United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR WASTEWATER DISCHARGES FROM HYDROELECTRIC GENERATING FACILITIES

In compliance with the provisions of the Clean Water Act, 33U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, Public Law 100-4 (hereafter CWA), the owners and operators of groundwater remediation discharge facilities in Idaho are authorized to discharge to waters of the United States in accordance with the Notice of Intent (NOI) requirements, effluent limitations, monitoring requirements and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT
MUST BE KEPT ON SITE AT ALL HYDROELECTRIC GENERATING FACILITIES
COVERED BY THIS PERMIT.

This Permit shall become effective XXXX XX**.**

This Permit and the authorization to discharge shall expire at midnight, XXXX XX**.**

Each Permittee shall reapply for a reauthorization to discharge on or before XXXXX, 180 days before the expiration of this Permit, if the Permittee intends to continue operations and discharges at the facility beyond the term of this Permit.

Signed this XX day of XXXX,

_____
Daniel D. Opalski, Director
Office of Water and Watersheds

Draft permit. This document does not authorize a discharge.

Schedule of Submissions

The following table summarizes some of the action items the permittee must complete and/or submit to EPA/IDEQ during the term of this permit.

Action Item	**Due Date**
1. Initial Application – Notice of Intent (NOI)	Facilities seeking coverage under this General Permit, must submit NOIs within 90 days after the effective date of the permit. See Parts II. A, B
2. Discharge Monitoring Reports (DMRs)	Facilities must submit DMRs monthly by the 20th day of the month. See Part V.C.1 for instructions on submitting DMRs.
3. Quality Assurance Project Plan (QAP)	The Permittee must provide written certification with the NOI that the QAP has been developed. The QAP must be kept on site and made available to the EPA and IDEQ upon request. See Part IV.A.
4. Best Management Practices (BMP) Plan	The Permittee must provide EPA with written notification that the Plan has been developed, or updated, and implemented within 180 days after the effective date of the final permit. The Plan must be kept on site and made available to EPA upon request. The permittee must provide EPA with written notification that the BMP plan has been developed and implemented no later than 90 days after authorization to discharge under the permit. The BMP Plan must be kept on site and made available to the EPA and IDEQ upon request. See Part IV.B.2.
5. Annual BMP Plan Review	The BMP Plan must be reviewed annually. A certified statement that the review has been completed must be submitted annually with the March DMR. See Part IV.B.8
6. Cooling Water Intake Structure (CWIS) Information and Compliance Report	All facilities must prepare an information and compliance report for the CWIS and submit it with the application for permit renewal. (See Part IV.C.3)
7. Monitoring Records	Monitoring records must be retained for a period of at least five years. See Part V.F

8. Twenty-Four Hour Notice of Noncompliance.	The Permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the Permittee becomes aware of the circumstances. See Parts V.G
9. Notice of Termination of Discharge	Facilities must request Permit termination from the EPA in writing. EPA will respond with a written determination on the request, in accordance with 40 CFR 122.64. See Part II.E.
10. NPDES Application Renewal	All facilities intending to continue discharging beyond this General Permit expiration date must submit an NOI for continued coverage at least 180 days before the expiration date of this Permit. See Parts VII.D

Contents

ACRONYMS

7Q10	7-day, 10 year low flow
AML	Average Monthly limit
BE	Biological Evaluation
BMP	Best Management Practice
CAA	Clean Air Act
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
COC	Chemical of Concern
CWA	Clean Water Act
°C	Degrees Celsius
DMR	Discharge Monitoring Report
DWS	Domestic Water Supply – use designation in Idaho Water Quality Standards
EAL	Environmentally Acceptable Lubricant
EFH	Essential Fish Habitat
ELG	Effluent Limitation Guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
°F	Degrees Fahrenheit
FR	Federal Register
GPD	Gallons per Day
IC	Inhibition Concentration
IDA	Idaho Department of Agriculture
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
IDWR	Idaho Department of Water Resources
ICIS	EPA Integrated Compliance Information System
IML	Interim Minimum Level
LA	Load Allocation
MCL	Maximum Contaminant Level
MDL	Maximum Daily Limit or Minimum Detection Level
µg/L	Micrograms per Liter
mg/L	Milligrams per Liter
ML	Minimum Level
NEPA	National Environmental Policy Act
NOAA-NMFS	National Oceanic and Atmospheric Administration- National Marine Fisheries Service
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NSPS	New Source Performance Standards
O&M	Operation and Maintenance
OSHA	U.S. Department of Labor Occupational Safety and Health Administration

OMB	United States Office of Management and Budget
OWW	EPA Office of Water and Watersheds
PCBs	Polychlorinated Biphenyls
POTW	Publicly Owned Treatment Works
PSD	Prevention of Significant Deterioration
QAP	Quality Assurance Plan
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation Recovery Act
SDS	Safety Data Sheet
SDWA	Safe Drinking Water Act
SIC	Standard Industrial Code
TAS	Treatment in a Manner Similar to a State (denotes EPA-Tribal Government Process)
TBEL	Technology-Based Effluent Limitation
TMDL	Total Maximum Daily Load
TSD	EPA *Technical Support Document for Water Quality-based Toxics Control*
TSS	Total Suspended Solids
UIC	Underground Injection Control
U.S.	United States
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
WLA	Waste load Allocation
WQBEL	Water Quality-Based Effluent Limitation
WQS	Water Quality Standards

I. APPLICABILITY

A. Facilities Eligible for Coverage

Unless excluded from coverage in accordance with Part 0.C below, hydroelectric generating facilities discharging wastewater to waters of the United States (U.S.) within the State of Idaho are eligible for Clean Water Act (CWA) authorization to discharge under this General Permit, subject to the limitations and conditions set forth herein.

B. Types of Discharges Covered

Discharges authorized under the General Permit are: cooling water, equipment and floor drain water, facility maintenance-related water, maintenance-related water during flood/high water events and backwash strainer water, and any combination of the discharges.

The General Permit does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operations of the facility, as disclosed in the Permittee's NOI, or any pollutants that are not ordinarily present in such waste streams. This General Permit does not cover discharges of sanitary wastewater or water discharged over or through the dam.

C. Facilities Ineligible for Coverage

A facility with any of the following types of discharges, conditions, or locations cannot be covered under this permit and must apply for an individual NPDES permit:

1. A facility that uses toxic pollutants as listed in 40 CFR§ 401.15 in the treatment process.
2. A facility that discharges to waters within the Nez Perce reservation, the Coeur d'Alene Reservation, the Kootenai Reservation, the Shoshone Bannock Tribe or the Duck Valley Reservation.
3. The facility uses or proposes to use one or more cooling water intake structures with a cumulative design intake flow of greater than 2 million gallons per day (mgd) or the facility uses 25 percent or more of the water it withdraws for cooling water purposes on an average monthly basis.
4. The facility is to discharge to an "Outstanding Natural Resource Water" identified in the WQS [IDAPA 58.01.02].
5. The facility is new or has expanded since July 1, 2011.
6. A Water Quality Management Plan or Total Maximum Daily Load (TMDL) containing requirements applicable to such point source is approved.

