US ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne St.
San Francisco, CA 94105

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

D R A F T NPDES PERMIT NO. AZ0024619

In compliance with the provisions of the Clean Water Act ("CWA") (Public Law 92-500, as amended, 33 U.S.C. 1251 et seq.), the following permittee is authorized to discharge from the identified facility at the outfall location(s) specified below, in accordance with the effluent limits, monitoring requirements, and other conditions set forth in this permit. 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.

Permittee Name	Moenkopi Utility Authority ("MUA")
Permittee Address	P.O. Box 1229 Tuba City, Arizona 86045
Facility Name	MUA Wastewater Treatment Plant
Facility Location Address	Mile Post 321, Highway 160 Upper Village of Moenkopi, Arizona 86045
Facility Rating	Minor

Outfall Number	General Type of Waste Discharged	Outfall Latitude	Outfall Longitude	Receiving Water
001	Domestic wastewater	36° 06' 30" N	111° 14' 01" W	Moenkopi Wash, a tributary to the Little Colorado River
003	Domestic wastewater	36° 06' 30" N	111° 14' 01" W	Reuse holding tank

This permit was issued on:	Date of signature below
This permit shall become effective on:	<1st of month following 33 days after issue date>
This permit shall expire at midnight on:	<Effective date + 5 years – 180 days>
This permit shall expire at midnight on:	<Effective date + 5 years – 1 day>
In accordance with 40 CFR § 122.21(d), the Permittee shall submit a new application for a permit at least 180 days before the expiration date of this permit, unless permission for a date no later than the permit expiration date has been granted by the Director.	

Signed for the Regional Administrator:

D R A F T

Tomás Torres, Director
Water Division
U.S. EPA, Region 9

TABLE OF CONTENTS

PART I. EFFLUENT LIMITS AND MONITORING REQUIREMENTS

A. Effluent Limits and Monitoring Requirements

1. Effluent Limits – Outfall Numbers 001, 002A, 002B, and 003
The discharger is authorized to discharge treated domestic wastewater in compliance with the final effluent limits and monitoring requirements specified in Tables 1, 2 and 3. Compliance with these requirements is monitored at Monitoring Locations M-001 and M-influent.

2. The discharge of pollutants at any point other than the outfall number 001 to Moenkopi Wash, tributary to the Little Colorado River, as, and/or to outfall 003 for designated reuse for dust control as specifically authorized in this permit is prohibited.

3. All waters of the Hopi Tribe as provided in the 2011 Hopi Tribe Water Quality Standards shall be free from pollutants in amounts or combinations that, for any duration:

   a. Stream Bottom Deposits: Surface waters shall be free of water contaminants from other natural causes that will settle and have a deleterious effect on the aquatic biota or that will significantly alter the physical or chemical properties of the water of the bottom sediments.

   b. Floating Solids, Oil and Grease: Surface waters shall be free from objectionable oils, scum, foam, grease, and other floating materials and suspended substances of a persistent nature resulting from other than natural causes (including visible films of oil, globules of oil, grease, or solids in or on the water, or coatings on stream bands.) As a guideline, oil and grease discharged into surface waters shall not exceed 10 mg/l average or 15 mg/l maximum.

   c. Color: Surface waters shall be free from the true color-producing materials (other than those resulting from natural causes) that create an aesthetically undesirable condition. Color shall not impair the designated and other attainable uses of a water body. Color-producing substances from other than natural sources are limited to concentrations equivalent to 70 color units (CU).

   d. Odor and Taste: Contaminants from other than natural causes shall be limited to concentrations that do not impart unpalatable flavor to fish, that do not result in offensive odor or taste arising from the water, and that do not otherwise interfere with the designated and other attainable uses of a water body. Taste and odor-producing substances from other than natural origins shall not interfere with the production of a potable water supply by modern treatment methods.

   e. Nuisance Conditions: Plant nutrients or other substances stimulating algal growth form other than natural causes shall not be present in concentrations that produce objectionable algal densities or nuisance aquatic vegetation, or that result in a dominance of nuisance species in-stream, or that cause nuisance conditions in any other fashion.

f. Pathogens: Waters shall be free from pathogens. Waters used for irrigation of table crops (e.g., lettuce) shall be free of Salmonella and Shigella species.

g. Turbidity: Turbidity attributable to other than natural causes shall not reduce light transmission to the point at which aquatic biota are inhibited or to a point that causes an unaesthetic and substantial visible contrast with the natural appearance of the water. Specifically, turbidity shall not exceed 5 nephelometric turbidity units (NTU, a measure of turbidity in water) over background when background turbidity is 50 NTU or less, with no more than a 10-percent increase when background turbidity is more than 50 NTU.

h. Radioactive Materials: Concentrations of radioactive constituents shall not exceed the concentration caused by naturally occurring materials.

i. Temperature: The introduction of heat by other than natural causes shall not increase the temperature in a stream, outside a mixing zone, by more than 2.7ºC (5ºF), based upon the monthly average of the maximum daily temperatures measured at mid-depth or 3 feet (whichever is less) outside the mixing zone. The normal daily and seasonal variations that were present before the addition of heat from other than natural sources shall be maintained. In no case shall man-introduced heat be permitted when the maximum temperature specified for the reach (20ºC/68ºF for cold water fisheries and 32.2ºC/90ºF for warm water fisheries) would thereby be exceeded. High water temperatures caused by unusually high ambient air temperatures are not violations of these standards.

j. Salinity/Mineral Quality (total dissolved solids, chlorides, and sulfates): Existing mineral quality shall not be altered by municipal, industrial, and in-stream activities, or other waste discharges, so as to interfere with the designated or attainable uses for a water body. An increase of more than one-third over naturally occurring levels shall not be permitted.

k. Toxic Substances: Toxic substances shall not be present in receiving waters in quantities that are toxic to human, animal, plant, or aquatic life, or in quantities that interfere with the normal propagation, growth, and survival of the sensitive indigenous aquatic biota.

B. Table 1. Effluent Limits and Monitoring Requirements – Outfall Number: 001

(*Based upon the design flow capacity of 0.185 MGD)*

Effluent Parameter	Units	Monthly Average	Weekly Average	Daily Maximum	Monitoring Frequency [2]	Sample Type
Flow	MGD	Report [1]	n/a	Report [1]	Monthly	Instantaneous
Biochemical Oxygen Demand (5-day) [2]	mg/L	10	15	n/a	Monthly	24-hour Composite
	lbs/day	15.4	23.2	n/a		
	%	≥ 85 percent removal efficiency				
Total Suspended Solids[2]	mg/L	10	15	n/a	Monthly	24-hour Composite
	lbs/day	15.4	23.2	n/a		
	% removal	≥ 85 percent removal efficiency				
E. coli	CFU/100 mL	130[3]	n/a	580[4]	Weekly	Grab
Dissolved Oxygen[5]	mg/L	n/a	n/a	≥ 5.0	Monthly	24-hour Composite
Zinc	µg/L	n/a	n/a	Report [6]	Quarterly	Grab
Hardness (as $CaCO_3$)	µg/L	n/a	n/a	Report [6]	Quarterly	Grab
Ammonia (as N) [7]	mg/L	n/a	n/a	Report [7]	Monthly	Grab
Ammonia Impact Ratio (AIR) [8]	--	1.0	n/a	n/a	Monthly	Grab
pH [9, 10]	std. units	between 6.5 to 9.0			Monthly	Grab
Temperature [9]	deg ºC	n/a	n/a	Report [9]	Monthly	Grab
Turbidity [11]	NTU	n/a	n/a	25	Monthly	Grab
Priority Pollutant Scan [12]	µg/L	n/a	n/a	Report [1]	Years 2 and 4	24-hour Composite

'MGD' indicates units of Million Gallons per Day; 'CFU' is Colony Forming Units.
'n/a' denotes Not Applicable.

Footnotes:

1. No effluent limits are set at this time, but monitoring and reporting is required. The effluent shall be sampled at the pipe coming out of Outfall Number 001.
2. "BOD_5" = Biochemical Oxygen Demand (5-day test). "TSS" = Total Suspended Solids. For BOD_5 and TSS, the arithmetic means of values, by weight, for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic mean of values, by weight, for influent samples collected at approximately the same times during the same period.
3. Geometric mean of a minimum of not less than five samples collected over a period of not more than 30 days.
4. Single sample maximum.
5. Minimum dissolved oxygen limit of 5 mg/l, based on the 2011 Hopi Water Quality Standards for aquatic and wildlife (warm water habitat) for support and propagation of animals, plants, or other organisms.
6. Monitoring for zinc and hardness shall be performed concurrently.
7. For ammonia (in mg N/liter), the 2011 Hopi Water Quality Standards specify ammonia limitations for aquatic and wildlife (warm water habitat) for support and propagation of animals, plants, or other organisms. See Attachment C for the total ammonia table. The criteria for ammonia are pH and temperature dependent; therefore, pH and temperature field measurements must be taken concurrently at the same location as the water samples destined for the laboratory analysis of ammonia.
8. The Ammonia Impact Ratio (AIR) is calculated as the ratio of the measured ammonia and the ammonia limit as determined by the concurrent measurement of pH and temperature. See attached Attachment D for

sample log to help calculate and record the AIR values. Temperature and pH measurements shall be taken concurrently with measurements for ammonia.

