US ENVIRONMENTAL PROTECTION AGENCY
REGION 9
75 Hawthorne St.
San Francisco, CA 94105

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

NPDES PERMIT NO. NN0031100

In compliance with the provisions of the Clean Water Act ("CWA") (Public Law 92-500, as amended, 33 U.S.C. 1251 et seq.), the following permittee is authorized to discharge from the identified facility at the outfall location(s) specified below, in accordance with the effluent limits, monitoring requirements, and other conditions set forth in this permit. This permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been clearly identified in the permit application process.[1]

Permittee Name	U.S. DOE Office of Legacy Management
Permittee Address	2579 Legacy Way Grand Junction, Colorado 81503
Facility Name	Shiprock Water Treatment Unit
Facility Location	Approximately 0.75 miles west of U.S. 491 via Uranium Boulevard in Shiprock, San Juan County, New Mexico
Facility Rating	Minor

Outfall Number	General Type Of Waste Discharged	Outfall Latitude	Outfall Longitude	Receiving Water(s)
001	Treated Ground Water	36° 46' 44.72" N	108° 41' 2.48" W	San Juan River
002	Treated Ground Water	36° 46' 37.31" N	108° 41' 19.95" W	Bob Lee Wash, a tributary to the San Juan River

This permit was issued on:	Date of signature below
This permit shall become effective on:	<1st of month following 30 days after issue date>
Permit reapplication due no later than:	<Effective date + 5 years – 180 days>
This permit shall expire at midnight on:	<Effective date + 5 years – 1 day>
In accordance with 40 CFR 122.21(d), the permittee shall submit a new application for a permit at least 180 days before the expiration date of this permit, unless permission for a date no later than the permit expiration date has been granted by the Director.	

Signed for the Regional Administrator:

Tomás Torres, Director Date
Water Division

[1] Any discharges not expressly authorized in the Permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, State, or local authorities after issuance of the Permit via any means, including during an inspection.

Any waste stream or pollutant loading greater than or different than what the Permittee has proposed to discharge is not authorized by this Permit. The Permittee's proposed discharge is based on the chemical-specific data and the facility's design flow as described in the permit application, as well as other information provided to EPA during the permitting process.

To obtain authorization for a new or changed discharge, the Permittee must first submit a request to EPA and EPA will analyze whether additional controls or limitations are necessary. Permit modification or reissuance may be required before the proposed discharge would be authorized.

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Part I. EFFLUENT LIMITS, OTHER LIMITATIONS, AND MONITORING REQUIREMENTS

A. Effluent Limits, Other Limitations, and Monitoring Requirements

1. Effluent Limits – Outfall Numbers 001 and 002
   The permittee is authorized to discharge treated extracted groundwater in compliance with the final effluent limits and monitoring requirements specified in Table 1. The permittee shall monitor both the effluent and influent to evaluate compliance. Compliance with these requirements is monitored at Outfall Nos. 001 and 002.

2. The discharge of pollutants to waters of the United States at any point other than Outfall 001 and Outfall 002 is prohibited and constitutes a violation of the permit.

3. All discharges shall be free from:

   a. Visible solids, foam, scum, or any other debris that floats;

   b. Oil and/or grease that results in a film or iridescent appearance;

   c. Objectionable odor;

   d. Unnatural color.

B. Numeric Effluent Limits and Monitoring Requirements – Outfall Numbers 001 and 002

Table 1 Numeric Effluents and Monitoring Requirements

Effluent Parameter	Units	Monthly Average	Weekly Average	Daily Maximum	Monitoring Frequency	Sample Type
Flow	MGD	--(1)	--	--(1)	Monthly	Continuous
COD	mg/L	--	--	200	Monthly	Grab
Nitrate	mg/L	--	--	10	Monthly	Grab
Ammonia (as N)	mg/L	--(2)	--	--(2)	Monthly	Grab
AIR(2)	--	1.0	--	--	Monthly	Grab
Gross Alpha(3)	pCi/L	--	--	15.0	Monthly	Grab
Beta radiation	pCi/L	--(1)	--	--(1)	Annually	Grab
Radium 226+228	pCi/L	--	--	5.0	Monthly	Grab
Selenium	g/L	--	--	2.0	Monthly	Grab
Uranium	µg/L	--	--	30.0	Monthly	Grab
Zinc, total recoverable(4)	µg/L	--	--	260.4	Monthly	Grab
Vanadium	µg/L	--	--	--(1)	Monthly	Grab
Hardness, total (as $CaCO_3$)	mg/L	--(1)	--	--(1)	Annually(2)	Grab
pH(2)	std. units	between 6.5 to 9.0			Monthly	Grab

Temperature[2]	Deg °C				Monthly	Grab
Solids, Total Dissolved [5]	mg/L	--[1]	--	--[1]	Annually	Grab
Solids, Total Suspended	mg/L	25.0			Monthly	Grab
Priority Pollutant Scan[6]	□g/L	--	--	--[1]	1st Quarter, Year 1	[6]

FOOTNOTES:

(1) No effluent limits are set at this time but monitoring and reporting are required.

