United States Environmental Protection Agency
Region 10
1200 Sixth Avenue Suite 900
Seattle, Washington 98101-3140

Authorization to Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, 33 USC §1251 *et seq*., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act",

City of Burley
Industrial Wastewater Treatment Plant

is authorized to discharge from the Industrial Wastewater Treatment Plant located in Burley, Idaho, at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
003	Snake River	42° 32' 02" N	113° 46' 09" W

in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective ***insert date***

This permit and the authorization to discharge shall expire at midnight, ***insert date***

The permittee shall reapply for a permit reissuance on or before ***insert date***, 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 day of

Draft
Dan Opalski, Director
Water Division

Schedule of Submissions

Item	Due Date
Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be postmarked on or before the 20th of the month following the monitoring month.
Quality Assurance Plan (QAP)	The permittee must provide EPA and IDEQ with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see Part II.B of this permit). The Plan must be kept on site and made available to EPA and IDEQ upon request.
Operation and Maintenance (O&M) Plan	The permittee must provide EPA and IDEQ with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see Part II.A of this permit). The Plan must be kept on site and made available to EPA and IDEQ upon request.
Whole Effluent Toxicity Testing (WET) Report	The permittee must submit the results of the toxicity testing with the December DMR and with the next permit application.
NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (see Part V.B of this permit).
Surface Water Monitoring Report (SWMRP)	Surface Water Monitoring data must be submitted on Monthly DMRs. The SWMRP must be submitted annually (see Part I.D of this permit).
Annual Pretreatment Report	The Annual Pretreatment Report must be submitted to the pretreatment coordinator no later than March 1st of each calendar year (see Part II.1.10 of this permit).
Local Limits Evaluation	The permittee must submit a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1) within one year after the effective date of this permit (see Part II.E.5 of this permit).
Compliance Schedule	Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date (see Part III.K of this permit)
Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances (see Part III.G, Paragraph I.B.3, and Paragraph I.C.5 of this permit).

Emergency Response and Public Notification Plan	The permittee must develop and implement an overflow emergency response and public notification plan. The permittee must submit written notice to EPA and IDEQ that the plan has been developed and implemented within 180 days of the effective date of this permit. (See Part II.F of this permit)

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I. Limitations and Monitoring Requirements

A. Discharge Authorization

During the effective period of this permit, the permittee is authorized to discharge pollutants from the outfalls specified herein to the Middle Snake River, within the limits and subject to the conditions set forth herein. This permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been clearly identified in the permit application process.

B. Effluent Limitations and Monitoring

1. The permittee must limit and monitor discharges from outfall 003 as specified in Table 1. *Effluent Limitations and Monitoring Requirements*, below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.

Table 1. Effluent Limitations and Monitoring Requirements

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Parameters With Effluent Limits							
Biochemical Oxygen Demand (BOD_5) (Monthly Average Effluent Flow <0.44)	mg/L	Report	Report	--	Influent and Effluent	2/week	24-hour composite
	lbs/day	110	165	--			Calculation[1]
Biochemical Oxygen Demand (BOD_5) (Monthly Average Effluent Flow 0.44 to 1.67)	mg/L	30	45	--	Influent and Effluent	2/week	24-hour composite
	lbs/day	419	628.5	--			Calculation[1]
Biochemical Oxygen Demand (BOD_5) (Monthly Average Effluent Flow >1.67)	mg/L	30	45	--	Influent and Effluent	2/week	24-hour composite
	lbs/day	600	901	--			Calculation[1]
BOD_5 Percent Removal (Monthly Average Effluent Flow >1.67)	%	85 (minimum)	--	--	--	1/month	Calculation[2]
Total Suspended Solids (TSS)	mg/L	25	37.5	--	Influent and Effluent	2/week	24-hour composite
	lbs/day	500	750	--			Calculation[1]

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
E. coli [4]	CFU/ 100 ml	126	--	406 (instant. max) [5,13]	Effluent	5/month	Grab
Total Residual Chlorine (TRC)[3]	µg/L	214	--	429[5,6]	Effluent	1/week	Grab
	lbs/day	4.28	--	8.59[5]			Calculation[1]
pH[8]	std units	Between 6.5 – 9.0			Effluent	5/week[7]	Grab
Total Ammonia (as N)	mg /L	13	--	41.7[5]	Effluent	2/week	24-hour composite
October 1 – May 31	lbs/day	260	--	658[5]			Calculation[1]
Total Ammonia (as N)	mg /L	Report	--	Report	Effluent	2/week	24-hour composite
June 1 – September 30	lbs/day	1759	--	3966[5]			Calculation[1]
Total Phosphorus (as P)	mg /L	Report	Report	--	Effluent	1/week	24-hour composite
	lbs/day	359	539	--			Calculation[1]
Temperature	ºC	--	Report	32[5]	Effluent	Continuous	Meter
Floating, Suspended, or Submerged Matter	--	See Paragraph I.B.2 of this permit				1/month	Visual Observation
		Report Parameters					
Flow	mgd	Report	--	Report	Effluent	continuous	Meter
Dissolved Oxygen	mg/L	Report	—	Report	Effluent	1/month	Grab
Nitrate + Nitrite (as N)	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Alkalinity[8]	mg/L as $CaCO_3$	Report	--	Report	Effluent	monthly[14]	24-hour composite
Total Hardness[8]	mg/L as $CaCO_3$	Report	--	Report	Effluent	monthly[14]	24-hour composite
Dissolved Organic Carbon[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Conductivity[8]	umhos/ cm	Report	--	Report	Effluent	monthly[14]	Meter
Chloride[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Potassium[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Sodium[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Sulfate[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Calcium[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Magnesium[8]	mg/L	Report	--	Report	Effluent	monthly[14]	24-hour composite
Arsenic, Total Recoverable	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Cadmium, Total Recoverable	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Chromium VI, Dissolved	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Copper, Total Recoverable[8]	mg/L	Report	--	Report	Effluent	Quarterly[14]	24-hour composite
Nickel, Total Recoverable	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Zinc, Total Recoverable	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Phenol	mg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Methyl Bromide	µg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Bis (2-ethylhexyl) Phthalate	µg/L	Report	--	Report	Effluent	Quarterly[12]	24-hour composite
Whole Effluent Toxicity (WET)	See Part I.D. of this permit				Effluent	4/Oct – May[9]	24-hour composite
Effluent Testing for Permit Renewal							
Permit Application Effluent Testing Data[10]	--				Effluent	1/year	--
Permit Application Expanded Effluent Testing[11]	--				Effluent	1/year[11]	--