D. Requirements for an Individual Permit

The EPA may notify any permittee authorized by the General Permit, or seeking coverage under the General Permit, that it is required to apply for and obtain an individual NPDES permit. The Permittee will be notified in writing that an individual permit is required and be given a brief explanation of the reasons for the decision. An individual permit may be appropriate if:

1. The discharger is not in compliance with the conditions of this General Permit;
2. A change has occurred in the availability of the demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
3. Effluent limitation guidelines are promulgated for hydro-electric generating facilities;
4. The discharge(s) is a significant contributor of pollution.
5. Circumstances have changed since the time of the request to be covered so that the discharger is no longer appropriately controlled under the General Permit.

Any Permittee eligible for authorization under this General Permit may request to be excluded from coverage by applying for an individual permit in accordance with 40 CFR 122.28(b)(3)(iii).

E. **Authorization to Discharge**

Facilities covered under this General Permit will be authorized to discharge as of the date of the written notification that EPA has granted coverage under this Permit. For any facility with an existing NPDES individual permit, upon receiving authorization from the EPA to discharge under this General Permit, the existing NPDES individual permit will terminate in accordance with 40 CFR 122.64.

II. OBTAINING AUTHORIZATION TO DISCHARGE UNDER THIS GENERAL PERMIT

A. Submission of Notice of Intent

1. A facility requesting authorization to discharge under this General Permit must submit a timely and complete NOI to the EPA, with official signatures, in accordance with the requirements listed in Part I.R of this Permit. A copy of the NOI must also be sent to the IDEQ State Office, and the IDEQ Regional Office (see Appendix B for addresses).

2. A discharger must submit a legible original NOI to the EPA Region 10 at the following address:

   Director, Office of Water and Watersheds
   U.S. Environmental Protection Agency, Region 10
   1200 6th Avenue, Suite 155, OWW-191
   Seattle, Washington 98101

3. A Permittee authorized to discharge under this General Permit must submit to the EPA an updated and/or amended NOI when there is any material change in the information submitted within its original NOI. A material change may include, but not be limited to, changes in the operator/owner of the facility, a modification in the treatment train, or the introduction of new pollutants not identified in the original NOI.
4. When a hydroelectric generating facility is owned by one person or company, and is operated by another person or company, it is the operator's responsibility to apply for and obtain permit coverage. For owners/operators of multiple hydroelectric generating facilities, a separate NOI must be completed for each facility.

5. Deadlines for Submittal Facilities requesting authorization under this General Permit must submit to the EPA Region 10 a timely and complete NOI 90 days after the effective date of the General Permit.

B. Required Information in Notice of Intent

Facilities requesting authorization under this General Permit must submit the information indicated in 1 –15 below:

1. Facility address. Include the name, address, latitude and longitude coordinates, and telephone number of the hydroelectric generating facility. Indicate if the facility is located on Indian lands. If the name of the facility has changed during the last five years, the NOI must include the previous name(s) of the facility and the date(s) of these changes. The facility may also provide a fax number and e-mail address.

2. Owner information. Include the name, complete address, telephone number, and e-mail address of the owner of the facility and the name of his or her duly authorized representative. Provide ownership status such as a federal, state, private, public, or other entity. The owner may also provide a fax number.
3. Operator information. Include the name, complete address, telephone number, and e-mail address of the individual or company operating the facility and the name of his or her duly authorized representative. The operator may also provide a fax number.
4. Location map. Include an area map identifying the location of the hydroelectric generating facility. This map should have a scale of resolution of at least 1:24,000 (if a United States Geological Survey (USGS) map is used, provide title and catalog number). Identify those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant as being located within the map area.
5. Facility type. Include the number and type of facility (SIC code) to be covered, the number of discharge points, and the number of turbines and the combined turbine discharge (installed capacity) at maximum and minimum output, in cubic feet per second.
6. Current Permit Status. Indicate if a prior NPDES permit (individual or general permit coverage) has been granted for the discharge listed on the NOI. Indicate if the facility is covered by an individual NPDES permit and if so, include the NPDES permit number.
7. Facility Total Discharge Information:
    a) Peak, average and minimum discharge in cubic feet per second (cfs) and gallons per minute (gpm)
    b) Duration of peak discharge
8. Receiving Water
    a) Indicate the name of the receiving water into which the discharge will occur, and the name of any other receiving water within one (1) mile downstream of the discharge.
    b) Include the minimum and maximum measured flow in cubic feet per second (cfs) of the receiving water body and any other receiving water within 100 yards downstream of the discharge. If adequate flow data are available, also include the critical low flow values (i.e., the 7Q10), and how they were calculated. Identify the source of the flow data. Check the IDWR website at http://maps.idwr.idaho.gov/qWRAccounting/WRA_Select.aspx
    c) If the receiving water has been included on the state's 303(d) list of impaired waterways, identify the pollutant impairment, and state whether any pollutant(s) proposed to be discharged is indicated as a cause or a contributor to the listing.

9. Line Drawing/Flow Schematic. Include a line drawing or flow schematic showing water flow through the facility including sources of intake water, operations contributing flow, treatment units, outfalls, and receiving water(s).
10. Discharge Outfalls. Identify all outfalls at the hydroelectric generating facility and include the following details
    a) List each outfall under the following categories and number sequentially:
        i. Non-contact cooling water
        ii. Equipment-related cooling water
        iii. Equipment and floor drain water
        iv. Maintenance-related water
        v. Facility maintenance-related water during flood/high water events and backwash strainer water
        vi. Any combination of the following, to identify the combined discharges: cooling water; equipment and floor drain water; facility maintenance-related water; facility maintenance-related water during flood/high water events and backwash strainer water.
11. Provide for each outfall the following
    a) Latitude and Longitude to the nearest second.
    b) The operations contributing flow and the treatment received by the discharge. Indicate the average flow from each operation.
    c) Indicate if the discharge can be sampled.
    d) Note if the outfall discharges intermittently or seasonally.
    e) New facilities not yet operating also must include the date when the facility is scheduled to begin discharging.
12. No Dilution Statement.
    Include a statement that the owner/operator of the facility will not use dilution as a form of treatment to comply with the effluent limits in the General Permit.
13. Additional Information.
    The EPA or IDEQ may require an applicant to submit additional information deemed necessary to evaluate whether the discharge is consistent with the authorization criteria under the General Permit. This information must be provided upon request.
14. Quality Assurance Plan (QAP) Certification
    The Permittee must certify that a QAP has been developed in accordance with IV.A. and is being implemented. The certification, must be submitted to EPA Region 10 with the NOI.
15. Hydroelectric facilities that discharge to waters listed on IDEQ's most recent 303(d) list for temperature and for which a temperature TMDL has not been approved must submit the following temperature data collected from their cooling water discharges with their NOI to IDEQ:

a. Continuous temperature data collected over one season with season defined as May 1st through November 1st

C. **Signatory Requirements.**

The NOI must be signed by the operator in accordance with Section VII.G. below.

D. **Transfers**

Authorization to discharge under this permit may be automatically transferred to a new Permittee on the date specified in the agreement only if:

1. The current Permittee notifies the Director of the Office of Water and Watersheds at least 30 days in advance of the proposed transfer date;

2. The notice includes a written agreement between the existing and new Permittee containing a specific date for transfer of the permit responsibility and liability between them; and

3. The Director does not notify the existing and new permittee of the intent to revoke and reissue the authorization to discharge.

