United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101-3188

Authorization to Discharge Under the
National Pollutant Discharge Elimination System

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

City of Wapato

Wapato WWTP

is authorized to discharge from the Wapato WWTP located in Wapato, WA at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	WIP Drainage Way No.2	46.43306° N	120.42139° 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.

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Mathew J. Martinson
CAPT, USPHS
Branch Chief
Permits, Drinking Water, and Infrastructure

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Schedule of Submissions
The following is a summary of some of the items the permittee must complete and/or submit to EPA during the term of this permit:

Item	Due Date
Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be submitted via NetDMR on or before the 20th of the month following the monitoring period (see Permit Part III.C.).
Nutrient Optimization Plan	The permittee must submit a Treatment Process Performance Assessment to EPA and the Yakama Nation within 18 months of the effective date of the permit, a completed Initial Selection Plan, a completed Nutrient Optimization Plan within 48 months from the effective date of this permit.
Operation and Maintenance (O&M) Plan	The permittee must provide EPA and the Yakama Nation with written notification that the Plan has been developed and implemented within 60 after the effective date of the final permit (see Permit Part II.B.). The Plan must be kept on site and made available to EPA and the Yakama Nation upon request.
Quality Assurance Plan (QAP)	The permittee must provide EPA and the Yakama Nation with written notification that the Plan has been developed and implemented within 90 days after the effective date of the final permit (see Permit Part II.C.). The Plan must be kept on site and made available to EPA and the Yakama Nation 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 (see Permit Part I.C.).
NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (see Permit Part V.B.).
Receiving Water Monitoring Report	The Report must be submitted with the renewal (see Permit Part I.D.).
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 Permit Part III.L).
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 Permit Parts III.H. and I.B.5.).

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Item	Due Date
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 the Yakama Nation that the plan has been developed and implemented within 180 days of the effective date of this permit (See Permit Part II.H.).
List of the Industrial Users	The permittee must develop and maintain a master list of the industrial users introducing pollutants to the POTW. The permittee must submit this list within two years following the effective date of the NPDES permit (See Permit Part II.G.3.).

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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 outfall specified herein to WIP Drainage Way No. 2, 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 001 as specified in the Table 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	Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Flow, mgd	---	---	---	Influent or Effluent	Continuous	Meter
Temperature, ºC[3]	---	---	---	Effluent	Daily or Continuous	Grab or Meter
Biological Oxygen Demand (BOD_5)	30 mg/l	45 mg/l	---	Influent and Effluent	1/week	24-hour composite
	290 lbs/day	435 lbs/day				Calculation[1]
Total Suspended Solids (TSS)	30 mg/l	45 mg/l	---	Influent and Effluent	1/week	24-hour composite
	290 lbs/day	435 lbs/day				Calculation[1]
BOD_5 and TSS Percent Removal	85% Minimum	---	---	---	1/month	Calculation[2]
Dissolved Oxygen, mg/L	---	---	---	Effluent	1/week	Grab
E. *coli* Bacteria	100/100 ml	---	200/100 ml	Effluent	5/month	Grab
Total Ammonia as N, applies from Apr 1 – Oct 31	0.7 mg/L	---	2.6 mg/L	Effluent	1/week	24-hour composite
	7.0 lbs/day		25.0 lbs/day			Calculation[1]
Total Ammonia as N, applies from Nov 1 – Mar 31	1.1 mg/L	---	5.4 mg/L	Effluent	1/week	24-hour composite
	10.4 lbs/day		52.3 lbs/day			Calculation[1]

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Copper, total recoverable, µg/L	**---**	**---**	**---**	Effluent	**1/month**	24-hour composite
	---	**---**	**---**			Calculation[1]
Mercury, total recoverable, µg/L	0.008 µg/L	---	0.022 µg/L	Effluent	1/month	24-hour composite
	0.00007 lbs/day	**---**	0.00021 lbs/day			
Silver	**---**	**---**	**---**	**---**	**---**	**---**
Zinc	**25 µg/L**	**---**	**52 µg/L**	Effluent	1/week	24-hour composite
	0.24 lbs/day	**---**	**0.5 lbs/day**			Calculation[1]
Phosphorus, total	**---**	---	**---**	Effluent	1/month	24-hour composite
Nitrogen, total	**---**	---	**---**	Effluent	1/month	24-hour composite
Per-and Polyfluoroalkyl Substances (PFAS)[5]	**ng/L**	**Report**	**--**	**Report**	**Influent and effluent**	**2/year**
	mg/kg dry weight	**--**	**--**	**Report**	**Sludge**	**2/year**
WET	**---**	---	**---**	Effluent	1/year[4,6]	24-hour composite
Permit Application Effluent Testing Data[6]	--	--	--	Effluent	1/year	--
Permit Application Additional Effluent Testing[7]	--	--	--	Effluent	1/year	--

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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. See Permit Parts I.B.3 and I.B.4.
4. Monitoring must occur yearly. See Permit Part I.C.
5. See Permit Part I.B.12
6. Effluent Testing Data - See NPDES Permit Application Form 2A, Table B for the list of pollutants to be included in this testing. The Permittee must use sufficiently sensitive analytical methods in accordance with Permit Part I.B.8.
7. Additional Effluent Testing - See NPDES Permit Application Form 2A, Table C**, Table E, and Permit Part I.B.10.** for the list of pollutants to be included in this testing. Testing must be conducted annually during alternating quarters. The additional effluent testing must occur on the same day as a whole effluent toxicity testing. Quarters are defined as: January 1 to March 31; April 1 to June 30; July 1 to September 30; and, October 1 to December 31. The Permittee must use sufficiently sensitive analytical methods in accordance with Permit Part I.B.8.

