



**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**WASTE DISCHARGE PERMIT**

Oregon Department of Environmental Quality  
Northwest Region – Portland Office  
700 NE Multnomah St., Suite 600  
Telephone: 503-229-5263

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act (The Clean Water Act)

**ISSUED TO:**

City of Tillamook  
210 Laurel Avenue  
Tillamook, Oregon 97141

**SOURCES COVERED BY THIS PERMIT:**

Type of Waste	Outfall Number	Outfall Location
Treated Wastewater	001	Latitude: 45.45 Longitude: -123.86
Recycled Water Reuse	002	Specified in Recycled Water Use Plan
Biosolids	003	Specified in Biosolids Management/Land Application Plan

**FACILITY LOCATION:**

Tillamook Wastewater Treatment Plant  
710 5<sup>th</sup> Street  
Tillamook, Oregon 97141

Treatment System Class: III  
Collection System Class: II

**RECEIVING STREAM INFORMATION:**

WRD Basin: North Coast  
USGS Sub-Basin: Wilson-Trask-Nestucca  
Receiving Stream name: Trask River  
LLID: 1238814454680-1.9D

County: Tillamook

EPA REFERENCE NO.: OR0020664

Issued in response to Application No. 960103 received on May 6, 2014. This permit is issued based on the land use findings in the permit record.

\_\_\_\_\_  
Tiffany Yelton-Bram,  
Water Quality Manager  
Northwest Region

December 31, 2018  
Signature Date

February 1, 2019  
Effective Date

## **PERMITTED ACTIVITIES**

Until this permit expires, is modified or revoked, the permittee is authorized to: 1) operate a wastewater collection, treatment, control and disposal system; and 2) discharge treated wastewater to waters of the state only from the authorized discharge point or points in Schedule A in conformance with the requirements, limits, and conditions set forth in this permit.

Unless specifically authorized by this permit, by another NPDES permit, or by Oregon statute or administrative rule, any other direct or indirect discharge of pollutants to waters of the state is prohibited.

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## SCHEDULE A: WASTE DISCHARGE LIMITS

### 1. Outfall 001 – Permit Limits

- a. BOD<sub>5</sub>, TSS and other parameters
- i. During the term of this permit, the effluent quality must comply with the limits in the following table:

**Table A1: Permit Limits**

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
Biochemical Oxygen Demand, 5-day @ 20°C (BOD <sub>5</sub> ) (May 1 – October 31)	mg/L	20	30	--
	lbs/day	177	265	354
	% removal	85 <sup>g</sup>	--	--
Total Suspended Solids (TSS) (May 1 – October 31)	mg/L	20	30	--
	lbs/day	177	265	354
	% removal	85 <sup>g</sup>	--	--
BOD <sub>5</sub> (November 1 – April 30)	mg/L	30	45	--
	lbs/day	530	795	1060
	% removal	85 <sup>g</sup>	--	--
TSS (November 1 – April 30)	mg/L	30	45	--
	lbs/day	530	795	1060
	% removal	85 <sup>g</sup>	--	--
pH <sup>a</sup>	Standard Units	Between 6.0 and 9.0		
Total Residual Chlorine <sup>b</sup>	mg/L	0.01	--	0.02
Fecal coliform bacteria (May 1 – October 31) <sup>c</sup>	# organisms/100 mL	200 <sup>d</sup>	--	400
Fecal coliform bacteria (November 1 – April 30) <sup>e</sup>	# organisms/100 mL	49 <sup>d</sup>	--	151
<i>E. coli</i> bacteria <sup>f</sup>	# organisms/100 mL	126 <sup>d</sup>	--	406
Excess Thermal Load <sup>h</sup> (Year-Round)	Option A (7-day rolling average)		Option B (7-day rolling average)	
	Shall not exceed a 7-day rolling average of 11.8 million Kcals		Shall not exceed a 7-day rolling average as calculated in the equation below	

Notes:

- a. May not be outside the range of 6.0 to 9.0 Standard Units.
- b. Calculated effluent limitations are below analytic range of available methods. The compliance level is equal to the Quantitation Limit which is 0.05 mg/L monthly average and 0.05 mg/L daily maximum.
- c. No single fecal coliform sample may exceed 400 organisms per 100 mL from May 1 through October 31. The permittee may take at least 5 consecutive re-samples at 4-hour intervals beginning as soon as practicable (preferably within 28 hours) after the original sample was taken and the geometric mean of the 5 re-samples is less than or equal to 200 fecal coliform organisms/100 mL to demonstrate compliance with the limit.

- d. Reported as a monthly geometric mean.
- e. No single fecal coliform sample may exceed 151 organisms per 100 mL from November 1 through April 30. The permittee may take at least 5 consecutive re-samples at 4-hour intervals beginning as soon as practicable (preferably within 28 hours) after the original sample was taken and the geometric mean of the 5 re-samples is less than or equal to 49 fecal coliform organisms/100 mL to demonstrate compliance with the limit.
- f. No *E. coli* sample may exceed 406 organisms per 100 mL. The permittee may take at least 5 consecutive re-samples at 4-hour intervals beginning as soon as practicable (preferably within 28 hours) after the original sample was taken and the geometric mean of the 5 re-samples is less than or equal to 126 *E. coli* organisms/100 mL to demonstrate compliance with the limit.
- g. The 85% removal limit does not apply when the monthly average influent BOD or TSS is less than 167 mg/L.
- h. The permittee must comply with the excess thermal load limit using option A or B. For option B, the daily Excess Thermal Load Limit (ETLL) must be calculated using the formula below.

$$ETLL = (Q_e * 1.548 + Q_r / 4) * (0.3) * 2.448 \text{ million kcals/day, as a 7-day rolling average}$$

Where:

ETLL = Excess Thermal Load Limit (kcal/day), as a 7-day rolling average

$Q_e$  = Daily Average Effluent Flow (MGD)

$Q_r$  = Daily Average Trask River Flow (cfs)

- ii. Additional information for the limits in Table A1 above.

(A) May 1 – October 31 mass load limits are based on a dry weather design flow of 1.06 MGD.

Average wet weather design flow is 2.12 MGD and mass load limits from November 1 to April 30 are based on 2.12 MGD.

## 2. Regulatory Mixing Zone

Pursuant to OAR 340-041-0053, the permittee is granted a regulatory mixing zone as described below:

The allowable mixing zone is that portion of the Trask River 50 feet upstream and 100 feet downstream from the point of discharge. The zone of initial dilution (ZID) is that portion of the allowable mixing zone that is within 5 feet upstream and 20 feet downstream of the point of discharge.

## 3. Groundwater Protection

The permittee may not cause an adverse impact on existing or potential beneficial uses of groundwater. All wastewater and process related residuals must be managed and disposed of in a manner that will not cause a violation of the Groundwater Quality Protection Rules (OAR Chapter 340, Division 40).

#### 4. Use of Recycled Water - Outfall 002

The permittee is authorized to distribute recycled water from Outfall 002 if it is:

- a. Treated and used according to the criteria listed in Table A2.
- b. Managed in accordance with its DEQ-approved Recycled Water Use Plan unless exempt as provided in Schedule D, Section 4.
- c. Used in a manner and applied at a rate that does not have the potential to adversely impact groundwater quality.
- d. Applied at a rate and in accordance with site management practices that ensure continued agricultural, horticultural, or silvicultural production and does not reduce the productivity of the site.
- e. Irrigated using sound irrigation practices to prevent:
  - i. Offsite surface runoff or subsurface drainage through drainage tile;
  - ii. Creation of odors, fly and mosquito breeding, or other nuisance conditions; and
  - iii. Overloading of land with nutrients, organics, or other pollutants.

**Table A2: Recycled Water Limits (when discharging recycled water)**

Classification	Level of Treatment (after disinfection unless otherwise specified)	Beneficial Uses
<p><b>Class A</b></p>	<p>Class A recycled water must be oxidized, filtered and disinfected.            Before disinfection, turbidity may not exceed:</p> <ul style="list-style-type: none"> <li>• An average of 2 NTUs within a 24-hour period.</li> <li>• 5 NTUs more than five percent of the time within a 24-hour period.</li> <li>• 10 NTUs at any time.</li> </ul> <p>After disinfection, total coliform may not exceed:</p> <ul style="list-style-type: none"> <li>• A median of 2.2 organisms per 100 mL based on daily sampling over the last 7 days that analyses have been completed.</li> <li>• 23 organisms per 100 mL in any single sample.</li> </ul>	<p>Class A recycled water may be used for:</p> <ul style="list-style-type: none"> <li>• Class B, Class C, Class D, and non-disinfected uses.</li> <li>• Irrigation for any agricultural or horticultural use.</li> <li>• Landscape irrigation of parks, playgrounds, school yards, residential landscapes, or other landscapes accessible to the public.</li> <li>• Commercial car washing or fountains when the water is not intended for human consumption.</li> <li>• Water supply source for non-restricted recreational impoundments.</li> </ul>
<p><b>Class B</b></p>	<p>Class B recycled water must be oxidized and disinfected. Total coliform may not exceed:</p> <ul style="list-style-type: none"> <li>• A median of 2.2 organisms per 100 mL, based on the last 7 days that analyses have been completed.</li> <li>• 23 total coliform organisms per 100 mL in any single sample.</li> </ul>	<p>Class B recycled water may be used for:</p> <ul style="list-style-type: none"> <li>• Class C, Class D, and non-disinfected uses.</li> <li>• Stand-alone fire suppression systems in commercial and residential building, non-residential toilet or urinal flushing, or floor drain trap priming.</li> <li>• Water supply source for restricted recreational impoundments.</li> </ul>
<p><b>Class C</b></p>	<p>Class C recycled water must be oxidized and disinfected. Total coliform may not exceed:</p> <ul style="list-style-type: none"> <li>• A median of 23 total coliform organisms per 100 mL, based on results of the last 7 days that analyses have been completed.</li> <li>• 240 total coliform organisms per 100 mL in any two consecutive samples.</li> </ul>	<p>Class C recycled water may be used for:</p> <ul style="list-style-type: none"> <li>• Class D and non-disinfected uses.</li> <li>• Irrigation of processed food crops; irrigation of orchards or vineyards if an irrigation method is used to apply recycled water directly to the soil.</li> <li>• Landscape irrigation of golf courses, cemeteries, highway medians, or industrial or business campuses.</li> <li>• Industrial, commercial, or construction uses limited to: industrial cooling, rock crushing, aggregate washing, mixing concrete, dust control, nonstructural firefighting using aircraft, street sweeping, or sanitary sewer flushing.</li> </ul>