9. Temperature and pH measurements shall be taken concurrently with measurements for ammonia.
10. Effluent pH units are based on the numeric standards for aquatic, wildlife and livestock, consistent with the 2011 Hopi Water Quality Standards for protection of full body contact and groundwater recharge uses.
11. Turbidity limit of 25 NTUs (Nephelometric Turbidity Units) based the 2011 Hopi Water Quality Standards for protection of full body contact and groundwater recharge uses.
12. Priority Pollutants: During Years 2 and 4 in the permit cycle, the Permittee shall monitor for the full list of priority pollutants set forth in 40 CFR Part 423, Appendix A. See Attachment E of the permit for the list. No limits for priority pollutants are set at this time.

C. Table 2. Effluent Limits and Monitoring Requirements for Chronic Toxicity

Parameter	Maximum Allowable Discharge Limits			Monitoring Requirements	
	Concentration				
	Median Monthly	Maximum Daily	Units	Minimum Frequency	Sample Type
Chronic Toxicity *Ceriodaphnia dubia reproduction, Method 1002.0 WC13B*	Pass (0)	Pass (0) or PE < 50	Pass (0) or Fail (1), PE, in % effluent	Semiannually January/July	24-hour Composite
Chronic Toxicity *Pimphales promelas* growth, Method 1000.0 WCP6C	Pass (0)	Pass (0) or PE < 50	Pass (0) or Fail (1), PE, in % effluent	Semiannually January/July	24-hour Composite
Chronic Toxicity Green alga, *Selenastrum capricornutum* Method 1003.0	Pass (0)	Pass (0) or PE < 50	Pass (0) or Fail (1), PE, in % effluent	Semiannually January/July	24-hour Composite

Footnotes:

1. Median Monthly Effluent result: An exceedance occurs if the median of **Pass**–**Fail** results is positive **(1)**, using **no more than three** chronic toxicity tests initiated during the calendar quarter. Pass–Fail results are coded as **Pass (0)** (Test of Significant Toxicity ("TST") null hypothesis is rejected and the Instream Waste Concentration ("IWC") is declared not toxic) and **Fail (1)** (TST null hypothesis is not rejected and the IWC is declared toxic). For this discharge, the TST null hypothesis (H_o) at the required discharge-specific IWC is: **IWC mean response (100% effluent) ≤ 0.75 × Control mean response**. Rejection of the TST null hypothesis is determined by following the step-by-step instructions in *National Pollutant Discharge Elimination System Test of Significant Toxicity Technical Document*, Appendix B (EPA 833-R-10-004, 2010; TST Technical Document).

2. Maximum Daily Effluent result: This is evaluated for each toxicity test conducted for determining the median quarter effluent result. An exceedance occurs if both of the following occur in the same toxicity test: The Pass–Fail result is coded as **Fail (1)** (TST null hypothesis is not rejected and the IWC is declared toxic) and the observed (estimated) **PE ≥ 50**. PE (also called "Percent (%) Effect" or "% Effect") is calculated as: **PE in % effluent = [(Control mean response − IWC mean response) ÷ Control mean response] × 100**. If more than one toxicity test is initiated during the calendar quarter, then those results shall be reported attached to the DMR form, except that the one toxicity test with a **Fail (1)** and the highest **PE** shall be reported on the DMR form.

D. Table 3. Effluent Limits and Monitoring Requirements for Reclaimed Water – Dust control (Class B) – Outfall Number 003

Effluent Parameter	Units	7-day Mean	Daily Maximum	Monitoring Frequency	Sample Type
Fecal coliform [1, 2]	CFU/100 ml	200	800	Daily [3]	Grab

Footnotes:

1. Based on EPA's Best Professional Judgment (BPJ) authority pursuant to 40 CFR 125.3(c)(2).
2. Fecal coliform (in CFU/100ml) based on Arizona Administrative Code Title 18, Chapter 11 for Class B reclaimed water. The concentration shall be less than 200/100ml in four of the last seven daily samples of reclaimed water.
3. The Permittee shall monitor daily for this reclaimed use category. Should the results reveal no exceedances of 200 CFU/100ml in four of the last seven daily samples, this requirement will be reduced from daily to weekly.

E. Sampling

1. Samples and measurements shall be representative of the volume and nature of the monitored discharge.

2. Samples shall be taken at the following locations:

   a. Influent samples shall be taken after the last addition to the collection system and prior to in-plant return flow and the first treatment process, where representative samples can be obtained.

   b. Effluent samples shall be taken after in-plant return flows and the last treatment process and prior to mixing with the receiving water, where representative samples can be obtained.

3. For intermittent discharges, the Permittee shall monitor on the first day of discharge. The Permittee is not required to monitor in excess of the minimum frequency required in Table 1. If there is no discharge, the Permittee is not required to monitor either influent or effluent.

F. General Monitoring and Reporting

1. All monitoring shall be conducted in accordance with 40 CFR Part 136 test methods, unless otherwise specified in this permit. For influent and effluent analyses required in this permit, the Permittee shall utilize 40 CFR Part 136 test methods with method detection limits ("MDLs") and minimum levels ("MLs") that are lower than the effluent limits in this permit. For parameters without an effluent limit, the Permittee must use an analytical method at or below the level of the applicable water quality criterion for the measured pollutant. If all MDLs or MLs are higher than these effluent limits or criteria concentrations, then the Permittee shall utilize the test method with the lowest MDL or ML. In this context, the permittee shall ensure that the laboratory utilizes a standard calibration where the lowest standard point is equal

to or less than the ML. Influent and effluent analyses for metals shall measure "total recoverable metal", except as provided under 40 CFR § 122.45(c).

2. As an attachment to the first discharge monitoring report ("DMR"), the Permittee shall submit, for all parameters with monitoring requirements specified in this permit:

   a. The test method number or title and published MDL or ML,
   b. The preparation procedure used by the laboratory,
   c. The laboratory's MDL for the test method computed in accordance with Appendix B of 40 CFR 136,
   d. The standard deviation (S) from the laboratory's MDL study,
   e. The number of replicate analyses (n) used to compute the laboratory's MDL, and
   f. The laboratory's lowest calibration standard.

   As part of each DMR submittal, the Permittee shall certify that there are no changes to the laboratory's test methods, MDLs, MLs, or calibration standards. If there are any changes to the laboratory's test methods, MDLs, MLs, or calibration standards, these changes shall be summarized in an attachment to the subsequent DMR submittal.

3. The Permittee shall develop a Quality Assurance ("QA") Manual for the field collection and laboratory analysis of samples. The purpose of the QA Manual is to assist in planning for the collection and analysis of samples and explaining data anomalies if they occur. At a minimum, the QA Manual shall include the following:

   a. Identification of project management and a description of the roles and responsibilities of the participants; purpose of sample collection; matrix to be sampled; the analytes or compounds being measured; applicable technical, regulatory, or program-specific action criteria; personnel qualification requirements for collecting samples;

   b. Description of sample collection procedures; equipment used; the type and number of samples to be collected including QA/Quality Control ("QC") samples; preservatives and holding times for the samples (see 40 CFR §136.3); and chain of custody procedures;

   c. Identification of the laboratory used to analyze the samples; provisions for any proficiency demonstration that will be required by the laboratory before or after contract award such as passing a performance evaluation sample; analytical method to be used; MDL and ML to be reported; required QC results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and corrective actions to be taken in response to problems identified during QC checks; and,

   d. Discussion of how the Permittee will perform data review, report results, and resolve data quality issues and identify limits on the use of data.

4. Throughout all field collection and laboratory analyses of samples, the Permittee shall use the QA/QC procedures documented in their QA Manual. If samples are tested by a contract laboratory, the Permittee shall ensure that the laboratory has a QA Manual on file. A copy of the Permittee's QA Manual shall be retained on the Permittee's premises and available for review by regulatory authorities upon request. The Permittee shall review its QA Manual annually and revise it, as appropriate.
5. Samples collected during each month of the reporting period must be reported on DMR forms, as follows:

    a. For a *maximum daily* permit limit or monitoring requirement when one or more samples are collected during the month, report either:

    The *maximum value*, if the maximum value of all analytical results is greater than or equal to the ML; or
    NODI (Q), if the maximum value of all analytical results is greater than or equal to the laboratory's MDL, but less than the ML; or
    NODI (B), if the maximum value of all analytical results is less than the laboratory's MDL.

    b. For an *average weekly* or *average monthly* permit limit or monitoring requirement when only one sample is collected during the week or month, report either:

    The *maximum value*, if the maximum value of all analytical results is greater than or equal to the ML; or
    NODI (Q), if the maximum value of all analytical results is greater than or equal to the laboratory's MDL, but less than the ML; or
    NODI (B), if the maximum value of all analytical results is less than the laboratory's MDL.

    c. For an *average weekly* or *average monthly* permit limit or monitoring requirement when more than one sample is collected during the week or month, report:

    The *average value* of all analytical results where 0 (zero) is substituted for *NODI (B),* and the laboratory's MDL is substituted for *NODI (Q)*.