(2) Table 207.21 in the Navajo Nation Surface Water Quality Standards (NNSWQS) defines water quality standards for total ammonia (in mg-N/liter). (See Attachment C in this permit) The criteria for ammonia are pH- and temperature-dependent; therefore, field measurements for ammonia, pH and temperature shall be taken concurrently and reported on the Ammonia Impact Ratio ("AIR") worksheet. (See Attachment D in this permit).

(3) Based on the applicable NNSWQS, compliance with the gross alpha numeric standard of 15 pCi/L shall be determined according to the following criteria:

- For values above 15 pCi/L subtract the radon and uranium activity (in pCi/L) from the gross alpha value to determine the reported gross alpha value.

- If radon gas is removed during the gross alpha analytical method, only subtract the uranium activity value.

- Uranium activity in pCi/L is determined from the uranium concentration in (ug/L) according to the following formula: Uranium (pCi/L) = (uranium (ug/L)) X 0.67

(4) Monitoring for metals and hardness shall be performed concurrently.

(5) During periods of discharge, Salinity (measured as Total Dissolved Solids) shall be determined by the "calculation method" (sum of constituents) as described in the latest edition of "*Techniques of Water Resources Investigations in the United States Geological Survey –Methods of Collection and Analysis of Water Samples for Dissolved Minerals and Gases*".

(6) Priority Pollutants: During the first quarter of Year 1 of the permit cycle, the permittee shall monitor for the full list of priority pollutants in the Code of Federal Register (CFR) at 40 CFR Part 423, Appendix A. No limit is set at this time. Appendix E indicates which parameters are grab and which are composite.

C. Sampling

1. Samples shall be representative of the volume and quality of effluent discharged over the sampling and reporting period. All samples are to be taken during normal operating hours. The Permittee shall identify the effluent sampling location used for each discharge.

2. Effluent samples shall be taken after the last treatment process and prior to mixing with the receiving water, where representative samples can be obtained.

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

D. General Monitoring and Reporting

1. All monitoring shall be conducted in accordance with 40 CFR Part 136 test methods, unless otherwise specified in this permit. For influent and effluent analyses required in this permit, the permittee shall utilize 40 CFR Part 136 test methods with method detection limits ("MDLs") and minimum levels ("MLs") that are lower than the effluent limits in this permit. For parameters without an effluent limit, the permittee must use an analytical method at or below the level of the applicable water quality criterion for the measured pollutant. If all MDLs or MLs are higher than these effluent limits or criteria concentrations, then the permittee shall utilize the test method with the lowest MDL or ML. In this context, the permittee shall ensure that the laboratory utilizes a standard calibration where the lowest standard point is equal to or less than the ML. Influent and effluent analyses for metals shall measure "total recoverable metal", except as provided under 40 CFR § 122.45(c).

2. As an attachment to the first discharge monitoring report ("DMR"), the permittee shall submit, for all parameters with monitoring requirements specified in this permit:
   a. The test method number or title and published MDL or ML,
   b. The preparation procedure used by the laboratory,
   c. The laboratory's MDL for the test method computed in accordance with Appendix B of 40 CFR 136,
   d. The standard deviation (S) from the laboratory's MDL study,
   e. The number of replicate analyses (n) used to compute the laboratory's MDL, and
   f. The laboratory's lowest calibration standard.

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

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

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

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

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

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

4. Throughout all field collection and laboratory analyses of samples, the permittee shall use the QA/QC procedures documented in their QA Manual. If samples are tested by a contract laboratory, the permittee shall ensure that the laboratory has a QA Manual on file. A copy of the permittee's QA Manual shall be retained on the permittee's premises and available for review by regulatory authorities upon request. The permittee shall review its QA Manual annually and revise it, as appropriate.

5. Samples collected during each month of the reporting period must be reported on DMR forms, as follows:

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

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

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

      The *maximum value*, if the maximum value of all analytical results is greater than or equal to the ML; or

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

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

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

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

7. The permittee shall use CDX (https://cdx.epa.gov/) to electronically submit Discharge Monitoring Reports ("DMRs") using NetDMR and NeT (http://www.epa.gov/compliance/national-pollutant-discharge-elimination-system-npdes-electronic-reporting-tool-net-fact), respectively.

