If conditions allow for a photographic verification, the Permittee must include such verification in the report. If there were problems found with the outfall, the report must recommend a solution and a schedule to fix the problem. The Permittee must submit a report on the condition of the outfall and solutions by **September 15, 2010**, to the Department. If the Permittee finds significant integrity and functionality issues with the outfall, they must notify the Department within 30 days of making that finding.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

- A. All applications, reports, or information submitted to the Department 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 the Department 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 the Department.
 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 the Department 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 the Department'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. The Department 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 the Department determines that modification or revocation and reissuance is appropriate.
 2. When the Department 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 60 days prior to the proposed changes, give notice to the Department 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 the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least 180 days prior to the planned start of construction unless a shorter time is approved by the Department. 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 the Department.

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 the Department at least 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. The Department 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 the Department, within a reasonable time, all information which the Department 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 the Department 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

The Department 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 the Department.

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 \$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 \$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 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 years, or by both.

G20. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee must give advance notice to the Department by submission of a new application or supplement thereto at least 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 the Department.

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 the Department, 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 14 days following each schedule date.

G23. CONTRACT REVIEW

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