United States Environmental Protection Agency
Region 10
1200 Sixth Avenue Suite 155
Seattle, Washington 98101-3140

Authorization to Discharge under the National Pollutant Discharge Elimination System

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

Chief Joseph Dam
Highway 17 & Pearl Hill Road
Bridgeport, Washington 98813

is authorized to discharge from the Chief Joseph Dam located in Bridgeport, Washington at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	Columbia River	47º 59' 44" N	119º 38' 15" W
002	Columbia River	47º 59' 44" N	119º 38' 16" W
003	Columbia River	47º 59' 44" N	119º 38' 17" W
004	Columbia River	47º 59' 44" N	119º 38' 18" W
005	Columbia River	47º 59' 44" N	119º 38' 19" W
006	Columbia River	47º 59' 44" N	119º 38' 20" W
007	Columbia River	47º 59' 44" N	119º 38' 21" W
008	Columbia River	47º 59' 44" N	119º 38' 22" W
009	Columbia River	47º 59' 44" N	119º 38' 23" W
010	Columbia River	47º 59' 44" N	119º 38' 24" W
011	Columbia River	47º 59' 44" N	119º 38' 25" W
012	Columbia River	47º 59' 44" N	119º 38' 26" W
013	Columbia River	47º 59' 44" N	119º 38' 30" W
014	Columbia River	47º 59' 44" N	119º 38' 31" W
015	Columbia River	47º 59' 44" N	119º 38' 32" W
016	Columbia River	47º 59' 44" N	119º 38' 33" W
017	Columbia River	47º 59' 44" N	119º 38' 34" W
018	Columbia River	47º 59' 44" N	119º 38' 35" W
019	Columbia River	47º 59' 44" N	119º 38' 36" W
020	Columbia River	47º 59' 44" N	119º 38' 37" W
021	Columbia River	47º 59' 44" N	119º 38' 38" W
022	Columbia River	47º 59' 44" N	119º 38' 39" W
023	Columbia River	47º 59' 44" N	119º 38' 40" W
024	Columbia River	47º 59' 44" N	119º 38' 41" W
025	Columbia River	47º 59' 44" N	119º 38' 42" W
026	Columbia River	47º 59' 44" N	119º 38' 43" W

027	Columbia River	47º 59’ 44” N	119º 38’ 44” W
028	Columbia River	47º 59’ 44” N	119º 38’ 29” W
029	Columbia River	47º 59’ 44” N	119º 38’ 29” W
030	Columbia River	47º 59’ 44” N	119º 38’ 17” W
031	Columbia River	47º 59’ 44” N	119º 38’ 21” W
032	Columbia River	47º 59’ 44” N	119º 38’ 25” W
033	Columbia River	47º 59’ 44” N	119º 38’ 31” W
034	Columbia River	47º 59’ 44” N	119º 38’ 42” W
035	Columbia River	47º 59’ 44” N	119º 38’ 28” W
036	Columbia River	47º 59’ 41” N	119º 38’ 27” W
037	Columbia River	47º 59’ 42” N	119º 38’ 04” W
038	Columbia River	47º 59’ 53” N	119º 38’ 57” W
039	Columbia River	47º 59’ 44” N	119º 38’ 27” W
040	Columbia River	47º 59’ 44” N	119º 38’ 37” W
041	Columbia River	47º 59’ 47” N	119º 38’ 03” W
042	Columbia River	47º 59’ 47” N	119º 38’ 03” W
045	Foster Creek	47º 59’ 48” N	119º 38’ 49” W

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

This permit shall become effective **December 1, 2023**

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

The permittee shall reapply for a permit reissuance on or before **June 2, 2028**, 180 days before the expiration of this permit if the permittee intends to continue operations and discharges at the facility beyond the term of this permit.

/signed/ May 18, 2023
Mathew J. Martinson
CAPT, USPHS
Branch Chief
Permitting, Drinking Water and Infrastructure

EPA issued a minor modification that includes the following changes: Permit Part II.F. was modified to only reflect Total Dissolved Gas (TDG) related CWA 401 certification conditions. Permit Part II.G. was created to reflect all temperature related CWA 401 certification conditions.

SUSAN POULSOM
Digitally signed by SUSAN POULSOM
Date: 2024.12.19 11:36:59 -08'00'

Susan Poulsom
Acting Branch Manager
Permitting, Drinking Water and Infrastructure

Schedule of Submissions

The following is a summary of some of the items the permittee must complete and/or submit to EPA, the Confederated Tribes of the Colville Reservation (Colville Tribes), and Washington Department of Ecology (Ecology) during the term of this permit:

Item	Due Date
1. Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be postmarked on or before the 20th day of the month.
2. Quality Assurance Plan (QAP)	The permittee must submit the QAP to EPA for review and approval, and to the Colville Tribes for review, within 180 days after the permit effective date (see II.A.). The Plan must be kept on site and made available to EPA, the Colville Tribes, and Ecology upon request.
3. Best Management Practices (BMP) Plan	The permittee must submit the BMP Plan to EPA for review and approval, and to the Colville Tribes and the National Marine Fisheries Service (NMFS) for review, within 180 days after the permit effective date (see II.B.). The Plan must be kept on site and made available to EPA, the Colville Tribes, and Ecology upon request.
4. BMP Annual Report	The permittee must submit a BMP Annual Report to EPA, the Colville Tribes and NMFS by February 28 following the first full calendar year of permit coverage, and annually thereafter (see II.B.). The BMP Annual Reports must be kept on site and made available to EPA, the Colville Tribes, and Ecology upon request.
5. Environmentally Acceptable Lubricants (EAL) Annual Report	The permittee must submit the initial EAL Annual Report to EPA and Ecology for review and approval, and to the Colville Tribes and NMFS for review, by February 28 following the first full calendar year of permit coverage (see II.C.). The permittee must submit subsequent EAL Annual Reports to EPA for review and approval, and to the Colville Tribes and NMFS for review, by February 28 each year. The EAL Annual Reports must be kept on site and made available to EPA, the Colville Tribes, and Ecology upon request.
6. Polychlorinated Biphenyls (PCB) Management Plan	The permittee must submit the PCB Management Plan to EPA and Ecology for review and approval, and to the Colville Tribes and NMFS for review, within one year after the permit effective date (see II.D.). The Plan must be kept on site and made available to EPA, the Colville Tribes and Ecology upon request.