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 weekly 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 the Yakama Nation upon request.
3. Temperature data must be recorded using a micro-recording temperature device known as thermistors. Set the recording device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum.
4. Use the temperature device manufacturer's software to generate (export) an Excel or electronic ASCII text file. The file must be submitted annually to EPA by January 31 for the previous monitoring year along with the placement log. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies. The permittee may submit the file as an electronic attachment to NetDMR. The file name of the electronic

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attachment must be as follows: YYYY_MM_DD_WA0050229_temperature_43599, where YYYY_MM_DD is the date that the permittee submits the file.

5. The permittee must report within 24 hours any violation of the maximum daily limits for the following pollutants: pH and *E.coli*. Violations of all other effluent limits are to be reported at the time that discharge monitoring reports are submitted (See Permit Parts III.B. *Reporting of Monitoring Results* and III.G. *Twenty-four Hour Notice of Noncompliance Reporting* of this permit).
6. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.
7. 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 the Table in Permit Part II.B.1.
    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 B*;*
    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 Permit Part III.C *Monitoring Procedures*
8. 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}.”
9. 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 in assessing compliance.
10. Additional pollutants required for application: In addition to the pollutants listed in Table C of NPDES Application Form 2A, the permittee must include the pollutants listed in Table 2 in permit

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application testing. Results must be reported in Table D of NPDES Application Form 2A.

Table 2. Additional Pollutants for Application Testing

2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)	4,4'-DDD
4,4'-DDE	4,4'-DDT
Aldrin	Alpha-BHC
Alpha-endosulfan	Asbestos (water and organisms only)
Beta-BHC	Beta-endosulfan
Chlordane	Chloride (freshwater only)
Chlorpyrifos	Dieldrin
Endosulfan sulfate	Endrin
Endrin Aldehyde	Heptachlor
Heptachlor epoxide	Lindane
Parathion (freshwater only)	Total polychlorinated biphenyls (PCBs)
Toxaphene	

11. Prior to approval of analytical methods for PFAS chemicals under 40 CFR 136, the permittee must use the latest revision of EPA Method 1633. After analytical methods for PFAS chemicals are approved under 40 CFR 136, the permittee may use any sufficiently sensitive approved analytical method. The PFAS chemicals that must be analyzed are listed in Table 3.

    a. If any PFAS chemicals are detected in influent, effluent or sludge sampling completed by three years after the effective date of the permit, the permittee must sample the discharges of industrial users identified as potential sources of PFAS chemicals in the inventory required by Part II.E.3.g at least once for the PFAS chemicals listed in Table 3 by four years after the effective date of the final permit. Results of the industrial user sampling must be reported to EPA by four years and 3 months after the effective date of the permit. The permittee may submit the results of the sampling as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Industrial Sampling_Survey_52799, where YYYY_MM_DD is the date that the permittee submits the written notification.

Table 3. PFAS Chemicals to be Analyzed

Target Analyte Name	Abbreviation	CAS Number
Perfluoroalkyl carboxylic acids		
Perfluorobutanoic acid	PFBA	375-22-4