6. In addition to information requirements specified under 40 CFR § 122.41(j)(3), records of monitoring information shall include: the laboratory which performed the analyses and any comment, case narrative, or summary of results produced by the laboratory. The records should identify and discuss QA/QC analyses performed concurrently during sample analyses and whether project and 40 CFR Part 136 requirements were met. The summary of results must include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, and sample condition upon receipt, holding time, and preservation.

7. The Permittee shall use CDX (https://cdx.epa.gov/) to access the NPDES Electronic

Tool (NeT) and electronically submit the following program reports:

- NetDMR/Discharge Monitoring Report
- NeT Sewer Overflow and Bypass
- NeT Biosolids

If NeT reporting is not yet available through CDX for a particular program report, the Permittee shall report in NeT as soon as reporting for that program is available in NeT and no later than December 21, 2025.

In accordance with the NPDES Electronic Reporting Rule, these program reports 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), 40 CFR § 122.22, and 40 CFR part 127.

8. Monthly DMRs shall be submitted quarterly by the 28th day of the month following the previous calendar quarter. For example, the three DMR forms for January, February, and March are due on April 28th. Quarterly monitoring must be conducted starting in the first complete quarter or calendar year following permit issuance, and quarterly reports are due on January 1st, April 1st, July 1st, or October 1st of each calendar year. Reports for annual monitoring are due on January 28th of the following year. A DMR must be submitted for the reporting period even if there was not any discharge. If there is no discharge from the facility during the reporting period, the Permittee shall submit a DMR indicating no discharge as required.

Part II. SPECIAL CONDITIONS

A. Permit Reopeners

1. In accordance with 40 CFR Parts 122 and 124, this permit may be modified by USEPA to include effluent limits, monitoring, or other conditions to implement new regulations, including EPA-approved water quality standards; to address new information indicating the presence of effluent toxicity or the reasonable potential for the discharge to cause or contribute to exceedances of water quality standards; or new permit conditions for species pursuant to ESA requirements.

2. In accordance with 40 CFR § 122.44(c), USEPA may promptly modify or revoke and reissue any permit issued to a treatment works treating domestic sewage (including "biosolids only facilities") to incorporate any applicable standard for biosolids use or disposal promulgated under section 405(d) of the CWA, if the standard for biosolids use or disposal is more stringent than any requirements for biosolids use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

B. Twenty Four-Hour Reporting of Noncompliance

1. The Permittee shall report any noncompliance which may endanger human health or the environment. The Permittee is required to provide an oral report by directly speaking with an USEPA and Hopi WRP staff person within 24 hours from the time the Permittee becomes aware of the noncompliance. If the Permittee is unsuccessful in reaching a staff person, the Permittee shall provide notification by 9 a.m. on the first business day following the noncompliance. The Permittee shall notify the USEPA and the Hopi WRP at the following telephone numbers:

Water 1 Section (ECAD-3-1) Enforcement and Compliance Assurance Division, USEPA (415) 947-4222	Dr. Sarah Abney, Manager Hopi Water Resources Program P.O. Box 123 Kykotsmovi, Arizona 86039 Phone: (928) 734-3712

2. The Permittee shall follow up with a written submission within five days of the time the Permittee becomes aware of the noncompliance. The electronic submissions for sewer overflows and bypasses shall be submitted to EPA using NeT-Sewer Overflow. See Part II.G. (Sanitary Sewer Overflows) and NeT-Sewer Overflow User's Guide for more details. All other reports shall be emailed to R9NPDES@epa.gov and to the EPA staff person initially notified. The written submission shall also be emailed to Dr. Sarah Abney at SAbney@hopi.nsn.us at the Hopi WRP and/or the staff person initially notified. The electronic submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The following shall be included as information which must be reported within 24 hours under this paragraph.

   a. Any overflow, anticipated and/or unanticipated bypass which exceeds any effluent limit in the permit (see 40 CFR § 122.44(g)).

   b. Any upset which exceeds any effluent limit in the permit.

   c. Any Sanitary Sewer Overflow (see Part II.G).

   d. Violation of a maximum daily discharge limit for any of the pollutants listed by the director in the permit to be reported within 24 hours (see 40 CFR § 122.44(g)).

4. USEPA may waive the written report on a case-by-case basis for reports required under paragraph B.2, if the oral report has been received within 24 hours.

C. Chronic Whole Effluent Toxicity (WET) Requirements

1. Instream Waste Concentration ("IWC") for Chronic Toxicity

The chronic toxicity IWC required for the authorized discharge point is expressed as 100 percent (%) effluent.

Table 4. Facility-specific Chronic Toxicity IWC

Outfall Number	Required chronic toxicity instream IWC in % effluent
001	100%

2. Sampling and Monitoring Frequency

Toxicity test samples shall be collected for the authorized discharge point at the designated NPDES sampling station for the effluent (i.e., downstream from the last treatment process and any in-plant return flows where a representative effluent sample can be obtained). The total sample volume shall be determined both by the WET method used (including, for non-continuous discharges, the additional sample volume necessary to complete the toxicity test) and the additional sample volume necessary for Toxicity Identification Evaluation ("TIE") studies.

Using the test species, WET method, and monitoring frequency specified in Part I, Table 2, the Permittee shall conduct ***semiannually*** toxicity testing on 24-hour composite effluent samples. A split of each effluent sample for toxicity testing shall be analyzed for all other monitored parameters (conventional, non-conventional, and priority toxic pollutants), at the minimum frequency of analysis specified during the reporting period for the month by the effluent monitoring program. All toxicity tests for the quarter shall be initiated during that calendar quarter.

3. Chronic Test Species and WET Methods

For Moenkopi WWTP which discharges to freshwater surface waters, test species and short-term WET methods for estimating the chronic toxicity of NPDES effluents are found in the fourth edition of *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/821/R-02/013, 2002; Table IA, 40 CFR 136). The Permittee shall **conduct toxicity tests with the parameter for chronic toxicity required in Part I, Table 2** (e.g., static renewal test with fathead minnow, *Pimephales promelas* (Larval Survival and Growth Test Method 1000.0); static renewal test with daphnid, *Ceriodaphnia dubia* (Survival and Reproduction Test Method 1002.0); or static non-renewal test with green alga, *Selenastrum capricornutum* (also named *Raphidocelis subcapitata*) (Growth Test Method 1003.0)).

Conditional Species Sensitivity Screening Report. The permitting authority may require by letter—signed by the NPDES Permits Section Manager—the Permittee to conduct and submit the results of species sensitivity screening for the discharge at the chronic toxicity IWC. Screening is defined as one round of concurrent chronic toxicity tests conducted each quarter, repeated over no more than three consecutive quarters. The

total number of quarterly rounds is specified by the permitting authority (i.e., 1 to 3). A round shall consist of one test using a fish, one test using an invertebrate, and one test using an alga and the applicable WET methods listed under this condition. The Permittee shall conduct the screening and a final report is due to EPA no more than 12 months after the Permittee is notified by letter of the requirement to conduct species sensitivity screening (e.g., if letter date is during January 2021, then the final report is due January 31, 2022). The Permittee shall report **Pass (0)** or **Fail (1)** and the associated value for **PE** for each chronic toxicity test conducted for species sensitivity screening. For the TST statistical approach used by this permit, the most sensitive test species is the species which demonstrates the highest number of Fail (1) results for routine monitoring tests and species sensitivity screening tests. If no test results are Fail (1), then the most sensitive test species is the species which demonstrates the highest PE ≥ 10 at the IWC for routine monitoring tests and species sensitivity screening tests.

4. Quality Assurance

   a. Quality assurance measures, instructions, and other recommendations and requirements are found in the WET methods manual(s) previously referenced. Additional requirements are specified below.

   b. The discharge is subject to a determination of rejection or non-rejection of the TST null hypothesis (H_o) from a chronic toxicity test at the required IWC. For statistical flowchart and procedures using the TST statistical approach see Appendix B of *National Pollutant Discharge Elimination System Test of Significant Toxicity Technical Document* (EPA 833-R-10-004, 2010; TST Technical Document). For the TST statistical approach, the associated value for "Percent (%) Effect" (also called "% Effect" or "PE") at the required IWC is calculated as:

   $$\% \text{ Effect} = [(\text{Control mean response} - \text{IWC mean response}) \div \text{Control mean response}] \times 100$$

   c. **Controls.** Effluent dilution water and control water should be prepared and used as specified in the applicable WET methods manual. If the dilution water is different from test organism culture water, then a second control using culture water shall also be used.

   d. If organisms are not cultured in-house, then concurrent testing with a reference toxicant shall be conducted. If organisms are cultured in-house, then monthly reference toxicant testing is sufficient. Reference toxicant tests and effluent toxicity tests shall be conducted using the same test conditions (e.g., same test duration, etc.).

   e. If organisms are not cultured in-house, then concurrent testing with a reference toxicant shall be conducted. If organisms are cultured in-house, then monthly reference toxicant testing is sufficient. Reference toxicant tests and effluent toxicity tests shall be conducted using the same test conditions (e.g., same test duration, etc.).

   f. If the effluent toxicity test during the reporting period for the month does not meet the Test Acceptability Criteria ("TAC") described in the WET method, then the

Permittee shall resample and retest within 14 days. The results of this retest shall only replace that effluent toxicity test that did not meet TAC during the reporting period for the month.

g. **Removed Toxicants (chlorine, ammonia).** If the discharged effluent is chlorinated, then chlorine shall not be removed from the effluent sample prior to toxicity testing without written approval by the permitting authority. Ammonia shall not be removed from the effluent sample prior to toxicity testing without written approval by the permitting authority.