E. **Notice of Termination of Discharge**

The Permittee must notify the EPA and the appropriate IDEQ regional office within 30 days of discharge termination. The notification must be in writing, and include the date of discharge termination, and signed in accordance with the signatory requirements of Part VII.G of this general permit. The Permittee is required to submit discharge monitoring reports (DMRs) until the effective date of Permit termination.

1. Requests to terminate coverage under this permit must be made in writing and submitted to EPA at the following address:

United States Environmental Protection Agency, Region 10
Unit Manager, NPDES Permits Unit
1200 Sixth Avenue, Suite 155 OWW-191
Seattle, WA 98101

2. Coverage under this permit may be terminated in accordance with 40 CFR 122.64 if EPA determines in writing that the entire discharge is permanently terminated either by elimination of the flow. Termination of coverage will become effective 30 days after the written determination is sent to the Permittee by EPA, unless the Permittee objects within that time.

III. EFFLUENT LIMITATIONS, MONITORING AND REPORTING REQUIREMENTS

A. Effluent Limitations

1. The Permittee must not discharge hazardous materials in concentrations that pose a threat to public health or impair the beneficial uses of the receiving water.

2. The Permittee must not discharge toxic substances in concentrations that impair the designated beneficial uses of the receiving water.

3. The Permittee must not discharge deleterious materials in concentrations that impair the beneficial uses of the receiving water.

4. The Permittee must not discharge floating, suspended or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair the beneficial uses of the receiving water. There shall be no visible oil sheen or foam other than in trace amounts.

5. The Permittee must not discharge excess nutrients that can cause visible slime growth or other nuisance aquatic growths impairing beneficial uses of the receiving water.

6. The Permittee must not discharge polychlorinated biphenyl (PCB) compounds such as those commonly used for transformer fluid.

7. Solid materials shall be removed from the trash racks or intake screens and disposed of in accordance with the procedures developed in Appendix C Part 9 of this permit.

8. Effluent Limitations and Monitoring Requirements for Non-contact Cooling Water and Equipment-related Cooling Water.

Each outfall discharging cooling water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part V.

Table 1. Effluent Limitations and Monitoring Requirements for Cooling Water

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Frequency	Location	Sample Type
Flow	gpd	--	1/Month	Effluent	Measurement/ Estimate
pH	standard units	6.5 to 9.0	1/Month	Effluent	Grab
Oil and Grease	mg/L	10 Daily Maximum	1/Month	Effluent	Measurement (Grab)
Temperature	˚C	Report 7DADM	Continuous[1]	Intake/control gates and Effluent	Continuous

[1.] Temperature data must be recorded using a micro-recording device known as thermistors. Set the device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum.

Use the temperature device manufacturer's software to generate (export) an Excel text or electronic ASCII text file. The file must be submitted annually to the EPA and IDEQ by January 31 for the previous monitoring year along with the placement log. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies.

Note: For quarterly monitoring frequency, quarters are defined as: January 1 to Mach 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31.

9. Effluent Limitations and Monitoring Requirements for Equipment and Floor Drain Water

Each outfall discharging equipment and floor drain water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part V.

Table 2. Effluent Limitations and Monitoring Requirements for Equipment and Floor Drain Water

Parameter	Units	Effluent Limitations	Effluent Monitoring Requirements	
			Sample Frequency	Sample Type
Flow	gpd	--	1/Month	Measurement/Estimate
pH	standard units	6.5 to 9.0	1/Month	Grab
Oil and Grease	mg/L	10 Daily Maximum	1/Month	Measurement
Note: For quarterly monitoring frequency, quarters are defined as: January 1 to Mach 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31.				

10. Effluent Limitations and Monitoring Requirements for Maintenance-Related Water

Each outfall discharging maintenance-related water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part V.

Table 3. Effluent Limitations and Monitoring Requirements for Maintenance-Related Water

Parameter	Units	Effluent Limitations	Effluent Monitoring Requirements	
			Sample Frequency	Sample Type
Flow	gpd	--	1/Maintenance Event	Measurement/Estimate
pH	standard units	6.5 to 9.0	1/ Maintenance Event	Grab
Oil and Grease	mg/L	10 Maximum Daily	1/Maintenance Event	Measurement
Note: Note: For quarterly monitoring frequency, quarters are defined as: January 1 to Mach 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31.				

11. Effluent Limitations and Monitoring Requirements for Facility Maintenance-Related Water during Flood/High Water Events and for Equipment-Related Backwash Strainer Water

Each outfall discharging maintenance-related water during flood events and backwash strainer water shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part V.

If there is a flood/high water event, the permittee must comply with the following monitoring and reporting requirements:

a) the date and approximate duration of each flood/high water discharge event shall be reported as an attachment to the monthly DMR.

b) Flood/high water discharges shall comply with the requirements in Appendix C.11

Monitoring for equipment-related backwash strainer water is not required.

Table 4. Effluent Limitations and Monitoring Requirements for Maintenance-Related Water during Flood/High Water Events and for Equipment related Backwash Strainer Water

Parameter	Units	Effluent Limitations	Monitoring Requirements	
			Sample Frequency	Sample Type
Flow	gpd	--	1/ Event	Measurement/Estimate
pH	standard units	6.5 to 9.0	1/Event	Grab
Oil and Grease	mg/L	10 Maximum Daily	1/Event	Measurement
Note: For quarterly monitoring frequency, quarters are defined as: January 1 to Mach 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31.				

12. Effluent Limitations and Monitoring Requirements for any Combination of the Following: Cooling Water, Equipment and Floor Drain Water, Maintenance-Related Water, and Maintenance-Related Water during Flood/High Water Events and Equipment-Related Backwash Strainer Water

Each outfall discharging a combination of cooling water, equipment and floor drain water, maintenance-related water, maintenance-related water during flood events, and equipment related backwash strainer water, shall be limited and monitored by the permittee as specified below. Monitoring for each outfall is to be conducted and reported in accordance with Part V. Monitoring and reporting requirements for facility maintenance-related water during flood/high water events are:

a) the date and approximate duration of each flood/high water discharge event shall be reported as an attachment to the monthly DMR.

b) Flood/high water discharges shall comply with the requirements in Appendix C.11

Monitoring for equipment-related backwash strainer water is not required.

Table 5. Effluent Limitations and Monitoring Requirements for any Combination of the Following: Cooling Water, Equipment and Floor Drain Water, Maintenance-Related Water, Maintenance-related Water During Flood/High Water Events and for Back-wash Strainer Water

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Frequency	Location	Sample Type
Flow	gpd	--	1/Month	Effluent	Measurement/Estimate
pH	SU	6.5 to 9.0	1/Month	Effluent	Grab
Temperature[1]	°C	Report 7DADM	Continuous[2]	Intake/control gates and Effluent	Continuous
Oil and Grease[3]	mg/L	10 Max Daily	1/Month	Effluent	Measurement

[1] The effluent monitoring requirements for Temperature apply to outfalls discharging cooling water.
[2]See Note1 in Table 1 above.
[3]The effluent limitations and monitoring requirements for Oil and Grease apply to outfalls discharging equipment and floor drain water or facility maintenance-related water.
Note: For quarterly monitoring frequency, quarters are defined as: January 1 to Mach 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31.