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Perfluoropentanoic acid	PFPeA	2706-90-3
Perfluorohexanoic acid	PFHxA	307-24-4
Perfluoroheptanoic acid	PFHpA	375-85-9
Perfluorooctanoic acid	PFOA	335-67-1
Perfluorononanoic acid	PFNA	375-95-1
Perfluorodecanoic acid	PFDA	335-76-2
Perfluoroundecanoic acid	PFUnA	2058-94-8
Perfluorododecanoic acid	PFDoA	307-55-1
Perfluorotridecanoic acid	PFTrDA	72629-94-8
Perfluorotetradecanoic acid	PFTeDA	376-06-7
Perfluoroalkyl sulfonic acids (acid form)		
Perfluorobutanesulfonic acid	PFBS	375-73-5
Perfluoropentansulfonic acid	PFPeS	2706-91-4
Perfluorohexanesulfonic acid	PFHxS	355-46-4
Perfluoroheptanesulfonic acid	PFHpS	375-92-8
Perfluorooctanesulfonic acid	PFOS	1763-23-1
Perfluorononanesulfonic acid	PFNS	68259-12-1
Perfluorodecanesulfonic acid	PFDS	335-77-3
Perfluorododecanesulfonic acid	PFDoS	79780-39-5
Fluorotelomer sulfonic acids		
1H,1H, 2H, 2H-Perfluorohexane sulfonic acid	4:2FTS	757124-72-4
1H,1H, 2H, 2H-Perfluorooctane sulfonic acid	6:2FTS	27619-97-2
1H,1H, 2H, 2H-Perfluorodecane sulfonic acid	8:2FTS	39108-34-4
Perfluorooctane sulfonamides		
Perfluorooctanesulfonamide	PFOSA	754-91-6
N-methyl perfluorooctanesulfonamide	NMeFOSA	31506-32-8
N-ethyl perfluorooctanesulfonamide	NEtFOSA	4151-50-2
Perfluorooctane sulfonamidoacetic acids		
N-methyl perfluorooctanesulfonamidoacetic acid	NMeFOSAA	2355-31-9
N-ethyl perfluorooctanesulfonamidoacetic acid	NEtFOSAA	2991-50-6
Perfluorooctane sulfonamide ethanols		
N-methyl perfluorooctanesulfonamidoethanol	NMeFOSE	24448-09-7
N-ethyl perfluorooctanesulfonamidoethanol	NEtFOSE	1691-99-2
Per- and Polyfluoroether carboxylic acids		
Hexafluoropropylene oxide dimer acid	HFPO-DA	13252-13-6
4,8-Dioxa-3H-perfluorononanoic acid	ADONA	919005-14-4
Perfluoro-3-methoxypropanoic acid	PFMPA	377-73-1
Perfluoro-4-methoxybutanoic acid	PFMBA	863090-89-5
Nonafluoro-3,6-dioxaheptanoic acid	NFDHA	151772-58-6
Ether sulfonic acids		

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9-Chlorohexadecafluoro-3-oxanonane-1-sulfonic acid	9Cl-PF3ONS	756426-58-1
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic acid	11Cl-PF3OUdS	763051-92-9
Perfluoro(2-ethoxyethane)sulfonic acid	PFEESA	113507-82-7
Fluorotelomer carboxylic acids		
3-Perfluoropropyl propanoic acid	3:3FTCA	356-02-5
2H,2H,3H,3H-Perfluorooctanoic acid	5:3FTCA	914637-49-3
3-Perfluoroheptyl propanoic acid	7:3FTCA	812-70-4

C. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from outfall 001. Testing must be conducted in accordance with Paragraphs 1 through 4, 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 Permit Part I.B., *Effluent Limitations and Monitoring*, with a required sampling frequency of monthly or more frequently, using the same sample type required in Permit Part I.B. When the timing of sample collection coincides with that of the sampling required in Permit Part I.B., analysis of the split sample will fulfill the requirements of Permit Part I.B. as well. For parameters for which grab samples are required in Permit 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 Permit Part I.B.
2. Chronic Test Species and Methods
   a. For Outfall 001, chronic WET testing must be conducted annually while the permit remains in effect. WET testing must begin during the 1st quarter of the first full calendar year (January 1 – December 31) after the effective date of the permit. Annual testing shall be conducted on a rotating quarterly schedule, so that each annual test is conducted during a different quarter than the previous year's test. After four years of annual testing (one test per year, each during a different quarter), the cycle is repeated. For the purposes of WET testing, the annual testing schedule is defined as follows:

First full calendar year	1st Quarter	(January 1—March 31)
Second calendar year	2nd Quarter	(April 1—June 30)
Third calendar year	3rd Quarter	(July 1—September 30);
Fourth calendar year	4th Quarter	(October 1—December 31)

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Fifth calendar year and thereafter: repeat rotating quarterly schedule, starting with annual testing during 1st Quarter.

b. The permittee must conduct the following two chronic toxicity tests on each sample, using the species and protocols in the Table below.

Table 4. Toxicity Test Species and Protocols

Freshwater Chronic Toxicity Tests	Species	Method
Fathead minnow larval survival and growth test (Method 1000.0)	Pimephales promelas	EPA821-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 shall include a series of six test solutions, ranging from zero percent effluent (control) to 100 percent effluent. No additional testing at other dilutions is required if the NOEC is determined to be 100 percent effluent. Based on available data, dilutions shall be selected that will bracket the expected NOEC of the effluent.

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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 the Yakama Nation. 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. The permittee may submit the toxicity testing as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Bioassay_02610, where YYYY_MM_DD is the date that the permittee submits the testing.

   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 Permit Part II.B.

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D. Receiving Water Monitoring

The permittee must conduct receiving water monitoring in WIP Drainage Way No.2. Receiving water monitoring must start 60 days after the effective date of the permit and continue for the duration of the permit. The program must meet the following requirements:

1. Monitoring stations must be established in WIP Drainage Way No.2 at the following locations:
    a. Above the influence of the facility's discharge, and
    b. Below the facility's discharge, at a point where the effluent and WIP Drainage Way No.2 are completely mixed.
2. To the extent practicable, receiving water sample collection must occur on the same day as effluent sample collection.
3. The flow rate must be measured as near as practicable to the time that other ambient parameters are sampled.
4. Samples must be analyzed for the parameters listed in the Table below.
5. For all receiving 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 B. The permittee may request different MLs. The request must be in writing and must be approved by EPA.