5. Initial Investigation TRE Work Plan

Within 90 days of the permit effective date, the Permittee shall prepare its Initial Investigation TRE Work Plan (1-2 pages). A copy of the Permittee's Initial Investigation TRE Work Plan shall be retained on the Permittee's premises and available for review by regulatory authorities upon request. This plan shall include steps the Permittee intends to follow if a Median Monthly Effluent result for chronic toxicity is reported as Fail (1) for the reporting quarter (see Part I, Table 2, Footnote 2), and should include the following, at minimum:

a. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.

b. A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the facility.

c. If a TRE and Toxicity Identification Evaluation ("TIE") are necessary, an indication of who would conduct these studies (i.e., an in-house expert or outside contractor).

6. Chronic Toxicity Median Quarterly Effluent Result of **Fail (1)** Proceeding to TRE

If the chronic toxicity Median Quarterly Effluent result is reported as **Fail (1)** for the calendar month (see Part I, Table 2, Footnote 2), then—regardless of the minimum monitoring frequency in Part I, Table 2—the Permittee shall conduct effluent monitoring using no more than three chronic toxicity tests **during the next consecutive calendar quarter** and implement its Initial Investigation TRE Work Plan

If the chronic toxicity Median Quarterly Effluent result **during this next consecutive calendar quarter** is **Pass (0)**, then the Permittee shall return to the minimum monitoring frequency in Part I, Table 2. However, if this result is **Fail (1)**, then the Permittee shall immediately initiate a TRE using—according to the type of treatment facility—EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833/B-99/002, 1999), or EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, 1989)—and return to the monitoring frequency in Part I, Table 2.

In conjunction with TRE initiation, the Permittee shall immediately develop and

implement a Detailed TRE Work Plan which shall include the following: further actions undertaken by the Permittee to investigate, identify, and correct the causes of toxicity; actions the Permittee will take to mitigate the effects of the discharge and prevent the recurrence of toxicity; and a schedule for these actions. This work plan shall be submitted to the permitting authority.

The Permittee may initiate a TIE as part of a TRE to identify the causes of toxicity using, as guidance, EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996).

During a TRE, the chronic toxicity effluent monitoring results conducted for the TRE/TIE that meet the WET method's Test Acceptability Criteria at the IWC shall be reported on the DMR following the Footnotes in Part I, Table 2.

7. Reporting of Chronic Toxicity Monitoring Results on DMR

   a. **Report no effluent monitoring result for Chronic Toxicity.** If no toxicity test monitoring for the calendar quarter is required and toxicity monitoring is not conducted, then the Permittee shall report "NODI(9)" (i.e., Conditional Monitoring – Not Required for This Period) on the DMR form.

      Report Median Quarterly Effluent result for Chronic Toxicity. See Part I, Table 2, Footnote 2.

      Report Maximum Daily Effluent result(s) for Chronic Toxicity. See Part I, Table 2, Footnote 3.

   b. The Permittee shall submit the full toxicity laboratory report for all toxicity testing as an attachment to the DMR for the quarter in which the toxicity tests are initiated. The laboratory report shall contain: all toxicity test results (raw data and statistical analyses) for each effluent and related reference toxicant tested; chain-of custody; the dates of sample collection and initiation of each toxicity test; control performance; all results for other effluent parameters monitored concurrently with the effluent toxicity tests; and schedule and progress reports on TRE/TIE studies.

      Quality-control reporting for toxicity laboratory control group. To assist in reviewing within-test variability, the toxicity laboratory report must include, for each test species/WET method: quality-control charts for the mean, standard deviation and coefficient of variation of the control group. Each toxicity laboratory report attached to the DMR shall include both a graphical control chart (with a long-term average printed below the chart) and a table of control-group data for the WET method/test species. These data shall be listed in the table: sample date, type of

dilution water, number of replicates (n), control mean (cM), control standard deviation (cS), and control coefficient of variation (cK). The quality-control chart and the table shall report data for the last 50 toxicity tests conducted by the laboratory. If there are more than 30 tests with a different number of replicates (e.g., 20 tests of n=10 and 30 tests of n=20), then use separate control charts and tables. The table shall also report the following summary statistics separately for cM, cS, and cK: number of observations, average, standard deviation, and percentiles (minimum, 10^{th}, 25^{th}, 50^{th}, 60^{th}, 65^{th}, 70^{th}, 75^{th}, 80^{th}, 90^{th}, and maximum). This information is required for review of toxicity test results and the toxicity laboratory's performance of the test species/WET method by the Permittee and permitting authority. Also, see test species/WET method-specific percentiles for the mean, coefficient of variation, and standard deviation of control-group data in section 3 tables of the TST Technical Document.

c. **Notification reporting.** The Permittee shall notify the permitting authority in writing within 14 days of a **Median Quarterly Effluent result of Fail (1)** for chronic toxicity. The Permittee shall notify the permitting authority in writing within 14 days of a **Maximum Daily Effluent result of Fail (1) and ≥ 50 PE**. The Permittee shall notify the permitting authority in writing within 14 days of **two consecutive Median Quarterly Effluent results of Fail (1)** for chronic toxicity. Such notification shall describe actions the Permittee has taken (or will take) to investigate, identify, and correct the causes of toxicity; the status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken.

D. Priority Pollutant Scan

During the **2^{nd} and 4^{th} years** of the permit cycle, the Permittee shall monitor and test for the full list of priority pollutants at 40 CFR Part 423, Appendix A. The testing shall be conducted using approved standard EPA methodology by a qualified independent laboratory, on 24-hour composite samples of the effluent. No limits are set at this time.

E. Biosolids Requirements

"Biosolids" means non-hazardous sewage sludge, as defined in 40 CFR § 503.9. Sewage sludge that is hazardous, as defined in 40 CFR 261, must be disposed of in accordance with the Resources Conservation and Recovery Act. Click here for more biosolids references.

1. Biosolids Assessment Report/Management Plan. Within 180 days of the effective date of this permit, the Permittee shall submit a report to USEPA and Hopi WRP estimating the quantity of biosolids currently on-site (in dry metric tons), and a projection of when sewage sludge shall next be removed.

2. Biosolids Removal Plan. At least 120 days prior to removing sewage sludge for use or disposal, the Permittee shall submit a plan describing the quantity of sewage to be removed (in dry metric tons), mechanisms for removal, and a proposed sampling plan for pollutants regulated under the use or disposal option being selected. Upon approval

of this plan by USEPA and NNEPA, the Permittee shall have the biosolids removed as described.

3. General Requirements

   a. All biosolids generated by the Permittee shall be used or disposed of in compliance with the applicable portions of 40 CFR Parts 258 and 503. The Permittee is responsible for assuring that all biosolids produced at the facility are used or disposed of in accordance with these rules, whether the Permittee uses or disposes of the biosolids itself or transfers them to another party for further treatment and use or disposal. The Permittee is responsible for informing subsequent preparers, appliers, and disposers of the requirements that they must meet under these rules, and any monitoring requirements, including required frequencies of monitoring and maximum hold times for pathogen and indicator organism samples.

   b. Duty to mitigate: The Permittee shall take all reasonable steps to prevent or minimize any biosolids use or disposal which has a likelihood of adversely affecting human health or the environment.

   c. No biosolids shall be allowed to enter wetlands or other waters of the United States.

   d. Biosolids treatment, storage, and use or disposal shall not contaminate groundwater.

   e. Biosolids treatment, storage, and use or disposal shall be performed in a manner as to minimize nuisances such as objectionable odors or flies.

   f. The Permittee shall assure that haulers transporting biosolids off site for further treatment, storage, use, or disposal take all necessary measures to keep the biosolids contained. The Permittee shall maintain and have haulers adhere to a spill clean-up plan. Any spills shall be reported to USEPA and Hopi WRP which the spill occurred. All trucks hauling biosolids shall be thoroughly washed after unloading at the field or at the receiving facility.

   g. Trucks used to haul Class B biosolids shall not be used to haul animal feed or food on the return trip, unless approved by USEPA after a demonstration of the truck cleaning methods at the unloading site has been made.

   h. If biosolids are stored for over two years from the time they are generated by the Permittee or their contractor, the Permittee must submit a written notification to USEPA with the information in 40 CFR § 503.20 (b), demonstrating the need for longer temporary storage.

   i. Any biosolids treatment, disposal, or storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect the site boundaries from erosion, and to prevent any conditions that would cause drainage from the materials in the site to escape from the site. Adequate protection is defined as protection from at least a 100-year storm and from the highest tidal stage that may occur.