Item	Due Date
7. PCB Annual Report	The permittee must submit the PCB Annual Report to EPA for review and approval, and to the Colville Tribes and NMFS for review, by February 28 following the first full calendar year of permit coverage, and annually thereafter. The PCB Annual Reports must be retained on site and made available to EPA, the Colville Tribes, and Ecology upon request. (see II.D.).
8. Cooling Water Intake Structure (CWIS) Annual Report	The permittee must submit the initial CWIS Annual Report to EPA and Ecology for review and approval, and to the Colville Tribes for review, by February 28 following the first full calendar year of permit coverage. The permittee must submit subsequent CWIS Annual Reports to EPA for review and approval, and to the Colville Tribes for review, by February 28 each year. (see II.E.).
9. CWIS Operations and Maintenance Manual	The permittee must develop a CWIS Operations and Maintenance manual within one year after the permit effective date. The manual must be kept on site and made available to EPA or an authorized representative upon request (see II.E.).
10. Total Dissolved Gas (TDG) Gas Bubble Trauma Quality Assurance Project Plan (QAPP)	The permittee must submit the TDG Gas Bubble Trauma QAPP to the Colville Tribes for review and approval within one year after the permit effective date (see II.F.).
11. TDG Gas Bubble Trauma Data Annual Report	The permittee must submit the TDG Gas Bubble Trauma Data Annual Reports to EPA and the Colville Tribes by February 28 following the first calendar year of TDG Gas Bubble Trauma monitoring, and annually thereafter (see II.F.).
12. TDG Water Quality Attainment Plan (WQAP)	The permittee must submit a TDG WQAP scope to Ecology for review within one year after the permit effective date. The permittee must submit a final TDG WQAP to Ecology for review and approval within two years of the permit effective date (see II.F.).
13. TDG WQAP Progress Report and Summary Report	The permittee must submit a TDG WQAP progress report to Ecology for review and approval within six years of the permit effective date. The permittee must submit a TDG WQAP summary report to Ecology for review and approval within nine years of the permit effective date and prior to the end of the ten-year dam compliance period (see II.F.).
14. TDG Water Quality QAPP	The permittee must submit the TDG Water Quality QAPP to Ecology for review and approval within one year after the permit effective date (see II.F.).

Item	Due Date
15. TDG Water Quality Data Annual Reports	The permittee must submit the TDG Water Quality Data Annual Reports to EPA and Ecology, by February 28 following the first calendar year of TDG monitoring, and annually thereafter (see II.F).
16. Temperature WQAP	The permittee must submit a temperature WQAP scope to Ecology and the Colville Tribes for review within one year of the effective date of the permit. The permittee must submit a final temperature WQAP to Ecology for review and approval, and to the Colville Tribes for review, within two years of the effective date of the permit (see II.G).
17. Temperature WQAP Progress Report and Summary Report	The permittee must submit a temperature WQAP progress report to Ecology for review and approval, and to the Colville Tribes for review, within six years of the permit effective date. The permittee must submit a temperature WQAP summary report to Ecology for review and approval, and to the Colville Tribes for review, within nine years of the permit effective date and prior to the end of the ten-year dam compliance period (see II.G)
18. Temperature Data Report	The permittee must submit a Temperature Data Report to EPA, the Colville Tribes, and Ecology by February 28 following the first full calendar year of permit coverage, and annually thereafter (see I.B.14). The Data Report must include the monthly instantaneous maximum, the maximum daily average, and 7-day average daily maximum (7-DADM) influent and effluent temperatures measured in each outfall.
19. Monitoring Records	Monitoring records must be retained for a period of at least five years (see III.F.)
20. Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances (see III.G.).
21. NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (See V.B.)

Table of Contents

List of Tables

I. Limitations and Monitoring Requirements

A. Discharge Authorization

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

B. Effluent Limitations and Monitoring

1. The permittee shall be responsible for achieving compliance with the Water Quality Standards for waters of the Colville Reservation from both point and non-point source discharges.

2. The permittee is not authorized to exceed water quality standards established in chapter 173-201A WAC.

3. The permittee is prohibited from discharging hazardous material in concentrations that pose a threat to public health or impair the beneficial uses of the receiving water.

4. The permittee is prohibited from discharging toxic substances in concentrations that impair the designated beneficial uses of the receiving water.

5. The permittee is prohibited from discharging deleterious materials in concentrations that impair the beneficial uses of the receiving water.

6. The permittee is prohibited from discharging a visible oil sheen, floating, suspended or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair the designated beneficial uses of the receiving water. There shall be no foam other than in trace amounts.

   The permittee must observe the surface of the receiving water in the vicinity of where the effluent enters the surface water at a minimum of once per week and report whether an oil sheen has been observed in accordance with Part III. The permittee must maintain a written log of the observation which includes the date, time, observer, and whether there is presence of a visible oil sheen, floating, suspended or submerged matter. If the permittee observes a visible oil sheen at any time, they must record it in the log and follow any procedures in the facility's Spill Prevention Control and Countermeasure (SPCC) plan. The log must be retained and made available to EPA, the Colville Tribes, or Ecology upon request.

7. The permittee is prohibited from discharging excess nutrients that can cause visible slime growth or other nuisance aquatic growths impairing beneficial uses of the receiving water.

8. The permittee is prohibited from discharging polychlorinated biphenyl (PCB) compounds such as those commonly used for transformer fluid. (See Part II.D.)

9. Solid materials shall be removed from the trash racks or intake screens and disposed of in accordance with the procedures developed in Appendix B.8 of this permit.

10. The permittee must limit and monitor discharges from all outfalls as specified in Table 1, Table 2, Table 3, and Table 4 below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.

11. Monitoring for each outfall is to be conducted and reported in accordance with Part III.

Table 1. Effluent Limitations and Monitoring Requirements for all Equipment Non-Contact Cooling Water related outfalls (Outfalls 1-37)

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Location	Sample Frequency	Sample Type
Parameters With Effluent Limits					
pH	std units	Between 6.5 – 8.5	Effluent	1/week or 1/month[1]	Grab
Oil and grease	mg/L	5 (daily maximum[3])	Effluent	1/week or 1/month[2]	Grab
Heat (June 1 – October 31)	kcals/day	See Paragraph I.B.14	See Paragraph I.B.12	See Paragraph I.B.14	Measurement/ Calculation
Report Parameters					
Flow	mgd	Report	Effluent	1/month	Measurement/ Calculation
Temperature	°C	Report 7DADM[4], daily maximum, and daily average.	See Paragraph I.B.12	Continuous or 1/month[5]	Measurement/ Calculation
Visible Oil Sheen, Floating, Suspended, or Submerged Matter	--	See Paragraphs I.B.6 and III.G of this permit.			Visual Observation

Notes

1. During the first 12 months after the effective date of the permit, the required monitoring frequency is 1/week. In subsequent years, the required monitoring frequency is 1/month.
2. During the first 12 months after the effective date of the permit, the required monitoring frequency is 1/week. If there are exceedances in the first 12 months after the effective date of the permit in an outfall, the frequency will remain 1/week for that outfall. If there are no exceedances in an outfall, the required monitoring frequency is reduced to 1/month for that outfall.
3. Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day.
4. 7-day average daily maximum. This is a rolling 7-day average calculated by taking the average of the daily maximum temperatures. The 7-day average daily maximum for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three days prior and the three days after that date.
5. See Paragraphs I.B.12 and I.B.13. In the first six months of the effective date of the permit, monthly sampling is required. Continuous monitoring is required after the first six months of the effective date of the permit.

Table 2. Effluent Limitations and Monitoring Requirements for all Warehouse Cooling System Non-Contact Cooling Water related outfalls (Outfall 38)

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Location	Sample Frequency	Sample Type
Parameters With Effluent Limits					
Heat (June 1 – October 31)	kcals/day	See Paragraph I.B.14	See Paragraph I.B.12	See Paragraph I.B.14	Measurement/ Calculation
Report Parameters					
Flow	mgd	Report	Effluent	1/month	Measurement/ Calculation
Temperature	°C	Report 7DADM[1], daily maximum, and daily average.	See Paragraph I.B.12	Continuous or 1/month[2]	Measurement/ Calculation
Visible Oil Sheen, Floating, Suspended, or Submerged Matter	--	See Paragraphs I.B.6 and III.G of this permit.			Visual Observation

Notes

1. 7-day average daily maximum. This is a rolling 7-day average calculated by taking the average of the daily maximum temperatures. The 7-day average daily maximum for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three days prior and the three days after that date.
2. See Paragraphs I.B.12 and I.B.13. In the first six months of the effective date of the permit, monthly sampling is required. Continuous monitoring is required after the first six months of the effective date of the permit.