Classification	Level of Treatment (after disinfection unless otherwise specified)	Beneficial Uses
<b>Class D</b>	Class D recycled water must be oxidized and disinfected. <i>E. coli</i> may not exceed: <ul style="list-style-type: none"> <li>• A 30-day geometric mean of 126 organisms per 100 mL.</li> <li>• 406 organisms per 100 mL in any single sample.</li> </ul>	Class D recycled water may be used for: <ul style="list-style-type: none"> <li>• Non-disinfected uses.</li> <li>• Irrigation of firewood, ornamental nursery stock, Christmas trees, sod, or pasture for animals.</li> </ul>
<b>Non-disinfected</b>	Non-disinfected recycled water must be oxidized.	Non-disinfected water may be used for: <ul style="list-style-type: none"> <li>• Irrigation for growing commercial timber, fodder, fiber or seed crops not intended for human ingestion.</li> </ul>

## 5. Biosolids

The permittee may land apply biosolids or provide biosolids for sale or distribution, subject to the following conditions:

- a. The permittee must implement a Biosolids Management Plan and Land Application Plan within 180 days prior to land application of biosolids. The permittee must manage biosolids in accordance with its DEQ-approved Biosolids Management Plan and Land Application Plan.
- b. Except when used for land reclamation and approved by DEQ, biosolids must be applied at or below the agronomic rate required for maximum crop yield.
- c. The permittee must obtain written site authorization from DEQ for each land application site prior to land application (see Schedule D, Section 6) and follow the site-specific management conditions in the DEQ-issued site authorization letter.
- d. Biosolids must meet one of the pathogen reduction standards under 40 CFR §503.32 and one of the vector attraction reduction standards under 40 CFR §503.33.
- e. Pollutants in biosolids may not exceed the ceiling concentrations shown in Table A3 below. Biosolids exceeding the pollutant concentrations in Table A3 must be applied at a rate that does not exceed the corresponding cumulative pollutant loading rates.

**Table A3: Biosolids Limits**

<b>Pollutant</b>	<b>Ceiling concentrations<sup>a</sup> (mg/kg)</b>	<b>Pollutant concentrations<sup>a</sup> (mg/kg)</b>	<b>Cumulative pollutant loading rates<sup>a</sup> (kg/ha)</b>
Arsenic	75	41	41
Cadmium	85	39	39
Copper	4300	1500	1500
Lead	840	300	300
Mercury	57	17	17
Molybdenum	75	N/A	N/A
Nickel	420	420	420
Selenium	100	100	100
Zinc	7500	2800	2800

Note:

- a. Biosolids pollutant limits are described in 40 CFR 503.13, which uses the terms *ceiling concentrations*, *pollutant concentrations*, and *cumulative pollutant loading rates*. Biosolids containing pollutants in excess of the ceiling concentrations may not be applied to the land. Biosolids containing pollutants in excess of the pollutant concentrations, but below the ceiling concentrations, may be applied to the land; however, the total quantity of biosolids applied may not exceed the cumulative pollutant loading rates.

## **SCHEDULE B: MINIMUM MONITORING AND REPORTING REQUIREMENTS**

### **1. Monitoring and Reporting Protocols**

a. Electronic Submissions.

The permittee must submit to DEQ the results of monitoring indicated in Schedule B in an electronic format as specified below unless otherwise directed by DEQ.

- i. When directed by DEQ, the permittee must submit monitoring results required by this permit via DEQ-approved web-based Discharge Monitoring Report (DMR) forms to the NetDMR webpage at: <https://cdx.epa.gov/>. Any data used to calculate summary statistics must be submitted as a separate attachment via NetDMR in a DEQ-approved format.
- i. The reporting period is the calendar month.
- ii. The permittee must submit monitoring data and other information required by this permit for all compliance points by the 15<sup>th</sup> day of the month following the reporting period unless specified otherwise in this permit or as specified in writing by DEQ.
- iii. Beginning after December 21, 2020, or when directed by DEQ, the permittee must submit electronic reports for Pretreatment Program Reports, Biosolids/Sewage Sludge, Sewer Overflow/Bypass Event Reports, and other required information to DEQ via NetDMR.
- iv. The permittee must sign and certify all electronic submissions in accordance with the requirements of Section D8 within Schedule F of this permit.

b. Test Methods

- i. Test Methods – monitoring must be conducted according to test procedures in 40 CFR 136 and 40 CFR 503 for biosolids or other approved procedures as per Schedule F.

c. Detection and Quantitation Limits

- i. Detection Level (DL) – The DL is defined as the minimum measured concentration of a substance that can be distinguished from method blank results with 99% confidence. The DL is derived using the procedure in 40 CFR 136 Appendix B and evaluated for reasonableness relative to method blank concentrations to ensure results reported above the DL are not a result of routine background contamination. The DL is also known as the Method Detection Limit (MDL) or Limit of Detection (LOD).
- ii. Quantitation Limits (QLs) – The QL is the minimum level, concentration or quantity of a target analyte that can be reported with a specified degree of confidence. It is the lowest level at which the entire analytical system gives a recognizable signal and acceptable calibration for the analyte. It is normally equivalent to the concentration of the lowest calibration standard adjusted for sample weights, volumes, preparation and cleanup procedures employed. The QL as reported by a laboratory is also sometimes referred to as the Method Reporting Limit (MRL) or Limit of Quantitation (LOQ).
- iii. For compliance and characterization purposes, the maximum acceptable QL is stated in this permit.

- d. Implementation
- i. The Laboratory QLs (adjusted for any dilutions) for analyses performed to demonstrate compliance with permit limits or as part of effluent characterization, must be at or below the QLs specified in the permit unless one of the conditions below is met.
    - (A) The monitoring result shows a detect above the laboratory reported QL.
    - (B) The monitoring result indicates nondetect at a DL which is less than the QL.
    - (C) Matrix effects are present that prevent the attainment of QLs and these matrix effects are demonstrated according to procedures described in EPA's "Solutions to Analytical Chemistry Problems with Clean Water Act Methods", March 2007. If using alternative methods and taking appropriate steps to eliminate matrix effects does not eliminate the matrix problems, DEQ may authorize re-sampling or allow a higher QL to be reported. In the case of effluent characterization monitoring, DEQ may allow the re-sampling to be done as part of Tier 2 monitoring. Sections B.5 and B.6 contain more information on Tier 1 and Tier 2 monitoring.
- e. Laboratory Quality Assurance and Quality Control
- i. Laboratory Quality Assurance and Quality Control (QA/QC) – The permittee must develop and implement a written QA/QC program that conforms to the requirements of 40 CFR 136.7.
  - ii. If QA/QC requirements are not met for any analysis, the permittee must re-analyze the sample. If the sample cannot be re-analyzed, the permittee must re-sample and analyze at the earliest opportunity. If the permittee is unable to collect a sample that meeting QA/QC requirements, then the permittee must include the result in the discharge monitoring report (DMR) along with a notation (data qualifier). In addition, the permittee must explain how the sample does not meet QA/QC requirements. The permittee may not use the result that failed the QA/QC requirements in any calculation required by the permit unless authorized by DEQ.
- f. Reporting Sample Results - The permittee must follow the procedures listed below when reporting sampling results.
- i. The permittee must report the laboratory DL and QL as defined above for each analyte, with the following exceptions: pH, temperature, BOD<sub>5</sub>, carbonaceous biochemical oxygen demand (CBOD), TSS, oil and grease (O&G), hardness, alkalinity, bacteriological analytes and nitrate-nitrite. For temperature and pH, neither the QL nor the DL need to be reported. For the other parameters, the permittee is only required to report the QL and only when the result is ND.
  - ii. The permittee must report the same number of significant digits as the permit limit for a given parameter.
  - iii. CAS Numbers. CAS numbers (where available) must be reported along with monitoring results.
  - iv. (for DMRs) If a sample result is above the DL but below the QL, the permittee must report the result as the DL preceded by DEQ's data code "e". For example, if the DL is 1.0 µg/l, the QL is 3.0 µg/L and the result is estimated to be between the DL and QL, the permittee

must report “e1.0 µg/L” on the DMR. This requirement does not apply in the case of parameters for which the DL does not have to be reported.

- v. (for DMRs) If the sample result is below the DL, the permittee must report the result as less than the specified DL. For example, if the DL is 1.0 µg/L and the result is ND, report “<1.0” on the DMR. This requirement does not apply in the case of parameters for which the DL does not have to be reported.

g. Calculating and Reporting Mass Loads

The permittee must calculate mass loads on each day the parameter is monitored using the following equation:

$$\text{Flow (in MGD)} \times \text{Concentration (in mg/L)} \times 8.34 = \text{Pounds per day}$$

- i. Mass load limits all have two significant figures unless otherwise noted.
- ii. When concentration data are below the DL: To calculate the mass load from this result, use the DL. Report the mass load as less than the calculated mass load.
- iii. When concentration data are above the DL, but below the QL: To calculate the mass load from this result, use the detection level. Report the mass load as the calculated mass load preceded by “e”.

The permittee must submit to DEQ monitoring reports as listed below.

**Table B1: Schedule for Reporting Requirements**

Reporting Requirement	Frequency	Due Date (See Note a.)	Report Form (unless otherwise specified in writing)	Submit To:
Table B2: Influent Monitoring	1/Month	15 <sup>th</sup> day following the completed monitoring period	Specified in Schedule B. Section 1 of this permit (See Notes b, c and d.)	NetDMR
Table B3: Effluent Monitoring	1/Month	15 <sup>th</sup> day following the completed monitoring period	Specified in Schedule B. Section 1 of this permit (See Notes b, c and d.)	NetDMR
Tables B4 – B8: Effluent Toxics Characterization	Once (See Note e.)	End of the 14 <sup>th</sup> month after permit effective date	1 hard copy and electronic copy in DEQ-approved format	EDD (see Section B.4)
Section B5: Ambient and Additional Effluent Toxics Characterization Data	Once (See Note e.)	If required, within 6 months of completion of sampling	1 hard copy and electronic copy in DEQ-approved format	EDD (see Section B.4)
Table B9: Copper Biotic Ligand Model and Aluminum Sampling Requirements	1/Month for 24 months during the second and third year of the permit	30 <sup>th</sup> day following completion of 24-month sampling effort	1 hard copy and electronic copy	DEQ Regional Office
Section B6: Copper BLM and aluminum sampling and analysis plan	Once (See section B6)	June 30, 2020	1 hard copy and electronic copy	DEQ Regional Office
Table B10: WET Test Monitoring	See Table B10	Within 60 days of performance of the test.	1 hard copy, electronic copy in DEQ-approved format as per Table B11 (electronic copy must include bench sheets)	DEQ Regional Office