13. For all effluent monitoring, the Permittee must use a sufficiently sensitive analytical method which meets the following:

a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation.

b) Parameters that do not have effluent limitations.

c) The permittee must use a method that detects and quantifies the level of the pollutant, or

d) The permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix A;

e) For parameters that do not have an effluent limit, the permittee may request different MLs. The request must be in writing and must be approved by EPA.

f) See also Part V.B Monitoring Procedures

14. For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the Permittee must report "less than {numeric value of the MDL}" and if a value is less than the ML, the Permittee must report "less than {numeric value of the ML}."

15. For purposes of calculating monthly averages, zero may be assigned for values less than the MDL and the ML. If the average value is less than the MDL, the permittee must report "less than {numeric value of the MDL} and if the average value is less than the ML, the permittee must report "less than {numeric value of the ML}." If a value is equal to or greater than the ML, the permittee must report and use the actual value. The resulting average value must be compared to the compliance level, the ML, in assessing compliance.

16. For those instances when there is no discharge from an outfall the No Data Indicator Code (NODI) of C is to be reported on the DMR.

IV. SPECIAL CONDITIONS

A. Quality Assurance Plan

Any Permittee covered under this General Permit must develop a Quality Assurance Plan (QAP) that guides the water quality monitoring required by this Permit. A certification that the QAP has been developed must be submitted to EPA and IDEQ with the NOI.

1. The QAP must be designed to assist in planning for the collection and analysis of environmental samples in support of the permit and in explaining data anomalies when they occur. The plan must be retained on site and made available to EPA and/or IDEQ upon request.

2. Throughout all sample collection and analysis activities, the Permittee shall use the EPA-approved quality assurance and control (QA/QC) and chain-of-custody procedures described in Requirements for Quality Assurance Project Plans (EPA/QA/R-5) and Guidance for Quality Assurance Project Plans (EPA/QA/G-5). Copies of these documents can be found at http://www.epa.gov/quality/qs-docs/r5-final.pdf and http://www.epa.gov/quality/qs-docs/g5-final.pdf. The QAP must be prepared in the format which is specified in these documents.

3. At a minimum, the QAP shall include the following:
   a) Details on the number of samples, detailed sampling locations, type of sample containers, preservation of samples, holding times, analytical detection and quantitation limits for each target compound, analytical methods, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements;
   b) A map indicating the location of each monitoring point;
   c) Qualifications and training of all personnel involved with water quality sampling;
   d) Specifications for the collection and analysis of quality assurance samples for each sampling event, including matrix spiked and duplicate samples and analysis of field transfer blanks (sample blanks); and,
   e) Name(s), address(es), and telephone number(s) of the laboratories used by, or proposed to be used by, the Permittee.

4. The Permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.

5. Copies of the QAP must be kept on site and made available to the EPA and/or IDEQ upon request.

B. **Best Management Practices (BMP) Plan**

The Permittee shall develop and implement a best management practices (BMP) plan which incorporates practices that achieve the objectives and specific requirements listed below and those specified in Appendix C of this General Permit. The Permittee must operate the hydroelectric facility in accordance with this BMP Plan and with subsequent amendments to the Plan. The BMP plan shall be prepared in accordance with good engineering practices.

1. The BMP Plan must be consistent with the objectives listed in the general guidance contained in the publication entitled *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA-833-93-004, 1993) and any subsequent revisions to this guidance document.

2. Deadlines for BMP Plan Preparation and Compliance

   a) The BMP plan for this facility shall be prepared, and except as provided elsewhere in this permit, shall provide for compliance with the terms of the permit and the BMP plan, no later than within 90 days from authorization date to discharge under the General Permit.

   b) Upon a showing of good cause, the Director may establish, in writing, a later date for preparing and compliance with a BMP plan.

   c) The permittee must submit written notice to EPA and IDEQ that the Plan has been developed and implemented within 90 days of the effective date of the permit. The permittee may submit written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_<<insert permit number>>_BMP_05899, where YYYY_MM_DD is the date that the permittee submits the written notification.

   d) The plan must be retained on site and made available to EPA and/or IDEQ upon request. The permittee must implement the provisions of the plan as conditions of this permit within 90 days of the effective date of this permit.

3. Signature and BMP Plan Review

   a) The BMP plan shall be signed in accordance with Part VII.G. (Signatory Requirement) and be retained onsite at the facility in accordance with Part V.F (Retention of Records) of this General Permit.

   b) The Permittee shall make the BMP plan available upon request to the Director, or an authorized representative.

c) The Director, or an authorized representative, may notify the Permittee at any time that the BMP plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the BMP plan, and identify which provisions of the BMP plan require modifications in order to meet the minimum requirements of this Part. Within 30 days of such notification from the Director, (or as otherwise provided by the Director), or an authorized representative, the Permittee shall make the required changes to the BMP plan and shall submit to the Director a written certification that the requested changes have been made.

4. Keeping BMP Plans Current

The Permittee shall amend the BMP plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the United States or if the BMP plan proves to be ineffective in eliminating or significantly minimizing pollutants, or in otherwise achieving the general objectives of controlling pollutants in the internal facility drainage water discharges. Amendments to the BMP plan may be reviewed as described above in 2.b.

5. Establish specific best management practices or other measures that ensure the following specific requirements are met:

a) Oil, grease, and hydraulic fluids, from all sources, do not enter the river.

b) The quantity and type of all oil products used on-site are monitored and tracked. Records are to be kept on-site and available for inspection by EPA or IDEQ. Oil gauges should be used that provide appropriate level of markings to ensure operators and maintenance personnel can easily identify an unusual condition.

c) Protective seals on all equipment with oil-to-water interfaces are maintained in good operating order to minimize the leaking of hydraulic oil or other oils

d) Reduce the reliance on lubricants for all facility equipment that come in contact with river water such as spill gate mechanisms, turbine gate mechanisms, etc.

e) Implement purchasing procedures that give preference for Environmentally Acceptable Lubricant (EAL) for all oil to water interfaces, unless technically infeasible. For purposes of requirements related to EALs, technically infeasible means that no EAL products are approved for use in a given application that meet manufacturer specifications for that equipment; products which come pre- lubricated (e.g., wire ropes) have no available alternatives manufactured with EALs; or products meeting a manufacturers specifications are not available.

f) Preventative maintenance and cleaning program for turbine and wicket gate parts.

g) Regular inspection of fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc to prevent drips or leaks.

h) Preventive maintenance program for internal facility drainage water management devices (e.g., cleaning oil/water separators, pits, sumps) that includes inspection and testing to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.

i) Proper operation of the oil/water separators through inspections at appropriate intervals, regularly scheduled maintenance, and by review of sampling data.

j) Use any available product testing data to implement purchasing procedures that give preference for lubricants, paint and caulk free of PCBs.

6. Reporting of BMP incidents. Prepare a written report to EPA and IDEQ, due within seven (7) days after the incident has been successfully addressed, describes the circumstances leading to the incident, corrective actions taken, and recommended changes to operation and maintenance practices and procedures to prevent incident recurrence.

7. The Permittee must maintain a copy of the BMP Plan on-site at the facility and make it available to EPA or an authorized representative upon request.