Table 3. Effluent Limitations and Monitoring Requirements for all outfalls not related to non-contact cooling water, except Outfall 45 (Outfalls 39, 40, 41 and 42)

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Location	Sample Frequency	Sample Type
Parameters With Effluent Limits					
pH	std units	Between 6.5 – 8.5	Effluent	1/week or 1/month[1]	Grab
Oil and grease	mg/L	5 (daily maximum[3])	Effluent	1/week or 1/month[2]	Grab
Report Parameters					
Flow	mgd	Report	Effluent	1/month	Measurement/ Calculation
Visible Oil Sheen, Floating, Suspended, or Submerged Matter	--	See Paragraphs I.B.6 and III.G of this permit.			Visual Observation

Notes

1. During the first 12 months after the effective date of the permit, the required monitoring frequency is 1/week. In subsequent years, the required monitoring frequency is 1/month.
2. During the first 12 months after the effective date of the permit, the required monitoring frequency is 1/week. If there are exceedances in the first 12 months after the effective date of the permit in an outfall, the frequency will remain 1/week for that outfall. If there are no exceedances in an outfall, the required monitoring frequency is reduced to 1/month for that outfall.
3. Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day.

Table 4. Effluent Limitations and Monitoring Requirements for Outfalls related only to stormwater (Outfall 45)

Parameter	Units	Effluent Limitations	Monitoring Requirements		
			Sample Location	Sample Frequency	Sample Type
Parameters With Effluent Limits					
Oil and grease	mg/L	5 (daily maximum[1])	Effluent	1/week or 1/month[2]	Grab
Report Parameters					
Visible Oil Sheen, Floating, Suspended, or Submerged Matter	--	See Paragraphs I.B.6 and III.G of this permit.			Visual Observation
Stormwater Best Management Practices	--	See Paragraph I.B.15 of this permit			

Notes
1. Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day.
2. During the first 3 years after the effective date of the permit, the required monitoring frequency is 1/week. If there are exceedances in the first 3 years after the effective date of the permit, the frequency will remain 1/week. If there are no exceedances, the required monitoring frequency is reduced to 1/month.

12. The permittee must comply with the following requirements for temperature monitoring and follow Part I.B.13 for continuous temperature monitoring:

    Outfalls 1-16: Select six outfalls for continuous effluent temperature monitoring. One of these six outfalls must also include continuous influent temperature monitoring.

    Outfalls 17-27 (except 18 and 26): Select three outfalls for continuous effluent temperature monitoring. One of these three outfalls must also include continuous influent temperature monitoring.

    Outfalls 18 and 26: Select one outfall for continuous effluent temperature monitoring.

    Outfalls 30-33: Select two outfalls for continuous effluent temperature monitoring. One of these two outfalls must also include continuous influent temperature monitoring.

    Outfalls 34-38: Continuous effluent temperature monitoring must be conducted at all outfalls.

Outfalls 1-38: For all outfalls without continuous effluent temperature monitoring, temperature samples must be collected once per month in effluent.

13. The permittee must comply with the following requirements for continuous temperature monitoring:

    a) Temperature data must be recorded using a micro-recording device known as thermistors or a device that is consistent with Washington Department of Ecology's 2022 publication, Continuous Temperature Monitoring of Freshwater Rivers and Streams (22-03-216). Set the device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum.

    b) Use the temperature device manufacturer's or compatible software to generate (export) an Excel or Excel-compatible file. The file must be submitted annually to EPA, the Colville Tribes, and Ecology by February 28 following the first full calendar year of permit coverage, and annually thereafter along with the placement log. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_TempReport_43599, where YYYY_MM_DD is the date that the permittee submits the report. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies.

14. The permittee must not exceed a facility-wide monthly average heat load of 6.36E+09 kcals/day from June 1 to October 31.

    The facility-wide monthly average heat load is calculated as the summation of the average monthly heat load for each outfall in accordance with the following equation:

    $$\text{Facility-wide monthly average heat load (kcals/day)} = \Sigma\text{outfalls } [(\text{monthly average temperature } (°C))_{outfall} \times (\text{monthly average flow (MGD)})_{outfall} \times 3.78E+06 \text{ kcals/day/(°C x MGD)}]$$

    The heat load for each outfall is calculated as the product of the monthly average temperature and average monthly flow, times a conversion factor of 3.78E+06 kcals/day/(°C x MGD). All outfalls identified in Table 1 and Table must be included in the summation. For outfalls with representative sampling at Section I.B.12, the monthly average temperature must be calculated using only the continuous temperature monitoring data from representative outfalls and applied to the represented outfalls.

15. In addition to best management practices (BMPs) specified in Part II.B., the permittee must implement the following stormwater BMPs within the drainage area contributing to Outfall 45 and must describe the site-specific implementation of these practices in the BMP Plan and BMP Annual Report (See Part II.B.):

    a) The Permittee must minimize the discharge of vehicle/equipment/surface

wash water.

b) The Permittee must minimize stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance.

c) The Permittee must minimize contamination of stormwater runoff from fueling areas through implementation of control measures.

d) The Permittee must clean solids from the stormwater catch basin that discharges to Outfall 45 two times per year over the 5-year term of the permit, with one clean-out in January or February each year

e) The Permittee must operate, maintain, and inspect the oil-water separator just upstream of this catch basin, according to the recommended procedures and applicable sections in the manufacturer's operations and maintenance manual.

f) The Permittee must maintain inspection and maintenance records for the oil-water separator for 5 years.

16. Flood/high water discharges shall comply with the requirements in Appendix B.9.

17. Violations of all effluent limits are to be reported at the time that discharge monitoring reports (DMRs) are submitted (See III.B. and a).).

18. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.

19. For all effluent monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:

    a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in Tables 1, 2, 3 and 4.

    b) Parameters that do not have effluent limitations.

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

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

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

    d) See also Part III.C. (Monitoring Procedures).

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

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

22. For those instances when there is no discharge from an outfall, report No Data Indicator Code (NODI) on the DMR.

II. Special Conditions

A. Quality Assurance Plan (QAP)

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

Within 180 days of the effective date of this permit, the permittee must submit a QAP to EPA for review and approval, and to the Colville Tribes for review. The permittee must submit the QAP as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_QAP_55099, where YYYY_MM_DD is the date that the permittee submits the QAP. The plan must be retained on site and made available to EPA, the Colville Tribes, and Ecology upon request.

1. The QAP must be designed to assist in planning for the collection and analysis of effluent in support of the permit and in explaining data anomalies when they occur.

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

3. At a minimum, the QAP must include the following:

    a) Details on the number of samples, detailed sampling location, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.

    b) Map(s) indicating the location of each sampling point.

    c) Qualification and training of all personnel involved with water quality sampling.

d) Specifications for the collection and analysis of quality assurance samples for each sampling event, including matrix spiked and duplicate samples and analysis of field transfer blanks (sample blanks).

e) Name(s), address(es) and telephone number(s) of the laboratories used by or proposed to be used by the permittee.

4. The permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedures addressed by the QAP and submit the revised QAP to EPA for review and approval, and to the Colville Tribes for review.