Reporting Requirement	Frequency	Due Date (See Note a.)	Report Form (unless otherwise specified in writing)	Submit To:
Biosolids land application annual report describing solids handling activities for the previous year and includes the information described in OAR 340-050-0035(6)(a)-(e). Table B12: Biosolids Monitoring	1/Year	February 19	3 hard copies and 1 electronic copy in DEQ-approved format	One each to: DEQ Regional Office DEQ Biosolids Program Coordinator EPA Region 10 (for Class I facilities)
Recycled Water annual report (if recycled water was discharged in the previous year)	1/year	February 19	1 hard copy and 1 electronic copy in DEQ-approved format	One each to: DEQ Regional Office DEQ Biosolids Program Coordinator
Inflow and infiltration report (See Schedule D, Section 1 for description)	1/Year	February 1	1 hard copy and 1 electronic copy in DEQ-approved format	DEQ Regional Office
Updated Significant Industrial User Survey (See Schedule D, Section 12 for description)	Once per permit cycle	Within 24 months of permit effective date	1 hard copy and 1 electronic copy in DEQ-approved format	DEQ Pretreatment Coordinator
Outfall Inspection Report (see Schedule B, Section 12 for description)	Once per permit cycle	Within three years of permit effective date.	1 hard copy and 1 electronic copy in DEQ-approved format	DEQ Regional Office
Design Flow Specifications (Schedule D.13)	Once per permit cycle	May 1, 2023	1 hard copy and 1 electronic copy in DEQ-approved format	DEQ Regional Office
Inflow/Infiltration Analysis (Schedule D.14)	Once per permit cycle	May 1, 2023	1 hard copy and 1 electronic copy in DEQ-approved format	DEQ Regional Office

Notes:

- For submittals that are provided to DEQ by mail, the postmarked date must not be later than the due date.
- Name, certificate classification, and grade level of each responsible principal operator as well as identification of each system classification must be included on DMRs.
- Equipment breakdowns and bypass events must be noted on DMRs.
- DEQ anticipates implementing an electronic reporting system for DMRs. After December 21, 2016, the permittee is required to submit DMRs electronically. Until otherwise notified, the permittee must submit a hard copy of the DMR to the appropriate regional office.
- Though the overall characterization only needs to be performed once during the permit cycle, a particular characterization may include multiple sampling events. Refer to Schedule B, Section 5 on required timing of sampling.

## 2. Influent Monitoring and Reporting Requirements

The permittee must monitor influent after the headworks and prior to any return flows and report results in accordance with the table below.

**Table B2: Influent Monitoring**

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Summary Statistic
Total Flow (ICIS# 50050)	MGD	Year-round	2/Week	Continuous <sup>b</sup>	1. Raw data <sup>a</sup> 2. Daily max 3. Monthly average
BOD <sub>5</sub> (ICIS# 00310)	mg/L	Year-round	2/Week	24-hour flow-based composite	1. Raw data <sup>a</sup> 2. Monthly average
BOD <sub>5</sub> (ICIS# 00310)	lbs/day	Year-round	2/Week	Calculation	1. Raw data <sup>a</sup> 2. Monthly average
TSS (ICIS# 00530)	mg/L	Year-round	2/Week	24-hour flow-based composite	1. Raw data <sup>a</sup> 2. Monthly average
TSS (ICIS# 00530)	lbs/day	Year-round	2/Week	Calculation	1. Raw data <sup>a</sup> 2. Monthly average
pH (ICIS# 00400)	SU	Year-round	3/Week	Grab	1. Raw data <sup>a</sup> 2. Daily max 3. Daily min
Notes:					
a. All data used to determine summary statistics must be submitted as a spreadsheet attachment in NetDMR.					
b. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If deployment of new equipment is not immediately possible, permittee must monitor grab measurements daily between 2:00 pm and 5:00 pm until monitoring equipment is re-deployed.					

### 3. Effluent Monitoring and Reporting Requirements

The permittee must monitor effluent for Outfall 001 following disinfection and report results in accordance with the table below:

**Table B3A: Effluent Monitoring**

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Summary Statistic
Total Flow (ICIS# 50050)	MGD	Year-round	1/Day	Continuous	1. Raw data <sup>a</sup> 2. Daily totals 3. Monthly max 4. Monthly average
BOD <sub>5</sub> (ICIS# 00310)	mg/L	Year-round	2/Week	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup> 2. Weekly averages 3. Monthly average
BOD <sub>5</sub> (ICIS# 00310)	lbs/day	Year-round	2/Week	Calculation	1. Raw data <sup>a</sup> 2. Daily max 3. Weekly averages 4. Monthly average
BOD <sub>5</sub> Percent Removal <sup>c</sup> (ICIS# 81010)	%	Year-round	1/Month	Calculation	1. Monthly average
TSS (ICIS# 00530)	mg/L	Year-round	2/Week	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup> 2. Weekly averages 3. Monthly average
TSS (ICIS# 00530)	lbs/day	Year-round	2/Week	Calculation	1. Raw data <sup>a</sup> 2. Daily max 3. Weekly averages 4. Monthly average
TSS Percent Removal <sup>c</sup> (ICIS# 81011)	%	Year-round	1/Month	Calculation	1. Monthly average
pH (ICIS# 00400)	SU	Year-round	3/Week	Grab	1. Raw data <sup>a</sup> 2. Daily max 3. Daily min

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Summary Statistic
Temperature <sup>d</sup> (ICIS# 00010)	°C	Year-round	Daily	Grab	1. Daily max 2. Daily min
Excess Thermal Load Limit <sup>e</sup>	Mkcal/day	Year-round	Daily	Calculation (see Schedule A.1 note i)	1. Daily values 2. 7-day rolling average
Excess Thermal Load <sup>e</sup> (ICIS# 51405)	Mkcal/day	Year-round	Daily	Calculation	1. Daily values 2. Maximum 7-day rolling average
Ammonia (NH <sub>3</sub> -N)	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Fecal Coliform Bacteria (ICIS# 74055)	# organisms/ 100 mL	Year-round	2/Week	Grab	1. Raw data <sup>a</sup> 2. Daily max 3. Monthly geometric mean
<i>E. coli</i> (ICIS# 51040)	# organisms/ 100 mL	Year-round	2/Week	Grab	1. Raw data <sup>a</sup> 2. Daily max 3. Monthly geometric mean
Alkalinity as CaCO <sub>3</sub> (for effluent characterization purposes)	mg/L	Year-round	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Quantity Chlorine Used	lbs/day	Year-round	Daily	Measurement	1. Raw data <sup>a</sup>
Chlorine (Total Residual, TRC) (ICIS# 50060)	mg/L	Year-round	Daily	Grab	1. Raw data <sup>a</sup> 2. Daily max 3. Monthly average
Dissolved Oxygen	mg/L	Year 3 of the permit term	Quarterly	Grab	1. Raw data <sup>a</sup>
Total Kjeldahl Nitrogen (TKN)	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Nitrate Nitrogen	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Nitrite Nitrogen	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Nitrate Plus Nitrite Nitrogen	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Total Phosphorus	mg/L	May 1 – October 31	1/Month	24-hour flow-based composite <sup>b</sup>	1. Raw data <sup>a</sup>
Oil and Grease	mg/L	Year 3 of the permit term	Quarterly	Grab	1. Raw data <sup>a</sup>

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Summary Statistic
<p>Notes:</p> <p>a. All data used to determine summary statistics must be submitted as a spreadsheet attachment in NetDMR.</p> <p>b. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, permittee must monitor grab measurements daily between 2:00 pm and 5:00 pm until monitoring equipment is re-deployed.</p> <p>c. Percent Removal shall be calculated on a monthly basis using the following formula:</p> $\text{Percent Removal} = \frac{[\text{Influent Concentration}] - [\text{Effluent Concentration}]}{[\text{Influent Concentration}]} \times 100$ <p>Where:</p> <p>Influent Concentration = Corresponding Monthly average influent concentration based on the analytical results of the reporting period.            Effluent Concentration = Corresponding Monthly average effluent concentration based on the analytical results of the reporting period.</p> <p>d. Temperature measurements shall be taken no earlier than 10 am, preferably between 1-3 pm to capture the maximum effluent temperature. The daily maximum effluent temperature and the daily average effluent flow shall be used to calculate the daily excess thermal load.</p> <p>e. The daily excess thermal load must be calculated using the daily maximum effluent temperature and the corresponding daily average effluent flow using the formula below. If the calculation results in an excess thermal load value less than zero, the results must be recorded as zero.</p> <p>The 7-day average of the thermal load is a rolling average of the daily excess thermal loads.            The ETL is calculated as follows: <math>\text{ETL} = 3.785 * Q_e * (T_e - 18)</math> million kcals/day</p> <p>Where:</p> <p>ETL = Daily Excess Thermal Load Discharge (million kcals/day)  <math>Q_e</math> = Daily Average Effluent Flow (MGD)  <math>T_e</math> = Daily Maximum Effluent temperature (°C)</p> <p>f. Calculated as a 7-day rolling average of the daily excess thermal loads.</p> <p>g. An intermediate excess thermal load limit value is determined daily using option A or B. The permitted excess thermal load limit is the 7-day rolling average of the daily values.</p>					

**Table B3B: Trask River Flow Reporting**

Item or Parameter	Units	Time Period	Minimum Frequency <sup>a</sup>	Sample Type/ Required Action	Summary Statistic
Total Flow <sup>a,b</sup> (ICIS# 00056)	cfs	Year-round	Daily	Reading	1. Raw data <sup>c</sup> 2. Monthly average

Notes:

- USGS gage 1430248 Trask River above Cedar Creek. If this gage becomes out of service temporarily or permanently, the permittee must notify DEQ within 24 hours of becoming aware of the situation and must develop a method to estimate daily stream flow with approval by DEQ.
- Reporting of Trask River flow is only required on days when option B is being used to determine the excess thermal load limit.
- All data used to determine summary statistics must be submitted as a spreadsheet attachment in NetDMR.

**4. Tier 1 Monitoring: Effluent Toxics Characterization Monitoring**

The permittee must analyze effluent samples for the parameters listed in tables B4-B8 below. The permittee must collect Outfall 001 effluent samples following disinfection on a quarterly basis in March, June, September and December 2019. Samples must be 24-hour composites except as noted in Tables B4 and B5 for Total Cyanide, Free Cyanide and Volatile Organic Compounds. Additional monitoring may be required based on the results of this monitoring. This additional monitoring is referred to as Tier 2 monitoring, and is described in more detail in Schedule B Section : Ambient and Additional Effluent Characterization Monitoring (Tier 2 Monitoring). Sample results must be submitted to DEQ using DEQ’s Electronic Data Delivery (EDD) system. For more information, go to:  
<http://www.oregon.gov/deq/WQ/Pages/toxics/eddtoxics.aspx>.