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type

Notes

1. Loading (in lbs/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) for the day of sampling and a conversion factor of 8.34. For more information on calculating, averaging, and reporting loads and concentrations see the *NPDES Self-Monitoring System User Guide* (EPA 833-B-85-100, March 1985).
2. Percent Removal. The monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean of the effluent values for that month using the following equation: (average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration x 100. Influent and effluent samples must be taken over approximately the same time period.
3. Total Residual Chlorine (TRC) monitoring is required only during months the facility uses TRC in the treatment process. For these months, the facility shall put "No Discharge" on the DMR.
4. The average monthly *E. coli* bacteria counts must not exceed a geometric mean of 126/100 ml based on a minimum of five samples taken every 3 - 7 days within a calendar month. See Part VI of this permit for a definition of geometric mean.
5. Reporting is required within 24 hours of a maximum daily limit or instantaneous maximum limit violation. See Paragraph I.B.3 and Part III.G of this permit.
6. The minimum level (ML) for chlorine is 50 µg/L for this parameter. For purposes of calculating the monthly averages, see Paragraph I.B.7. of this permit.
7. Samples must be taken on different days.
8. Samples for temperature, pH, dissolved organic carbon, alkalinity, conductivity, dissolved organic carbon, total hardness, chloride, potassium, sodium, sulfate, calcium, magnesium and copper must be collected on the same day from the effluent and from the receiving water in accordance with Table 1 and Table 3 of this permit.
9. Samples must be taken once during each of the following time periods: October 1st – November 30th; December 1st – January 31st; February 1st – March 31st; and, April 1st – May 31st, for a total of 4 samples per October – May time period.
10. Effluent Testing Data - See NPDES Permit Application Form 2A, Part B.6 for the list of pollutants to be included in this testing. The Permittee must use sufficiently sensitive analytical methods in accordance with Part I.B.5 of this permit.
11. Expanded Effluent Testing - See NPDES Permit Application Form 2A, Part D for the list of pollutants to be included in this testing. Testing must be conducted annually during alternating two-month time periods. The expanded effluent testing must occur on the same day as a whole effluent toxicity testing. The Permittee must use sufficiently sensitive analytical methods in accordance with Part I.B.5 of this permit.
12. Quarters are defined as January 1st – March 31st; April 1st – June 30th; July 1st – September 30th; and, October 1st – December 31st.
13. The permittee must notify the IDEQ within 24 hours if the single sample maximum for *E. coli* bacteria exceeds 235/100 ml between May 1st and September 30th.
14. Sampling must continue for a minimum of 24 months from the effective date of the permit.

2. Narrative limitations for floating, suspended or submerged matter:

   a) The permittee must not discharge floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair designated beneficial uses.

   b) The permittee must observe the surface of the receiving water in the vicinity of where the effluent enters the surface water. The permittee must maintain a written log of the observation which includes the date, time, observer, and whether there is presence of floating, suspended or submerged matter. The log must be retained and made available to EPA or IDEQ upon request.

3. The permittee must report within 24 hours any violation of the maximum daily limits for the following pollutants: *E.coli*, Total Residual Chlorine, and Total Ammonia (as N). Violations of all other effluent limits are to be reported at the time that discharge monitoring reports are submitted (See Parts III.B. *Reporting of*

Monitoring Results and III.H. *Twenty-four Hour Notice of Noncompliance Reporting* of this permit).

4. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.
5. For all effluent monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
   a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in *Table 1 Effluent Limitations and Monitoring Requirements*.
   b) Parameters that do not have effluent limitations.
      (i) The permittee must use a method that detects and quantifies the level of the pollutant, or
      (ii) The permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix A*;*
   c) 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.
   d) See also Part III.C *Monitoring Procedures*
6. 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}."
7. For purposes of calculating monthly averages, zero may be assigned for values less than the MDL, and the {numeric value of the MDL} may be assigned for values between 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.

C. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from outfall 002. Testing must be conducted in accordance with Paragraphs 1 through 8, below.

1. Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters required in Part I.B of this permit, *Effluent Limitations and Monitoring*, with a required sampling frequency of monthly or more frequently, using the same sample type required in Part I.B. When the timing of sample collection coincides with that of the sampling required in Part I.B, analysis of the split sample will fulfill the requirements of Part I.B as well. For parameters for which grab samples are required in Part I.B, grab samples must be taken during the same 24-hour period as the 24-hour composite sample used for the toxicity

tests. A split of the first discrete effluent sample collected for the 24-hour composite sample for the toxicity test cannot be used to satisfy the required grab sample in Part I.B.

2. Chronic Test Species and Methods

a) At a minimum, chronic WET testing for Outfall 003 must be conducted once during each of the following two-month time periods:

(i) October 1st – November 30th;

(ii) December 1st – January 31st;

(iii) February 1st – March 31st; and,

(iv) April 1st – May 31st,

for a total of 4 samples per October – May time period while the permit remains in effect, or until the permittee requests and receives reduced monitoring (See paragraph I.D.6 of this permit).

b) The permittee must conduct the following two chronic toxicity tests on each sample, using the species and protocols in *Table 2 Toxicity Test Species and Protocols.*

Table 2. Toxicity Test Species and Protocols

Freshwater Chronic Toxicity Tests	Species	Method
Fathead minnow larval survival and growth test (method 1000.0)	*Pimephales promelas*	EPA-821-R-02-013
Daphnid survival and reproduction test (method 1002.0)	*Ceriodaphnia dubia*	EPA-821-R-02-013

c) The presence of chronic toxicity must be determined as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002.

d) Results must be reported in TUc (chronic toxic units), which is defined as follows:

(i) For survival endpoints, TUc = 100/NOEC.

(ii) For all other test endpoints, TUc = $100/IC_{25}$

(iii) IC_{25} means "25% inhibition concentration." The IC_{25} is a point estimate of the toxicant concentration, expressed in percent effluent, that causes a 25% reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).

(iv) NOEC means "no observed effect concentration." The NOEC is the highest concentration of toxicant, expressed in percent effluent, to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable

adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

3. Quality Assurance

   a) The toxicity testing on each organism must include a series of six test dilutions and a control:

      (i) The dilution series must include 100%, 50%, 25%, 12.5%, 4.2 % (the receiving water concentration (RWC)), and 2.1% effluent.

   b) All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002, and individual test protocols.

   c) In addition to those quality assurance measures specified in the methodology, the following quality assurance procedures must be followed:

      (i) If organisms are not cultured in-house, concurrent testing with reference toxicants must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests must be conducted using the same test conditions as the effluent toxicity tests.

      (ii) If either of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

      (iii) Control and dilution water must be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water must also be used. Receiving water may be used as control and dilution water upon notification of EPA and IDEQ. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

4. Reporting

   a) The permittee must submit the results of the toxicity testing with the December DMR. All WET test results must be resubmitted with the next permit application.

   b) The report of toxicity test results must include all relevant information outlined in Section 10, Report Preparation, of Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002. In addition to toxicity test results, the permittee must report: dates of sample collection and initiation of each test; flow rate at the time of sample collection; and the results of the monitoring required in Part I.B.