5. Copies of the QAP must be kept on site and made available to EPA, the Colville Tribes and Ecology upon request.

6. If EPA does not respond within 30 days after the QAP or amended QAP has been submitted for EPA approval, the plan is considered approved by EPA.

B. Best Management Practice (BMP) Plan

1. The permittee shall develop and implement a BMP Plan which incorporates practices that achieve the objectives and specific requirements in Section I.B.14., those listed below, and those specified in Appendix B. The permittee must operate the hydroelectric generating facility in accordance with this BMP Plan and with subsequent amendments to the Plan. The BMP Plan shall be prepared in accordance with good engineering practices.

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

3. Deadlines for BMP Plan Preparation and Compliance

a) The BMP Plan for this facility shall be prepared, and except as provided elsewhere in this permit, shall provide for compliance with the terms of the permit and the BMP Plan, no later than within 180 days from the effective date of the permit.

b) The permittee must submit the BMP Plan to EPA for review and approval, and to the Colville Tribes and NMFS for review, within 180 days of the effective date of the permit. The permittee must submit the BMP Plan as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_BMP_05899, where YYYY_MM_DD is the date that the permittee submits the BMP Plan.

c) The BMP Plan must be retained on site and made available to EPA, the Colville Tribes and Ecology upon request.

4. Signature and BMP Plan Review

    a) The BMP Plan shall be signed in accordance with Part V.E. ("Signatory Requirement") and be retained onsite at the facility in accordance with Part III.F. ("Retention of Records").

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

    c) The Director, or an authorized representative, may notify the permittee at any time that the BMP Plan does not meet one or more of the minimum requirements of this Part. Such notification shall identify those provisions of the permit which are not being met by the BMP Plan, and identify which provisions of the BMP Plan require modifications in order to meet the minimum requirements of this Part. Within 30 days of such notification from the Director, (or as otherwise provided by the Director), or an authorized representative, the permittee shall make the required changes to the BMP Plan and shall submit to the Director the revised BMP Plan with the requested changes for review and approval, and to the Colville Tribes and NMFS for review.

5. BMP Plan Modification

    a) The permittee shall amend the BMP Plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the waters of the United States or if the BMP Plan proves to be ineffective in eliminating or significantly minimizing pollutants, or in otherwise achieving the general objectives of controlling pollutants in the internal facility drainage water discharges. Any changes to the BMP Plan must be consistent with the objectives and specific requirements listed above and in Appendix B. The permittee must submit the revised BMP Plan to EPA for review and approval, and to the Colville Tribes and NMFS for review.

    b) The permittee must prepare a BMP Annual Report documenting the effectiveness of all BMPs implemented onsite, including the measures that were effective or ineffective, and the adaptive management that has occurred as a result.

    c) The BMP Annual Report must report sampling data that is designed in a way to quantify source identification and reductions in order to substantiate the adaptive management process. The sample and design and data analysis including methods and method reporting levels, must be included in the QAP (Part II.A) and updated as necessary.

    d) The BMP Annual Report must include the adaptive management procedures implemented based on the results of all monitoring used to evaluate BMPs.

    e) The permittee must submit the BMP Annual Report to EPA, the Colville Tribes, Ecology and NMFS by February 28 following the first full

calendar year of permit coverage, and annually thereafter. The Report must be signed in accordance with Part III.E. ("Signatory Requirement").

f) The permittee must submit the BMP Annual Report as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_BMP_05899, where YYYY_MM_DD is the date that the permittee submits the Report.

6. Reporting of BMP incidents. Prepare a written report to EPA, the Colville Tribes and Ecology, due within seven (7) calendar days after the incident has been successfully addressed, describing the circumstances leading to the incident, corrective actions taken, and recommended changes to operation and maintenance practices and procedures to prevent incident recurrence. The report must be submitted according to Part a).

7. The permittee must maintain copies of the BMP Plan and BMP Annual Reports on site at the facility and make them available to EPA, the Colville Tribes, and Ecology, or an authorized representative, upon request.

8. If EPA does not respond within 30 days after the BMP Plan or amended BMP Plan has been submitted for EPA approval, the plan is considered approved by EPA.

C. Environmentally Acceptable Lubricants (EALs)

1. The permittee must select EALs for all oil to water interfaces including wicket gates, bearings, lubricated wire ropes and other in-line equipment, unless technically infeasible. EALs should be consistent with the definition of EPA's 2011 report, Environmentally Acceptable Lubricants. For purposes of requirements related to EALs, technically infeasible means that no EAL products are approved for use in a given application that meet manufacturer specifications for that equipment; products which come pre-lubricated (e.g., wire ropes) and have no available alternatives manufactured with EALs; or products meeting a manufacturer's specifications are not available.

2. The permittee must prepare an EAL Annual Report under Part II.C.1 and describe the implementation and feasibility of EALs.

3. The EAL Annual Report shall include:

    a) A list of all equipment that have oil to water interfaces;

    b) An evaluation of the technical feasibility for using EALs for each equipment;

    c) Timeline for using EALs for equipment, where technically feasible; and

    d) An annual update on progress towards implementing EALs.

4. The EAL Annual Report may use other EAL reports and studies that have been completed or will be completed to satisfy all or part of the EAL Annual Report

requirement so long as the items listed above in this section are included. If other reports satisfy part of the items listed above, the permittee must supplement these reports with additional information to satisfy the EAL Annual Report requirement.

5. The permittee must submit the initial EAL Annual Report by February 28 following the first full calendar year of permit coverage to EPA and Ecology for review and approval, and to the Colville Tribes and NMFS for review. The permittee must submit subsequent EAL Annual Reports to EPA for review and approval, and to the Colville Tribes and NMFS for review, by February 28 each year. The EAL Annual Reports must be comprehensive, complete, accurate, and concur with the state's interpretation of technical feasibility. EAL Annual Reports must be signed in accordance with Part V.E. ("Signatory Requirement").

6. The permittee must submit the EAL Annual Report as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_EAL_05899, where YYYY_MM_DD is the date that the permittee submits the EAL Annual Report.

7. The EAL Annual Reports must be kept on site and made available to EPA, the Colville Tribes and Ecology upon request.

8. If EPA does not respond within 30 days after the EAL Annual Reports have been submitted for EPA approval, the plan is considered approved by EPA. If Ecology does not respond within 30 days after the first EAL Annual Report has been submitted for EPA approval, the plan is considered approved by Ecology.

D. PCB Management Plan

1. The permittee must develop a PCB Management Plan (PMP) within one year of the effective date of the permit. This PMP must include:

    a) A general description of sources of PCBs on the premises previously removed, replaced, remediated or reclassified including the date the action was taken.

    b) A list of all potential sources of PCBs at the dam with potential pathways to interact with discharge water associated with outfalls covered by this permit.

    c) A description of actions that have been established prior to the issuance of this permit to prevent and/or track releases of PCBs from potential PCB sources, such as containing/isolating PCB sources.

    d) A description of actions that will be taken during the remainder of the permit cycle to prevent, track, and address releases of PCBs from potential PCB sources listed in Part II.D.1(a), which must include BMPs that will decrease the likelihood of PCB releases.

    e) Any outfalls identified as having potential pathways for PCB release must be identified explicitly. These outfalls will require characterization

monitoring as described in Part II.D.3 below. The PMP must have a detailed explanation for why outfalls are or are not expected to be a pathway for PCB releases. At a minimum, the following should be considered: presence of transformers; exposure to equipment, paint, caulk, oil, or other materials that may have legacy PCBs; outfalls that could discharge PCBs if there is a failure in containment equipment.