**Table B4: Metals, Cyanide, and Hardness**

(µg/L unless otherwise specified)

Pollutant <sup>a</sup>	CAS <sup>b</sup>	QL	Pollutant <sup>a</sup>	CAS <sup>b</sup>	QL
Antimony (total and dissolved)	7440360	0.10	Nickel (total and dissolved)	7440020	1.0
Arsenic (total and dissolved)	7440382	0.50	Selenium (total and dissolved)	7782492	1.0
Beryllium (total and dissolved)	7440417	0.10	Silver (total and dissolved)	7440224	1.0
Cadmium (total and dissolved)	7440439	0.10	Thallium (total and dissolved)	7440280	0.10
Chromium (total and dissolved)	7440473	0.40	Zinc (total and dissolved)	7440666	5.0
Lead (total and dissolved)	7439921	1.0	Cyanide (Total) <sup>c</sup>	57125	5.0
Mercury (total and dissolved)	7439976	0.001	Hardness (Total as CaCO <sub>3</sub> )	NA	NA

Notes:

- The term “total” used in reference to metals is intended to cover all EPA-accepted standard digestion methods and is considered to be equivalent to the term “total recoverable”.
- Chemical Abstract Service
- When sampling for Total Cyanide, the permittee must collect at least six discrete grab samples over the operating day with samples collected no less than one hour apart. The aliquot must be at least 100 mL and collected and composited into a larger container that has been preserved with sodium hydroxide to insure sample integrity.

**Table B5: Volatile Organic Compounds**

(µg/L unless otherwise specified)

Pollutant <sup>a</sup>	CAS	QL	Pollutant <sup>a</sup>	CAS	QL
Acrolein <sup>k</sup>	107028	5.0	1,2-trans-dichloroethylene <sup>d</sup>	156605	0.50
Acrylonitrile <sup>k</sup>	107131	5.0	1,1-dichloroethylene <sup>f</sup>	75354	0.50
Benzene	71432	0.50	1,2-dichloropropane	78875	0.50
Bromoform	75252	0.50	1,3-dichloropropylene <sup>g</sup>	542756	0.50
Carbon Tetrachloride	56235	0.50	Ethylbenzene	100414	0.50
Chlorobenzene	108907	0.50	Methyl Bromide <sup>h</sup>	74839	0.50
Chlorodibromomethane <sup>b</sup>	124481	0.50	Methyl Chloride <sup>h</sup>	74873	0.50
Chloroethane	75003	0.50	Methylene Chloride	75092	0.50
2-Chloroethylvinyl Ether <sup>k</sup>	110758	10	1,1,2,2-tetrachloroethane	79345	0.50
Chloroform	67663	0.50	Tetrachloroethylene <sup>i</sup>	127184	0.50
Dichlorobromomethane <sup>c</sup>	75274	0.50	Toluene	108883	0.50
1,2-Dichlorobenzene (o)	95501	0.50	1,1,1-trichloroethane	71556	0.50
1,3-Dichlorobenzene (m)	541731	0.50	1,1,2-trichloroethane	79005	0.50
1,4-Dichlorobenzene (p)	106467	0.50	Trichloroethylene <sup>j</sup>	79016	0.50
1,1-dichloroethane	75343	0.50	Vinyl Chloride	75014	0.50
1,2-dichloroethane	107062	0.50			

Notes:

- a. The permittee must collect six discrete samples (not less than 40 mL) over the operating day at intervals of at least one hour. The samples may be analyzed separately or composited. If analyzed separately, the analytical results for all samples must be averaged for reporting purposes. If composited, they must be composited in the laboratory at the time of analysis in a manner that maintains the integrity of the samples and prevents the loss of volatile analytes. The quantitation limits listed above remain in effect for composite samples.
- b. Chlorodibromomethane is identified as Dibromochloromethane in 40 CFR 136.3, Table 1C.
- c. Dichlorobromomethane is identified as Bromodichloromethane in 40 CFR 136.3, Table 1C.
- d. 1,2-trans-dichloroethylene is identified as trans-1,2-dichloroethene in 40 CFR 136.3, Table 1C.
- e. 1,1-dichloroethylene is identified as 1,1-dichloroethene in 40 CFR 136.3, Table 1C.
- f. 1,3-dichloropropylene consists of both cis-1,3-dichloropropene and trans-1,3-dichloropropene. Both should be reported individually.
- g. Methyl bromide is identified as Bromomethane in 40 CFR 136.3, Table 1C.
- h. Methyl chloride is identified as chloromethane in 40 CFR 136.3, Table 1C.
- i. Tetrachloroethylene is identified as tetrachloroethene in 40 CFR 136.3, Table 1C.
- j. Trichloroethylene is identified as trichloroethene in 40 CFR 136.3, Table 1C.
- k. Acrolein, Acrylonitrile, and 2-Chloroethylvinyl ether must be tested from an unacidified sample.

**Table B6: Acid-Extractable Compounds**

(µg/L unless otherwise specified)

Pollutant	CAS	QL <sup>a</sup>	Pollutant	CAS	QL <sup>a</sup>
p-chloro-m-cresol <sup>b</sup>	59507	1.0	2-nitrophenol	88755	2.0
2-chlorophenol	95578	1.0	4-nitrophenol	100027	5.0
2,4-dichlorophenol	120832	1.0	Pentachlorophenol	87865	1.0
2,4-dimethylphenol	105679	5.0	Phenol	108952	1.0
4,6-dinitro-o-cresol <sup>c</sup>	534521	2.0	2,4,5-trichlorophenol <sup>d</sup>	95954	2.0
2,4-dinitrophenol	51285	5.0	2,4,6-trichlorophenol	88062	1.0

a. Some QLs may need methods with modification allowed in 40 CFR 136.6 or EPA's Solutions for Analytical Chemistry Problems w/Clean Water Methods, March 2007. (url: [http://water.epa.gov/scitech/methods/cwa/atp/upload/2008\\_02\\_06\\_methods\\_pumpkin.pdf](http://water.epa.gov/scitech/methods/cwa/atp/upload/2008_02_06_methods_pumpkin.pdf))

b. p-chloro-m-cresol is identified as 4-Chloro-3-methylphenol in 40 CFR 136.3, Table 1C.

c. 4,6-dinitro-o-cresol is identified as 2-Methyl-4,6-dinitrophenol in 40 CFR 136.3, Table 1C.

d. To monitor for 2,4,5-trichlorophenol, use EPA Method 625.

**Table B7: Base-Neutral Compounds**  
 (µg/L unless otherwise specified)

Pollutant	CAS	QL <sup>a</sup>	Pollutant	CAS	QL
Acenaphthene	83329	1.0	Dimethyl phthalate	131113	1.0
Acenaphthylene	208968	1.0	2,4-dinitrotoluene	121142	1.0
Anthracene	120127	1.0	2,6-dinitrotoluene	606202	1.0
Benzidine	92875	10	1,2-diphenylhydrazine <sup>d</sup>	122667	2.0
Benzo(a)anthracene	56553	0.5	Fluoranthene	206440	2.0
Benzo(a)pyrene	50328	0.5	Fluorene	86737	1.0
3,4-benzofluoranthene <sup>b</sup>	205992	0.5	Hexachlorobenzene	118741	1.0
Benzo(ghi)perylene	191242	1.0	Hexachlorobutadiene	87683	2.0
Benzo(k)fluoranthene	207089	0.5	Hexachlorocyclopentadiene	77474	2.0
Bis(2-chloroethoxy)methane	111911	2.0	Hexachloroethane	67721	1.0
Bis(2-chloroethyl)ether	111444	1.0	Indeno(1,2,3-cd)pyrene	193395	0.5
Bis(2-chloroisopropyl)ether <sup>c</sup>	108601	2.0	Isophorone	78591	5.0
Bis(2-ethylhexyl)phthalate	117817	1.0	Napthalene	91203	1.0
4-bromophenyl phenyl ether	101553	1.0	Nitrobenzene	98953	1.0
Butylbenzyl phthalate	85687	1.0	N-nitrosodi-n-propylamine	621647	2.0
2-chloronaphthalene	91587	1.0	N-nitrosodimethylamine	62759	1.0
4-chlorophenyl phenyl ether	7005723	1.0	N-nitrosodiphenylamine	86306	1.0
Chrysene	218019	0.5	Pentachlorobenzene	608935	1.0
Di-n-butyl phthalate	84742	1.0	Phenanthrene	85018	1.0
Di-n-octyl phthalate	117840	1.0	Pyrene	129000	1.0
Dibenzo(a,h)anthracene	53703	0.5	1,2,4-trichlorobenzene	120821	1.0
3,3-Dichlorobenzidine	91941	1.0	Tetrachlorobenzene,1,2,4,5 <sup>e</sup>	95943	1.0
Diethyl phthalate	84662	1.0			

Notes:

- Some QLs may need methods with modification allowed in 40 CFR 136.6 or EPA's *Solutions for Analytical chemistry Problems w/Clean Water Methods, March 2007*.
- 3,4-benzofluoranthene is listed as Benzo(b)fluoranthene in 40 CFR 136.
- Bis(2-chloroisopropyl)ether is listed as 2,2'-oxybis(2-chloro-propane in 40 CFR 136.
- 1,2-diphenylhydrazine is difficult to analyze given its rapid decomposition rate in water. Azobenzene (a decomposition product of 1,2-diphenylhydrazine), should be analyzed as an estimate of this chemical.
- To analyze for Pentachlorobenzene and Tetrachlorobenzene 1,2,4,5, use EPA 625.

**Table B8: PCBs**  
 (µg/L unless otherwise specified)

<b>Pollutant</b>	<b>CAS</b>	<b>QL<sup>a</sup></b>
PCB- Aroclor 1254	11097691	0.50
PCB- Aroclor 1232	11141165	0.50
PCB- Aroclor 1260	11096825	0.50
PCB- Aroclor 1242	53469219	0.50
PCB- Aroclor 1221	11104282	0.50
PCB- Aroclor 1248	12672296	0.50
PCB- Aroclor 1016	12674112	0.50
Notes: a. Some QLs may need methods with modification allowed in 40 CFR 136.6 or EPA's Solutions for Analytical chemistry Problems w/Clean Water Methods, March 2007.		

## 5. Ambient and Additional Effluent Characterization Monitoring (Tier 2 Monitoring)

DEQ will evaluate the results of monitoring required under Schedule B Section 5: Effluent Toxics Characterization Monitoring (also referred to as Tier 1 monitoring) to determine whether the permittee will be required to conduct additional ambient water quality and/or effluent monitoring (also referred to as Tier 2 monitoring). DEQ will notify the permittee of its determination through a written "Monitoring Action Letter."