5. TRE Workplan

   a) Prior to initiation of the toxicity testing required by this permit, the permittee shall submit to EPA a copy of the permittee's initial investigation TRE workplan. This plan shall describe the steps the permittee intends to follow in the event chronic toxicity is detected at levels greater than the triggers in Part 6a below, and should include at a minimum:

      (i) A description of the investigation and evaluation techniques that would be used to identify potential causes/sources of toxicity, effluent variability, treatment system efficiency;

      (ii) A description of the facility's method of maximizing in-house treatment efficiency, good housekeeping practices, and a list of all chemicals used in operation of the facility; and

      (iii) If a toxicity identification evaluation (TIE) is necessary, who will conduct it (i.e., in-house or other).

6. Accelerated Testing.

   a) If chronic toxicity is detected above the trigger of 23.8 TUc in any routine test, the permittee must implement the initial investigation TRE workplan. If implementation of the initial investigation TRE workplan definitively indicates the source of toxicity (for instance, a temporary plant upset), then only one additional test is necessary. The additional test shall commence within two weeks of receipt of the sample results indicating a trigger exceedance.

   b) If chronic toxicity is detected above the triggers in Part 6a during the additional test required under Part I.6.a., then the permittee shall conduct six more tests, bi-weekly (every two weeks), over a twelve-week period. Testing shall commence within two weeks of receipt of the sample results indicating a trigger exceedance.

   c) The permittee must notify EPA and IDEQ of any trigger exceedance in writing within two weeks of receipt of the test results. The notification must include the following information:

      (i) A status report on any actions required by the permittee, with a schedule for actions not yet completed.

      (ii) A description of any additional actions the permittee has taken or will take to investigate and correct the cause(s) of the toxicity.

      (iii) Where no actions have been taken, a discussion of the reasons for not taking action.

7. Toxicity Reduction Evaluation (TRE)

   a) If chronic toxicity is detected above the triggers in Part I.6.a. in any of the six additional tests required under Part I.6.b., then, in accordance with the permittee's initial investigation TRE workplan and EPA manual EPA 833B-99-002 (*Toxicity Reduction Evaluation Guidance for Municipal Wastewater*

Treatment Plants), the permittee shall initiate a TRE within fifteen (15) days of receipt of the sample results of the exceedance. The permittee will develop as expeditiously as possible a more detailed TRE workplan, which includes:

(i) Further actions to investigate and identify the cause of toxicity;

(ii) Actions the permittee will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

(iii) A schedule for these actions.

b) The permittee may initiate a TIE as part of the overall TRE process described in the EPA acute and chronic TIE manuals EPA/600/6-91/005F (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III).

c) If none of the six tests required under Part 6b above indicated toxicity, then the permittee may return to the normal testing frequency.

d) If a TIE is initiated prior to completion of the accelerated testing, the accelerated testing schedule may be terminated or used as necessary in performing the TIE.

8. Reduced Testing.

a) If chronic toxicity is not detected above the trigger of 23.8 TUc in the first 8 consecutive routine WET tests, the permittee may request a reduction of the required WET tests from 4/Oct - May to 2/Oct - May. Reduced frequency WET test samples must be collected once during each of the following time periods:

(i) October 1st – January 31st; and,

(ii) February 1st – May 31st.

b) The permittee's request for a reduction in WET monitoring must be made in writing to EPA and IDEQ.

c) If reduced testing is approved and chronic toxicity is detected above either of the triggers as described in Part I.D.6, the conditions for accelerated testing as described in Part I.D.7. still apply. In addition, required WET monitoring shall increase to the original testing frequency as described in Part I.D.2.

D. Surface Water Monitoring Report (SWMRP)

The permittee must conduct surface water monitoring. Surface water monitoring must start on the effective date of the permit and continue until the expiration date of the permit. The program must meet the following requirements:

1. The monitoring station must be established in the Middle Snake River at the following locations:

a) Upstream of the influence of the facility's discharge, and;

b) Downstream of the facility's discharge, prior to the City of Burley Municipal Wastewater Treatment Plant Outfall; and

c) At close to Outfall 003 as possible, either upstream or downstream, in order to measure the receiving water's physical characteristics.

2. The permittee must seek approval of the surface water monitoring station from IDEQ.
3. A failure to obtain IDEQ approval of surface water monitoring stations does not relieve the permittee of the surface water monitoring requirements of this permit.
4. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.
5. Samples must be analyzed for the parameters listed in *Table 3. Surface Water Monitoring* Requirements.
6. For all surface water monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
   a) The method must detect and quantify the level of the pollutant, or
   b) The permittee must use a method that can achieve MLs less than or equal to those specified in Appendix A. The permittee may request different MLs. The request must be in writing and must be approved by EPA.
7. For all surface water monitoring parameters required in this permit which are duplicates of the surface water monitoring parameters listed in the City of Burley Municipal WWTP NPDES Permit, the same sample result can be used to meet the reporting requirements for both permit's surface water monitoring, if the sample is taken at a monitoring location which meets the monitoring station requirements of both permits. Both facilities must comply with all record requirements as described in Section III.E and Section III.F of this permit.

Table 3. Surface Water Monitoring Requirements

Parameter	Units	Frequency	Sample Type	Monitoring Location
Total Ammonia as N	mg/L	Monthly	Grab	Upstream
Temperature[2]	°C	Monthly	Grab	Upstream and Downstream
pH[2]	SU	Monthly	Grab	Upstream and Downstream
Alkalinity[2]	mg/L as $CaCO_3$	Monthly	Grab	Upstream and Downstream
Conductivity[2]	umhos/cm	Monthly	Grab	Upstream and Downstream
Dissolved Organic Carbon[2]	mg/L	Monthly	Grab	Upstream and Downstream
Total Hardness[2]	mg/L as $CaCO_3$	Monthly	Grab	Upstream and Downstream
Chloride[2]	mg/L	Monthly	Grab	Upstream and Downstream
Potassium[2]	mg/L	Monthly	Grab	Upstream and Downstream
Sodium[2]	mg/L	Monthly	Grab	Upstream and Downstream
Sulfate[2]	mg/L	Monthly	Grab	Upstream and Downstream