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Table 5. Receiving Water Monitoring Requirements

Parameter	Units	Upstream Sampling Frequency	Downstream Sampling Frequency	Sample Type
Flow	mgd	1/week	1/week	Meter
Dissolved Oxygen	mg/L	1/week	1/week	Grab
Temperature	ºC	5/week[1]	5/week[1]	Grab
Observation of the surface water for floating, suspended, or submerged matter		1/week	1/week	Grab
pH	Standard units	1/month	1/month	24-hour composite
Hardness as $CaCO_3$	µg/L	1/month	1/month	24-hour composite
Total Phosphorus	Mg/L	1/month	1/month	24-hour composite
Total Nitrogen	Mg/L	1/month	1/month	24-hour composite
1. Sampling must occur Monday through Friday, once a day between April 1 and October 31. Sampling must occur between 5pm and 6pm.				
Source: Facility DMR Data, 2016-2021				

6. Quality assurance/quality control (QA/QC) plans for all the monitoring must be documented in the Quality Assurance Plan required under Permit Part II.C.
7. Samples for metals, pH, Dissolved Organic Carbon, conductivity, and hardness must be collected on the same day.
8. Submission of Receiving Water Monitoring
    a. Receiving water monitoring results must be reported on the monthly DMR.
    b. The permittee must submit all receiving water monitoring results for the previous calendar year for all parameters in an annual report to EPA and the Yakama Nation by January 31st of the following year and with the reapplication (see Permit Part V.B., *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.

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c. The permittee may submit the surface water monitoring report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_SWMRP, where YYYY_MM_DD is the date that the permittee submits the report.

II. Special Conditions

A. Nutrient Optimization Plan

The permittee must develop, implement, and maintain a Nutrient Optimization Plan to evaluate and implement operational strategies for maximizing nitrogen and phosphorus removal from the existing treatment plant.

The Nutrient Optimization Plan submitted by the permittee must include the following components:

a. Treatment Process Performance Assessment

i. The permittee must assess the nitrogen and phosphorus removal potential and have the ability to evaluation optimization strategies prior to implementation. The permittee must do the following:

a) Evaluate current (pre-optimization) process performance. Determine the empirical total nitrogen (TN) and total phosphorus (TP) removal rate for the WWTP.

b) Develop an initial assessment approach to evaluate possible optimization strategies at the WWTP prior to and after implementation.

c) Determine the optimization goal for the WWTP and apply the assessment. Develop and document a prioritized list of optimization strategies capable of achieving the optimization goal for the WWTP. Update this list as necessary to continuously maintain a selection of strategies for achieving each optimization goal identified.

d) The permittee may exclude from the initial selection any optimization strategy considered but found to exceed a reasonable implementation cost or timeframe. Documentation must include an explanation of the rationale and financial criteria used for the exclusion determination.

e) The permittee must submit the Treatment Process Performance Evaluation as an electronic attachment on NetDMR by 18 months after the effective date of the permit. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_NOP_13099, where

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YYYY_MM_DD is the date that the permittee submits the written report.

b. Initial Selection.

i. The permittee must identify the optimization strategy selected for implementation:

a) The permittee must document the expected %TN and %TP removal (or the expected reduction in effluent load) for the optimization strategy prior to implementation.

b) The selected optimization strategy and expected nitrogen and phosphorus removal must be summarized in a written report and submitted to EPA as an electronic attachment to NetDMR by two years after the effective date of the permit. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_NOP_13099, where YYYY_MM_DD is the date that the permittee submits the written report.

c. Optimization Implementation

i. The permittee must document all activities related to Permit Part II.A.c., including implementation of the selected nutrient optimization strategy, load evaluation, strategy assessment and adaptive management, and source control activities and include as part of the submission of the completed Nutrient Optimization Report in Permit Part II.A.d.

a) *Strategy Implementation.* Describe how the selected strategy was implemented during the reporting period, following permit coverage. Including:

i) Initial implementation costs and costs to operate and maintain the optimization strategy.

ii) Length of time for full implementation, including start date.

iii) Anticipated and unanticipated challenges.

iv) Any impacts to the overall treatment performance as a result of process changes.

b) *Load Evaluation.* The permittee shall review effluent data collected during the reporting period to determine whether TN and TP loads are increasing.

i) Using all applicable monitoring data, determine the facility's annual average TN and TP concentration and load for each year during the reporting period

ii) Determine the treatment plant's TN and TP removal rate at the end of each year. Compare the removal rate with the pre-optimization rate.