2. The permittee must submit the PMP to EPA and Ecology for review and approval, and to the Colville Tribes and NMFS for review, within one year from the effective date of the permit. The PMP must be submitted as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_PMP_55099, where YYYY_MM_DD is the date that the permittee submits the PMP. The PMP must be retained on site and made available to EPA, the Colville Tribes and Ecology upon request.

3. The permittee must conduct characterization monitoring during two consecutive years of the permit cycle using EPA analysis method 608.3 on the discharge water associated with outfalls identified in Part II.D(1)(e), above. Monitoring must take place four times during the two-year sampling window – once each year when the river temperature is high (July through September) and once each year when the river temperature is cool (December through February). If PCBs are detected in the discharge water of a given outfall, then a detailed source identification investigation must be conducted, including plans to implement BMPs to address the identified PCB sources.

4. The permittee must prepare a PCB Annual Report by February 28 following the first full calendar year of permit coverage, and annually thereafter. This PCB Annual Report must describe the following:

    a) Results from the characterization monitoring (for two-year sampling window only) including the outfalls sampled, sample date, date of analysis, sample results, method(s), reporting limit and method detection limit.

    b) Results of the source identification investigation(s), including plans to implement BMPs to address the identified PCB sources, and progress on implementing these BMPs.

    c) Progress to date in implementing the PCB Plan BMPs to prevent PCB releases.

    d) How new actions will be taken to optimize effectiveness during the remainder of the permit cycle.

5. The PCB Annual Report must be submitted to EPA for review and approval, and to the Colville Tribes and NMFS for review, by February 28 following the first full calendar year of permit coverage, and annually thereafter. The permittee must submit the report as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be

as follows: YYYY_MM_DD_WA0026891_PCB_Annual_Report_55099, where YYYY_MM_DD is the date that the permittee submits the PCB Annual Report. The PCB Annual Report must be retained on site and made available to EPA, the Colville Tribes, and Ecology upon request.

6. If EPA does not respond within 30 days after the PMP or PCB Annual Report has been submitted for EPA approval, the plan is considered approved by EPA. If Ecology does not respond within 30 days after the PMP has been submitted for Ecology approval, the plan is considered approved by Ecology.

E. CWIS Requirements

1. Best Technology Available. The design, location, construction, and capacity of the permittee's CWISs shall reflect the best technology available (BTA) for minimizing adverse environmental impacts from the impingement and entrainment of various life stages of fish (*e.g.*, eggs, larvae, juveniles, adults) by the CWISs.

2. The permittee must implement the BTA to ensure that all trash racks, strainers, and intake screens are checked and cleaned in accordance with the Appendix B: BMP Plan.

3. The permittee must prepare an initial CWIS Annual Report by February 28 following the first full calendar year of permit coverage and submit it to EPA and Ecology for review and approval, and to the Colville Tribes for review. The initial annual report must include information on all CWIS that address the missing application submittal requirements of 40 CFR 122.21(r)(2) and (3) and applicable provisions of paragraphs (4), (5), (6), (7) and (8). The permittee must submit subsequent CWIS Annual Reports to EPA for review and approval, and to the Colville Tribes for review, by February 28 each year.

   The reports must include the locations of the cooling water intake structures, an evaluation of strainers and fish presence, information on current fish impingement and entrainment, and an evaluation of additional operations or technologies to minimize fish impingement and entrainment, where feasible. If the permittee determines the evaluation of certain operations or technologies are not feasible, the permittee must provide an explanation in the CWIS Annual Report. The reports must also provide information on actual cooling water use relative to waterbody flows. The CWIS Annual Reports must demonstrate that BTA has been properly operated and maintained and that no changes to the CWIS or equipment related to the BTA or CWIS have been made unless documented.

   The permittee must submit the CWIS Annual Report as an electronic attachment to the DMR, and to other recipients in accordance with Section III.B.3. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_CWIS_C316B, where YYYY_MM_DD is the date that the permittee submits the CWIS Annual Report.

4. If EPA does not respond within 30 days after the CWIS Annual Reports have been submitted for EPA approval, the plan is considered approved by EPA. If Ecology

does not respond within 30 days after the first CWIS Annual Report has been submitted for Ecology approval, the plan is considered approved by Ecology.

5. The permittee must develop a CWIS operations and maintenance manual that includes procedures for evaluating both impingement and entrainment related to the CWIS within one year of the effective date of the permit. This does not include the intake for hydroelectric generating waters. The permittee must maintain a copy of the manual on site at the facility and make it available to EPA or an authorized representative upon request.

6. Nothing in this permit authorizes take for the purposes of a facility's compliance with the Endangered Species Act.

F. Clean Water Act Section 401 TDG-Related Conditions

1. The permittee must comply with total dissolved gas (TDG) standards in WAC 173-201A-200(1)(f), or any future modification to the standards thereof.

2. The permittee must implement TDG abatement strategies and meet the load allocation as stated in the Mid-Columbia River and Lake Roosevelt Total Dissolved Gas Total Maximum Daily Load issued June 2004 (see also the TMDL Appendix A: Implementation Plan) (RCW 90.48.080). Compliance with the TDG criterion does not apply when the inflows to the project from Rufus Woods Lake exceed the rate equivalent to the 7Q10 flows as defined in WAC 173-201A-200(1)(f)(i). The 7Q10 exceedance flow for the Columbia River at Chief Joseph Dam is 222 kcfs.

3. Except during involuntary spill events, dam operations - including spill to enhance fish passage - should not cause or contribute to exceedance of the applicable TDG water quality criteria or any short-term modification thereto authorized under Washington/Colville Tribes Water Quality Standards. Dam operations must allow the variance of up to 120% TDG during the spring fish passage period which is important for juvenile salmon and steelhead emigration survival.

4. The permittee must conduct field monitoring for gas bubble trauma in fish populations and other forms of vertebrate and invertebrate aquatic life throughout the fish spill season, including when TDG levels exceed the water quality criteria during flood or involuntary spill events.

    a) The permittee must submit a TDG Gas Bubble Trauma QAPP to the Colville Tribes as follows:

        i. The permittee must submit a TDG Gas Bubble Trauma QAPP to the Colville Tribes for review and approval within one year after the permit effective date. The TDG Gas Bubble Trauma QAPP must specify the proposed frequency, timing and location of gas bubble trauma monitoring.

        ii. If the Colville Tribes does not respond within 30 days after the TDG Gas Bubble Trauma QAPP has been submitted for approval, the submittal is considered approved by the Colville Tribes.

iii. Implementation of the gas bubble trauma monitoring program must begin as soon as the Colville Tribes approve the TDG Gas Bubble Trauma QAPP. Changes to the TDG Gas Bubble Trauma QAPP must be provided to the Colville Tribes before taking effect.

iv. The TDG Gas Bubble Trauma QAPP must be sent to the Colville Tribes at the following address unless agreed upon by the Colville Tribes:

Confederated Tribes of the Colville Reservation
Environmental Trust Department
ATTN: Watershed Program Manager
PO Box 150
Nespelem, WA 99155

b) The permittee must submit TDG Gas Bubble Trauma Data Annual Reports to EPA and the Colville Tribes as follows:

i. The permittee must submit the TDG Gas Bubble Trauma Data Annual Reports to EPA and the Colville Tribes by February 28 following the first calendar year of TDG Gas Bubble Trauma monitoring, and annually thereafter. The TDG Gas Bubble Trauma Data Annual Reports must be sent to EPA as an attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_TDG Gas Bubble Trauma Data_43599, where YYYY_MM_DD is the date that the permittee submits the report. The TDG Gas Bubble Trauma Data Annual Reports must be sent to the Colville Tribes at the address in II.F.4.a.iv. unless agreed upon by the Colville Tribes.