Parameter	Units	Frequency	Sample Type	Monitoring Location
Calcium[2]	mg/L	Monthly	Grab	Upstream and Downstream
Magnesium[2]	mg/L	Monthly	Grab	Upstream and Downstream
Copper, Total Recoverable[2]	µg/L	Monthly	Grab	Upstream and Downstream
Oil & Grease	mg/L	Quarterly	Grab	Upstream
Arsenic (Total Recoverable)	µg/L	Quarterly	Grab	Upstream
Cadmium , Dissolved	µg/L	Quarterly	Grab	Upstream
Chromium VI, Dissolved	µg/L	Quarterly	Grab	Upstream
Nickel	µg/L	Quarterly	Grab	Upstream
Zinc	µg/L	Quarterly	Grab	Upstream
Receiving Water Depth	m	2x/year[3]	Measure	Outfall 003
Receiving Water Width	m	2x/year[3]	Measure	Outfall 003

Notes:

1. 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.
2. Samples for temperature, pH, dissolved organic carbon, alkalinity, conductivity, dissolved organic carbon, total hardness, chloride, potassium, sodium, sulfate, calcium, magnesium and copper must be collected on the same day from the effluent and from the receiving water in accordance with Table 1 and Table 3 of this permit. Sampling must continue for a minimum of 24 months from the effective date of the permit.
3. Measurements must be taken during the following time periods: once during the high flow months between June 1 – September 30, and once during the low flow months between October 1 – May 31.

8. Quality assurance/quality control (QA/QC) plans for all the monitoring must be documented in the Quality Assurance Plan required under Part II.B.

9. Samples for temperature, pH, dissolved organic carbon, alkalinity, conductivity, dissolved organic carbon, total hardness, chloride, potassium, sodium, sulfate, calcium, magnesium and copper must be collected on the same day from the effluent and from the receiving water in accordance with Table 1 and Table 3 of this permit.

10. Submission of SW Monitoring

    a) Surface water monitoring results must be reported on the monthly DMR.

    b) In addition, the permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to EPA and IDEQ by January 31st of the following year and with the application (see Part V.B of this permit, *Duty to Reapply*). The file must be in the format of one analytical result per row and include the following information: name and contact information of laboratory, sample identification number, sample location in latitude and longitude (decimal degrees format), method of location determination (i.e., GPS, survey etc.), date and time of sample collection, water quality parameter (or characteristic being measured),

analysis result, result units, detection limit and definition (i.e., MDL etc.), analytical method, date completed, and any applicable notes.

II. Special Conditions

A. Operation and Maintenance Plan

In addition to the requirements specified in Part IV.E, *Proper Operation and Maintenance*, by 180 days of the effective date of this permit, the permittee must submit written notice to EPA and IDEQ that an operations and maintenance plan for the current wastewater treatment facility has been developed and implemented. The plan must be retained on site and made available to EPA and/or IDEQ upon request. Any changes occurring in the operation of the plant must be reflected within the Operation and Maintenance plan.

The permittee may submit the written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID00663_O&M_50108, where YYYY_MM_DD is the date that the permittee submits the written notification. The plan must be retained on site and made available to EPA upon request.

B. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. Within 180 days of the effective date of this permit, the permittee must submit written notice to EPA and IDEQ that the Plan has been developed and implemented. 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_ID0000663_QAP_55099, where YYYY_MM_DD is the date that the permittee submits the written notification. Any existing QAPs may be modified for compliance with this section.

1. The QAP must be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the permit and in explaining data anomalies when they occur.
2. Throughout all sample collection and analysis activities, the permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in *EPA Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). The QAP must be prepared in the format that is specified in these documents.
3. At a minimum, the QAP must include the following:
    a) Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.
    b) Map(s) indicating the location of each sampling point.

c) Qualification and training of personnel.

d) 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 retained on site and made available to EPA and/or IDEQ upon request.

6. A single QAP which covers both the City of Burley WWTP and the City of Burley's Industrial WWTP is acceptable if the QAP meets all requirements set forth in this section for both facilities.

C. *E. Coli* Schedule of Compliance

1. The permittee must achieve compliance with the *E. coli* limitations of Part I.B, *Table 1. Effluent Limitations and Monitoring Requirements*), by 2 years from the effective date of this permit.

2. Until compliance with the effluent limits is achieved, at a minimum, the permittee must complete the tasks and reports listed in Table 4.

Table 4. Tasks Required Under the Schedule of Compliance for *E. coli*

Task No.		Due By	Task Activity
1		One year from effective date of permit	**Annual Report** Deliverable: The permittee must submit an Annual Report as described in Section II.C.3. of this permit to the EPA and IDEQ.
2		Two years from effective date of permit	**Meet Effluent Limitation for *E. coli*** Construction and optimization of process such that compliance with the *E. coli* effluent limitations are achieved. Deliverable: The permittee must provide written notice to the EPA and the IDEQ that the *E. coli* effluent limitations are achieved.

3. The permittee must submit an Annual Report of Progress which outlines the progress made towards reaching the compliance date for the *E. coli* effluent limitations. The annual Report of Progress must be submitted by one year after effective date of permit**.** See also Part III.K, *Compliance Schedules.* At a minimum, the annual report must include:

a) An assessment of the previous year of *E. coli* data and comparison to the effluent limitations.

b) A report on progress made towards meeting the effluent limitations, including the applicable deliverable required under Paragraph 2 (*Table 4. Tasks Required Under the Schedule of Compliance for E. coli).*

c) Further actions and milestones targeted for the upcoming year.

D. Facility Planning Requirement

1. The contents of this section are applicable for both the current facility design flow and the planned upgraded facility's design flow.

   Design Criteria. The maximum design flows and waste loads for the permitted facility are:

   Table 5. Facility Planning Values

	Facility Design Criteria	Value	Units
Current Facility	Maximum Monthly Flow	2.4	mgd
Maximum monthly flow means the largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average.			

2. Plan for maintaining adequate capacity

   a) Condition to trigger plan development

      (i) Each month, the Permittee must record the average daily flow entering the facility for that month.

      (ii) When the actual flow for any two months during a 12-month period exceed the facility planning values listed in Table 5 the permittee must develop a new or updated plan and schedule for continuing to maintain capacity and maintain compliance with effluent limits.

   b) Submittal. The plan must be submitted to IDEQ within 18 months of exceeding the trigger.

   c) Plan and schedule content. The plan and schedule must identify the actions necessary to maintain adequate capacity and to meet the limits and requirements of the permit. The Permittee must consider the following topics and actions in its plan:

      (i) Analysis of the present design and proposed process modifications

      (ii) Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system

      (iii) Limits on future sewer extensions or connections or additional waste loads

      (iv) Modification or expansion of facilities

      (v) Reduction of industrial or commercial flows or waste loads

E. Pretreatment Requirements

1. Implementation. The permittee must implement its pretreatment program in accordance with the legal authorities, policies, procedures, staffing levels and financial provisions described in its original approved pretreatment program submission entitled *Industrial Waste Pretreatment Program, City of Burley, Idaho* (August 30, 1984), any program amendments submitted thereafter and approved by EPA, and the general pretreatment regulations (40 CFR 403) and any

amendments thereof. A single pretreatment program which covers both the City of Burley WWTP and the City of Burley's Industrial WWTP is acceptable if the pretreatment program meets all requirements set forth in this section for both facilities.