## 6. Copper Biotic Ligand Model and Aluminum Parameters

The permittee must monitor the Trask River upstream of Outfall 001 and the Outfall 001 effluent for copper biotic ligand model and aluminum parameters per Table B9 below. Monitoring must be conducted for 24 consecutive months beginning in 2021 at the frequency specified below. By no later than June 30 2020, the permittee must develop a sampling and analysis plan and submit to DEQ for approval prior to implementation. Effluent and ambient monitoring must be conducted concurrently.

Upstream/Ambient samples must be taken in a location outside of the influence of the effluent using appropriate sampling techniques and procedures. It is the responsibility of the permittee to ensure safe and practical sampling techniques and procedures are used. DEQ recommends that these procedures be included in a sample and analysis plan that can be reviewed by DEQ when necessary.

**Table B9: Copper Biotic Ligand Model and Aluminum Sampling Requirements**

<b>Parameter</b>	<b>Units</b>	<b>Sampling Frequency<sup>b</sup></b>	<b>Sampling Location<sup>a</sup></b>
Copper, Total and Dissolved <sup>c</sup>	ug/L	1/Month	Upstream and Effluent
Aluminum, Total <sup>c</sup>	ug/L	1/Month	Upstream and Effluent
Hardness (as CaCO <sub>3</sub> )	mg/L	1/Month	Upstream and Effluent
Dissolved Organic Carbon	mg/L	1/Month	Upstream and Effluent
pH	SU	1/Month	Upstream and Effluent
Temperature	°C	1/Month	Upstream and Effluent
Calcium	mg/L	1/Month	Upstream and Effluent
Magnesium	mg/L	1/Month	Upstream and Effluent
Sodium	mg/L	1/Month	Upstream and Effluent
Potassium <sup>g</sup>	mg/L	1/Month	Upstream and Effluent
Sulfate	mg/L	1/Month	Upstream and Effluent
Chloride	mg/L	1/Month	Upstream and Effluent
Alkalinity	mg/L	1/Month	Upstream and Effluent

Notes:

- Data must be collected monthly, upstream (outside the influence of the effluent), and from the effluent on the same day.
- Ambient data must be collected by grab samples and effluent data must be collected as 24-hour flow-based composites except for temperature and pH.
- A minimum QL of 2.0 ug/L must be met for copper and a minimum QL of 50 ug/L must be met for aluminum.

## 7. Whole Effluent Toxicity (WET) Testing Requirements

The permittee must monitor final effluent for whole effluent toxicity as described in Table B10 using the testing protocols specified in Schedule D, Section 9, Whole Effluent Toxicity Testing for Freshwater and Saltwater. The effluent for Outfall 001 must be collected at the location specified in the table below.

**Table B10: WET Test Monitoring**

Parameter	Minimum Frequency	Sample Type/ Location	Report
Acute toxicity	The permittee must conduct saltwater tests in May 2019 and November 2019 and freshwater tests in August 2020 and February 2021.	For acute toxicity: Composite sample taken after disinfection and before the effluent flume.	Report must include test results and backup information such as bench sheets sufficient to demonstrate compliance with permit requirements.
Chronic toxicity	If a particular test shows toxicity at the acute (ZID) or the chronic (RMZ) dilutions, the permittee must re-test and if necessary evaluate the cause of toxicity as described in Schedule D, Section 9.	For chronic toxicity: 24-hr composite, taken after disinfection and before the effluent flume.	Report must include a statement certifying that the results do or do not show toxicity at dilutions corresponding to the edge of the: ZID and the regulatory mixing zone. The corresponding dilutions are as follows: ZID: 6 Mixing zone: 28  A template for providing WET test results is provided below.

The permittee must submit the results of WET tests using the template below, or an alternate template approved by DEQ, along with laboratory reports.

**Table B11: Template for Reporting WET Test Results**

Date of Test	Organism	Type of Test (chronic or acute)	% Effluent at ZID and/or RMZ	Result	% Effluent at Endpoint (NOEC, LOEC or IC25)
1/1/2018	Water Flea	Acute	40% at ZID	Pass	NOEC = 50%
1/1/2018	Fathead Minnow	Chronic	20% at RMZ	Pass	IC25 = 40%
1/1/2018	Green Algae	Chronic	20% at RMZ	Pass	LOEC = 25%
X/XX/20XX	Add as needed	Add as needed	Add as needed	Add as needed	Add as needed

## 8. Recycled Water Monitoring

The permittee must monitor recycled water as listed below (when discharging recycled water). The samples must be representative of the recycled water delivered for beneficial reuse at a location identified in the Recycled Water Use Plan.

**Table B12: Recycled Water Monitoring**

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action
Total Flow	MGD	Year-round	1/Day	Measurement
Quantity Irrigated	inches/acre	Year-round	1/Month	Calculation <sup>a</sup>
pH	Standard Units	Year-round	2/Week	Grab
Total Coliform	MPN/100mL	Year-round	1/Day (Class A) 3/Week (Class B) 1/Week (Class C)	Grab
E. coli	MPN/100mL	Year-round	1/Week (Class D)	Grab
Turbidity	NTU	Year-round	1/Hour (Class A only)	Measurement
Nitrogen Loading Rate	lbs/acre-year	Year-round	1/Year	Calculation
Nutrients (TKN, NO <sub>2</sub> +NO <sub>3</sub> -N, NH <sub>3</sub> , Total Phosphorus)	mg/l	Year-round	1/Quarter	Grab

Notes:

a. An example of the calculation for inches per acre is as follows: Inches/acre = average million gallons/day x 3.07 acre-feet/million gallons x day/28 acres x 12 inches/foot

## 9. Biosolids Monitoring Requirements

The permittee must monitor biosolids land applied or produced for sale or distribution as listed below. The samples must be representative of the quality and quantity of biosolids generated and undergo the same treatment process used to prepare the biosolids.

**Table B13: Biosolids Monitoring**

Item or Parameter	Minimum Frequency	Sample Type
Nutrient and conventional parameters (% dry weight unless otherwise specified): Total Kjeldahl Nitrogen (TKN) Nitrate-Nitrogen (NO <sub>3</sub> -N) Ammonium Nitrogen (NH <sub>4</sub> -N) Total Phosphorus (P) Potassium (K) pH (SU) Total Solids Volatile Solids	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B13.	As described in the DEQ-approved Biosolids Management Plan
Pollutants: Arsenic, Cadmium, Copper, Mercury, Lead, Molybdenum, Nickel, Selenium, Zinc, mg/kg dry weight	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B13.	As described in the DEQ-approved Biosolids Management Plan
Pathogen reduction	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B13.	As described in the DEQ-approved Biosolids Management Plan
Vector attraction reduction	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B13.	As described in the DEQ-approved Biosolids Management Plan
Record of biosolids land application: date, quantity, location.	Each event	Record the date, quantity, and location of biosolids land applied on site location map or equivalent electronic system, such as GIS.

**Table B14: Biosolids Minimum Monitoring Frequency**

Quantity of biosolids land applied or produced for sale or distribution per calendar year		Minimum Sampling Frequency
(dry metric tons)	(dry U.S. tons)	
Less than 290	Less than 320	1/Year
290 to 1,500	320 to 1,653	Once per quarter (4/Year)
1500 to 15,000	1,653 to 16,535	Once per 60-days (6/Year)
15,000 or more	16,535 or more	Once per month (12/Year)

**10. Outfall Inspection**

Within three years of permit effective date, the permittee must inspect Outfall 001 including the submerged portion of the outfall line and diffuser to document its integrity and to determine whether it is functioning as designed. The inspection should include ensuring diffuser ports are intact, clear and fully functional. The permittee must submit a written report to DEQ regarding the results of the outfall inspection within three months of the completion of the inspection. The report should include a description of the outfall as originally constructed, the condition of the current outfall and a discussion of any repairs that may need to be performed to return the outfall to satisfactory condition.

**SCHEDULE C: COMPLIANCE SCHEDULE**

A compliance schedule is not included with this permit.

## **SCHEDULE D: SPECIAL CONDITIONS**

### **1. Inflow and Infiltration**

- a. Within 180 days of the effective date of the permit, the permittee must submit to DEQ for approval an Inflow Removal Program. The program must consist of the following:
  - i. Identification of all overflow points.
  - ii. Verification that sewer system overflows are not occurring up to a 24-hour, 5-year storm event or equivalent.
  - iii. Monitoring of all pump station overflow points.
  - iv. A process for identifying and removing all inflow sources into the permittee's sewer system over which the permittee has legal control, including a time, schedule for identifying and reducing inflow.
  - v. If the permittee does not have the necessary legal authority for all portions of the sewer system or treatment facility, a strategy and schedule for gaining legal authority to require inflow reduction and a process and schedule for identifying and removing inflow sources once legal authority has been obtained.
- b. Within 60 days of receiving written DEQ comments, the permittee must submit a final approvable program and time schedule.
- c. A copy of the program must be kept at the wastewater treatment facility for review upon request by DEQ.
- d. An annual inflow and infiltration report must be submitted to the DEQ as directed in Schedule B. The report must include the following:
  - i. Details of activities performed in the previous year to identify and reduce inflow and infiltration.
  - ii. Details of activities planned for the following year to identify and reduce inflow and infiltration.
  - iii. A summary of sanitary sewer overflows that occurred during the previous year.
  - iv. Information that demonstrates compliance with the DEQ-approved Inflow Removal Plan required by condition 1.a above.

### **2. Emergency Response and Public Notification Plan**

The permittee must develop and maintain an Emergency Response and Public Notification Plan (the Plan) per Schedule F, Sections B.7 & 8. The permittee must develop the plan within six months of permit issuance and update the Plan annually to ensure that telephone and email contact information for applicable public agencies (permit writer should include specific contacts here as needed) are current and accurate. An updated copy of the plan must be kept on file at the wastewater treatment facility for DEQ review. The latest plan revision date must be listed on the Plan cover along with the reviewer's initials or signature.

### **3. Recycled Water Use Plan**

- a. In order to distribute recycled water for reuse, the permittee must implement and maintain a DEQ-approved Recycled Water Use Plan meeting the requirements in OAR 340-055-0025. The permittee

must submit substantial modifications to an existing plan to DEQ for approval at least 60 days prior to making the proposed changes. Conditions in the plan are enforceable requirements under this permit. At least six months prior to distributing recycled water for beneficial use, the permittee must submit to DEQ a Recycled Water Use Plan meeting the requirements in OAR 340-055-0025 for public comment and approval.