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ii. *Strategy Assessment.*

a) Quantify the results of the implemented strategy and compare to the performance metric identified in the initial selected optimization strategy.

b) If the performance metric was not met and/or the TN and TP loading increased, apply adaptive management, re-evaluate the optimization strategies and the metric to identify the reason. Select a new optimization strategy for implementation and/or revise the performance metric. Document any updates to the implementation schedule and overall plan.

iii. Influent Nutrient Reduction Measures/Source Control

a) The permittee must develop an ongoing program to reduce influent TN and TP loads from septage handling practices, industrial and other sources.

b) Review sources of nitrogen and phosphorus and identify any possible pretreatment opportunities.

c) Identify strategies for reducing TN and TP from sources discharging to the WWTP.

d. Reporting of Results

i. The permittee must submit documentation of Permit Parts II.A.a-c to EPA as an attachment to NetDMR within 48 months after the effective date of the permit. The file name of the electronic attachment must be as follows: "YYYY_MM_DD_WA0050229_NOP_13099", where "YYYY_MM_DD" is the date the permittee submits the written report. The report must include the following:

a) Describe the initial assessment process, optimization goal, the list of prioritized optimization strategies identified, and the strategy implemented. If any optimization strategies were found to not have a reasonable implementation cost or timeframe, include a description of the feasibility and cost analysis that led to the exclusion of any approach(es).

b) Identify whether the plant met or exceeded the pre-optimization empirical nutrient removal rates in each year of this permit and also maintain or reduce nutrient loads. Describe how the optimization strategy was revised in response to the evaluation, document the adaptive management steps, the assessment process, and the new optimization strategy or strategies identified, and the updated optimization goal(s) and performance metric(s).

c) Identify the preoptimization empirical nutrient removal rates.

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d) Identify the expected phosphorus removal with the preferred optimization strategy.

e) Describe optimization implementation including costs, time for full implementation, start date, challenges, and impacts to treatment performance.

B. Operation and Maintenance Plan

In addition to the requirements specified in Permit Part IV.E., *Proper Operation and Maintenance*, the permittee must develop and implement an Operations and Maintenance (O&M) Plan for the wastewater treatment facility. Any existing O&M Plan may be modified for compliance with this section. Any changes occurring in the operation of the plant must be reflected within the O&M Plan.

Within 60 days of the effective date of this permit, the permittee must submit written notice to EPA and the Yakama Nation that the O&M Plan has been developed and implemented.

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_WA0050229_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 and/or the Yakama Nation upon request.

C. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. Any existing QAPs may be modified for compliance with this section.

Within 90 days of the effective date of this permit, the permittee must submit written notice to EPA and the Yakama Nation that the QAP 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_WA0050229_QAP_55099, 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 and/or the Yakama Nation upon request.

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.

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3. At a minimum, the QAP must include the following:
    a. Details on the number of samples, sample collection procedures, type of sample containers, preservation of samples, holding times, analytical methods, procedures for on-site measurements and/or laboratory analysis (including calibration), analytical detection, quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, chain of custody procedures, and laboratory data delivery requirements. Sample containers, preservation techniques and maximum holding times must adhere to the requirements in 40 CFR 136 and in accordance with the approved test methods.
    b. Map(s) indicating the location of each sampling point.
    c. Qualification and training of personnel and maintenance of the training records.
    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 the Yakama Nation upon request.

D. Mercury Schedule of Compliance

1. The permittee must achieve compliance with the mercury effluent limitations of Permit Part I.B., by 110 months from the effective date of the permit.
2. Until compliance with the effluent limits is achieved, at a minimum, the permittee must complete the tasks and reports listed in Table 5.

Table 6. Tasks Required Under the Schedule of Compliance for Mercury

Task No.	Due Date	Task Activity
1	12 months from the effective date of the permit	**Mercury Minimization Plan** The permittee must complete a Mercury Minimization Plan as described in permit Section II.E. Deliverable: The permit must submit the Mercury Minimization Plan to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Minimization_Plan_CS011,

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		where YYYY_MM_DD is the date that the permittee submits the document.
2	18 months from the effective date of the permit	**Annual Status Report** Deliverable: The permit must submit the annual status report to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Annual_Report_CS010, where YYYY_MM_DD is the date that the permittee submits the document.
4	32 months from the effective date of this permit	**Annual Status Report** Deliverable: The permit must submit the annual status report to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Annual_Report_CS010, where YYYY_MM_DD is the date that the permittee submits the document.
5	44 months from the effective date of this permit	**Annual Status Report** Deliverable: The permit must submit the annual status report to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Annual_Report_CS010, where YYYY_MM_DD is the date that the permittee submits the document.
6	56 months from the effective date of this permit	**Facility Planning** The permittee must develop a facility plan that evaluates alternatives to meet the final effluent limitations for mercury and select a preferred alternative. The facility plan will include a cost estimate for design and construction of the preferred alternative. If final effluent limitations are met through source reduction efforts, facility may submit supporting documentation instead of proceeding with compliance schedule requirements. Deliverable: The permit must submit the facility plan to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Facility_Plan_CS011, where YYYY_MM_DD is the date that the permittee submits the document.
7	68 months from the effective	**Facility Funding** The permittee must acquire the funds necessary to complete all facility upgrades/changes in facility operations outlined in the