8. The BMP Plan must be reviewed annually as follows

a) The Permittee must review the BMP annually to ensure that the BMP Plan fulfills the requirements set forth in this permit.

b) The Permittee must provide written notification that the annual review has been completed. The notification must be submitted on March 20th after the initial notification of completion of the BMP Plan. The notification must be signed in accordance with Part VI.G. (Signatory Requirement).

c) The Permittee may submit written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_<<insert permit number>>_BMP_05899, where YYYY_MM_DD is the date that the permittee submits the written notification.

9. Annual Report:

The Permittee must prepare an Annual Report documenting implementation of the BMP plan and actions taken. See Appendix C BMP Plan, 8.vi.

C. **Minimize the Impact of Entrainment and Impingement of Cooling Water Intake Structure**

1. The permittee must comply with the requirements of Section IV.C.2, below, if the facility withdraws water from surface source waters for use, in full or in part, as cooling water.

2. Facilities withdrawing water for cooling water, must implement the following Best Technology Available (BTA) requirements to minimize the adverse environmental effects of cooling water intake structure (CWIS) within 180 days of the effective date of the permit:

a) Manage the intake operations to minimize injury to resident fish and other aquatic species in the river.

b) Manage tailrace operations to prevent fish access to the draft tube areas to minimize injury of fish and other aquatic species.

c) Cease or reduce the intake of cooling water whenever withdrawal of source water is not necessary, i.e. during equipment testing or maintenance activities.

d) Return all observed live impinged fish to the source water to the extent practicable in a manner that maximizes their chance of survival.

e) Do not spray impinged fish or invertebrates with chlorinated water.

f) The permittee must design an impingement and entrainment monitoring program for the facility to identify what species are impinged and or entrained. The monitoring is to be conducted at least weekly. The data collected must be recorded in writing and include the date, time, presence or absence of impinged and entrained organisms. If impingement and or entrainment is observed, the following information shall be included for each episode, if available: duration of the event, number, species and length of impinged/entrained fish, condition of fish (dead or alive), actions taken (e.g. fish returned to river, fish collected, cooling water intake flow reduced, etc.).

g) Retain the results of this monitoring program on-site for inspection and for submission to EPA as required in Part 4(l) of this Section.

h) Maintain a physical screening or exclusion technology that is consistent with the objectives of National Marine Fisheries Service guidelines found in National Marine Fisheries Service in NMFS Northwest Region's Anadromous Salmonid Passage Facility Design, Chapter 11: Fish Screen and Bypass Facilities.

i) The Permittee must, at all times, properly operate and maintain the CWIS including any existing technologies used to minimize impingement and entrainment.

3. The Permittee must prepare an information report for the CWIS and submit it to U.S. EPA Region 10 by 180 days prior to permit expiration. The report must include the following information:

a) The design capacity of the CWIS, in million gallons per day (MGD);
b) A narrative description of each cooling water intake structures and its location in the waterbody and in the water column;
c) A narrative description of the operation of each cooling water intake structure, including daily hours of operation, number of days of the year in operation and seasonal changes, if applicable;
d) If the combined design capacity of all CWISs is greater than 1.0 MGD, the measures to be taken by the facility to maintain a daily maximum surface water withdrawal of 1.0 MGD;
e) The maximum monthly average intake of the CWIS during the previous five years, in MGD, and the month in which this flow occurred;
f) Whether the facility withdraws cooling water at a rate commensurate with a closed-cycle cooling system.
g) The maximum through-screen design intake velocity in feet per second (fps);
h) The water body type of the source water (freshwater river or stream; lake or reservoir);
i) The source water's annual mean flow if the CWIS is located on a freshwater river or stream, in cubic feet per second (cfs) as available from USGS or another appropriate source;
j) The design intake flow as a percent of the source water's annual mean flow if the CWIS is located on a freshwater river or stream;
k) The source water's 7Q10 if the CWIS is located on a freshwater river or stream, in MGD.
l) The design intake flow as a percent of the source water's 7Q10 if the CWIS is located on a freshwater river or stream;
m) Detailed description of the screening and exclusion technology employed to prevent impingement and entrainment in the CWIS
n) A list of species (or relative taxa) for all life stages and their relative abundance in the vicinity of the cooling water intake structure.
o) A report of the prior five year results from the impingement and entrainment monitoring program called for above in Part 2(f) above.

V. GENERAL MONITORING, RECORDING AND REPORTING REQUIREMENTS

A. Representative Sampling (Routine and Non-Routine Discharges)

1. The Permittee must ensure that samples and measurements collected for the purpose of monitoring are representative of the monitored activity or the environmental condition.

2. In order to ensure that the effluent limits set forth in this General Permit are not violated at times other than when routine samples are collected, the Permittee must collect additional samples whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The Permittee must analyze the additional samples for the parameters limited in this permit that are likely to be affected by the discharge.

3. The Permittee must collect such additional samples as soon as a spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with Part 0.B "Monitoring Procedures." The Permittee must report all additional monitoring in accordance with Part 0.D "Additional Monitoring by Permittee."

B. Monitoring Procedures

The Permittee must conduct monitoring according to test procedures approved under 40 CFR 136, unless other test procedures have been specified in this Permit or approved by EPA as an alternative test procedure under 40 CFR 136.5.

C. Reporting of Monitoring Results

The permittee must submit monitoring data and other reports electronically using NetDMR.

1. Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period.

2. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part VIII.G (Signatory Requirements).

3. The permittee must submit copies of the DMRs, and all other reports to IDEQ.

4. Submittal of Reports as NetDMR attachments. Unless otherwise specified in this permit, the permittee may submit all reports to EPA and insert State as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_insert permit number_Report Type Name Identifying Code, where YYYY_MM_DD is the date that the permittee submits the attachment.

5. The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. Net DMR is accessed from: https://netdmr.epa.gov/netdmr/public/home.htm

6. The Permittee is not required to monitor when the facility is not discharging. However, the DMR must indicate the facility is not discharging and must be submitted as described in Part 0.C.1. The Permittee must submit a monthly DMR even if a discharge has not occurred, unless permit coverage has been terminated in accordance with Part II.E of this permit.

7. The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR is accessed from: https://www.epa.gov/netdmr/public/home.htm

D. Additional Monitoring by the Permittee

1. If the Permittee monitors any pollutant more frequently than required by this General NPDES Permit, using test procedures approved under 40 CFR 136 or as specified in this General Permit, the Permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMRs.

2. Upon request by the Director, the Permittee must submit results of any other sampling regardless of the test method used.

E. Records Content

The Permittee must include the following in records of monitoring information:

1. the date, exact place, and time of sampling or measurements;
2. the names of the individual(s) who performed the sampling or measurements;
3. date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses; and
7. the certification requirements as identified in Part VII.G.4.

F. Retention of Records

The Permittee must retain records of all monitoring information, including but not limited

to, all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this General NPDES Permit, copies of DMRs, a copy of the General NPDES Permit, and records of all data used to complete the Notice of Intent (NOI) for this General NPDES Permit, for a period of at least five (5) years from the date of the sample, measurement, report, or NOI submittal, or for the term of this General NPDES Permit, whichever is longer. This period may be extended by request of the EPA Director or by IDEQ at any time.