- b. Recycled Water Annual Report – The permittee must submit a recycled water annual report by the date specified in Table B1: Reporting Requirements and Due Dates. This report must describe the effectiveness of the system in complying with the approved recycled water use plan, the rules included in OAR 340-055, and the permit limits and conditions for recycled water contained in Schedule A, Section 4. The plan must also include the monitoring data for the previous year required under Schedule B, Section 9.

#### **4. Exempt Wastewater Reuse at the Treatment System**

The permittee is exempt from the recycled water use requirements in OAR 340-055 when recycled water is used for landscape irrigation within the property boundary or in-plant processes at the wastewater treatment system and all of the following conditions are met:

- a. The recycled water is an oxidized and disinfected wastewater.
- b. The recycled water is used at the wastewater treatment system site where it is generated or at an auxiliary wastewater or sludge treatment facility that is subject to the same NPDES or WPCF permit as the wastewater treatment system. Land that is contiguous to the property upon which the treatment system is located is considered to be part of the wastewater treatment system site if under the same ownership.
- c. Spray and/or drift from the use does not occur off the site.
- d. Public access to the site is restricted.

#### **5. Biosolids Management Plan**

The permittee must maintain a Biosolids Management Plan meeting the requirements in OAR 340-050-0031(5). The permittee must keep the plan updated and submit substantial modifications to an existing plan to DEQ for approval at least 60 days prior to making the proposed changes. Conditions in the plan are enforceable requirements under this permit.

#### **6. Land Application Plan**

- a. Plan Contents

Prior to land application of biosolids, the permittee must implement and maintain a land application plan that contains the information listed below. The land application plan may be incorporated into the Biosolids Management Plan.

- i. All known DEQ-approved sites that will receive biosolids while the permit is effective.
- ii. The geographic location, identified by county or smaller unit, of new sites which are not specifically listed at the time of permit application.
- iii. Criteria that will be used in the selection of new sites.
- iv. Management practices that will be implemented at new sites authorized by the DEQ.
- v. Procedures for notifying property owners adjacent to proposed sites of the proposed activity prior to the start of application.

b. Site Authorization

The permittee must obtain written authorization from DEQ for each land application site prior to its use. Conditions in site authorizations are enforceable requirements under this permit. The permittee may land apply biosolids to a DEQ-approved site only as described in the site authorization, while this permit is effective and with the written approval of the property owner. DEQ may modify or revoke a site authorization following the procedures for a permit modification described in OAR 340-045-0055.

c. Public Participation

- i. No DEQ-initiated public notice is required for continued use of sites identified in the DEQ-approved land application plan.
- ii. For new sites that fail to meet the site selection criteria in the land application plan or that are deemed by DEQ to be sensitive with respect to residential housing, runoff potential, or threat to groundwater, DEQ will provide an opportunity for public comment as directed by OAR 340-050-0015(10).
- iii. For all other new sites, the permittee must provide for public participation following procedures in its DEQ-approved land application plan.

d. Exceptional Quality (EQ) Biosolids

The permittee is exempt from the requirements in Sections 6.b.-c. above if:

- i. Pollutant concentrations of biosolids are less than the pollutant concentration limits in Schedule A, Table A3;
- ii. Biosolids meet one of the Class A pathogen reduction alternatives in 40 CFR §503.32(a); and
- iii. Biosolids meet one of the vector attraction reduction options in 40 CFR §503.33(b)(1) through (8).

## 7. Wastewater Solids Transfers

- a. *Within state.* The permittee may transfer wastewater solids including Class A and Class B biosolids, to another facility permitted to process or dispose of wastewater solids, including but not limited to: another wastewater treatment facility, landfill, or incinerator. The permittee must monitor, report, and dispose of solids as required under the permit of the receiving facility.
- b. *Out of state.* If wastewater solids, including Class A and Class B biosolids, are transferred out of state for use or disposal, the permittee must obtain written authorization from DEQ, meet Oregon requirements for the use or disposal of wastewater solids, notify in writing the receiving state of the proposed use or disposal of wastewater solids, and satisfy the requirements of the receiving state.

## 8. Hauled Waste Control

The permittee may accept hauled wastes at discharge points designated by the publicly owned treatment works (POTW) after receiving written DEQ approval of a hauled waste control plan. Hauled wastes may include wastewater solids from another wastewater treatment facility, septage, grease trap wastes, portable and chemical toilet wastes, landfill leachate, groundwater remediation wastewaters and commercial/industrial wastewaters.

## 9. Whole Effluent Toxicity Testing

The permittee must conduct whole effluent toxicity (WET) tests as specified here and in Schedule B of this permit.

- a. Freshwater Acute Toxicity Testing - Organisms and Protocols
  - i. The permittee must conduct 48-hour static renewal tests with *Ceriodaphnia dubia* (water flea) and 96-hour static renewal tests with *Pimephales promelas* (fathead minnow).
  - ii. All test methods and procedures must be in accordance with *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA-821-R-02-012, October 2002*, or the most recent version. If the permittee wants to deviate from the bioassay procedures outlined in this method, the permittee must submit a written request to DEQ for review and approval prior to use.
  - iii. Treatments to the final effluent samples (for example, dechlorination), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ prior to analysis.
  - iv. Unless otherwise approved by DEQ in writing, acute tests must be conducted on a control (0%) and the following dilution series: 5%, 10%, 17%, 35%, 70% and 100% effluent.
  - v. An acute WET test will be considered to show toxicity if there is a statistically significant difference in survival between the control and 17% effluent reported as the NOEC.
- b. Freshwater Chronic Toxicity Testing - Organisms and Protocols
  - i. The permittee must conduct tests with *Ceriodaphnia dubia* (water flea) for reproduction and survival test endpoint, *Pimephales promelas* (fathead minnow) for growth and survival test endpoint, and *Raphidocelis subcapitata* (green alga formerly known as *Selenastrum capricornutum*) for growth test endpoint.
  - ii. All test methods and procedures must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA-821-R-02-013, October 2002*, or the most recent version. If the permittee wants to deviate from the bioassay procedures outlined in the applicable method, the permittee must submit a written request to DEQ for review and approval prior to use.
  - iii. Treatments to the final effluent samples (for example, dechlorination), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ prior to analysis.
  - iv. Unless otherwise approved by DEQ in writing, chronic tests must be conducted on a control (0%) and the following dilution series: 2.0%, 4.0%, 8.0%, 16.0%, 32.0% and 100% effluent.
  - v. A chronic WET test will be considered to show toxicity if the IC25 (25% inhibition concentration) occurs at dilutions equal to or less than the dilution that is known to occur at the edge of the mixing zone, that is,  $IC_{25} \leq 4\%$ .
- c. Freshwater Dual End-Point Tests
  - i. WET tests may be dual end-point tests in which both acute and chronic end-points can be determined from the results of a single chronic test. The acute end-point will be based on 48-

- hours for the *Ceriodaphnia dubia* (water flea) and 96-hours for the *Pimephales promelas* (fathead minnow).
- ii. All test methods and procedures must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA-821-R-02-013, October 2002*, or the most recent version. If the permittee wants to deviate from the bioassay procedures outlined in this method, the permittee must submit a written request to DEQ for review and approval prior to use.
  - iii. Unless otherwise approved by DEQ in writing, tests run as dual end-point tests must be conducted on a control (0%) and the following dilution series: 2%, 4%, 17%, 35%, 70%, and 100% effluent.
  - iv. Toxicity determinations for dual end-point tests must correspond to the acute and chronic tests described in Sections 9.a.v and 9.b.v above.
- d. Saltwater Acute Toxicity Testing - Organisms and Protocols
- i. The permittee must conduct 48-hour static renewal tests with *Holmesimysis costata* (mysid shrimp) and 96-hour static renewal tests with *Atherinops affinis* (Topsmelt). Every effort should be made to use the specified West Coast species. However, *Americamysis (Mysidopsis) bahia* may be substituted if *H. costata* is not available and *Menidia beryllina* (inland silverside) may be substituted if *Atherinops affinis* (Topsmelt) is not available.
  - ii. All test methods and procedures must be in accordance with *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA-821-R-02-012, October 2002*. If the permittee wants to deviate from the bioassay procedures outlined in this method, the permittee must submit a written request to DEQ for review and approval prior to use.
  - iii. Treatments to the final effluent samples (for example, dechlorination), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ prior to analysis.
  - iv. Unless approved by DEQ in writing, acute tests must be conducted on a control (0%) and the following dilution series: 5%, 10%, 17%, 35%, 70% and the highest effluent percentage that is practically feasible by the contract laboratory.
  - v. A WET test will be considered to show acute toxicity if there is a statistically significant difference in survival between the control and 17% percent effluent reported as the No Observable Effect Concentration (NOEC) < 17% effluent
- e. Saltwater Chronic Toxicity Testing - Organisms and Protocols
- i. The permittee must conduct tests with: *Holmesimysis costata* (mysid shrimp) for reproduction and survival test endpoint, *Atherinops affinis* (topsmelt) for growth and survival test endpoint, and *Macrocystis pyrifera* (giant kelp) for growth test endpoint. Every effort should be made to utilize the specified West Coast species. However, *Americamysis (Mysidopsis) bahia*, *Menidia beryllina* (inland silverside), and *Champia parvula* (red macroalga) may be substituted if the corresponding West Coast species is not available
  - ii. All test methods and procedures must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, EPA-821-R-02-014, October 2002* or *Short-Term Methods for*

*Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms, First Edition, EPA/600/R-95-136, August 1995* based on species selection above. If the permittee wants to deviate from the bioassay procedures outlined in the applicable method, the permittee must submit a written request to DEQ for review and approval prior to use.