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	date of this permit	facility plan required to meet the final effluent limitations for mercury by the end of this schedule. Deliverable: The permit must submit the funding plan to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Funding_Plan_CS011, where YYYY_MM_DD is the date that the permittee submits the document.
8	80 months from the effective date of this permit	**Final Design** The permittee must complete design of the selected alternative for meeting the final mercury effluent limitations. Deliverable: The permit must submit the final design to EPA. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Final_Design_CS011, where YYYY_MM_DD is the date that the permittee submits the document.
9	86 months from the effective date of this permit	**Award Bid for Construction** Deliverable: The permit must submit a letter to EPA certifying that the facility has awarded a bid for construction for meeting the mercury effluent limits. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Construction_Bid _Certification_CS011, where YYYY_MM_DD is the date that the permittee submits the document.
10	94 months from the effective date of this permit	**Construction Complete** The permittee must complete construction to achieve the mercury effluent limitations. Deliverable: The permit must submit a letter to EPA certifying that the facility has completed construction for meeting the final mercury effluent limits. The permittee must submit the plan as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Mercury_Construction_ Complete_Certification_CS016, where YYYY_MM_DD is the date that the permittee submits the document.
11	110 months from the effective date of	**Meet Effluent Limitation for Mercury** Training and optimization of process such that compliance with the mercury effluent limitations are achieved. Deliverable: The permittee must provide written notice to EPA that the mercury effluent limitations are achieved. The permittee may

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	the permit	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_WA0050229_Limits_FELMC_CS017, where YYYY_MM_DD is the date that the permittee submits the written notification.
Note: If compliance with the final mercury effluent limits is achieved sooner than the listed deadlines, the permittee may submit the supporting documentation earlier than the dates listed above. The permittee must provide written notice to EPA that the mercury limitations are achieved.		

E. Mercury Minimization Plan (MMP)

The permittee must submit a MMP within 6 months after the effective date of the permit. At a minimum, the MMP must include the following elements:

1. A Program Plan which includes the permittee's commitments for:
   - Identification of potential sources of mercury that contribute to discharge levels;
   - Reasonable, cost-effective activities designed to reduce or eliminate mercury loadings from identified sources;
   - Tracking mercury source reduction implementation and mercury source monitoring;
   - Meeting effluent and influent mercury monitoring requirements in permit Section I.B;
   - Resources and staffing.
2. Implementation of cost-effective control measures for direct and indirect contributors
   - A summary of any mercury reduction activities implemented during the last five years.
   - Intermediate milestones for implementation of the MMP at 12, 18, 24, and 36 months from the effective date of the permit.

The annual status reports submitted to EPA at 12, 18, 24, and 36 months after the effective date of the permit must include:

1. Description of the intermediate milestones described in the MMP and a summary of all actions taken within the last year to reduce or eliminate mercury discharges. The facility must describe how the actions taken during the last year meet the intermediate milestones described in the MMP.

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2. Summary of mercury source information known at the time of the annual status report, including:

- A list of potential mercury sources;
- Mercury source reduction implementation;
- Mercury source monitoring results and
- Mercury influent and effluent monitoring data from Wapato WWTP from the previous year.

3. Proposed adjustments to the Mercury Minimization Plan, based on findings from the previous year.

For more guidance, see the EPA Region 5 Mercury Pollutant Minimization Program Guidance, November 2004.

F. Facility Planning Requirement

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

Table 7. Facility Design Criteria

Facility Design Criteria	Value	Units
Maximum Monthly Flow	1.21	mgd
Maximum Monthly Influent BOD_5 Loading	2,320	lbs/day
Maximum Monthly Influent TSS Loading	2,280	lbs/day
Notes: Maximum monthly flow means the largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average. Maximum monthly loading means the largest loading anticipated to occur during a continuous 30-day period, expressed as a daily average (for BOD_5 or TSS).		

2. Plan for maintaining adequate capacity

a. Condition to trigger plan development

i. Each month, the permittee must record the average daily flow, BOD_5 loading, and TSS loading entering the facility for that month.

ii. When the actual flow or waste loads for any two months during a 12-month period exceed 85% of the facility planning values listed in the Table above, 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 EPA for approval 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

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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

G. Industrial Waste Management

1. The permittee must not authorize the introduction of pollutants that would inhibit, interfere, or otherwise be incompatible with operation of the treatment works including interference with the use or disposal of municipal sludge.

2. The permittee must not authorize, under any circumstances, the introduction of the following pollutants to the POTW from any source of nondomestic discharge:

   a. Any pollutant which may cause Pass Through or Interference;

   b. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60° C (140° F) using the test methods specified in 40 CFR 261.21;

   c. Pollutants which will cause corrosive structural damage to the POTW, but in no case indirect discharges with a pH of lower than 5.0 s.u., unless the treatment facilities are specifically designed to accommodate such indirect discharges;

   d. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other interference with the operation of the POTW;

   e. Any pollutant, including oxygen demanding pollutants (e.g., BOD_5), released in an indirect discharge at a flow rate and/or pollutant concentration which will cause Interference with any treatment process at the POTW;

   f. Heat in amounts which will 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°C (104°F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;

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g. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through at the POTW;

h. 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;

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

j. Any specific pollutant which exceeds a local limitation established by the permittee in accordance with the requirements of 40 CFR 403.5(c) and (d).