4. Requirements for Disposal in a Municipal Landfill

"Disposal in a municipal landfill" is the placement of biosolids in a landfill subject to the requirements in 40 CFR Part 258 where it is mixed with other materials being placed in the landfill, or used as alternative daily or final cover at the landfill.

a. The Permittee shall ensure that the landfill used is in compliance with 40 CFR Part 258 requirements and applicable state or tribal requirements.

b. If the biosolids are less than 15% solids, the discharger shall run a paint filter test on an as-needed basis to demonstrate that the biosolids does not contain free liquids.

5. Notification Requirements

The Permittee either directly or through contractual arrangements with their biosolids management contractors, shall comply with the following notification requirements:

a. Notification of non-compliance: The Permittee shall notify USEPA and Hopi WRP of any non-compliance within 24 hours by phone or e-mail if the non-compliance may seriously endanger public health or the environment. A written report shall also be submitted within 5 working days of knowing the non-compliance. For other instances of non-compliance, the Permittee shall notify in writing to USEPA (email: R9NPDES@epa.gov) and Hopi WRP (email: Dr. Sarah Abney SAbney@hopi.nsn.us) of the non-compliance within 5 working days of becoming aware of the non-compliance. The Permittee shall require their biosolids management contractors to notify USEPA and Hopi WRP of any non-compliance within the same timeframes.

b. If biosolids are shipped to another state or Tribal Lands, the Permittee shall send a 60-day prior notice of the shipment to the USEPA and the permitting authorities in the receiving Tribal Lands.

c. The Permittee shall notify USEPA and Hopi WRP at least 60 days prior to starting a new biosolids use or disposal practice.

6. Reporting requirements

The Permittee shall submit an annual biosolids report into EPA's CDX electronic reporting system (https://cdx.epa.gov) by February 19 of each year for the period covering the previous calendar year. The report shall include the tonnages of biosolids (reported in dry metric tons, 100% dry weight) sent to a landfill for alternative cover or fill, stored on site or off site, or used for another purpose. The report shall include the following attachments:

a. Copies of the original monitoring reports from laboratories (results only, QA/QC pages not required). The lab reports must indicate whether the results are on a

100% dry weight basis. Lab reports for fecal coliforms must show the time the samples were collected and the time analysis was started.

b. If operational parameters were used to demonstrate compliance with pathogen reduction and vector attraction reduction, the ranges of these parameters for each sampling period (i.e. ranges of times and temperatures).

c. If biosolids are stored on-site or off-site for more than 2 years, the information required in 40 CFR § 503.20(b) to demonstrate that the storage is temporary.

d. Biosolids shall be monitored for the following constituents, once per permit term: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, zinc, organic nitrogen, ammonia-nitrogen, and total solids. This monitoring shall be conducted using the methods in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA publication SW-846), as required in 40 CFR § 503.8(b)(4). All results must be reported on a 100% dry weight basis. Records of all analyses must state on each page of the laboratory report whether the results are expressed in "100% dry weight" or "as is."

e. Biosolids shall be monitored for percent solids once per permit term.

7. Inspection and Entry

The USEPA, Hopi WRP, or an authorized representative thereof, upon presentation of credentials, shall be allowed by the Permittee, directly or through contractual arrangements with their biosolids management contractors, to:

a. Enter upon all premises where biosolids produced by the Permittee are treated, stored, used, or disposed of, either by the Permittee or another party to whom the Permittee transfers the biosolids for treatment, storage, use, or disposal;

b. Have access to and copy any records that must be kept under the conditions of this permit or 40 CFR Part 503, by the Permittee or another party to whom the Permittee transfers the biosolids for further treatment, storage, use, or disposal; and,

c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in biosolids treatment, storage, use, or disposal by the Permittee or another party to whom the Prmittee transfers the biosolids for treatment, use, or disposal.

F. Best Management Practices and Pollution Prevention

The Permittee shall develop and implement Best Management Practices ("BMPs") for pollution prevention. Pursuant to 40 CFR §122.44(k)(4), EPA may impose BMPs "reasonably necessary…to carry out the purposes of the Act." The pollution prevention requirements or BMPs in the permit operate as technology-based limitations on effluent discharges that reflect the application of Best Available Technology and Best Control Technology. Thus, the permit requires that the Permittee develop (or update) and

implement a Pollution Prevention Plan within 180 days of the permit effective date with appropriate pollution prevention measures or BMPs designed to prevent pollutants from entering the Moenkopi Wash while performing normal processing operations at the facility. The Permittee shall develop and implement BMPs that are necessary to control the high BOD_5 and TSS concentrations and reduce the ammonia impact ratio. Such BMPs shall be included in the Pollution Prevention Plan.

G. Sanitary Sewer Overflows

1. A Sanitary Sewer Overflow ("SSO") is an overflow, spill, release, or diversion of wastewater from a sanitary sewer collection system that occurs prior to a treatment plant. Sanitary sewer overflows include a) overflows or releases of wastewater that reach waters of the US, b) overflows or releases of wastewater that do not reach waters of the US, and c) wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other a building lateral. SSOs are generally caused by high volumes of infiltration and inflow (I/I), pipe blockages, pipe breaks, power failure, and insufficient system capacity.

2. All Sanitary Sewer Overflows are prohibited.

3. The Permittee shall identify all SSOs. The Permittee shall submit with its DMR, the following information for each SSO that occurs during the reporting period covered by the DMR:

    a. The cause of the SSO;

    b. Duration and volume (estimate, if unknown);

    c. Description of the source (e.g., manhole cover, pump station, etc.);

    d. Location by street address, or any other appropriate method providing a location;

    e. Date(s) and time(s) of SSO, and date and time responded and corrected spill;

    f. The ultimate destination of the overflow, e.g., surface water body, land use location, via municipal separate storm sewer system to a surface water body (show location on a USGS map or copy thereof); and,

    g. Any corrective action and steps taken or planned to eliminate reoccurrence of SSOs, and explanation of cause of spill.

4. The Permittee shall refer to Part II.B (Twenty-four Hour Reporting of Noncompliance) of this permit, which contains information about reporting any noncompliance that may endanger human health or the environment. Part II.B applies to SSOs. Submittal or reporting of any of this information does not provide relief

from any subsequent enforcement actions for unpermitted discharges to waters of the United States.

H. Asset Management Plan

The Permittee shall develop or update an asset management program ("AMP") to cover the treatment plant and collection system.

1. The Permittee shall procure, populate, and utilize asset management and/or work order management software within two years of permit issuance. The software shall:

   a. Inventory all critical assets and assets valued over $5,000 into a single database. Assets may include, but are not limited to, sewer lines, manholes, outfalls, pump stations, force mains, catch basins, and wastewater treatment facility assets. Each entry shall include:

      (1) Name and identification number.
      (2) Location (GPS coordinate or equivalent identifier).
      (3) Current performance/condition.
      (4) Purchase and installation date.
      (5) Purchase price.
      (6) Replacement cost.
      (7) Quantitative consequence of failure.
      (8) Quantitative likelihood of failure.

   b. Automate work order production and tracking.

   c. Catalogue all daily, weekly, monthly, annually, and other regular maintenance tasks.

2. The Permittee shall update and re-evaluate the AMP every five years. A copy of the AMP shall be retained onsite and available for review upon request or at time of the inspection.

3. Any existing system that the Permittee uses with substantially the same function as the AMP may be adapted to meet the requirements of this section.

I. Summary of Special Reports

The Permittee is required to submit special reports in this permit by the dates listed below in Table 5. The Permittee shall submit all reports to USEPA at: R9NPDES@epa.gov and to Hopi WRP at: Priscilla Pavatea <PPavatea@hopi.nsn.us> or Berlene Lamson BLamson@hopi.nsn.us ??), in addition to any specific reporting instructions otherwise specified. When submitting these reports, the Permittee shall include the following information in the subject line:

1. The permit number (AZ0024619).

2. The name of the report, as identified in the table below.
3. The word "submittal."

Table 5: Special Reports to Submit to USEPA and Hopi WRP

Report Name	Due Date	Permit Section
General Reporting	As noted	Section I.D.
Initial Investigation TRE/TIE Work Plan	90 days after effective date of permit	Section II.C.5
Biosolids Assessment/Sludge Management Plan	180 days after effective date of permit	Section II.E.
Biosolids Removal Plan	120 days after effective date of permit	Section II.E.
Asset Management Plan	180 days after effective date of permit	Section II.H

J. CWA §401 Water Quality Certification

The Permittee shall comply with all requirements set forth in Hopi WRP's § 401 Water Quality Certification issued on [DATE]. See Attachment F.