2. At a minimum, the permittee must carry out the following activities:

   a) Enforce prohibitive discharge standards as set forth in 40 CFR 403.5(a) and (b), categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Act (where applicable), and local limitations and Best Management Practices developed by the permittee in accordance with 40 CFR 403.5(c), whichever are more stringent and are applicable to non-domestic users discharging wastewater into the permittee's collection system. Locally derived limitations must be defined as pretreatment standards under Section 307(d) of the Act.

   b) Implement and enforce the requirements of the most recent and EPA-approved portions of local law and regulations (e.g. municipal code, sewer use ordinance) addressing the regulation of non-domestic users.

   c) Update its inventory of non-domestic users at a frequency and diligence adequate to ensure proper identification of non-domestic users subject to pretreatment standards, but no less than once per year. The permittee must notify these users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii).

   d) Issue, reissue, and modify, in a timely manner, industrial wastewater discharge permits to at least all Significant Industrial Users (SIUs) and categorical industrial users (CIUs). These documents must contain, at a minimum, conditions identified in 40 CFR 403.8(f)(1)(iii), including Best Management Practices, if applicable. The permittee must follow the methods described in its implementation procedures for issuance of individual permits.

   e) Develop and maintain a data management system designed to track the status of the permittee's non-domestic user inventory, non-domestic user discharge characteristics, and their compliance with applicable pretreatment standards and requirements. The permittee must retain all records relating to its pretreatment program activities for a minimum of three years, as required by 40 CFR 403.12(o), and must make such records available to EPA upon request. The permittee must also provide public access to information considered effluent data under 40 CFR 2.

   f) Establish, where necessary, legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements in 40 CFR Part 403 by industrial users within these jurisdictions. These legally binding agreements must identify the agency responsible for the various pretreatment implementation and enforcement activities in the contributing jurisdiction and outline the specific roles, responsibilities and pretreatment activities of each jurisdiction.

g) Carry out inspections, surveillance, and monitoring of non-domestic users to determine compliance with applicable pretreatment standards and requirements. A complete inspection of all SIUs and sampling of all SIUs' effluent must be conducted at least annually.

h) Require SIUs to conduct wastewater sampling as specified in 40 CFR 403.12(e) or (h). Frequency of wastewater sampling by the SIUs must be appropriate for the character and volume of the wastewater but no less than twice per year. Sample collection and analysis must be performed in accordance with 40 CFR 403.12(b)(5)(ii) through (v) and 40 CFR 136. In cases where the Pretreatment Standard requires compliance with a Best Management Practice or pollution prevention alternative, the permittee must require the User to submit documentation to determine compliance with the Standard. If the permittee elects to conduct all non-domestic user monitoring for any SIU instead of requiring self-monitoring, the permittee must conduct sampling in accordance with the requirements of this paragraph, and the requirements of 40 CFR 403.12(g)(2).

i) Enforce and obtain remedies for any industrial user noncompliance with applicable pretreatment standards and requirements. This must include timely and appropriate reviews of industrial reports to identify all violations of the user's permit, the local ordinance, and federal pretreatment standards and requirements. Once violations have been uncovered, the permittee must take timely and appropriate action to address the noncompliance. The permittee's enforcement actions must follow its EPA-approved enforcement response procedures.

j) Publish, at least annually, in a newspaper or newspapers of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of all non-domestic users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8 (f)(2)(viii).

k) Maintain adequate staff, funds and equipment to implement its pretreatment program.

l) Conduct an analysis annually to determine whether influent pollutant loadings are approaching the maximum allowable headworks loadings calculated in the permittee's most recent local limits calculations. Any local limits found to be inadequate by this analysis must be revised. The permittee may be required to revise existing local limits or develop new limits if deemed necessary by EPA.

3. Spill Prevention and Slug Discharges. The permittee must implement an accidental spill prevention program to reduce and prevent spills and slug discharges of pollutants from non-domestic users.

a) Control mechanisms for SIUs must contain requirements to control slug discharges if determined by the POTW to be necessary [40 CFR 403.8(f)(1)(iii)(B)(6)].

b) SIUs must be evaluated for the need for a plan or other action to control slug discharges within 1 year of being designated an SIU.

c) SIUs must notify the POTW immediately of any changes at their facilities affecting the potential for a slug discharge [40 CFR 403.8(f)(2(vi)].

4. Enforcement Requirement. Whenever EPA finds, on the basis of any available information, that the owner or operator of any source is introducing a pollutant into the POTW in violation of national pretreatment standards, including prohibited discharges, local limits, or categorical standards, or has caused interference or pass through, EPA may notify the owner or operator of the POTW of such violation. If, within 30 days after such notification has been sent by EPA to the POTW, the POTW fails to commence appropriate enforcement action to correct the violation, EPA may take appropriate enforcement action under the authority provided in section 309(f) of the Act.

5. Modification of the Pretreatment Program. If the permittee elects to modify any components of its pretreatment program, it must comply with the requirements of 40 CFR 403.18. No substantial program modification, as defined in 40 CFR 403.18(b), may be implemented prior to receiving written authorization from EPA.

6. Local Limits Evaluation. Within 1 year of the effective date of this permit, the permittee must submit to EPA a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1). The study must take into account water quality in the receiving stream, inhibition levels for biological processes in the treatment plant, and sludge quality goals. The study must address at least the following pollutants: arsenic, 5-day biochemical oxygen demand, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, total suspended solids, and zinc and any other pollutants of concern. The permittee must address total ammonia as N if the POTW accepts indirect discharges of ammonia. Submitted results of the study must include proposed local limits, maximum allowable headworks loadings, all supporting calculations, and all assumptions.

7. Control of Undesirable Pollutants. The permittee must not allow introduction of the following pollutants into the POTW:

a) Pollutants which will create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 ºF or 60 ºC using the test methods specified in 40 CFR 261.21;

b) Pollutants which will cause corrosive structural damage to the POTW, but in no case, indirect discharges with a pH lower than 5.0, unless the treatment facilities are designed to accommodate such indirect discharges;

c) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW (including the collection system) resulting in interference;

d) Any pollutant, including oxygen demanding pollutants (*e.g.* BOD), released in an indirect discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

e) Heat in amounts which inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 ºC (104 ºF) unless the Regional Administrator, upon request of the POTW, approves alternate temperature limits;

f) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; and

h) Any trucked or hauled pollutants, except at discharge points designated by the POTW.

8. Requirements for Industrial users. The permittee must require any industrial user of its treatment works to comply with any applicable requirements in 40 CFR 403 through 471.