- iii. Treatments to the final effluent samples (for example, dechlorination), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ prior to analysis.
  - iv. Unless approved by DEQ in writing, chronic tests must be conducted on a control (0%) and the following dilution series: 2.0%, 4.0%, 8.0%, 16.0%, 32.0% and the highest effluent percentage that is practically feasible by the contract laboratory.
  - v. A WET test will be considered to show chronic toxicity if the IC<sub>25</sub> (25% inhibition concentration) occurs at dilutions equal to or less than the dilution that is known to occur at the edge of the regulatory mixing zone, that is  $IC_{25} \leq 4\%$  effluent.
- f. Saltwater Dual End-Point Tests
- i. WET tests may be dual end-point tests in which both acute and chronic end-points can be determined from the results of a single chronic test. The acute end-point must be based on 48-hours for the *Holmesimysis costata* (mysid shrimp) or *A. bahia* and 96-hours for the *Menidia beryllina* (inland silverside).
  - ii. All test methods and procedures must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, EPA-821-R-02-014, October 2002*. Any deviation of the bioassay procedures outlined in this method must be submitted in writing to DEQ for review and approval prior to use.
  - iii. Unless approved by DEQ in writing, tests run as dual end-point tests must be conducted on a control (0%) and the following dilution series: 2%, 4%, 17%, 35%, 70%, and the highest effluent percentage that is practically feasible by the contract laboratory.
  - iv. Toxicity determinations for dual end-point tests must correspond to the acute and chronic tests described in in Sections 9.d.v and 9.e.v above.
- g. Evaluation of Causes and Exceedances
- i. If any test exhibits toxicity as described in Sections 9.a.v, 9.b.v, 9.d.v, or 9.e.v above, the permittee must conduct another toxicity test using the same species and DEQ-approved methodology within two weeks unless otherwise approved by DEQ.
  - ii. If two consecutive WET test results indicate acute or chronic toxicity as described in Sections 9.a.v, 9.b.v, 9.d.v, or 9.e.v. above, the permittee must immediately notify DEQ of the results. DEQ will work with the permittee to determine the appropriate course of action to evaluate and address the toxicity.
- h. Quality Assurance and Reporting
- i. Quality assurance criteria, statistical analyses, and data reporting for the WET tests must be in accordance with the EPA documents stated in this condition.

- ii. For each test, the permittee must provide a bioassay laboratory report according to the EPA method documents referenced in this Schedule. The report must include all QA/QC documentation, statistical analysis for each test performed, standard reference toxicant test (SRT) conducted on each species required for the toxicity tests, and completed Chain of Custody forms for the samples including time of sample collection and receipt. The permittee must submit reports to DEQ within 60 days of test completion.
  - iii. The report must include all endpoints measured in the test: NOEC (No Observed Effects Concentration), LOEC (Lowest Observed Effects Concentration), and IC<sub>25</sub> (chronic effect 25% inhibition concentration).
  - iv. The permittee must make available to DEQ upon request the written standard operating procedures they, or the laboratory performing the WET tests, use for all toxicity tests required by DEQ.
- i. Reopener
- DEQ may reopen and modify this permit to include new limits, monitoring requirements, and/or conditions as determined by DEQ to be appropriate, and in accordance with procedures outlined in OAR Chapter 340, Division 45 if:
- i. WET testing data indicate acute and/or chronic toxicity.
  - ii. The facility undergoes any process changes.
  - iii. Discharge monitoring data indicate a change in the reasonable potential to cause or contribute to an exceedance of a water quality standard.

## 10. Operator Certification

- a. Definitions
  - i. "Supervise" means to have full and active responsibility for the daily on-site technical operation of a wastewater treatment system or wastewater collection system.
  - ii. "Supervisor" or "designated operator", means the operator delegated authority by the permittee for establishing and executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system in accordance with the policies of the owner of the system and any permit requirements.
  - iii. "Shift Supervisor" means the operator delegated authority by the permittee for executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system when the system is operated on more than one daily shift.
  - iv. "System" includes both the collection system and the treatment systems.
- b. The permittee must comply with OAR Chapter 340, Division 49, "Regulations Pertaining to Certification of Wastewater System Operator Personnel" and designate a supervisor whose

certification corresponds with the classification of the collection and/or treatment system as specified on p. 1 of this permit.

- c. The permittee must have its system supervised full-time by one or more operators who hold a valid certificate for the type of wastewater treatment or wastewater collection system, and at a grade equal to or greater than the wastewater system's classification as specified on p. 1 one of this permit.
- d. The permittee's wastewater system may not be without the designated supervisor for more than 30 days. During this period, there must be another person available to supervise who is certified at no more than one grade lower than the classification of the wastewater system. The permittee must delegate authority to this operator to supervise the operation of the system.
- e. If the wastewater system has more than one daily shift, the permittee must have another properly certified operator available to supervise operation of the system. Each shift supervisor must be certified at no more than one grade lower than the system classification.
- f. The permittee is not required to have a supervisor on site at all times; however, the supervisor must be available to the permittee and operator at all times.
- g. The permittee must notify DEQ in writing of the name of the system supervisor. The permittee may replace or re-designate the system supervisor with another properly certified operator at any time and must notify DEQ in writing within 30 days of replacement or re-designation of operator in charge. As of this writing, the notice of replacement or re-designation must be sent to Water Quality Division, Operator Certification Program, 700 NE Multnomah St, Suite 600, Portland, OR 97232-4100. This address may be updated in writing by DEQ during the term of this permit.
- h. When compliance with item (e) of this section is not possible or practicable because the system supervisor is not available or the position is vacated unexpectedly, and another certified operator is not qualified to assume supervisory responsibility, the Director may grant a time extension for compliance with the requirements in response to a written request from the system owner. The Director will not grant an extension longer than 120 days unless the system owner documents the existence of extraordinary circumstances.

## 11. Spill/Emergency Response Plan

The permittee must have an up-to-date spill response plan available for review during inspection, for prevention and handling of spills and unplanned discharges. The spill response plan must include all of the following:

- a. A description of the reporting system that will be used to alert responsible managers and legal authorities in the event of a spill.
- b. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) to prevent, contain, or treat spills.
- c. A description of the permittee's training program to ensure that employees are properly trained at all times to respond to unplanned and emergency incidents.
- d. A description of the applicable reporting requirements. These must be consistent with the reporting requirements found in Schedule F, Section D.5.

## 12. Industrial User Survey

The permittee must conduct an industrial user survey to determine the presence of any industrial users discharging wastewaters subject to pretreatment and submit a report on the findings to DEQ within 24 months of the permit effective date. The purpose of the survey is to identify whether there are any categorical industrial users discharging to the POTW, and ensure regulatory oversight of these discharges to state waters. If the POTW has already completed a baseline IU Survey the results of this survey are to be provided to DEQ within two months of the permit effective date.

Guidance on conducting IU Surveys can be found at <http://www.deq.state.or.us/wq/pretreatment/docs/guidance/IUSurveyGuidance.pdf>.

Once an initial baseline IU Survey is conducted it is to be maintained by the POTW and made available for inspection by DEQ. Every 5 years from the effective date of the permit, the permittee must submit an updated IU survey.

## 13. Design Flow Specification

By no later than May 1, 2023, the permittee must submit wet weather and dry weather design flow specifications of the existing treatment facility that have been reviewed by a registered engineer.

## 14. Inflow/Infiltration Analysis

By no later than May 1, 2023, the permittee must submit an inflow/infiltration analysis that details the extent of the inflow/infiltration and provides a cost-effective analysis that compares the costs of correcting the inflow/infiltration to the costs of transportation and treatment of the inflow/infiltration.

# SCHEDULE E: PRETREATMENT ACTIVITIES

Pretreatment activities are not included with this permit since the Discharger does not participate in a pretreatment program.

## SCHEDULE F: NPDES GENERAL CONDITIONS – DOMESTIC FACILITIES

October 1, 2015 Version

### SECTION A. STANDARD CONDITIONS

#### A1. Duty to Comply with Permit

The permittee must comply with all conditions of this permit. Failure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and the federal Clean Water Act and is grounds for an enforcement action. Failure to comply is also grounds for DEQ to terminate, modify and reissue, revoke, or deny renewal of a permit.

#### A2. Penalties for Water Pollution and Permit Condition Violations

The permit is enforceable by DEQ or EPA, and in some circumstances also by third-parties under the citizen suit provisions of 33 USC § 1365. DEQ enforcement is generally based on provisions of state statutes and Environmental Quality Commission (EQC) rules, and EPA enforcement is generally based on provisions of federal statutes and EPA regulations.

ORS 468.140 allows DEQ to impose civil penalties up to \$25,000 per day for violation of a term, condition, or requirement of a permit.

Under ORS 468.943, unlawful water pollution in the second degree, is a Class A misdemeanor and is punishable by a fine of up to \$25,000, imprisonment for not more than one year, or both. Each day on which a violation occurs or continues is a separately punishable offense.

Under ORS 468.946, unlawful water pollution in the first degree is a Class B felony and is punishable by a fine of up to \$250,000, imprisonment for not more than 10 years, or both.

The Clean Water Act provides that any person who violates permit condition, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation.

The Clean Water Act provides that any person who negligently violates any condition, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both.

In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both.

In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.

Any person who knowingly violates section any permit condition, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both.

In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both.

An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

Any person may be assessed an administrative penalty by the Administrator for violating any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act.

Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000.

Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.

A3. 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. In addition, upon request of DEQ, the permittee must correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

A4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and have the permit renewed. The application must be submitted at least 180 days before the expiration date of this permit.

DEQ may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

A5. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any term, condition, or requirement of this permit, a rule, or a statute.
- b. Obtaining this permit by misrepresentation or failure to disclose fully all material facts.
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- d. The permittee is identified as a Designated Management Agency or allocated a wasteload under a total maximum daily load (TMDL).
- e. New information or regulations.
- f. Modification of compliance schedules.
- g. Requirements of permit reopener conditions
- h. Correction of technical mistakes made in determining permit conditions.

- i. Determination that the permitted activity endangers human health or the environment.
- j. Other causes as specified in 40 CFR §§ 122.62, 122.64, and 124.5.
- k. For communities with combined sewer overflows (CSOs):
  - (1) To comply with any state or federal law regulation for CSOs that is adopted or promulgated subsequent to the effective date of this permit.
  - (2) If new information that was not available at the time of permit issuance indicates that CSO controls imposed under this permit have failed to ensure attainment of water quality standards, including protection of designated uses.
  - (3) Resulting from implementation of the permittee's long-term control plan and/or permit conditions related to CSOs.

The filing of a request by the permittee for a permit modification, revocation or reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**A6. Toxic Pollutants**

The permittee must comply with any applicable effluent standards or prohibitions established under Oregon Administrative Rule (OAR) 340-041-0033 and section 307(a) of the federal Clean Water Act for toxic pollutants, and with standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

**A7. Property Rights and Other Legal Requirements**

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other private rights, or any infringement of federal, tribal, state, or local laws or regulations.

**A8. Permit References**

Except for effluent standards or prohibitions established under section 307(a) of the federal Clean Water Act and OAR 340-041-0033 for toxic pollutants, and standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, all rules and statutes referred to in this permit are those in effect on the date this permit is issued.

**A9. Permit Fees**

The permittee must pay the fees required by OAR.

**SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS**

**B1. Proper 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 or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

**B2. Need to Halt or Reduce Activity Not a Defense**

For industrial or commercial facilities, upon reduction, loss, or failure of the treatment facility, the permittee must, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**B3. Bypass of Treatment Facilities**

a. Definitions

- (1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs b and c of this section.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Prohibition of bypass.