Part III. Standard Permit Conditions

The Permittee shall comply with all USEPA Region 9 Standard Conditions below.

A. All NPDES Permits

In accordance with 40 CFR § 122.41, the following conditions apply to all NPDES permits and are expressly incorporated into this permit.

1. Duty to comply; at 40 CFR § 122.41(a).

   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 denial of a permit renewal application.

   a. The Permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under 405(d) of the CWA within the time provided in the regulations that established these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

   b. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $64,618 per day for each violation. The

CWA provides that any person who *negligently* violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who *knowingly* violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of note more than $250,000 or imprisonment of not more than 15 years, or both. In the case of 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, such as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.[1]

c. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $25,847 per violation, with the maximum amount of any Class I penalty assessed not to exceed $64,618. Penalties for Class II violations are not to exceed $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.[1]

2. Duty to reapply; at 40 CFR § 122.41(b).

   If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must apply for and obtain a new permit.

3. Need to halt or reduce activity not a defense; at 40 CFR § 122.41(c).

[1] The civil and administrative penalty amounts are adjusted annually for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, with the penalty amounts provided here reflecting the latest adjustments made January 6, 2023. See Civil Monetary Adjustments, 88 Fed. Reg 986 (Jan. 6, 2023). The most current penalty amounts are set forth in 40 CFR § 19.4.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. Duty to mitigate; at 40 CFR § 122.41(d).

   The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. Proper operation and maintenance; at 40 CFR § 122.41(e).

   The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

6. Permit actions; at 40 CFR § 122.41(f).

   This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property rights; at 40 CFR § 122.41(g).

   This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to provide information; at 40 CFR § 122.41(h).

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

9. Inspection and entry; at 40 CFR § 122.41(i).

   The Permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:

a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

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

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

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

10. Monitoring and records; at 40 CFR § 122.41(j).

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

b. Except for records of monitoring information required by this permit related to the Permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Permittee shall 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, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time.

c. Records of monitoring information shall include:

(1) The date, exact place, and time of sampling or measurements;

(2) The individual(s) who performed the sampling or measurements;

(3) The date(s) analyses were performed

(4) The individuals(s) who performed the analyses;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

d. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR

Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in the permit.

e. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 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.

11. Signatory requirement; at 40 CFR § 122.41(k).

a. All applications, reports, or information submitted to the Director shall be signed and certified. (See 40 CFR § 122.22.) All permit applications shall be signed as follows:

(1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR § 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under 40 CFR § 122.22(a)(1)(ii) rather than to specific individuals.

(2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this

section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

(2) 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 well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters of the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Director.

c. Changes to authorization. If an authorization under paragraph (b) of this section 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 (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under paragraph (a) or (b) of this section shall 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."

e. The CWA 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.

12. Reporting requirements; at 40 CFR § 122.41(l).

a. Planned changes. The Permittee shall give notice to the Director as soon as possible of any planned physical alternations or additions to the permitted facility. Notice is required only when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source 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 which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42(a)(1).

(3) The alteration or addition results in a significant change in the Permittee's sludge use or disposal practices, an 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 plan;

b. Anticipated noncompliance. The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

c. Transfers. This permit is not transferable to any person except after notice to the Director. 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 CWA. (See 40 CFR § 122.61; in some cases, modification or revocation and reissuance is mandatory.)

d. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.

(2) If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 503, or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

e. 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 shall be submitted no later than 14 days following each schedule date.

f. Twenty four-hour reporting.

(1) The Permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee becomes aware of the circumstances. A report shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. As of December 21, 2025, 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), 40 CFR § 122.22, and 40 CFR Part 127.

(2) The following shall be included as information which must be reported within 24 hours under this paragraph.

(i) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR § 122.41(g).)

(ii) Any upset which exceeds any effluent limitation in the permit.

(iii) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR § 122.44(g).)

(3) The Director may waive the written report on a case-by-case basis for reports under 40 CFR § 122.41(l)(6)(ii) of this section if the oral report has been received within 24 hours.

g. Other noncompliance. The Permittee shall report all instances of noncompliance not reported under 40 CFR § 122.41(l)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (l)(6) of this section.

h. Other information. Where the Permittee becomes aware that it has failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

i. 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) of this chapter. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR § 127.2(c) of this chapter]. EPA will update and maintain this listing.

13. Bypass; at 40 CFR § 122.41(m).

a. Definitions.

(1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources 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.

b. Bypass not exceeding limitations. The Permittee may allow any bypass to occur which 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 40 CFR §§ 122.41(m)(3) and (m)(4) of this section.

c. Notice.

(1) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.

(2) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice).

d. Prohibition of bypass.

(1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

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

(ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

(iii)The Permittee submitted notices as required under paragraph (m)(3) of this section.

(2) The Director 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 (m)(4)(i) of this section.

14. Upset; at 40 CFR § 122.41(n).

a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent cause by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (n)(3) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

(2) The permitted facility was at the time being properly operated; and

(3) The Permittee submitted notice of the upset as required in 40 CFR § 122.41 (l)(6)(ii)(B) (24-hour notice of non-compliance).

(4) The Permittee complied with any remedial measures required under paragraph (d) of this section.

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

15. Reopener Clause; at 40 CFR § 122.44(c).

For any permit issued to a treatment works treating domestic sewage (including "sludge-only facilities"), the Director shall include a reopener clause to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the CWA. The Director may promptly modify or revoke and reissue any permit containing the reopener clause required by this paragraph 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.

16. Minor modifications of permits; at 40 CFR § 122.63.

Upon the consent of the Permittee, the Director may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section, without following the procedures of 40 CFR Part 124. Any permit modification not processed as a minor modification under this section must be made for cause and with 40 CFR Part 124 draft permit and public notice as required in 40 CFR § 122.62. Minor modifications may only:

a. Correct typographical errors;

b. Require more frequent monitoring or reporting by the Permittee;

c. Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or

d. Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that

a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.

e. Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under 40 CFR § 122.29.

f. Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.

g. Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR § 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR § 403.18) as enforceable conditions of the POTW's permits.

17. Termination of permits; at 40 CFR § 122.64.

a. The following are causes for terminating a permit during its term, or for denying a permit renewal application:

(1) Noncompliance by the Permittee with any conditions of the permit;

(2) The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time;

(3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or

(4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).

18. Availability of Reports; pursuant to CWA § 308

Except for data determined to be confidential under 40 CFR § 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator. As required by the CWA, permit applications, permits, and effluent data shall not be considered confidential.

19. Removed Substances; pursuant to CWA § 301

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials entering waters of the U.S.

20. Severability; pursuant to CWA § 512

    The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and remainder of this permit, shall not be affected thereby.

21. Civil and Criminal Liability; pursuant to CWA § 309

    Except as provided in permit conditions on "Bypass" and "Upset", nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance.

22. Oil and Hazardous Substances Liability; pursuant to CWA § 311

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

23. State, Tribe, or Territory Law; pursuant to CWA § 510

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

B. Specific Categories of NPDES Permits

In accordance with 40 CFR § 122.42, the following conditions, in addition to those set forth at 40 CFR § 122.41, apply to all NPDES permits within the category specified below and are expressly incorporated into this permit.

1. Publicly-Owned Treatment Works ("POTW"); at 40 CFR § 122.42(b).

   All POTWs must provide adequate notice to the Director of the following:

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

   b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

   c. For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

2. The following condition has been established by EPA Region 9 to enforce applicable requirements of the Resource Conservation and Recovery Act:

   a. Publicly-owned treatment works may not receive hazardous waste by truck, rail, or dedicated pipe except as provided under 40 CFR Part 270. Hazardous wastes are defined at 40 CFR Part 261 and include any mixture containing any waste listed under 40 CFR § 261.31 through § 261.33. The Domestic Sewage Exclusion (40 CFR § 261.4) applies only to wastes mixed with domestic sewage in a sewer leading to a publicly owned treatment works and not to mixtures of hazardous wastes and sewage or septage delivered to the treatment plant by truck.

Attachment A: Definitions

1. An **"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.

2. An **"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.

3. An **"ammonia impact ratio"** is the ratio of the concentration of ammonia in the effluent and the calculated ammonia standard using the equation in Tribe's water quality standard (see Attachment F for the equation).

4. **"Best Management Practices"** or "BMPs" are schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural, and/or managerial practices to prevent or reduce the pollution of waters of the U.S. BMPs include treatment systems, operating procedures, identification of necessary training, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may further be characterized as operational, source control, erosion and sediment control, and treatment BMPs.

5. "A **"composite"** sample means a time-proportioned mixture of not less than eight (8) discrete aliquots obtained at equal time intervals (e.g., 24-hour composite means a minimum of eight samples collected every three hours). The volume of each aliquot shall be directly proportional to the discharge flow rate at the time of sampling, but not less than 100 ml. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR § 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR § 136.3, procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.