3. The permittee must develop and maintain a master list of the industrial users introducing pollutants to the POTW. Industrial user means any source of indirect discharge from a non-domestic source. This list must identify:

   a. Names and addresses of all industrial users;

   b. Which industrial users are significant industrial users (SIUs) (see Paragraph 5 of this Part);

   c. Which SIUs are subject to categorical Pretreatment Standards (see 40 CFR 405-471);

   d. Which standards are applicable to each industrial user (if any);

   e. Which industrial users are subject to local standards that are more stringent than the categorical Pretreatment Standards; and

   f. Which industrial users are subject only to local requirements.

   g. Which industrial users may discharge PFAS to the collection system.

4. The permittee must submit this list, along with a summary description of the sources and information gathering methods used to develop this list, to EPA within two years following the effective date of the NPDES permit. The permittee may submit the list as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Industrial User_12099, where YYYY_MM_DD is the date that the permittee submits the written notification.

5. For the purposes of this list development, the term SIU means:

   a. All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

   b. Any other industrial user that:

      i. discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

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ii. contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

iii. is designated as such by EPA or the permittee on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violation any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6).

6. The permittee must have or develop a legally enforceable municipal code to authorize or enable the POTW to apply and enforce the requirements of sections 307 (b) and (c) and 402(b)(8) and (9) of the Act and comply with the minimum requirements of 40 CFR 403.8(f)(1). Within three years of the effective date of the permit, the permittee must adopt, implement, and enforce the local pretreatment legal authority.

7. The permittee must submit the municipal code to the Director, Enforcement and Compliance Assurance Division, via email with the subject line "CWA NPDES_WA0050229_Municipal Code." The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Municipal Code, where YYYY_MM_DD is the date that the permittee submits the report.

H. 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.

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2. The permittee must submit written notice to EPA and the Yakama Nation 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.

3. 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_WA0050229_ERPNP, where YYYY_MM_DD is the date that the permittee submits the written notification.

III. Monitoring, Recording and Reporting Requirements

A. Nutrient Optimization Report Submission

1. No later than 4 years and 90 days after the effective date of this permit the permittee must submit a Nutrient Optimization Report documenting optimization and the adaptive management used at Wapato WWTP. The reporting period for this report will be for the first 4 years after the effective date of this permit.

2. The electronic report documenting the optimization for the permittee must include the following:

   a. Submittal of the Optimization Report form including AKART Analysis, describing the status of the requirements of this Permit during the reporting period.

   b. Attachments to the Optimization Report including summaries, descriptions, reports and other information as required, or as applicable, to meet the requirements of this Permit during the reporting period, or as a required submittal. Refer to Appendix A for Optimization Report questions.

   c. The permittee must sign and certify the report in accordance with the requirements of Permit Part V.F., *Signatory Requirements*.

3. The permittee must submit the Nutrient Optimization Report electronically as an attachment using EPAs NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Nutrient Report, where YYYY_MM_DD is the date that the permittee submits the attachment.

B. 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

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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 Permit Part I.B. 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 Permit Part III.C., *Monitoring Procedures*. The permittee must report all additional monitoring in accordance with Permit Part III.E., *Additional Monitoring by Permittee*.

C. Reporting of Monitoring Results

The permittee must submit monitoring data and other reports electronically using NetDMR (https://npdes-ereporting.epa.gov/net-netdmr).

1. Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period.
2. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Permit Part V.F., *Signatory Requirements*.
3. Submittal of Reports as NetDMR Attachments. Unless otherwise specified in this permit, the permittee must submit all reports to EPA and the Yakama Nation as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Report Type Name_Identifying Code, where YYYY_MM_DD is the date that the permittee submits the attachment.
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.html

D. 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.

E. 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

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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.

F. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling and measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) and time 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.

G. 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 the Yakama Nation at any time.

H. 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 Permit Part IV.F., *Bypass of Treatment Facilities*);
    c. any upset that exceeds any effluent limitation in the permit (See Permit Part IV.G., *Upset Conditions*); or
    d. any violation of a maximum daily discharge limitation for applicable pollutants identified by Permit Part 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

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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. The permittee must sign and certify the report in accordance with the requirements of Permit Part V.F., *Signatory Requirements.* Reports must be submitted via email to R10enforcement@epa.gov with the subject line “CWA NPDES_WA0050229_Noncompliance Report.” The

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file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0050229_Noncompliance Report, where YYYY_MM_DD is that date that the permittee submits the report. A copy must also be submitted to the Yakama Nation at the following email address: enviroreview@yakama.com.

5. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.

I. 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 Permit Part III.C., *Reporting of Monitoring Results* are submitted. The reports must contain the information listed in Permit Part III.H *Twenty-four Hour Notice of Noncompliance Reporting.* For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall also contain the applicable required data in appendix A to 40 CFR part 127. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. 40 CFR part 127 is not intended to undo existing requirements for electronic reporting. The Director may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.