9. Sampling Requirements

a) Parameters: The permittee must sample influent and effluent from the POTW for arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, and zinc. Metals must be analyzed and reported as total metals. If the POTW accepts ammonia from industrial sources, the permittee must also sample the POTW influent and effluent for ammonia. The permittee must sample sludge for arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, percent solids, selenium and zinc.

b) Frequency: Sampling must be conducted twice per year: once between insert date range #1 and once between insert date range #2, the two sampling events must be approximately 6 months apart.

c) Sampling Locations and Sample Type: The permittee must sample as described in Table 6. To the extent that the timing of effluent sampling coincides with sampling required for whole effluent toxicity testing under paragraph insert paragraph number, these results will satisfy the requirements of that paragraph.

Table 6. Pretreatment Monitoring - Sample Types and Frequency

Wastestream	Sample Type	Frequency
Influent	24-hour composite	3 days within a week (Mon – Fri)
Effluent	24-hour composite	3 days within a week (Mon – Fri)
Sludge	Grab	Once, during the same time period that influent and effluent samples are taken
Notes: 1. Influent and effluent samples for cyanide must be collected and analyzed as required in paragraph 8.H. of this Part		

d) Analytical Methods: For influent and effluent pretreatment sampling of Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Silver and Zinc, the permittee must use EPA-approved analytical methods that achieve the minimum level (ML) in Appendix A.

e) Sludge Sampling: Sludge samples must be taken as the sludge leaves the dewatering device or digesters.

f) Sludge Reporting: Metals concentrations in sludge must be reported in mg/kg, dry weight.

g) Reporting Results: Analytical results for each day's samples must be reported separately. Sample results must be submitted with the pretreatment annual report required in paragraph 9, below.

h) Cyanide sampling: Influent and effluent sampling for cyanide must be conducted as follows. Eight discrete grab samples must be collected over a 24-hour day. Each grab sample must be at least 100 ml. Each sample must be checked for the presence of chlorine and/or sulfides prior to preserving and compositing (refer to Standard Methods, 4500-CN B). If chlorine and/or sulfides are detected, the sample must be treated to remove any trace of these parameters. After testing and treating for the interference compounds, the pH of each sample must be adjusted, using sodium hydroxide, to 12.0 standard units. Each sample can then be composited into a larger container which has been chilled to 4 degrees Celsius, to allow for one analysis for the day.

i) Toxic organics sampling: The permittee must perform chemical analyses of its influent, effluent, and sludge for all specific toxic organic pollutants listed in Table II of Appendix D of 40 CFR 122.

   (i) Sample Type: The influent and effluent samples must be 24-hour composites, except when sampling volatiles.

   (ii) Volatile Organics Sampling: eight discrete samples must be collected over the 24 hour day using 40 ml VOC vials with teflon septa. During sampling, the flow from the discharge will be controlled to produce smooth laminar flow to prevent agitation and aeration of the sample. The VOC vials will be filled to the top such that there is a meniscus present. There must be no visible air space or air bubbles in the VOC vials when capped. A single analysis for volatile pollutants may be run for each monitoring day by compositing equal volumes of the individual discrete VOC vials (at the analytical laboratory using extreme care not to introduce air/air bubbles) directly into the GC purge and trap apparatus, with no less than 1 ml of each grab included in the composite. The composite sample must be analyzed immediately.

   (iii) GC/MS Analysis: In addition to analyzing for pollutants specified in the previous paragraph, the permittee must make a reasonable attempt using GC/MS analytical techniques to identify and quantify the ten

most abundant constituents of each effluent extract (excluding toxic organic pollutants and unsubstituted aliphatic compounds) shown to be present by peaks on the total ion plots (reconstructed gas chromatograms). Identification must be attempted through the use of the USEPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order-of-magnitude estimate based upon comparison with an internal standard.

(iv) Sample Handling: All samples must be prepared, preserved, shipped, and analyzed in accordance with the QAP and Part III.C of this permit, *Monitoring Procedures.*

(v) Phenol or Sulfides Sampling of influent and effluent: The permittee must perform chemical analyses of its influent, effluent for specify phenols, sulfide, or both. Eight discrete samples must be collected over a 24-hour day. Each aliquot must not be less than 100 ml and must be composited into a larger container.

10. Annual Pretreatment Report

a) The permittee must submit an annual report pursuant to 40 CFR 403.12(i) by March 1st of each calendar year that describes the permittee's program activities over the previous calendar year (January 1st – December 31st). This report must be submitted to the following address no later than of each year:

Pretreatment Coordinator
U.S. Environmental Protection Agency
Region 10, Suite 155, WD 19-C04
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

b) The pretreatment report must be compiled following the Region 10 Annual Report Guidance. At a minimum, the report must include:

(i) An updated non-domestic user inventory, including those facilities that are no longer discharging (with explanation), and new dischargers, appropriately categorized and characterized. Categorical industrial users should have the applicable category noted as well as cases where more stringent local limits apply instead of the categorical standard.

(ii) Results of wastewater and sludge sampling at the POTW as specified in Part II.A.8 (above).

(iii) Calculations of removal rates for each pollutant for each day of sampling.

(iv) An analysis and discussion of whether the existing local limitations in the permittee's sewer use ordinance continue to be appropriate to prevent treatment plant interference and pass through of pollutants that could affect water quality or sludge quality. This should include a comparison between influent loadings and the most recent relevant

maximum allowable headworks loadings calculated for the treatment plant.

(v) Status of program implementation, including:

(a) Any planned modifications to the pretreatment program that have been approved by EPA, including staffing and funding updates.

(b) A description of any interference, pass through, upset, or NPDES permit violations experienced at the POTW which were directly or indirectly attributable to non-domestic users, including:

(i) Date & time of the incident

(ii) Description of the effect on the POTW's operation

(iii) Effects on the POTW's effluent and biosolids quality

(iv) Identification of suspected or known sources of the discharge causing the upset

(v) Steps taken to remedy the situation and to prevent recurrence

(c) Listing of non-domestic users inspected and/or monitored during the report year with dates and an indication compliance status.

(d) Listing of non-domestic users planned for inspection and/or monitoring for the coming year along with associated frequencies.

(e) Listing of non-domestic users whose permits have been issued, reissued, or modified during the report year along with current permit expiration dates.

(f) Listing of non-domestic users notified of promulgated pretreatment standards and/or local standards during the report year as required in 40 CFR 403.8(f)(2)(iii).

(g) Listing of non-domestic users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing must include the final date of compliance for each facility.

(vi) Status of enforcement activities including:

(a) Listing of non-domestic users who failed to comply with applicable pretreatment standards and requirements, including:

(i) Summary of the violation(s).

(ii) Enforcement action taken or planned by the permittee.

(iii) Present compliance status as of the date of preparation of the pretreatment report.