G. **Twenty-Four Hour Notice of Noncompliance Reporting**

1. The Permittee must report the following occurrences of noncompliance by telephone at (206) 553-1846, within 24 hours from the time the Permittee becomes aware of the circumstances:

   a) any noncompliance that may endanger health or the environment;
   b) any unanticipated bypass that results in or contributes to an exceedance of any effluent limitation in this General NPDES Permit. See Part VI.H. "Bypass of Treatment Facilities";
   c) any upset that results in or contributes to an exceedance of any effluent limitation in this General NPDES Permit. See Part VI.I "Upset Conditions;"

2. The Permittee must also provide a written submission within five (5) business days of the time that the Permittee becomes aware of any event required to be reported under subpart 1 above. The written submission must contain:

   a) a description of the noncompliance and its cause;
   b) the period of noncompliance, including exact dates and times;
   c) the estimated time noncompliance is expected to continue if it has not been corrected; and,
   d) all steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The Director of the EPA Office of Compliance and Enforcement may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone (206)553-1846.

4. The permittee must submit reports to EPA and IDEQ as specified in Part V.C. "Reporting of Monitoring Results".

5. All spills of hazardous material, deleterious material or petroleum products which may impact waters (ground and surface) of the state shall be immediately reported. Call 911 if immediate assistance is required to control, contain or clean up the spill. If no assistance is needed in cleaning up the spill, contact the appropriated DEQ regional office in the table below during normal working hours or Idaho State Communications Center during non- normal working hours. If the spilled volume is above federal reportable quantities, contact the National Response Center.

For immediate assistance: Call 911
National Response Center: (800) 424-8802
Idaho Sate Communications Center: (800) 632-8000

Idaho DEQ Regional Contacts

Regional Office	Toll Free Phone Number	Phone Number
Boise	888-800-3480	208-373-0550
Coeur d'Alene	877-370-0017	208-769-1422
Idaho Falls	800-232-4635	208-528-2650
Lewiston	877-541-3304	208-799-4370
Pocatello	888-655-6160	208-236-6160
Twin Falls	800-2701663	208-736-2190

H. **Other Noncompliance Reporting**

The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part V.C. "Reporting of Monitoring Results" are submitted. The reports must contain the information listed in Part 0.G.2 "Twenty-four Hour Notice of Noncompliance Reporting" of this Permit.

I. **Changes in Discharge of Toxic Substances**

The Permittee must notify the Director of the Office of Water and Watersheds and IDEQ as soon as it knows, or has reason to believe [40 CFR 122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the following "notification levels":
   a) One hundred micrograms per liter (100 µg/l);
   b) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; 500 micrograms per liter (500 µg/l) for 2,4 dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
   c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or,
   d) The level established by the Director in accordance with 40 CFR 122.44(f).

2. That any activity has occurred or will occur that would result in any discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the following "notification levels":

a) Five hundred micrograms per liter (500 µg/l);
b) One milligram per liter (1 mg/l) for antimony;
c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
d) The level established by the Director in accordance with 40 CFR 122.44(f).

3. The Permittee must submit the notification to the Office of Water and Watersheds at the following address:

US EPA Region 10
Attn: NPDES Permits Unit Manager
1200 Sixth Avenue, Suite 155, OWW-191
Seattle, WA 98101

Idaho Department of Environmental Quality
Attn: 401 Program Coordinator
1410 N. Hilton Street
Boise, ID 83706

VI. COMPLIANCE RESPONSIBILITIES

A. Proper Operation and Maintenance (O&M)

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 general NPDES permit. Proper O&M also includes best management practices, adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this general NPDES permit.

B. Duty to Comply

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

C. Inspection and Entry

The Permittee must allow the Director of the Office of Compliance and Enforcement, EPA Region 10; IDEQ; or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

1. 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 general NPDES permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this general NPDES permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this general NPDES permit; and

4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any discharges, substances or parameters at any location.

D. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR 19 and the CWA, any person who violates sections 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed the maximum amounts authorized in the United States Code (USC) by section 309(d) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $53,484 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by section 309(g)(2)(A) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $21,393 per day for each violation, with the maximum amount of any Class I penalty assessed not to exceed $53,484]. Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by section 309(g)(2)(B) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $21,393 per day for each violation, with the maximum amount of any Class II penalty not to exceed $267,415].

3. Criminal Penalties:

a) Negligent Violations. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, 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.

b) Knowing Violations. 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.

c) Knowing Endangerment. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, 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 Act, 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.

d) False Statements. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by 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 under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both. The CWA further provides that 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 shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

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

It shall not be a defense for the 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.

F. **Duty to Mitigate**

The Permittee must take all reasonable steps to minimize or prevent any discharge in

violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

G. **Removed Substances**

All collected screenings, grit, solids, sludge, filter backwash water, and/or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in a manner such as to prevent such pollutants from entering the waters of the United States.

H. **Bypass of Treatment Facilities:**

1. Bypass not exceeding limitations. The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential for maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this Part.

2. Notice.

   a) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it must submit prior notice, to the Director, if possible at least 10 days before the date of the bypass.

   b) Unanticipated bypass. The Permittee must submit notice of an unanticipated bypass as required under Part V.G. ("Twenty-four Hour Notice of Noncompliance Reporting")

3. Bypass prohibition. Bypass is prohibited, and the Director may take enforcement action against the Permittee for a bypass, unless:

   a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

   b) 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 back-up 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 preventive maintenance; and

   c) The Permittee submitted notices as required under subpart 2 above.

   d) The Director of the Office of Compliance and Enforcement may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in H.3.a.

I. **Upset Conditions**

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with a technology-based permit effluent limitation if the Permittee meets the requirements of Paragraph 2 of this section. 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.

2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a) An upset occurred and that the Permittee can identify the cause(s) of the upset;

b) The permitted facility was at the time being properly operated;

c) The Permittee submitted notice of the upset as required under Part V.G, "Twenty-four Hour Notice of Noncompliance Reporting" and,

d) The Permittee complied with any remedial measures required under Part VI.F, "Duty to Mitigate.

3. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

J. **Toxic Pollutants**

The Permittee must comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants 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.

VII. GENERAL REQUIREMENTS

A. **Permit Actions.**

This permit or coverage under this permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 124.5. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

B. **Planned Changes.**

The Permittee must give notice to the Director and the responsible IDEQ office as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR 122.29(b); or

2. The alteration or addition could significantly change the nature or increase the quantity of the pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Part V.I. “Changes in Discharge of Toxic Substances” of this Permit.

C. **Anticipated Noncompliance**

The Permittee must give advance notice to the Director of the EPA Office of Compliance and Enforcement and IDEQ of any planned changes in the permitted facility or activity which may result in noncompliance with this Permit.

D. **Duty to Reapply**

1. If the Permittee intends to continue an activity regulated by this General Permit after the expiration date of this Permit, the Permittee must either apply for and obtain an individual permit or submit an NOI to be covered under a new General Permit. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Director, the Permittee must submit an application for an individual permit or submit a new NOI at least 180 days before the expiration date of this General Permit.