6. A **"daily discharge"** means the **"discharge of a pollutant"** measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

7. A **"daily maximum allowable effluent limitation"** means the highest allowable "daily discharge" measured during a calendar day or 24-hour period representing a calendar day.

8. A **"DMR"** is a **"Discharge Monitoring Report"** that is an EPA uniform national form, including any subsequent additions, revisions, or modifications for reporting of self-monitoring results by the Permittee.

9. **"Facility"** means the wastewater treatment facility, associated collection system, and all other assets that transport or treat wastewater.

10. A **"grab"** sample is a single sample collected at a particular time and place that represents the composition of the discharge only at that time and place. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR § 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR § 136.3, procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.

11. The **"method detection limit"** or **"MDL"** is the minimum concentration of an analyte that can be detected with 99% confidence that the analyte concentration is greater than zero, as defined by a specific laboratory method in 40 CFR Part 136. The procedure for determination of a laboratory MDL is in 40 CFR Part 136, Appendix B.

12. The **"minimum level"** or **"ML"** is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed in a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed (as defined in EPA's draft National Guidance for the Permitting, Monitoring, and Enforcement of Water Quality-Based Effluent Limitations Set Below Analytical Detection/Quantitative Levels, March 22, 1994). If a published method-specific ML is not available, then an interim ML shall be calculated. The interim ML is equal to 3.18 times the published method-specific MDL rounded to the nearest multiple of 1, 2, 5, 10, 20, 50, etc. (When neither an ML nor MDL are available under 40 CFR Part 136, an interim ML should be calculated by multiplying the best estimate of detection by a factor of 3.18; when a range of detection is given, the lower end value of the range of detection should be used to calculate the ML.) At this point in the calculation, a different procedure is used for metals than non-metals:

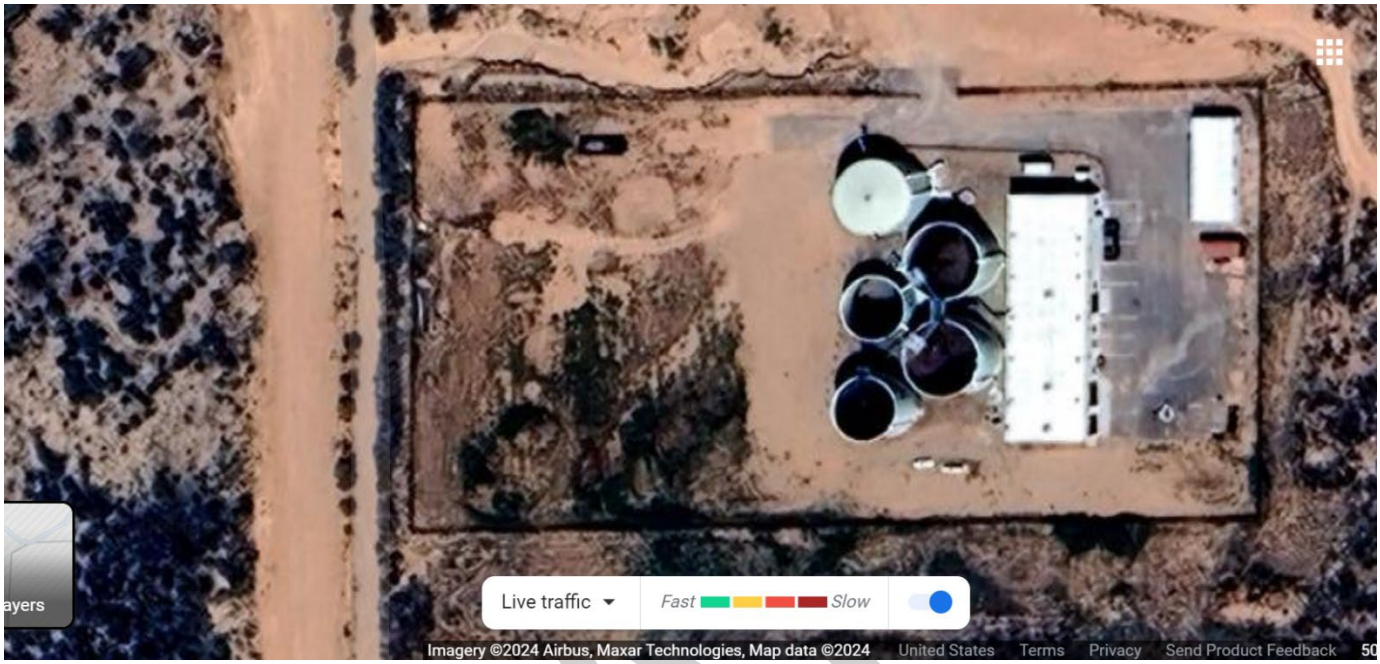
    a. For metals, due to laboratory calibration practices, calculated MLs may be rounded to the nearest whole number.

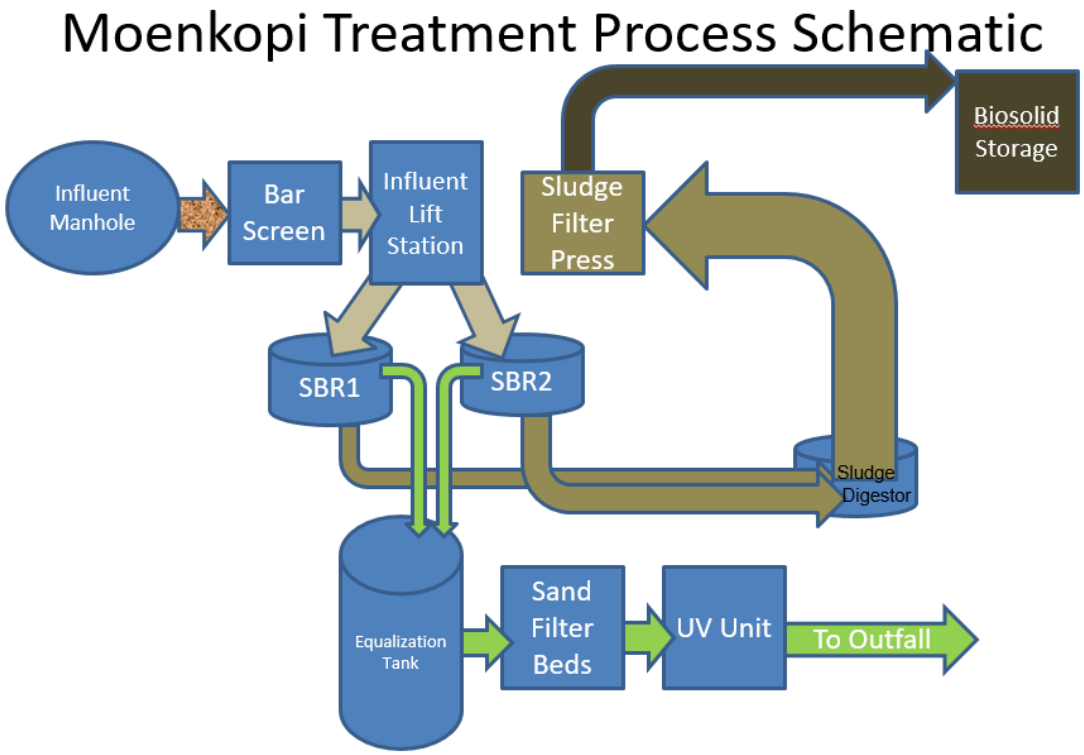
    b. For non-metals, because analytical instruments are generally calibrated using the ML as the lowest calibration standard, the calculated ML is then rounded to the nearest multiple of (1, 2, or 5) x 10^n, where n is zero or an integer. (For example, if an MDL is 2.5 µg/L, then the calculated ML is: 2.5 µg/L x 3.18 = 7.95 µg/L. The multiple of (1, 2, or 5) x 10n nearest to 7.95 is 1 x 101 = 10 µg/L, so the calculated ML, rounded to the nearest whole number, is 10 µg/L.)

13. A **"NODI(B)"** means that the concentration of the pollutant in a sample is not detected. NODI(B) is reported when a sample result is less than the laboratory's MDL.

14. A **"NODI(Q)"** means that the concentration of the pollutant in a sample is detected but not quantified. NODI(Q) is reported when a sample result is greater than or equal to the laboratory's MDL, but less than the ML.

