Region 6
1201 Elm St., Suite 500
Dallas, Texas 75270 **NPDES Permit No. NM0030503**

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

Village of Angel Fire
P.O. Box 610
Angel Fire, NM 87710

is authorized to discharge from the Angel Fire Wastewater Treatment Plant located at 67 Services Road, Angel Fire, Colfax County, New Mexico,

to the Cieneguilla Creek in Segment 20.6.4.309 of the Canadian River Basin, from a point located at approximately

Outfall 001: Latitude 36° 24' 17" North, Longitude 105° 17' 00" West

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, III, and IV hereof.

This permit shall become effective on July 1, 2023

This permit and the authorization to discharge shall expire at midnight, June 30, 2028

Issued on June 1, 2023

for Charles W. Maguire
Director
Water Division

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PART I

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS.

1. Final Effluent limits – 0.50 MGD design flow

During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from outfall serial number 001. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	**DISCHARGE LIMITATIONS**				**MONITORING REQUIREMENTS**	
Pollutant	30-Day Avg. Mass (lbs/day, unless otherwise specified)	7-Day Avg. Mass (lbs/day, unless otherwise specified)	30-Day Avg. Concentration (mg/l, unless otherwise specified)	7-Day Avg. Concentration (mg/l, unless otherwise specified)	Frequency	Sample Type
Flow (1)	N/A	N/A	N/A	N/A	Daily	Instantaneous
Biochemical Oxygen Demand (BOD_5), Effluent	62.5	83.3	15	20	2/Month	Grab
Total Suspended Solids (TSS)	125	129	30	45	2/Month	Grab
Total Residual Chlorine (TRC) (2)	N/A	N/A	11 ug/l	11 ug/l	1/Day	Grab
E. coli (3)	N/A	N/A	126 (3)	235 (3) (Daily Max)	2/Month	Grab
Total Phosphorus	3.16 (8)	N/A	N/A	N/A	2/Month	Grab
Total Nitrogen (10)	22.84 (7)	N/A	N/A	N/A	2/Month	Grab
Dissolved Oxygen	N/A	N/A	N/A	4.80 (Daily Min)	2/Month	Grab
Biochemical Oxygen Demand, Percent Removal	N/A	N/A	85% Minimum	N/A	1/month	Calculation(9)
Total Suspended Solids, Percent Removal	N/A	N/A	85% Minimum	N/A	1/Month	Calculation(9)
BOD_5, Influent	N/A	N/A	Report	N/A	1/Month	Grab
TSS, Influent	N/A	N/A	Report	N/A	1/Month	Grab

EFFLUENT CHARACTERISTICS	**DISCHARGE LIMITATIONS** Minimum	Maximum	**MONITORING REQUIREMENTS** Frequency	Sample Type
pH (4)	6.6 s.u.	8.8 s.u.	2/Month	Grab

EFFLUENT CHARACTERISTICS	**DISCHARGE LIMITATIONS**		**MONITORING REQUIREMENTS**	
WHOLE EFFLUENT TOXICITY TESTING (7-Days. Static Renewal) (5)	30-DAY AVGMINIMUM	7-DAY MINIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Ceriodaphnia dubia	Report	Report	1/Year (6)	24-Hr. Composite
Pimephales promelas	Report	Report	1/Year (6)	24-Hr. Composite

FOOTNOTES:

1 Report monthly average and daily maximum as million gallons per day (MGD) by instantaneous measurement.
2. The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes. Test is required only when chlorine-contained chemical is used. May report "zero" or "NA" if chlorine-contained chemical is not used.
3. E. Coli bacteria may be reported as CFU/100 ml or MPN/100 ml. E. Coli bacteria 30 day averages are calculated as geometric mean.
4. Standard unit.
5. See Part II.E., Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.
6. The test shall take place between November 1 and April 30. If no discharge occurs or is expected to occur during this testing period, the test shall take place as soon as possible.
7. Total Nitrogen 30-Day Average 12.50 lbs/day effective five (5) years plus one (1) day from the effective date of the final permit.
8. Total Phosphorus 30-Day Average 0.42 lbs/day five (5) years plus one (1) day from the effective date of the final permit.
9. Percent removal is calculated using the following equation: [(average monthly influent concentration – average monthly effluent concentration) / average monthly influent concentration] * 100.
10. Total Nitrogen is defined as the sum of Total Kjedahl Nitrogen (as N) and Nitrate-Nitrite (as N), See EPA methods 351 and 353

FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

There shall be no discharge of oils, scum, grease, and other floating materials that would cause the formation of a visible sheen or visible deposits on the bottom or shoreline, or would damage or impair the normal growth, function or reproduction of human, animal, plant, or aquatic life.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the discharge into the receiving stream from the following approximate location: Outfall 001. Effluent sampling from all treatment and holding pond pathways shall be sampled at the same location beyond the end of the treatment works, Outfall 001 prior to the receiving stream.

SECTION B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

   Total Nitrogen (30-Day Average 12.50 lbs/day) and Total Phosphorus (30-Day Average 0.42 lbs/day: Five (5) years plus one (1) day from the effective date of the final permit.

2. TMDL established for Angel Fire has a phased approach. The EPA approved TMDLs allocated interim (Phase I) annual average effluent limitations for TP of 0.1 mg/l (0.42 lbs/day (pounds per day)) and TN of 3.0 mg/l (12.50 lbs/day) to the facility, and final (Phase "n") effluent limitations for TP of 0.06 mg/l (0.25 lbs/day) and TN of 0.56 mg/l (2.30 lbs/day).

   By eighteen (18) months from the effective date of the final permit, the permittee shall develop a Total Phosphorous/Total Nitrogen Reduction Plan which details how the permittee plans to meet the following target limits for Phase I of the TMDL for Cimarron River Watershed - Cieneguilla Creek (Eagle Nest Lake to headwaters).

Total Phosphorus	0.42 lbs/day
Total Nitrogen	12.50 lbs/day

3. The permittee shall submit quarterly Compliance Status Reports to EPA, with a copy to NMED, which highlight actions being taken to comply with effluent limitations for Total Phosphorus and Total Nitrogen. Quarterly Compliance Status Report could be submitted with the Discharge Monitoring Reports quarterly no later than the 28th day of the months, April, July, October and January for the preceding reporting quarter. Reporting quarters shall end on the last day of the months March, June, September, and December.

4. By 180 days prior to the expiration date of the final permit, the permittee shall develop a Total Phosphorus/Total Nitrogen Reduction Plan which details how the permittee plans to continue to reduce Total Phosphorous/Total Nitrogen loadings, to address stream impairments, with the Phase "n" Wasteload Allocation as the final goal, as shown below.

Total Phosphorus	0.25 lbs/day
Total Nitrogen	2.30 lbs/day

SECTION C. MONITORING AND REPORTING (MINOR DISCHARGERS)

Applicable reports (DMRs, Biosolids/Sewage Sludge, Sewer Overflow/Bypass Event Pretreatment Program) shall be electronically reported to EPA at https://cdx.epa.gov/. The

permittee may seek a waiver from electronic reporting or until approved for electronic reporting, the permittee shall first submit an electronic reporting waiver request to: U.S. EPA - Region 6, Water Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-7179. If paper reporting is granted, the permittee shall submit reports on paper in accordance with signature and certification as required by Part III.D.11, and all other reports required by Part III.D. to the EPA and copies to NMED (under Part III.D.4 of the permit).

Applicable e-Reporting Program	e-Reporting Compliance Date	Reporting Frequency
DMRs	Permit effective date	Quarterly
Biosolids/Sewage Sludge Report	Permit effective date	Annually for major permit
Pretreatment Program Reports	By 21 December 2025	Annually
Sewer Overflow/Bypass Event Reports and Anticipated Bypass Notices	By 21 December 2025	Quarterly

Discharge Monitoring Report (DMR) results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at https://netdmr.epa.gov. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-7179. If paper reporting is granted temporarily, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and copies to NMED (under Part III.D.4 of the permit).

Discharge Monitoring Report Form(s) shall be submitted quarterly. Each quarterly submittal shall include separate forms for each month of the reporting period.

1. Reporting periods shall end on the last day of the months March, June, September, and December.

2. The first Discharge Monitoring Report(s) shall represent facility operations from the effective date of the permit through the last day of the current reporting period.

3. Thereafter, the permittee is required to submit regular quarterly reports as described above and shall submit those reports postmarked no later than the 28th day of the month following each reporting period.