5. The permittee must consult with Ecology to develop a TDG Water Quality Attainment Plan (TDG WQAP), a TDG Water Quality QAPP and a TDG Water Quality Data Annual Report per the conditions below:

a) The permittee must develop a TDG Water Quality QAPP as follows:

i. At a minimum, the TDG Water Quality QAPP must contain the following provisions:

- A map of the TDG monitoring and compliance locations.
- A description of the monitoring, sampling frequency, equipment and sampling procedures, analytical methods, quality control procedures, data handling and assessment procedures, and reporting protocols.

ii. The TDG Water Quality QAPP must be sent to Ecology for review and approval within one year after the permit effective date.

iii. Implementation of the monitoring program must begin as soon as Ecology approves the TDG Water Quality QAPP.

iv. The permittee must review and update the TDG Water Quality QAPP annually based on data quality objectives related to evaluation of TDG abatement and control strategies. Changes to the TDG Water Quality QAPP must be provided to Ecology before taking effect.

b) The permittee must submit a TDG Water Quality Data Annual Report to Ecology and EPA by February 28 following the first calendar year of TDG water quality monitoring, and annually thereafter (See II.F.5.d.).

c) The permittee must submit the TDG WQAP to Ecology as follows:

i. The TDG WQAP shall include all applicable requirements in WAC 173-201A-510(5) *Compliance schedule for Dams*, and must include a detailed strategy for achieving Washington's water quality standards for TDG and associated designated uses.

ii. The permittee must provide the scope of the TDG WQAP to Ecology for review one year after the permit effective date.

iii. The permittee must provide the final TDG WQAP to Ecology for review and approval within two years of the permit effective date.

iv. The permittee must submit a TDG WQAP progress report to Ecology for review and approval within six years of the permit effective date. The permittee must submit a TDG WQAP summary report to Ecology for approval within nine years of the permit effective date and prior to the end of the ten-year dam compliance period.

d) The permittee must submit the TDG WQAP, the TDG Water Quality QAPP, and the TDG Water Quality Data Annual Reports to Ecology and EPA as follows:

i. The permittee must submit the TDG Water Quality QAPP and TDG WQAP to Ecology at the following email address unless agreed upon by Ecology:

WQhydropower@ecy.wa.gov

ii. The permittee must submit the TDG Water Quality Data Annual Reports to EPA and Ecology, by February 28 following the first calendar year of TDG monitoring, and annually thereafter. The TDG Water Quality Data Annual Reports must be sent to EPA as an attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_TDG Water Quality Data Annual Report_43599, where YYYY_MM_DD is the date that the permittee submits the report. The TDG Water Quality Data Annual Reports must be sent to Ecology at the email address at Permit Part II.F.5.b.vi. unless agreed upon by Ecology

iii. If Ecology does not respond within 30 days after a submittal has been submitted to Ecology for approval, the submittal is considered approved by Ecology.

G. Clean Water Act Section 401 Temperature-Related Conditions

1. The permittee must implement temperature control strategies and meet the load allocations in the Columbia and Lower Snake Rivers Temperature TMDL and associated implementation plans.

2. The permittee must consult with Ecology to develop a temperature water quality attainment plan (temperature WQAP) which must include all applicable requirements in WAC 173-201A-510(5) *Compliance schedule for Dams*, and must include a detailed strategy for achieving Washington's water quality standards for temperature and associated designated uses.

3. The permittee must submit the temperature WQAP to Ecology as follows:

    a) The permittee must provide the scope of the temperature WQAP to Ecology for review one year after the permit effective date.

    b) The permittee must provide the final temperature WQAP to Ecology for review and approval, within two years of the permit effective date.

    c) The permittee must submit a temperature WQAP progress report to Ecology for review and approval, within six years of the permit effective date. The permittee must submit a temperature WQAP summary report to Ecology for review and approval, within nine years of the permit effective date and prior to the end of the ten-year dam compliance period.

    d) If Ecology does not respond within 30 days after a submittal has been submitted to Ecology for approval, the submittal is considered approved by Ecology.

    e) The permittee must submit the temperature WQAP scope, the temperature WQAP and the temperature WQAP progress report to Ecology at the following email address, unless agreed upon by Ecology:

    WQhydropower@ecy.wa.gov

III. General Monitoring, Recording and Reporting Requirements

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

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

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a

routine sample. The permittee must analyze the additional samples for those parameters limited in Part I.B. of this permit that are likely to be affected by the discharge.

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

B. Reporting of Monitoring Results

The permittee must submit monitoring data and other reports electronically using NetDMR, and to other recipients in accordance with Section III.B.3.

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

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

3. The permittee must submit copies of DMRs and other reports to the Colville Tribes, NMFS and Ecology. Currently, the permittee may submit these DMRs and reports to the Colville Tribes, NMFS and Ecology by one of three ways: (1) a paper copy may be mailed, (2) the email address for the Colville Tribes, NMFS and Ecology may be added to the electronic submittal through NetDMR, or (3) the permittee may provide the Colville Tribes, NMFS and Ecology viewing rights through NetDMR. The following contact information should be used:

   Confederated Tribes of the Colville Reservation
   Environmental Trust Department
   ATTN: Watershed Program Manager
   P.O. Box 150
   Nespelem, Washington 99155

   Washington Department of Ecology
   Eastern Regional Office
   4601 N. Monroe Street
   Spokane, Washington 99205

   National Marine Fisheries Service
   Interior Columbia Basin Office
   ATTN: Columbia Hydropower Branch Chief
   1201 NE Lloyd Boulevard, Suite 1100
   Portland, Oregon 97232

4. Submittal of Reports as NetDMR Attachments. Unless otherwise specified in this permit, the permittee must submit all reports to EPA as NetDMR attachments rather than as hard copies. Submittal to other recipients must be in accordance with III.B.3.

When submitting a report in NetDMR, the file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_Report Type Name_Identifying Code, where YYYY_MM_DD is the date that the permittee submits the attachment.

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

6. The permittee is not required to monitor when the facility is not discharging. However, the DMR must indicate the facility is not discharging and must be submitted as described in Part III.B. The permittee must submit a monthly DMR even if a discharge has not occurred, unless permit coverage has been terminated in accordance with Part V.K. of this permit.

C. Monitoring Procedures

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

D. Additional Monitoring by Permittee

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

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

E. Records Contents

Records of monitoring information must include:

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

F. Retention of Records

The permittee must retain records of all monitoring information, including but not limited to, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required

by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of EPA, the Colville Tribes or Ecology at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances:

    a) Any noncompliance that may endanger health or the environment;

    b) any unanticipated bypass that results in or contributes to an exceedance of any effluent limitation in the permit (See Part IV.G,. "Bypass of Treatment Facilities");

    c) any upset that results in or contributes to an exceedance of any effluent limitation in the permit (See Part IV.H., "Upset Conditions"); or

    d) any oil spill or visible oil sheen that triggers an emergency action or notification under the facility's SPCC plan.