Attachment B:
Aerial View of Moenkopi WWTP, Flow Schematic and Outfall





Outfall 001 where final effluent enters a concrete chamber and flows to the Moenkopi Wash (circa June 2023 inspection report)

Attachment C: Effluent Limitation for Total Ammonia (based on 2011 Hopi Tribe WQS)

Table A-3a of Hopi WQS Acute Criteria for Total Ammonia (in mg/l as N)	
pH	Salmonids Absent
6.5	48.8
6.6	46.8
6.7	44.6
6.8	42.0
6.9	39.2
7.0	36.1
7.1	32.9
7.2	29.5
7.3	26.2
7.4	23.0
7.5	19.9
7.6	17.0
7.7	14.4
7.8	12.1
7.9	10.1
8.0	8.41
8.1	6.95
8.2	5.73
8.3	4.71
8.4	3.88
8.5	3.20
8.6	2.65
8.7	2.20
8.8	1.84
8.9	1.56
9.0	1.32

Attachment C (continued)**:**

Effluent Limitation for Total Ammonia (based on 2011 Hopi Tribe WQS, chronic)

Table A-3b. Chronic Criteria for Total Ammonia (in mg/L), Early Life Stages Present										
pH	Temperature, °C									
	0	14	16	18	20	22	24	26	28	30
6.5	6.67	6.67	6.06	5.33	4.68	4.12	3.62	3.18	2.80	2.46
6.6	6.57	6.57	5.97	5.25	4.61	4.05	3.56	3.13	2.75	2.42
6.7	6.44	6.44	5.86	5.15	4.52	3.98	3.50	3.07	2.70	2.37
6.8	6.29	6.29	5.72	5.03	4.42	3.89	3.42	3.00	2.64	2.32
6.9	6.12	6.12	5.56	4.89	4.30	3.78	3.32	2.92	2.57	2.25
7.0	5.91	5.91	5.37	4.72	4.15	3.65	3.21	2.82	2.48	2.18
7.1	5.67	5.67	5.15	4.53	3.98	3.50	3.08	2.70	2.38	2.09
7.2	5.39	5.39	4.90	4.31	3.78	3.33	2.92	2.57	2.26	1.99
7.3	5.08	5.08	4.61	4.06	3.57	3.13	2.76	2.42	2.13	1.87
7.4	4.73	4.73	4.30	3.78	3.33	2.92	2.57	2.26	1.98	1.74
7.5	4.36	4.36	3.97	3.49	3.06	2.69	2.37	2.08	1.83	1.61
7.6	3.98	3.98	3.61	3.18	2.79	2.45	2.16	1.90	1.67	1.47
7.7	3.58	3.58	3.25	2.86	2.51	2.21	1.94	1.71	1.50	1.32
7.8	3.18	3.18	2.89	2.54	2.23	1.96	1.73	1.52	1.33	1.17
7.9	2.80	2.80	2.54	2.24	1.96	1.73	1.52	1.33	1.17	1.03
8.0	2.43	2.43	2.21	1.94	1.71	1.50	1.32	1.16	1.02	0.897
8.1	2.10	2.10	1.91	1.68	1.47	1.29	1.14	1.00	0.879	0.773
8.2	1.79	1.79	1.63	1.43	1.26	1.11	0.973	0.855	0.752	0.661
8.3	1.52	1.52	1.39	1.22	1.07	0.941	0.827	0.727	0.639	0.562
8.4	1.29	1.29	1.17	1.03	0.906	0.796	0.700	0.615	0.541	0.475
8.5	1.09	1.09	0.990	0.870	0.765	0.672	0.591	0.520	0.457	0.401
8.6	0.920	0.920	0.836	0.735	0.646	0.568	0.499	0.439	0.386	0.339
8.7	0.778	0.778	0.707	0.622	0.547	0.480	0.422	0.371	0.326	0.287
8.8	0.661	0.661	0.601	0.528	0.464	0.408	0.359	0.315	0.277	0.244
8.9	0.565	0.565	0.513	0.451	0.397	0.349	0.306	0.269	0.237	0.208
9.0	0.486	0.486	0.442	0.389	0.342	0.300	0.264	0.232	0.204	0.179

Notes:
1. pH and temperature are field measurements taken at the same time and location as the water samples destined for the laboratory analysis of ammonia.
2. If field measured pH and/or temperature values fall between the A & W_w acute total ammonia tabular values, round field-measured values according to standard scientific rounding procedures to nearest tabular value to determine the ammonia standard.

Attachment D: Ammonia Impact Ratio (AIR) Sample AIR Data Log

AIR = Ratio of Measured Ammonia Value over Ammonia Limit
Effluent Ammonia ÷ Ammonia Limit

A	B	C	D	E	F
Date of Sample	**Ammonia Value In Effluent (mg/L N)**	**Effluent pH**	**Effluent Temperature (Celsius)**	**Ammonia Limit as Determined from Appendix A**	**AIR Value (Column B/Column E)**

Please copy and complete for each month of each year for permit term. Attach any additional pages as necessary.

Signature of Authorized Representative: _____

Attachment E. List of Priority Pollutants

Priority Pollutants are a set of chemical pollutants for which EPA has developed analytical methods. The Permittee shall test for all priority pollutants in 40 CFR § 423, Appendix A. Certain priority pollutants (in **BOLD**) are volatile compounds and should be collected using grab samples; whereas, the remaining priority pollutants are recommended to be collected via composite samples. For reference, the 126 priority pollutants at time of issuance include:

1. Acenaphthene
2. **Acrolein**
3. **Acrylonitrile**
4. **Benzene**
5. Benzidine
6. **Carbon tetrachloride**
7. **Chlorobenzene**
8. **1,2,4-trichlorobenzene**
9. **Hexachlorobenzene**
10. **1,2-dichloroethane**
11. **1,1,1-trichloreothane**
12. **Hexachloroethane**
13. **1,1-dichloroethane**
14. **1,1,2-trichloroethane**
15. **1,1,2,2-tetrachloroethane**
16. **Chloroethane**
17. REMOVED
18. **Bis(2-chloroethyl) ether**
19. **2-chloroethyl vinyl ethers**
20. 2-chloronaphthalene
21. 2,4,6-trichlorophenol
22. Parachlorometa cresol
23. **Chloroform**
24. 2-chlorophenol
25. 1,2-dichlorobenzene
26. 1,3-dichlorobenzene
27. 1,4-dichlorobenzene
28. 3,3-dichlorobenzidine
29. **1,1-dichloroethylene**
30. 1,2-trans-dichloroethylene
31. 2,4-dichlorophenol
32. **1,2-dichloropropane**
33. **1,3-dichloropropylene**
34. 2,4-dimethylphenol
35. 2,4-dinitrotoluene
36. 2,6-dinitrotoluene
37. 1,2-diphenylhydrazine
38. **Ethylbenzene**
39. Fluoranthene
40. 4-chlorophenyl phenyl ether
41. 4-bromophenyl phenyl ether
42. Bis(2-chloroisopropyl) ether
43. Bis(2-chloroethoxy) methane
44. **Methylene chloride**
45. **Methyl chloride**
46. **Methyl bromide**
47. **Bromoform**
48. **Dichlorobromomethane**
49. REMOVED
50. REMOVED
51. **Chlorodibromomethane**
52. Hexachlorobutadiene
53. Hexachlorocyclopentadiene
54. Isophorone
55. Naphthalene
56. Nitrobenzene
57. 2-nitrophenol
58. 4-nitrophenol
59. 2,4-dinitrophenol
60. 4,6-dinitro-o-cresol
61. N-nitrosodimethylamine
62. N-nitrosodiphenylamine
63. N-nitrosodi-n-propylamine
64. Pentachlorophenol
65. Phenol
66. Bis(2-ethylhexyl) phthalate
67. Butyl benzyl phthalate
68. Di-N-Butyl Phthalate
69. Di-n-octyl phthalate
70. Diethyl Phthalate
71. Dimethyl phthalate
72. benzo(a) anthracene
73. Benzo(a)pyrene
74. Benzo(b) fluoranthene
75. Benzo(k) fluoranthene
76. Chrysene

77. Acenaphthylene
78. Anthracene
79. Benzo(ghi) perylene
80. Fluorene
81. Phenanthrene
82. Dibenzo(,h) anthracene
83. Indeno (1,2,3-cd) pyrene
84. Pyrene
85. Tetrachloroethylene
86. Toluene
87. Trichloroethylene
88. Vinyl chloride
89. Aldrin
90. Dieldrin
91. Chlordane
92. 4,4-DDT
93. 4,4-DDE
94. 4,4-DDD
95. Alpha-endosulfan
96. Beta-endosulfan
97. Endosulfan sulfate
98. Endrin
99. Endrin aldehyde
100. Heptachlor
101. Heptachlor epoxide
102. Alpha-BHC
103. Beta-BHC
104. Gamma-BHC
105. Delta-BHC
106. PCB–1242 (Arochlor 1242)
107. PCB–1254 (Arochlor 1254)
108. PCB–1221 (Arochlor 1221)
109. PCB–1232 (Arochlor 1232)
110. PCB–1248 (Arochlor 1248)
111. PCB–1260 (Arochlor 1260)
112. PCB–1016 (Arochlor 1016)
113. Toxaphene
114. Antimony
115. Arsenic
116. Asbestos
117. Beryllium
118. Cadmium
119. Chromium
120. Copper
121. Cyanide, Total
122. Lead
123. Mercury
124. Nickel
125. Selenium
126. Silver
127. Thallium
128. Zinc
129. 2,3,7,8-TCD[1]

[1] Although there are 126 entries, the last number on the list is 129 because entry numbers 17, 49, and 50 were removed.

ATTACHMENT F. CWA § 401 Water Quality Certification

[reserved]