4. The permittee shall effectively monitor the operation and efficiency of all treatment and control facilities and the quantity and quality of the treated discharge.

5. NO DISCHARGE REPORTING

If there is no discharge from any outfall during the sampling month, enter a NODI Code "C" – No Discharge in the NetDMR system.

6. If any 7-day average or 30-day average value exceeds the effluent limitations specified in Part I.A, the permittee shall report the excursion in accordance with the requirements of Part III.D.

7. Any 7- day average or 30-day average value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I.A shall constitute evidence of violation of such effluent limitation and of this permit.

8. All reports shall be sent both to EPA and the New Mexico Environment Department at the addresses shown in Part III of the permit.

9. COPY OF REPORTS

The permittee shall send a copy of discharge monitoring reports (DMRs), all other reports required in the permit, as well as a copy of application for permit renewal to New Mexico Environment Department at the mailing address listed in Part III of the permit.

10. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for the five-day Biochemical Oxygen Demand (BOD5), or for the five-day Carbonaceous Biochemical Oxygen Demand ($CBOD_5$), as applicable, where the permittee can demonstrate long-term correlation of the method with BOD_5 or $CBOD_5$ values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

11. Overflow Reporting:

The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). Any noncompliance which may endanger health, or the environment shall be made to the EPA at the following e-mail address:

R6_NPDES_Reporting@epa.gov, as soon as possible, but within 24-hours from the time the permittee becomes aware of the circumstance. This language supersedes that

contained in Part III.D.7 of the Permit. Additionally, oral notification shall also be to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health, or the environment shall be provided to EPA and the New Mexico Environment Department, within 5 days of the time the permittee becomes aware of the circumstance.

PART II - OTHER CONDITIONS

A. MINIMUM QUANTIFICATION LEVEL (MQL)

EPA-approved test procedures (methods) for the analysis and quantification of pollutants or pollutant parameters, including for the purposes of compliance monitoring/DMR reporting, permit renewal applications, or any other reporting that may be required as a condition of this permit, shall be sufficiently sensitive. A method is "sufficiently sensitive" when (1) the method minimum level (ML) of quantification is at or below the level of the applicable effluent limit for the measured pollutant or pollutant parameter; or (2) if there is no EPA-approved analytical method with a published ML at or below the effluent limit (see table below), then the method has the lowest published ML (is the most sensitive) of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or 0, for the measured pollutant or pollutant parameter; or (3) the method is specified in this permit or has been otherwise approved in writing by the permitting authority (EPA Region 6) for the measured pollutant or pollutant parameter. The Permittee has the option of developing and submitting a report to justify the use of matrix or sample-specific MLs rather than the published levels. Upon written approval by EPA Region 6 the matrix or sample-specific MLs may be utilized by the Permittee for all future Discharge Monitoring Report (DMR) reporting requirements. Current EPA Region 6 minimum quantification levels (MQLs) for reporting and compliance are provided in Appendix A of Part II of this permit. The following pollutants may not have EPA approved methods with a published ML at or below the effluent limit, if specified:

POLLUTANT	CAS Number
Total Residual Chlorine	7782-50-5
Cadmium	7440-43-9
Silver	7440-22-4
Thallium	7440-28-0
Cyanide	57-12-5
Acrolein	107-02-8
Acrylonitrile	107-13-0
Dioxin (2,3,7,8-TCDD)	1764-01-6
4, 6-Dinitro-0-Cresol	534-52-1
Pentachlorophenol	87-86-5
Benzidine	92-87-5
Chrysene	218-01-9
Hexachlorobenzene	118-74-1
N-Nitrosodimethylamine	62-75-9
Benzo(a)anthracene	56-55-3
Benzo(a)pyrene	50-32-8

3,4-Benzofluoranthene	205-99-2
Benzo(k)fluoranthene (207-08-9)	207-08-9
Indeno(1,2,3-cd) pyrene (193-39-5)	193-39-5
Dibenzo(a, h)anthracene (53-70-3)	207-08-9
Aldrin	309-00-2
Chlordane	57-74-9
Dieldrin	60-57-1
Heptachlor	76-44-8
Heptachlor epoxide	1024-57-3
Toxaphene	8001-35-2
Toxaphene (8001-35-2)	8001-35-2

Unless otherwise indicated in this permit, if the EPA Region 6 MQL for a pollutant or pollutant parameter is sufficiently sensitive (as defined above) and the analytical test result is less than the MQL, then a value of zero (0) may be used for reporting purposes on DMRs. Furthermore, if the EPA Region 6 MQL for a pollutant or parameter is not sufficiently sensitive, but the analytical test result is less than the published ML from a sufficiently sensitive method, then a value of zero (0) may be used for reporting purposes on DMRs.

B. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas, and concurrently to NMED within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

None

C. PERMIT REOPENER CLAUSE

1. In accordance with 40 CFR 122.62, the permit may be reopened and modified during the life of the permit if relevant portions of State of New Mexico Water Quality Standards and/or State Water Quality Management Plans are revised, new water quality standards are established and/or remanded and any other policy, or if procedures and implementation guidelines are adopted by the State that change applicable water quality standards and permit implementation.

2. In accordance with 40 CFR Part 122.62, the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different

permit conditions at the time of permit issuance.

3. If a TMDL is established for the receiving stream, the permit may be reopened, and new limitations based on the TMDL may be incorporated into the permit.

D. POLLUTION PREVENTION REQUIREMENTS

The permittee shall continue a program directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider the following items in the program:

a. The influent loadings, flow and design capacity;
b. The effluent quality and plant performance;
c. The age and expected life of the wastewater treatment facility=s equipment;
d. Bypasses and overflows of the tributary sewerage system and treatment works;
e. New developments at the facility;
f. Operator certification and training plans and status;
g. The financial status of the facility;
h. Preventative maintenance programs and equipment conditions and;
i. An overall evaluation of conditions at the facility.

E. WHOLE EFFLUENT TOXICITY TESTING (7-DAY CHRONIC NOEC FRESHWATER)

It is unlawful and a violation of this permit for a permittee or his designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test. Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA Region 6 or the State NPDES permitting authority.

1. SCOPE AND METHODOLOGY

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO FINAL OUTFALL(S): 001

REPORTED AS FINAL OUTFALL	001
CRITICAL DILUTION (%)	74%
EFFLUENT DILUTION SERIES (%)	31%, 42%, 56%, 74% and 99%
COMPOSITE SAMPLE TYPE	Defined at PART I

TEST SPECIES/METHODS	Ceriodaphnia dubia / Method 1002.0 (EPA821-R-02-013 or latest version) Ceriodaphnia dubia / Method 1002.0 (EPA-821-R-02-013 or latest version) Pimephales promelas/ Method 1000.0 (EPA/821/R-02-013 or latest version) Pimephales promelas/ Method 1000.0 (EPA/821/R-02-013 or latest version)

b. The NOEC (No Observed Lethal Effect Concentration) is herein defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Chronic lethal test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution. Chronic sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e., growth or reproduction) at test completion to a test species at or below the critical dilution.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification the test failure. NMED will review the test results and determine the appropriate action necessary, if any.

2. REQUIRED TOXICITY TESTING CONDITIONS

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

Condition/Criteria	Ceriodaphnia dubia	Pimephales promelas
Test Duration	Until 60% or more of surviving control females have 3 broods (max 8 days)	7 days
# of replicates per concentration	10	5
# of organisms per replicate	1	8
# or organisms per concentration	10	40 (minimum)
# of test concentrations per effluent	5 and a control	5 and a control
Holding time *	36 hours for first use	36 hours for first use
Sampling Requirement *	Minimum of 3 samples	Minimum 3 samples
Test Acceptability Criteria	⩾80% survival of all control organisms Average of 15 or more neonates per surviving control female. 60% of surviving control females must produce 3 broods.	⩾80% survival of all control organisms. Average dry weight per surviving organism in control must be ⩾0.25mg.
Coefficient of Variation **	40% or less, unless significant effects are exhibited.	40% or less unless significant effects are exhibited.
Percent Minimum Significant Difference (PMSD range) for Sublethal Endpoint **	13 – 47	12 – 30

* If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples and the minimum number of effluent portions are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent, and must meet the holding time between collection and first use of the sample. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 3 of this section.

**Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%, or a PMSD value greater than the higher value on the range provided.

a. Statistical Interpretation

The statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in the appropriate method manual listed in Part II or the most recent update thereof.

b. Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion,

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required; and

(D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

c. Samples and Composites

i. The permittee shall collect a minimum of three samples (flow-weighted composite if possible) from the outfall(s).

ii. The permittee shall collect second and third composite sample (composite samples if possible) for use during 24-hour renewals of each dilution concentration for each test. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 36 hours for first use of the sample. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled to 6 degrees Centigrade during collection, shipping and/or storage. A holding time up to 72 hours is allowed upon notification to EPA of the need for additional holding time.

iii. The permittee must collect the composite samples such that the effluent samples are representative of the discharge duration, and of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

3. REPORTING

i. The permittee shall prepare a full report of the results of all tests conducted pursuant to this part in accordance with the Report Preparation Section of the most current publication of the method manual, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report and submit them upon the specific request of the Agency. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review.

ii. A valid test for each species must be reported during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and reporting. One set of biomonitoring data for each species is to be recorded on the DMR for each reporting period. Additional results are reported under the retest codes below.

iii. The permittee shall submit the results of each valid toxicity test on the subsequent monthly DMR for that reporting period as follows below. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR.

Reporting Requirement	Parameter STORET CODE *Ceriodaphnia dubia*	Parameter STORET CODE *Pimephales promelas*
Enter a “1” if the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, otherwise enter a "0".	TLP3B	TLP6C
Report the NOEC value for survival	TOP3B	TOP6C
Report the LOEC value for survival	TXP3B	TXP6C
Enter a “1” if the NOEC for growth or reproduction is less than the critical dilution, otherwise, enter a “0”.	TGP3B	TGP6C
Report the NOEC value for growth or reproduction	TPP3B	TPP6C
Report the LOEC value for growth	TYP3B	TYP6C
Report the highest (critical dilution or control) Coefficient of Variation	TQP3B	TQP6C

4. MONITORING FREQUENCY REDUCTION

i. The permittee may apply for a testing frequency reduction upon the successful completion of the first four consecutive quarters of testing for a test species, with no lethal or sub-lethal effects demonstrated at or below the critical dilution. If granted, the monitoring frequency for that test species may be reduced to not less than once per year for the less sensitive species (usually the vertebrate species) and not less than twice per year for the more sensitive test species (usually the invertebrate species).

ii. Certification - The permittee must certify in writing that no test failures have occurred and that all tests meet all test acceptability criteria above. In addition, the permittee must provide a list with each test performed including test initiation date, species, and NOECs. Upon review and acceptance of this information, the agency will issue a letter of confirmation of the monitoring frequency reduction. A copy of the letter will be forwarded to the agency's compliance section to update the permit reporting requirements.

iii. Failures - If any test demonstrates lethal or sub-lethal effects at or below the critical dilution at any time during the life of this permit, three monthly retests are required. If a frequency reduction had been granted, the monitoring frequency for the affected test species reverts to once per quarter until the permit is re-issued.

iv. This monitoring frequency reduction applies only until the expiration date of this permit, at which time the monitoring frequency for both test species reverts to once per quarter until the permit is re-issued.

5. PERSISTENT TOXICITY

The requirements of this subsection apply only when a toxicity test demonstrates significant lethal and/or sub-lethal effects at or below the critical dilution. Significant toxic effects are herein defined as a statistically significant difference at the 95% confidence level between the survival, growth or reproduction of the appropriate test organism in a specified effluent dilution and the control (0% effluent). If the initial WET test conducted fails, the permittee will conduct three retests. The purpose of retests is to determine the duration of a toxic event. A test that meets all test acceptability criteria and demonstrates significant toxic effects does not need additional confirmation. Such testing cannot confirm or disprove a previous test result. If any valid test demonstrates significant lethal and/or sub-lethal effects to a test species at or below the critical dilution, the frequency of testing for this species is automatically increased to once per quarter with no option for frequency reduction.

i. Retests

The permittee shall conduct a total of three (3) additional tests for any species that demonstrates significant effects at or below the critical dilution. The three additional tests shall be conducted monthly during the next three consecutive months. If testing on a quarterly basis, the permittee may substitute one of the additional tests in lieu of one routine toxicity test. A full report shall be prepared for each test required by this section in accordance with the reporting requirements previously outlined and available upon request from the Agency.