(b) Listing of those users in significant noncompliance during the report year as defined in 40 CFR 403.8(f)(2)(viii) and a copy of the newspaper publication of those users' names.

(c) EPA may require more frequent reporting on those users who are determined to be in significant noncompliance.

F. Emergency Response and Public Notification Plan

1. The permittee must develop and implement an overflow emergency response and public notification plan that identifies measures to protect public health from overflows that may endanger health and unanticipated bypasses or upsets that exceed any effluent limitation in the permit. At a minimum the plan must include mechanisms to:

   a) Ensure that the permittee is aware (to the greatest extent possible) of all overflows from portions of the collection system over which the permittee has ownership or operational control and unanticipated bypass or upset that exceed any effluent limitation in the permit;

   b) Ensure appropriate responses including assurance that reports of an overflow or of an unanticipated bypass or upset that exceed any effluent limitation in the permit are immediately dispatched to appropriate personnel for investigation and response;

   c) Ensure immediate notification to the public, health agencies, and other affected public entities (including public water systems). The overflow response plan must identify the public health and other officials who will receive immediate notification;

   d) Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained; and

   e) Provide emergency operations.

2. The permittee must submit written notice to EPA and IDEQ that the plan has been developed and implemented within 180 days of the effective date of this permit. Any existing emergency response and public notification plan may be modified for compliance with this section. The permittee may submit the written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0000633_ERPNP, where YYYY_MM_DD is the date that the permittee submits the written notification.

III. Monitoring, Recording and Reporting Requirements

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

Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the permittee must collect additional

samples at the appropriate outfall 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 those parameters limited in Part I.B of this permit that are likely to be affected by the discharge.

The permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with Part III.C of this permit, *Monitoring Procedures*. The permittee must report all additional monitoring in accordance with Part III.D of this permit, *Additional Monitoring by Permittee*.

B. 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. All reports required under this permit must be submitted to EPA as a legible electronic attachment to the DMR. Electronic attachments must be labelled as follows: YYYY-MM_NPDES Permit ID0000663_Effluent Monitoring Report_43599.
2. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E, of this permit Signatory Requirements.
3. The permittee must submit copies of the DMRs and other reports to IDEQ.
4. The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR is accessed from: https://netdmr.epa.gov/netdmr/public/home.htm

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMR.

Upon request by EPA, the permittee must submit results of any other sampling, regardless of the test method used.

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling or measurements;

2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

F. Retention of Records

The permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of EPA or IDEQ at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone 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 exceeds any effluent limitation in the permit (See Part IV.F of this permit, *Bypass of Treatment Facilities*);
   c) any upset that exceeds any effluent limitation in the permit (See Part IV.G of this permit, *Upset Conditions*); or
   d) any violation of a maximum daily discharge limitation for applicable pollutants identified by Table 1 of Section I.B.
   e) any overflow prior to the treatment works over which the permittee has ownership or has operational control. An overflow is any spill, release or diversion of municipal sewage including:
      (i) an overflow that results in a discharge to waters of the United States; and
      (ii) an overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately owned sewer or building lateral) that does not reach waters of the United States.
2. The permittee must also provide a written submission within five days of the time that the permittee becomes aware of any event required to be reported under Paragraph 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) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e) if the noncompliance involves an overflow, the written submission must contain:

(i) The location of the overflow;

(ii) The receiving water (if there is one);

(iii) An estimate of the volume of the overflow;

(iv) A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);

(v) The estimated date and time when the overflow began and stopped or will be stopped;

(vi) The cause or suspected cause of the overflow;

(vii) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;

(viii) An estimate of the number of persons who came into contact with wastewater from the overflow; and

(ix) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

3. The Director of the Enforcement and Compliance Assurance Division 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. Reports must be submitted in paper form. The permittee must sign and certify the report in accordance with the requirements of Part V.E, of this permit *Signatory Requirements.* The permittee must submit the legible originals of these documents to the Director, Enforcement and Compliance Assurance Division, with copies to IDEQ at the following addresses:

US EPA Region 10
Attn: ICIS Data Entry Team
1200 Sixth Avenue, Suite 900
20-C04
Seattle, Washington 98101-3140

IDEQ Twin Falls Regional Office
650 Addison Avenue West, Suite 110
Twin Falls, ID 83301

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 III.B of this permit, *Reporting of Monitoring Results* are submitted. The reports must contain the information listed in Paragraph III.G.2 of this permit.

I. Public Notification

The permittee must immediately notify the public, health agencies and other affected entities (e.g., public water systems) of any overflow which the permittee owns or has operational control; or any unanticipated bypass or upset that exceeds any effluent limitation in the permit in accordance with the notification procedures developed in accordance with Part II.E of this permit.

J. Notice of New Introduction of Toxic Pollutants

The permittee must notify the Director of the Water Division and IDEQ in writing of:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Act if it were directly discharging those pollutants; and
2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
3. For the purposes of this section, adequate notice must include information on:
   a) The quality and quantity of effluent to be introduced into the POTW, and
   b) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
4. The permittee must notify the Director of the Water Division at the following address:

   US EPA Region 10
   Attn: NPDES Permits Unit Manager
   1200 6th Avenue
   Suite 900 WD 19-C04
   Seattle, WA 98101-3140

K. Compliance Schedules

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

IV. Compliance Responsibilities

A. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement

action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, 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 Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 USC § 2461 note) as amended by the Debt Collection Improvement Act (31 USC § 3701 note) (currently $52,414 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 Part 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 Act and the Federal Civil Penalties Inflation Adjustment Act (28 USC § 2461 note) as amended by the Debt Collection Improvement Act (31 USC § 3701 note) (currently $21,393 per violation, with the maximum amount of any Class I penalty assessed not to exceed $53,284). Pursuant to 40 CFR Part 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 Act and the Federal Civil Penalties Inflation Adjustment Act (28 USC § 2461 note) as amended by the Debt Collection Improvement Act (31 USC § 3701 note) (currently $21,393 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $267,415).

3. Criminal Penalties:

   a) Negligent Violations. The Act 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 Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 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 4 years, or both. The Act 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 6 months per violation, or by both.

C. 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 this permit.

D. 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.

E. Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and

appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. 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 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 written notice, 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 III.G of this permit, *Twenty-four Hour Notice of Noncompliance Reporting*.

3. Prohibition of bypass.

   a) Bypass is prohibited, and the Director of the Enforcement and Compliance Assurance Division may take enforcement action against the permittee for a bypass, unless:

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

      (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate 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

      (iii) The permittee submitted notices as required under Paragraph 2 of this Part.

   b) The Director of the Enforcement and Compliance Assurance Division may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Paragraph 3.a. of this Part.