2. If this General Permit is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (5 U.S.C. 558(c)) and EPA's implementing regulations at 40 CFR 122.6 and remain in full force for discharges that were authorized prior to this Permit's expiration and the Permittee meets the requirements of subpart 1 above. Permittees granted General Permit coverage prior to the expiration date will automatically remain covered by this Permit until the earliest of:

a) Authorization for coverage under a reissuance or replacement of this Permit;
b) Submittal of a Notice of Termination in accordance with Part II.F. of this Permit and 40 CFR 122.64;
c) Issuance or denial of an individual permit for the facility's discharges; or,
d) A formal permit decision by EPA not to reissue this General Permit, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative General Permit or an individual Permit. Coverage under this Permit will cease at the end of this time period.

E. **Duty to Provide Information**

The Permittee must furnish to the EPA and IDEQ, within the time specified in the request, any information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee must also furnish to the EPA or IDEQ, upon request, copies of the records required to be kept by this permit.

F. **Other Information**

When the Permittee becomes aware that it failed to submit any relevant facts in a notice of intent, or that it submitted incorrect information in a notice of intent, permit application, or any report to the EPA or IDEQ, it shall promptly submit the omitted facts or corrected information in writing.

G. **Signatory Requirements**

All permit applications, reports, or information submitted to the EPA and IDEQ must be signed and certified as follows:

1. All NOIs must be signed and certified by:
   a) For a corporation: by a principal corporate officer.
   b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
   c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

2. All reports required by this permit and other information requested by the EPA or IDEQ must be signed by a person described in subpart 1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a) The authorization is made in writing by a person described above and submitted to the Director;

b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, owner or operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

c) The written authorization is submitted to the Director of the Office of Compliance and Enforcement and IDEQ.

3. Changes to authorization. If an authorization under subpart 2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subpart 2 must be submitted to the Director of the Office of Compliance and Enforcement and the responsible IDEQ office prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this part must make the following certification:

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

H. Availability of Reports

In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the Permittee. In accordance with the CWA, permit applications, permits, and effluent data are not considered confidential. Any confidential claim must be asserted at the time of submission by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the Permittee. If a claim is asserted, the information will be treated in accordance with the

procedures in 40 CFR 2, Subpart B (Public Information) and 41 Federal Register 36924 (September 1, 1976), as amended.

I. **Oil and Hazardous Substance Liability**

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of the CWA or Section 106 of CERCLA.

J. **Property Rights**

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

K. **State Laws**

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the CWA.

VIII. DEFINITIONS

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative [40 CFR 122.2].

Average monthly limits 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. It may also be referred to as the "monthly average limits"[40 CFR 122.2].

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

CFR means the Code of Federal Regulations, which is the official annual compilation of all regulations and rules promulgated during the previous year by the agencies of the United States government, combined with all the previously issued regulations and rules of those agencies that are still in effect.

Composite sample means a flow-proportioned mixture of not less than four discrete representative samples collected within the same 24 hours.

Conventional pollutant means BOD, TSS, bacteria, oil and grease, and pH as defined in 40 CFR 401.16.

Continuous Discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities [40 CFR 122.2].

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, 33 U.S.C. § 1251 et seq. [40 CFR 122.2].

Daily discharge 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 limits expressed as mass "daily discharge" is 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" is calculated as the average measurement of the pollutant over the day [40 CFR 122.2].

Designated Use means those beneficial uses assigned to identified waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards," Sections 110 through 160, whether or not the uses are being attained [IDAPA 58.01.02.010.24].

The Director means the Regional Administrator of EPA Region 10, or the Director of the EPA

Region 10 Office of Water and Watersheds, the State of Idaho Department of Environmental Quality, or an authorized representative thereof.

Discharge when used without qualification means the "discharge of a pollutant."

Discharge Monitoring Report (DMR) means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by Permittees [40 CFR 122.2].

Discharge of a pollutant means:
Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger" [40 CFR 122.2].

Draft permit means a document prepared under 40 CFR 124.6 indicating the Director's tentative decision to issue or deny, modify, revoke and reissue, terminate, or reissue a "permit" [40 CFR 122.2].

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean [40 CFR 122.2].

Effluent limitations guidelines (ELG) means a regulation published by the Administrator under section 304(b) of CWA to adopt or revise "effluent limitations' [40 CFR 122.2].

Environmentally Acceptable Lubricants" means lubricants that are "biodegradable" and "minimally-toxic," and are "not bioaccumulative" as defined in this permit. For purposes of this permit, products meeting this permit's definitions of being an "Environmentally Acceptable Lubricant" include those labeled by the following labeling programs: Blue Angel, European Ecolabel, Nordic Swan, the Swedish Standards SS 155434 and 155470, and EPA's Design for the Environment (DfE).

Excluded Waters, or prohibited waters, means water bodies not authorized as receiving waters to be covered under this general NPDES permit.

Facility means any NPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

General permit means an NPDES "permit" issued under 40 CFR 122.28 authorizing a category of discharges under the CWA within a geographical area [40 CFR 122.2].

Grab sample means a single water sample or measurement of water quality taken at a specific time.

Hazardous Material means a material or combination or materials which, when discharged in any quantity into state waters, presents a substantial present or potential hazard to human health, the public health, or the environment [IDAPA 58.01.02.010.46]. It is defined at 40 CFR 122.2 to mean any substance designated under 40 CFR 116, pursuant to Section 311 of the CWA.

Indian Country as indicated by 18 U.S.C. § 1151 means: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation,
(b) All dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and,
(c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe means any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation [40 CFR 122.2].

*Influen*t means the water from upstream that enters into the groundwater remediation facility.

Maximum means the highest measured discharge or pollutant in a waste stream during the time period of interest.

Maximum Daily Discharge limitation means the highest allowable "daily discharge" [40 CFR 122.2].

Monthly Average Limit means the average of "daily discharges" over a monitoring month, calculated as the sum of all "daily discharges" measured during a monitoring month divided by the number of "daily discharges" measured during that month [40 CFR 122.2].

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA [40 CFR 122.2].

Nonconventional Pollutants means all pollutants that are not included in the list of conventional or toxic pollutants in 40 CFR 401. This includes pollutants such as chlorine, ammonia, COD, nitrogen and phosphorous.

Notice of Intent (NOI) means a request, or application, to be authorized to discharge under a general NPDES permit.

Nuisance means anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the State [IDAPA 58.01.02.010.67].

Outstanding resource water means a high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational significance. ORW constitutes as outstanding national or state resource that requires protection from point and nonpoint source activities that may lower water quality [IDAPA 58.01.02.010.72].

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials [except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011 et seq.)], heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water [40 CFR 122.2].

Services means the United States Fish and Wildlife Service and/or the National Oceanic and Atmospheric Administration- National Marine Fisheries Service (NOAA Fisheries).

Technology-based effluent limitation (TBEL) means treatment requirements under Section 301(b) of the Clean Water Act that represent the minimum level of control that must be imposed in a permit issued under Section 402 of the Clean Water Act. EPA is required to promulgate technology-based limitations and standards that reflect pollutant reductions that can be achieved by categories, or subcategories of industrial point sources using specific technologies that EPA identifies as meeting the statutorily prescribed level of control under the authority of CWA Sections 301, 304, 306, 307, 308, 402, and 501 [33 U.S.C. § 1311, 1314,1316,1318,1342, and 1361].

Total Maximum Daily Load (TMDL) means the sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for non-point sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality [IDAPA 58.012.02.010.100].

*Upse*t means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR 122.41(n)].