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

    a) a description of the noncompliance and its cause;

    b) the period of noncompliance, including exact dates and times;

    c) the estimated time noncompliance is expected to continue if it has not been corrected; and

    d) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

3. The Director of the Enforcement and Compliance Assurance Division may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846. The permittee must contact the Ecology Eastern Regional Office within 24 hours by telephone, (509) 329-3400. The permittee must contact the Colville Tribes within 24 hours by telephone, (509) 634-2428.

4. The permittee must sign and certify the report in accordance with the requirements of Part V.E. Signatory Requirements.

    a) Reports must be submitted via email to R10enforcement@epa.gov with the subject line "CWA NPDES_WA0026891_Noncompliance Report." The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_Noncompliance Report, where YYYY_MM_DD is that date that the permittee submits the report.

b) A copy must also be submitted to the Colville Tribes and Ecology as specified in Section III.B.3.

H. Other Noncompliance Reporting

The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part III.B. ("Reporting of Monitoring Results") are submitted. The reports must contain the information listed in Part III.G. of this permit ("Twenty-four Hour Notice of Noncompliance Reporting").

I. Changes in Discharge of Toxic Pollutants

The permittee must notify the Director of the EPA Water Division, the Colville Tribes and Ecology as soon as it knows, or has reason to believe:

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

    a) One hundred micrograms per liter (100 ug/l);

    b) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

    c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

    d) The level established by EPA in accordance with 40 CFR 122.44(f).

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

    a) Five hundred micrograms per liter (500 ug/l);

    b) One milligram per liter (1 mg/l) for antimony;

    c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

    d) The level established by EPA in accordance with 40 CFR 122.44(f).

3. The permittee must notify the Director of the Water Division via email at EPAR10WD-NPDES@epa.gov with the subject line "CWA NPDES_WA0026891_Toxic_Pollutants_Change." The file name of the electronic attachment must be as follows:

YYYY_MM_DD_WA0026891_Toxic_Pollutants_Change, where YYYY_MM_DD is the date that the permittee submits the notice.

IV. Compliance Responsibilities

A. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $64,618 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $25,847 per violation, with the maximum amount of any Class I penalty assessed not to exceed $64,618). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $25,847 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $323,081).

3. Criminal Penalties:

    a) Negligent Violations. The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of

a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

b) Knowing Violations. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

c) Knowing Endangerment. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

d) False Statements. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need To Halt or Reduce Activity not a Defense

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

D. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance

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

F. Removed Substances

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

G. Bypass of Treatment Facilities

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

2. Notice.

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

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

3. Prohibition of bypass.

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

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

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

prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

iii. The permittee submitted notices as required under paragraph 2 of this Part.

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

H. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

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

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

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

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

    d) The permittee complied with any remedial measures required under Part IV.D, "Duty to Mitigate."

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

I. Toxic Pollutants

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

J. Planned Changes

The permittee must give written notice to the Director of the EPA Water Division as specified in Part III.I.3, as well as to the Colville Tribes and Ecology, as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

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

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Part III.I ("Changes in Discharge of Toxic Pollutants").

K. Anticipated Noncompliance

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

V. General Provisions

A. Permit Actions

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

B. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Regional Administrator, the permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information

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

D. Other Information

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

E. Signatory Requirements

All applications, reports or information submitted to EPA, the Colville Tribes and Ecology must be signed and certified as follows.

1. All permit applications must be signed as follows:

    a) For a corporation: by a responsible corporate officer.

    b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

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

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

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

    b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and

    c) The written authorization is submitted to the Director of the EPA Enforcement and Compliance Assurance Division, the Colville Tribes and Ecology.

3. Changes to authorization. If an authorization under Part V.E.2 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 Part V.E.2. must be submitted to the Director of the Enforcement and Compliance Assurance Division, the Colville Tribes and Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

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

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

F. Availability of Reports

In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The permittee must allow the Director of the Enforcement and Compliance Assurance Division, EPA Region 10, the Colville Tribes, Ecology, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

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

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

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

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

H. Oil and Hazardous Substance Liability

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

I. Property Rights

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

J. Transfers

This permit is not transferable to any person except after written notice to the Director of the Water Division as specified in Part III.I.3. The Director may require

modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

K. Notice of Termination of Discharge

The permittee must notify EPA, the Colville Tribes and the Ecology regional office within 30 days of discharge termination. The notification must be in writing, and include the date of discharge termination, and signed in accordance with the signatory requirements of Part V.E. of this general permit. The permittee is required to submit discharge monitoring reports (DMRs) until the effective date of permit termination.

1. Requests to terminate coverage under this permit must be made in writing and submitted to EPA via email at EPAR10WD-NPDES@epa.gov with the subject line "CWA NPDES_WA0026891_Termination." The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0026891_Termination, where YYYY_MM_DD is the date that the permittee submits the notice.

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

L. State and Tribal Laws

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

The Colville Tribes' certification of this permit does not exempt and is provisional upon compliance with other applicable statutes and codes administered by federal and Colville Tribes agencies. Pursuant to Colville Tribal Law & Order Code Title 4 Natural Resources and Environment, the facility operator may also require a Waste Discharge permit from either the Bonneville Power Administration or the Department as applicable as provided in Chapter 4-8 Water Quality Standards and Chapter 4-10 Water Resources Use and Permitting adopted thereunder.

VI. Definitions

1. "7Q10 flow" (seven-day, ten-year low flow) means the lowest seven-day consecutive mean daily stream flow with a recurrence interval of ten years.
2. "Act" means the Clean Water Act.
3. "Administrator" means the Administrator of EPA, or an authorized representative.
4. "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.
5. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.
6. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
7. "Composite" -- see "24-hour composite".
8. "Composite sample" means a flow-proportioned mixture of not less than four discrete representative samples collected within the same 24 hours.
9. "Conventional pollutant" means BOD, TSS, bacteria, oil and grease, and pH as defined in 40 CFR 401.16.
10. "Continuous discharge" means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities [40 CFR 122.2].
11. "CFR" means the Code of Federal Regulations, which is the official annual compilation of all regulations and rules promulgated during the previous year by the agencies of the United States government, combined with all the previously issued regulations and rules of those agencies that are still in effect.
12. "Composite sample" means a flow-proportioned mixture of not less than four discrete representative samples collected at the same discharge point within the same 24 hours.
13. "Conventional pollutant" means biological oxygen demand (BOD), total suspended solids (TSS), bacteria, oil and grease, and pH as defined in 40 CFR 401.16.
14. "Continuous Discharge" means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities [40 CFR 122.2].
15. "CWA" means the Clean Water Act (formerly referred to as the Federal Water

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

16. "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.

17. "Designated Use" means those beneficial uses assigned to identified waters in Washington Department of Ecology, WAC 172-201A, "Water Quality Standards for Surface Waters of the State of Washington," Sections 200 through 210, whether or not the uses are being attained.

18. "The Director" means the Regional Administrator of EPA Region 10, or the Director of EPA Region 10 Water Division, the Confederated Tribes of the Colville Reservation Tribal Chair, the Washington Department of Ecology, or an authorized representative thereof.

19. "Director of the Enforcement and Compliance Assurance Division" means the Director of the Enforcement and Compliance Assurance Division, EPA Region 10, or an authorized representative.

20. "Director of the Water Division" means the Director of the Water Division, EPA Region 10, or an authorized representative.

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

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

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

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

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

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

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

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

29. "EPA" means the United States Environmental Protection Agency.