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of Paragraph 2 of this Part. 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 III.G of this permit, *Twenty-four Hour Notice of Noncompliance Reporting* and
   d) The permittee complied with any remedial measures required under Part IV.D of this permit, *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.

H. Toxic Pollutants

The permittee must comply with effluent standards or prohibitions established under Section 307(a) and with standards for sewage sludge use or disposal established under section 405(d) of the Act 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.

I. Planned Changes

The permittee must give written notice to the Director of the Water Division as specified in Paragraph III.J.4 of this permit, and IDEQ 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 pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this permit.
3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application site.

J. Anticipated Noncompliance

The permittee must give written advance notice to the Director of the Enforcement and Compliance Assurance Division and IDEQ of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

K. Reopener

This permit may be reopened to include any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Act. The Director may modify or revoke and reissue the permit if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

V. General Provisions

A. Permit Actions

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. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new 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 Regional Administrator, the permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information

The permittee must furnish to EPA and IDEQ, within the time specified in the request, any information that EPA or IDEQ 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 EPA or IDEQ, upon request, copies of records required to be kept by this permit.

D. Other Information

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

E. Signatory Requirements

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

1. All permit applications must be signed as follows:
    a) For a corporation: by a responsible corporate officer.
    b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c) For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.

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

   a) The authorization is made in writing by a person described above;

   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, 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; and

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

3. Changes to authorization. If an authorization under Paragraph 2 of this Part is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Paragraph 2 of this Part must be submitted to the Director of the Enforcement and Compliance Assurance Division and IDEQ 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."

F. Availability of Reports

In accordance with 40 CFR Part 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality 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 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The permittee must allow the Director of the Enforcement and Compliance Assurance Division, 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 permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

H. 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 persons or property or invasion of other private rights, nor any infringement of federal, tribal, state or local laws or regulations.

I. Transfers

This permit is not transferable to any person except after written notice to the Director of the Water Division as specified in Part III.J.4. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (*See* 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. 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 Act.

VI. Definitions

1. "Act" means the Clean Water Act.
2. "Acute Toxic Unit" ("TUa") is a measure of acute toxicity. TUa is the reciprocal of the effluent concentration that causes 50 percent of the organisms to die by the end on the acute exposure period (i.e., 100/"LC50").

3. "Administrator" means the Administrator of the EPA, or an authorized representative.
4. Approval Authority means the Administrator of the EPA, or an authorized representative.
5. "Average monthly discharge limitation" 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.
6. "Average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.
7. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.
8. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
9. "Chronic toxic unit" ("TUc") is a measure of chronic toxicity. TUc is the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/"NOEC").
10. "Composite" - see "24-hour composite".
11. "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 limitations expressed in units of mass, the "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.
12. "Director of the Enforcement and Compliance Assurance Division" means the Director of the Enforcement and Compliance Assurance Division, EPA Region 10, or an authorized representative.
13. "Director of the Water Division" means the Director of the Water Division, EPA Region 10, or an authorized representative.
14. "DMR" means discharge monitoring report.
15. "EPA" means the United States Environmental Protection Agency.
16. "Geometric Mean" means the n^{th} root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.

17. “Grab” sample is an individual sample collected over a period of time not exceeding 15 minutes.
18. “IDEQ” means the Idaho Department of Environmental Quality.
19. “Inhibition concentration”, IC, is a point estimate of the toxicant concentration that causes a given percent reduction (p) in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).
20. “Indirect Discharge” means the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.
21. “Industrial User” means a source of “Indirect Discharge.”
22. “Interference” means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
23. “LC50” means the concentration of toxicant (e.g., effluent) which is lethal to 50 percent of the test organisms exposed in the time period prescribed by the test.
24. “Maximum daily discharge limitation” means the highest allowable “daily discharge.”
25. “Method Detection Limit (MDL)” means the minimum measured concentration of a substance that can be reported with 99% confidence that the measured concentration is distinguishable from method blank results.
26. “Minimum Level (ML)” means either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.
27. “National Pollutant Discharge Elimination System (NPDES)” means, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Act.

28. "NOEC" means no observed effect concentration. The NOEC is the highest concentration of toxicant (e.g., effluent) to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).
29. "Pass Through" means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
30. Receiving Water Concentration (RWC) is the concentration of a toxicant or effluent in the receiving water after mixing. The RWC is the inverse of the dilution factor. It is sometimes referred to as the instream waste concentration (IWC).
31. "QA/QC" means quality assurance/quality control.
32. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.
33. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
34. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
35. "24-hour composite" sample means a combination of at least 8 discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24 hour period. The composite must be flow proportional. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Appendix A
Minimum Levels

The Table below lists the maximum Minimum Level (ML) for pollutants that may have monitoring requirements in the permit. The permittee may request different MLs. The request must be in writing and must be approved by EPA. If the Permittee is unable to obtain the required ML in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a ML to EPA with appropriate laboratory documentation.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Biochemical Oxygen Demand	2 mg/L
Soluble Biochemical Oxygen Demand	2 mg/L
Chemical Oxygen Demand	10 mg/L
Dissolved Organic Carbon	1 mg/L
Total Organic Carbon	1 mg/L
Total Suspended Solids	5 mg/L
Total Ammonia (as N)	50
Dissolved oxygen	+/- 0.2 mg/L
Temperature	+/- 0.2º C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Alkalinity	5 mg/L as CaCO3
Chlorine, Total Residual	50.0
Color	10 color units
Fluoride (16984-48-8)	100
Nitrate + Nitrite Nitrogen (as N)	100
Nitrogen, Total Kjeldahl (as N)	300
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Salinity	3 practical salinity units or scale (PSU or PSS)
Settleable Solids	500 (or 0.1 mL/L)
Sulfate (as mg/L SO4)	0.2 mg/L
Sulfide (as mg/L S)	0.2 mg/L

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

PRIORITY POLLUTANTS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.1
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.16
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36
Zinc, Total (7440-66-6)	2.5
Cyanide, Total (57-12-5)	10
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10
Phenols, Total	50

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6
Dichlorobromomethane (75-27-4)	2.0
1,1-Dichloroethane (75-34-3)	2.0
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0
Benzo(a)pyrene (50-32-8)	1.0
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0
Isophorone (78-59-1)	1.0
3-Methyl cholanthrene (56-49-5)	8.0
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4'-DDT (50-29-3)	0.05
4,4'-DDE (72-55-9)	0.05
4,4' DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05
PCB-1242 (53469-21-9)	0.5
PCB-1254 (11097-69-1)	0.5
PCB-1221 (11104-28-2)	0.5
PCB-1232 (11141-16-5)	0.5
PCB-1248 (12672-29-6)	0.5
PCB-1260 (11096-82-5)	0.5
PCB-1016 (12674-11-2)	0.5
Toxaphene (8001-35-2)	0.5