J. 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 Permit Part II.H, *Emergency Response and Public Notification Plan.*

K. Notice of New Introduction of Toxic Pollutants

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

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to CWA §§ 301 or 306 if it were directly discharging those pollutants; and

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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 via email at EPAR10WD-NPDES@epa.gov with the subject line "CWA NPDES_WA0050229_New Pollutants, where YYYY_MM_DD is the date that the permittee submits the notice.

L. 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 CWA 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 CWA, any person who violates CWA §§ 301, 302, 306, 307, 308, 318 or 405, or any permit condition or limitation implementing any such sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8, is subject to a civil penalty not to exceed the maximum amounts authorized by CWA § 309(d) 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 $64,618 per day for each violation).
2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating CWA §§ 301, 302, 306, 307, 308, 318 or 405, or any permit condition or limitation implementing any of such sections in a permit issued under CWA § 402. Pursuant to 40 CFR Part 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by CWA § 309(g)(2)(A) and the Federal Civil Penalties

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Inflation Adjustment Act (28 USC § 2461 note) as amended by the Debt Collection Improvement Act (31 USC § 3701 note) (currently $25,847 per violation, with the maximum amount of any Class I penalty assessed not to exceed $64,618). Pursuant to 40 CFR Part 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by CWA § 309(g)(2)(B) 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 $25,847 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $323,081).

3. Criminal Penalties:

   a. Negligent Violations. The Act provides that any person who negligently violates CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any of such sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8), 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 CWA §§301, 302, 303, 306, 307, 308, 318 or 405, or any permit condition or limitation implementing any of such sections in a permit issued under CWA § 402, 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 CWA § 309(c)(3)(B)(iii) 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.

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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 CWA further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 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 include 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. As of December 21, 2025 or

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an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.

b. Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required under Permit Part III.G., *Twenty-four Hour Notice of Noncompliance Reporting*. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.

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.

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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 Permit Part III.H., *Twenty-four Hour Notice of Noncompliance Reporting.*

   d. The permittee complied with any remedial measures required under Permit Part IV.D., *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 CWA § 307(a) and with standards for sewage sludge use or disposal established under CWA § 405(d) 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 at the address specified in Permit Part III.J., *Public Notification* and the Yakama Nation 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.

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J. Anticipated Noncompliance

The permittee must give written advance notice to the Director of the Enforcement and Compliance Assurance Division and the Yakama Nation 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 CWA § 405(d). 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, 122.63, 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 the Yakama Nation, within the time specified in the request, any information that EPA or the Yakama Nation 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 the Yakama Nation, 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 the Yakama Nation, it must promptly submit the omitted facts or corrected information in writing.

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E. Identification of the Initial Recipient for NPDES Electronic Reporting Data

The owner, operator, or the duly authorized representative of an NPDES-regulated entity is required to electronically submit the required NPDES information (as specified in appendix A to 40 CFR part 127) to the appropriate initial recipient, as determined by EPA, and as defined in 40 CFR 127.2(b). EPA will identify and publish the list of initial recipients on its Web site and in the Federal Register, by state and by NPDES data group [see 40 CFR 127.2(c)]. EPA will update and maintain this listing.

F. Signatory Requirements

All applications, reports or information submitted to EPA and the Yakama Nation 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 the Yakama Nation 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 the Yakama Nation.
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 Enforcement and Compliance Assurance Division and the Yakama Nation prior to or together with any reports, information, or applications to be signed by an authorized representative.

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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."

5. Electronic reporting. If applications or reports required under this permit are submitted electronically by or on behalf of the NPDES-regulated facility, any person providing the electronic signature for such documents shall meet all relevant requirements of this section, and shall ensure that all of the relevant requirements of 40 CFR part 3 (including, in all cases, subpart D to part 3) (Cross-Media Electronic Reporting) and 40 CFR part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

G. 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.

H. Inspection and Entry

The permittee must allow the Director of the Enforcement and Compliance Assurance Division, EPA Region 10; the Yakama Nation; 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;

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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.

I. 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.

J. Transfers

This permit is not transferable to any person except after written notice to the Director of the Water Division at the address specified in Permit Part III.K.., *Notice of New Introduction of Toxic Pollutants.* 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).

K. State Laws

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

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VII. 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 Regional Administrator of EPA Region 10, 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 defined at Part I.C., Whole Effluent Toxicity Testing Requirements.
10. "Composite" - see "24-hour composite".
11. "CWA" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92–500, as amended by Public Law 95–217, Public Law 95–576, Public Law 96–483 and Public Law 97–117, 33 U.S.C. 1251 et seq.
12. "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

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discharge" is calculated as the average measurement of the pollutant over the day.

13. "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.
14. "Director of the Water Division" means the Director of the Water Division, EPA Region 10, or an authorized representative.
15. "DMR" means discharge monitoring report.
16. "EPA" means the United States Environmental Protection Agency.
17. "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.
18. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
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. "LC_{50}" 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

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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 CWA §§ 307, 402, 318, and 405.

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 an Indirect 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,

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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 40 CFR 136.

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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)	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	+/- 0.2°C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	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
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

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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)	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
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

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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
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

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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
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
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L

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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

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