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

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

32. "Geometric Mean" means the n^{th} root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.

33. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.

34. "Hazardous Material" means a material or combination or materials which presents a substantial present or potential hazard to human health, the public health, or the environment. It is defined at 40 CFR 122.2 to mean any substance designated under 40 CFR 116, pursuant to Section 311 of the CWA.

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

rights-of-way running through the same.

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

37. "Influent" means the water from upstream that enters into the facility.

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

39. "Maximum daily discharge limitation" means the highest allowable "daily discharge."

40. "Method Detection Limit (MDL)" means the minimum measured concentration of a substance that can be reported with 99% confidence that the measured concentration is distinguishable from method blank results.

41. "Minimum Level (ML)" means either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.

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

43. "NPDES" means National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits . . . under sections 307, 402, 318, and 405 of the CWA.

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

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

46. "QA/QC" means quality assurance/quality control.

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

Fisheries).

48. "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.

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

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

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

52. "Waters of the United States or waters of the U.S." means those waters defined in 40 CFR § 120.2

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

Appendix A
Minimum Levels

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

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML)
Temperature	+/- 0.2º C
Oil and Grease	5 mg/L
pH	N/A

Appendix B

BEST MANAGEMENT PRACTICES (BMP) PLAN

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

2. Prevention and Minimization of Oil and Wastewater Discharges. The BMP Plan shall establish specific best management practices or other measures that prevent and minimize oil, grease, and hydraulic fluids from all sources from entering the river, including at a minimum, the following:

    a) Maintain protective seals on all equipment with oil-to-water interfaces in good operating order to minimize the leaking of hydraulic oil or other oils
    b) Minimize lubricants for all facility equipment that come in contact with river water such as spill gate mechanisms, turbine gate mechanisms, etc.
    c) Use lubricants, paint and caulk free of PCBs, unless technically infeasible.
    d) Use preventative maintenance and cleaning programs for turbine and wicket gate parts.
    e) Regularly inspect fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc. to prevent drips or leaks.
    f) Use proper operation of the oil/water separators through inspections at appropriate intervals, regularly scheduled maintenance, and by review of sampling data.
    g) A preventive maintenance program for internal facility drainage water management devices (e.g., cleaning oil/water separators, pits, sumps) that includes inspection and testing to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.
    h) Good housekeeping practices that require the maintenance of areas, which may contribute pollutants to internal facility drainage water discharges, to be clean and orderly.

i) Site-specific spill prevention and response procedures in areas where potential spills, which can contribute pollutants to internal facility drainage water discharges, can occur and their accompanying drainage points shall be identified clearly in the BMP Plan. When containment is impracticable, the procedures should outline site-specific contingency plans to prevent oil releases. Procedures and site-specific BMPs shall be developed and implemented to eliminate and/or minimize the opportunity for oil leakage to enter the drainage system at the facility. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment in the BMP Plan should be considered. Procedures for cleaning up spills shall be identified in the BMP Plan and made available to the appropriate personnel. The necessary equipment to implement a clean-up should be available to personnel.

j) Inspections with qualified personnel for designated equipment and areas of the facility at appropriate intervals specified in the BMP Plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspection shall be maintained.

k) Employee training programs to inform personnel responsible for implementing activities identified in the BMP Plan or otherwise responsible for internal facility drainage water management, at all levels of responsibility, of the components and goals of the BMP Plan.

l) Record-keeping and internal reporting procedures with a description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of internal facility drainage water discharges shall be included in the BMP Plan. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the BMP Plan.

3. Oil Accountability, Tracking, and Reporting. The BMP Plan will describe the quantity and type of all oil products used on-site and how they are monitored and tracked using guidelines from the facility's Oil Accountability Plan. If the Oil Accountability Plan covers all elements of this permit requirement, the BMP Plan may reference the Oil Accountability Plan. Records are to be kept on-site and available for inspection by EPA, the Colville Tribes or Ecology. Oil gauges should be used that provide appropriate level of markings to ensure operators and maintenance personnel can easily identify an unusual condition. The permittee must notify EPA and Ecology if there is an unaccounted oil release into the environment consistent with the facility's Oil Accountability Plan.

4. Drainage: The BMP plan shall include the following:

a) All facility-specific activities and significant materials which may be potentially significant pollutant sources.

b) Other potential sources which may reasonably be expected to add significant amounts of pollutants to internal facility drainage water discharges. Factors to consider include the toxicity of pollutants; quantity of pollutants used; the likelihood of contact with internal facility drainage water discharges; and history of significant leaks or spills.

c) A plot of the floor drainage of the facility's interior including sumps and oil/water separators and locations where major spills or leaks have occurred.

5. Inventory of Exposed Materials. The BMP Plan shall include an inventory of the types of materials handled at the facility that potentially may be inadvertently spilled. Such inventory shall include a narrative description of significant materials (quantities over 55 gallons) that are or have been handled, treated, stored or disposed in a manner to allow exposure to internal facility drainage water between the time of three years before the effective date of the permit coverage and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with internal facility drainage water; the location and description of existing structural and non-structural control measures to reduce pollutants in the internal facility drainage water discharges; and a description of any treatment these discharges receive.

6. Spills and Leaks. The BMP Plan shall include a list of significant spills and significant leaks of toxic or hazardous pollutants that occurred, during the three-year period prior to the active date of permit coverage, at areas that drain to an outfall associated with floor drains. Such a list shall be updated as appropriate during the term of the permit. The spill and leak documentation should also document why the spill occurred, the volume of the spill, and how the spill was addressed. This should be part of the BMP Annual Report if a spill occurs during the permit term.

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

8. Trash Racks, Strainers, or Intake Screens. The permittee shall develop and implement procedures to remove solid materials from the trash racks, strainers or intake screens. The solid materials exclude naturally occurring materials such as leaves, branches, grass, and so forth. Inspections and maintenance of the trash racks and intake screens shall be scheduled and documented with the record-keeping included with the BMP Plan and summarized in the Annual Report required under Part II.B.8. The permittee shall amend the removal procedures whenever there is a change in the design, construction, operation, or maintenance which has a significant effect on the deposition of solid material on the trash racks or intake screens.

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

9. Flood/High Water Discharges. Identify potential for flood/high water discharges. Develop and implement specific flood/high water practices and procedures to eliminate pollutants from areas of the facility that would be inundated during flood/high water events and that would reasonably be expected to add significant amounts of pollutants to the identified flood/high water discharges at the facility. Areas of the facility inundated by flood or high waters should be maintained to prevent pollutants from entering the surrounding surface waters during flood or high water events.

10. Stormwater (Outfall 45 only). The permittee must implement the following stormwater BMPs within the drainage area contributing to Outfall 45 and must describe the site specific implementation of these practices:
    a) The Permittee must minimize the discharge of vehicle/equipment/surface wash water.
    b) The Permittee must minimize stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance.
    c) The Permittee must minimize contamination of stormwater runoff from fueling areas through implementation of control measures.
    d) The Permittee must clean solids from the stormwater catch basin that discharges to Outfall 45 two times per year over the 5-year term of the permit, with one clean-out to take place in January or February each year (i.e., before the expected start of spawning in mid-March)
    e) The Permittee must operate, maintain, and inspect the oil-water separator just upstream of this catch basin according to the recommended procedures and applicable sections in the manufacturer's operations and maintenance manual.
    f) The Permittee must maintain inspection and maintenance records for the oil-water separator for 5 years.