Waters of the United States or waters of the U.S. means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb

and flow of the tide;
(b) All interstate waters, including interstate "wetlands;"
(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
(3) Which are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as waters of the United States under this definition;
(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
(f) The territorial sea; and
(g)"Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition [40 CFR 122.2].

Whole Effluent Toxicity (WET) means the aggregate toxic effect of an effluent measured directly by a toxicity test [40 CFR 122.2]

APPENDIX A. MINIMUM LEVELS

The tables below list the maximum Minimum Level (ML) for pollutants in the permit. The Permittee may request different MLs from the EPA. The request must be in writing to the EPA Region 10 NPDES Permit Unit Manager and must be approved by EPA before any alternative MLs will apply to the Permittee.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Suspended Solids	5 mg/L
Temperature (max. 7-day avg.)	0.2º C
Oil and Grease	5 mg/L
pH	N/A

APPENDIX B. MAILING INFORMATION

IDEQ Offices

Idaho Department of Environmental Quality
State Office
1410 North Hilton Street
Boise, ID. 83706
208/373-0502

Idaho Department of Environmental Quality
Twin Falls Regional Office
1363 Fillmore Street
Twin Falls, ID 83301

Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard Street
Boise, Idaho 83706-2239

Idaho Department of Environmental Quality
Pocatello Regional Office
444 Hospital Way, #300
Pocatello, Idaho 83201

Idaho Department of Environmental Quality
Lewiston Regional Office
1118 F Street
Lewiston, Idaho 83501

Idaho Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

Idaho Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline Street, Suite B
Idaho Falls, Idaho 83402

Tribal Offices

Chairman
Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
P.O. Box 219
Owyhee, NV 89832

Chairman
Shoshone-Bannock Tribes of Idaho
P.O. Box 306
Ft. Hall, ID 83203

Chairman
Coeur d'Alene Tribe
850 A Street, P.O. Box 408
Plummer, ID 83851

Chairman
Kootenai Tribe of Idaho
County Road 38A, P.O. Box 1269
Bonners Ferry, ID. 83805

Chairman
Nez Perce Tribe of Idaho
P.O. Box 365
Lapwai, ID 83540

APPENDIX C. BEST MANAGEMENT PRACTICES (BMP) PLAN

Additional Contents of BMP Plan

In addition to the provisions called for in IV. B. the BMP plan shall include, the following items:

1. Pollution Prevention Team. The BMP plan shall identify a specific individual or individuals within the facility organization as members of the Pollution Prevention Team who are responsible for developing the BMP plan and for assisting the facility manager in the implementing, maintaining, and revising of this plan. The responsibilities of each team member must be listed. The activities and responsibilities of the Pollution Prevention Team shall address all aspects of the facility's BMP plan.

2. Description of Potential Pollutant Sources. The BMP plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to internal facility drainage water discharges. Each BMP plan shall identify all activities and significant materials which may be potentially significant pollutant sources.

3. Drainage:
   a) A plot of the floor drainage of the facility's interior including sumps and oil/water separators and locations where major spills or leaks have occurred.
   b) For internal facility drainage water discharges that could reasonably be expected to contain significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in the discharges. Factors to consider include the toxicity of pollutants; quantity of pollutants used; the likelihood of contact with internal facility drainage water discharges; and history of significant leaks or spills.

4. Inventory of Exposed Materials. The BMP plan shall include an inventory of the types of materials handled at the facility that potentially may be inadvertently spilled. Such inventory shall include a narrative description of significant materials that are or have been handled, treated, stored or disposed in a manner to allow exposure to internal facility drainage water between the time of three years before the active date of permit coverage and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with internal facility drainage water between the time of three years before the active date of permit coverage and the present; the location and description of existing structural and non-structural control measures to reduce pollutants in the internal facility drainage water discharges; and a description of any treatment these discharges receive.

5. Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous

pollutants that occurred, during the three-year period prior to the active date of permit coverage, at areas that drain to an outfall associated with floor drains. Such a list shall be updated as appropriate during the term of the permit.

6. Sampling Data. A summary of existing discharge sampling data describing pollutants in internal facility drainage water discharges from the facility, including a summary of sampling data collected during the term of this permit.

7. Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; maintenance programs; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the facility and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

8. Measures and Controls. The Permittee shall develop a description of internal facility drainage water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a BMP plan shall reflect identified potential sources of pollutants at the facility. The description of internal facility drainage water management controls shall address the following minimum components, including a schedule for implementing such controls.

    c) Good Housekeeping. Good housekeeping requires the maintenance of areas, which may contribute pollutants to internal facility drainage water discharges, to be clean and orderly.

    d) Spill Prevention and Response Procedures. Areas where potential spills, which can contribute pollutants to internal facility drainage water discharges, can occur and their accompanying drainage points shall be identified clearly in the BMP plan. Procedures shall be developed and implemented to eliminate and/or minimize the opportunity for oil leakage to enter the drainage system at the facility. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment in the BMP plan should be considered. Procedures for cleaning up spills shall be identified in the BMP plan and made available to the appropriate personnel. The necessary equipment to implement a clean-up should be available to personnel.

    e) Inspections. Qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the BMP plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspection shall be maintained.

f) Employee Training. Employee training programs shall inform personnel responsible for implementing activities identified in the BMP plan or otherwise responsible for internal facility drainage water management, at all levels of responsibility, of the components and goals of the BMP plan. Training should address topics such as spill response, good housekeeping and material management practices. The BMP plan shall identify periodic dates for such training.

g) Record-keeping and Internal Reporting Procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of internal facility drainage water discharges shall be included in the BMP plan required under this Part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the BMP plan.

9. Trash Racks or Intake Screens. The Permittee shall develop and implement procedures to remove solid materials from the trash racks or intake screens. The solid materials exclude naturally occurring materials such as leaves, branches, grass, and so forth. Provisions shall be included and implemented to provide disposal for the removed solid materials in accordance with the Idaho Solid Waste Management Rules at IDAPA 58.01.06, as appropriate. Inspections and maintenance of the trash racks and intake screens shall be scheduled and documented with the record-keeping included with the BMP plan and summarized in the Annual Report required under Part IV.B.8. The Permittee shall amend the removal procedures whenever there is a change in the design, construction, operation, or maintenance which has a significant effect on the deposition of solid material on the trash racks or intake screens.

   The trash removal activities are to be performed where it is reasonable and feasible at the facility. These trash removal procedures are to include appropriate safety practices because the Permittee is responsible for employee safety at the facility.

10. Backwash Strainer. For those facilities with a backwash strainer on the cooling water intake line, the Permittee shall develop and implement inspection and maintenance procedures at appropriate intervals specified in the BMP plan to insure proper operation of the backwash strainer. Qualified facility personnel shall be identified to inspect this equipment. Records of the inspections and maintenance shall be maintained and summarized in the Annual Report required under Part IV.B.8.

11. Flood/High Water Discharges. A permittee with flood/high water discharges authorized under the General Permit shall also develop and implement specific flood/high water practices and procedures to eliminate pollutants from areas of the facility that would be

inundated during flood/high water events and that would reasonably be expected to add significant amounts of pollutants to the identified flood/high water discharges at the facility. Areas of the facility inundated by flood or high waters should be maintained to prevent pollutants from entering the surrounding surface waters during flood or high water events.