- (1) Bypass is prohibited and DEQ may take enforcement action against a permittee for bypass unless:
  - i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
  - ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance; and
  - iii. The permittee submitted notices and requests as required under General Condition B3.c.
- (2) DEQ may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, if DEQ determines that it will meet the three conditions listed above in General Condition B3.b.(1).

c. Notice and request for bypass.

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, a written notice must be submitted to DEQ at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required in General Condition D5.

**B4. Upset**

- a. 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 operation error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of General Condition B4.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

- c. Conditions necessary for a demonstration of upset. 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 at the time being properly operated;
  - (3) The permittee submitted notice of the upset as required in General Condition D5, hereof (24-hour notice); and
  - (4) The permittee complied with any remedial measures required under General Condition A3 hereof.
- d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

**B5. Treatment of Single Operational Upset**

For purposes of this permit, a single operational upset that leads to simultaneous violations of more than one pollutant parameter will be treated as a single violation. A single operational upset is an exceptional incident that causes simultaneous, unintentional, unknowing (not the result of a knowing act or omission), temporary noncompliance with more than one federal Clean Water Act effluent discharge pollutant parameter. A single operational upset does not include federal Clean Water Act violations involving discharge without a NPDES permit or noncompliance to the extent caused by improperly designed or inadequate treatment facilities. Each day of a single operational upset is a violation.

**B6. Overflows from Wastewater Conveyance Systems and Associated Pump Stations**

- a. Definition. "Overflow" means any spill, release or diversion of sewage including:
  - (1) An overflow that results in a discharge to waters of the United States; and
  - (2) An overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately owned sewer or building lateral), even if that overflow does not reach waters of the United States.
- b. Reporting required. All overflows must be reported orally to DEQ within 24 hours from the time the permittee becomes aware of the overflow. Reporting procedures are described in more detail in General Condition D5.

**B7. Public Notification of Effluent Violation or Overflow**

If effluent limitations specified in this permit are exceeded or an overflow occurs that threatens public health, the permittee must take such steps as are necessary to alert the public, health agencies and other affected entities (for example, public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed under General Condition B8. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

**B8. Emergency Response and Public Notification Plan**

The permittee must develop and implement an emergency response and public notification plan that identifies measures to protect public health from overflows, bypasses, or upsets that may endanger public health. At a minimum the plan must include mechanisms to:

- a. Ensure that the permittee is aware (to the greatest extent possible) of such events;
- b. Ensure notification of appropriate personnel and ensure that they are immediately dispatched for investigation and response;

- c. Ensure immediate notification to the public, health agencies, and other affected public entities (including public water systems). The overflow response plan must identify the public health and other officials who will receive immediate notification;
- d. Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained;
- e. Provide emergency operations; and
- f. Ensure that DEQ is notified of the public notification steps taken.

B9. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in such a manner as to prevent any pollutant from such materials from entering waters of the state, causing nuisance conditions, or creating a public health hazard.

## **SECTION C. MONITORING AND RECORDS**

C1. Representative Sampling

Sampling and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit, and must be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points must not be changed without notification to and the approval of DEQ. Samples must be collected in accordance with requirements in 40 CFR 122.21 and 40 CFR 403 Appendix E.

C2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices must be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices must be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected must be capable of measuring flows with a maximum deviation of less than  $\pm 10$  percent from true discharge rates throughout the range of expected discharge volumes.

C3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR 503 unless other test procedures have been specified in this permit.

For monitoring of recycled water with no discharge to waters of the state, monitoring must be conducted according to test procedures approved under 40 CFR 136 or as specified in the most recent edition of Standard Methods for the Examination of Water and Wastewater unless other test procedures have been specified in this permit or approved in writing by DEQ.

C4. Penalties for Tampering

The federal 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 may, upon conviction, be punished by a fine of not more than \$10,000 per violation, imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than \$20,000 per day of violation, or by imprisonment of not more than four years, or both.

C5. Reporting of Monitoring Results

Monitoring results must be summarized each month on a discharge monitoring report form approved by DEQ. The reports must be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

C6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR 503, or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the discharge monitoring report. Such increased frequency must also be indicated. For a pollutant parameter that may be sampled more than once per day (for example, total residual chlorine), only the average daily value must be recorded unless otherwise specified in this permit.

C7. Averaging of Measurements

Calculations for all limitations that require averaging of measurements must utilize an arithmetic mean, except for bacteria which must be averaged as specified in this permit.

C8. Retention of Records

Records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities must be retained for a period of at least 5 years (or longer as required by 40 CFR 503). Records of all monitoring information including all calibration and maintenance records, all original strip chart 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 must be retained for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of DEQ at any time.

C9. Records Contents

Records of monitoring information must include:

- a. The date, exact place, time, and methods of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

C10. Inspection and Entry

The permittee must allow DEQ or EPA upon the presentation of credentials to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by state law, any substances or parameters at any location.

**C11. Confidentiality of Information**

Any information relating to this permit that is submitted to or obtained by DEQ is available to the public unless classified as confidential by the Director of DEQ under ORS 468.095. The permittee may request that information be classified as confidential if it is a trade secret as defined by that statute. The name and address of the permittee, permit applications, permits, effluent data, and information required by NPDES application forms under 40 CFR § 122.21 are not classified as confidential [40 CFR § 122.7(b)].

**SECTION D. REPORTING REQUIREMENTS**

**D1. Planned Changes**

The permittee must comply with OAR 340-052, “Review of Plans and Specifications” and 40 CFR § 122.41(l)(1). Except where exempted under OAR 340-052, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers may be commenced until the plans and specifications are submitted to and approved by DEQ. The permittee must give notice to DEQ as soon as possible of any planned physical alternations or additions to the permitted facility.

**D2. Anticipated Noncompliance**

The permittee must give advance notice to DEQ of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

**D3. Transfers**

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and EQC rules. No permit may be transferred to a third party without prior written approval from DEQ. DEQ may require modification, revocation, and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under 40 CFR § 122.61. The permittee must notify DEQ when a transfer of property interest takes place.

**D4. Compliance Schedule**

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. Any reports of noncompliance must include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

**D5. Twenty-Four Hour Reporting**

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) to the DEQ regional office or Oregon Emergency Response System (1-800-452-0311) as specified below within 24 hours from the time the permittee becomes aware of the circumstances.

a. Overflows.

(1) Oral Reporting within 24 hours.

- i. For overflows other than basement backups, the following information must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311. For basement backups, this information should be reported directly to the DEQ regional office.
  - (a) The location of the overflow;
  - (b) The receiving water (if there is one);
  - (c) An estimate of the volume of the overflow;

- (d) A description of the sewer system component from which the release occurred (for example, manhole, constructed overflow pipe, crack in pipe); and
      - (e) The estimated date and time when the overflow began and stopped or will be stopped.
    - ii. The following information must be reported to the DEQ regional office within 24 hours, or during normal business hours, whichever is earlier:
      - (a) The OERS incident number (if applicable); and
      - (b) A brief description of the event.
  - (2) Written reporting postmarked within 5 days.
    - i. The following information must be provided in writing to the DEQ regional office within 5 days of the time the permittee becomes aware of the overflow:
      - (a) The OERS incident number (if applicable);
      - (b) The cause or suspected cause of the overflow;
      - (c) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
      - (d) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps; and
      - (e) For storm-related overflows, the rainfall intensity (inches/hour) and duration of the storm associated with the overflow.

DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

b. Other instances of noncompliance.

- (1) The following instances of noncompliance must be reported:
  - i. Any unanticipated bypass that exceeds any effluent limitation in this permit;
  - ii. Any upset that exceeds any effluent limitation in this permit;
  - iii. Violation of maximum daily discharge limitation for any of the pollutants listed by DEQ in this permit; and
  - iv. Any noncompliance that may endanger human health or the environment.
- (2) During normal business hours, the DEQ regional office must be called. Outside of normal business hours, DEQ must be contacted at 1-800-452-0311 (Oregon Emergency Response System).
- (3) A written submission must be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:
  - i. A description of the noncompliance and its cause;
  - ii. The period of noncompliance, including exact dates and times;
  - iii. The estimated time noncompliance is expected to continue if it has not been corrected;
  - iv. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
  - v. Public notification steps taken, pursuant to General Condition B7.
- (4) DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

D6. Other Noncompliance

The permittee must report all instances of noncompliance not reported under General Condition D4 or D5 at the time monitoring reports are submitted. The reports 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; and
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

D7. Duty to Provide Information

The permittee must furnish to DEQ within a reasonable time any information that DEQ may request to determine compliance with the permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee must also furnish to DEQ, upon request, copies of records required to be kept by this permit.

Other Information: When the permittee becomes aware that it has failed to submit any relevant facts or has submitted incorrect information in a permit application or any report to DEQ, it must promptly submit such facts or information.

D8. Signatory Requirements

All applications, reports or information submitted to DEQ must be signed and certified in accordance with 40 CFR § 122.22.

D9. Falsification of Information

Under ORS 468.953, any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, is subject to a Class C felony punishable by a fine not to exceed \$125,000 per violation and up to 5 years in prison per ORS chapter 161. Additionally, according to 40 CFR § 122.41(k)(2), any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non-compliance will, upon conviction, be punished by a federal civil penalty not to exceed \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

D10. Changes to Indirect Dischargers

The permittee must provide adequate notice to DEQ of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the federal Clean Water Act if it were directly discharging those pollutants and;
- b. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For the purposes of this paragraph, adequate notice must include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

## SECTION E. DEFINITIONS

- E1. *BOD* or *BOD<sub>5</sub>* means five-day biochemical oxygen demand.
- E2. *CBOD* or *CBOD<sub>5</sub>* means five-day carbonaceous biochemical oxygen demand.
- E3. *TSS* means total suspended solids.
- E4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
- E5. *FC* means fecal coliform bacteria.
- E6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
- E7. *Technology based permit effluent limitations* means technology-based treatment requirements as defined in 40 CFR § 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-041.
- E8. *mg/l* means milligrams per liter.
- E9. *µg/l* means microgram per liter.
- E10. *kg* means kilograms.
- E11. *m<sup>3</sup>/d* means cubic meters per day.
- E12. *MGD* means million gallons per day.
- E13. *Average monthly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
- E14. *Average weekly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.
- E15. *Daily discharge* as defined at 40 CFR § 122.2 means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge must be calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge must be calculated as the average measurement of the pollutant over the day.
- E16. *24-hour composite sample* means a sample formed by collecting and mixing discrete samples taken periodically and based on time or flow.
- E17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
- E18. *Quarter* means January through March, April through June, July through September, or October through December.
- E19. *Month* means calendar month.
- E20. *Week* means a calendar week of Sunday through Saturday.
- E21. *POTW* means a publicly-owned treatment works.