8. Monitoring and reporting shall be completed according to the schedule in Table 2. A DMR must be submitted for the reporting period even if there was not any discharge. If there is no discharge from the facility during the reporting period or no numerical values to report for a parameter, the permittee shall submit the appropriate no data indicator (NODI) code in their DMR. For intermittent discharges, the permittee shall monitor required parameters on the first day of discharge. Monitoring for parameters required once per permit term shall occur during discharge unless there is no discharge throughout the permit term. Entering a DMR comment is recommended if submitting no data indicator code (NODI) other than "C" for no discharge.

9. The permittee shall submit an electronic or paper Discharge Monitoring Report to Navajo Nation. Paper DMR forms shall be mailed to:

   Water Quality/NPDES Program
   P.O. Box 339
   Window Rock, AZ 86515
   Email: patrickantonio@navajo-nsn.gov

Table 2. Monitoring and Reporting Schedule

Sampling Frequency	Monitoring Period Start Date	Monitoring Period	DMR Due Date
Continuous	Permit effective date	All	Quarterly on the 28th day of first calendar month following the previous calendar quarter (January 28th, April 28th, July 28th, October 28th)
Daily	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling	Quarterly on the 28th day of first calendar month following the previous calendar quarter (January 28th, April 28th, July 28th, October 28th)
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1st day of calendar month through last day of calendar month	Quarterly on the 28th day of first calendar month following the previous calendar quarter (January 28th, April 28th, July 28th, October 28th)
Quarterly	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	Quarterly on the 28th day of first calendar month following the previous calendar quarter (January 28th, April 28th, July 28th, October 28th)
Annually	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through December 31 April 1 through March 31 July 1 through June 30 October 1 through September 30	January 28th of the following year
Once per permit term	Permit effective date	All	During the first quarter of Year 1 of the permit cycle (January 28th, April 28th, July 28th, or October 28th)

Part II. SPECIAL CONDITIONS

A. Permit Reopener(s)

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

2. The permit may be modified, or revoked and reissued, based on the results of Magnuson-Stevens Fishery Conservation and Management Act and/or Endangered Species Act Section 7 consultation(s) with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service.

B. Twenty-Four-Hour Reporting of Noncompliance

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

Wastewater Enforcement Office (ECAD 3-1) U.S. EPA Region 9 (415) 947-4222	WQ/NPDES Program Manager Navajo Nation EPA (928) 871-7185

2. The permittee shall follow up with a written submission to R9NPDES@epa.gov and the USEPA and NNEPA staff persons with who they were in contact within five days of the time the permittee becomes aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The following shall be included as information which must be reported within 24 hours under this paragraph.
   a. Any unanticipated bypass which exceeds any effluent limit in the permit (see 40 CFR § 122.44(g)).
   b. Any upset which exceeds any effluent limit in the permit.
   c. Violation of a maximum daily discharge limit for any of the pollutants listed by

the director in the permit to be reported within 24 hours (see 40 CFR § 122.44(g)).

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

C. Asset Management

The permittee shall maintain an asset management program (AMP) to cover the treatment unit and site. The permittee may use an existing comprehensive AMP for the facility as an equivalent to satisfy this requirement.

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

   a. Inventory all critical assets and assets valued over $5,000 into a single database. Assets may include the treatment unit and pumping systems. Each entry shall include:

   (1) Name and identification number.
   (2) Location (GPS coordinate or equivalent identifier).
   (3) Installation date
   (4) Replacement cost. (estimated)

   b. Catalogue all daily, weekly, monthly, annual and other regular maintenance tasks.

2. The permittee shall develop an AMP document that contains a description of its selected AMP system and status of its implementation by within two years of permit issuance. A copy of the permittee's AMP document shall be retained on the permittee's premises and available for review by regulatory authorities upon request.

D. Best Management Practices and Pollution Prevention

1. In accordance with section 304(e) of the CWA and 40 CFR § 122.44(k), the permit requires that the permittee develop (or update) and implement a Pollution Prevention Plan within 180 days of the permit effective date with appropriate pollution prevention measures or Best Management Practices (BMPs) designed to prevent pollutants from entering the receiving waters while performing normal processing operations at the facility. BMPs are designed to control site runoff, spillage or leaks, or other potential

pollutants at the facility that may contribute significant amounts of such pollutants to surface waters. This includes, but it not limited to:

a. Good housekeeping: the permittee must keep all exposed areas of the facility in a clean, orderly manner where such exposed areas could contribute pollutants to storm water and non-storm water discharges;

b. Minimizing exposure: where practicable, industrial materials and activities should be protected to prevent exposure to rain or runoff; and,

c. Preventive inspections and maintenance: timely inspections, maintenance and repairs of facility equipment and systems to avoid breakdowns or failures that may result in discharges of pollutants to surface waters.

The Permittee may use an existing Pollution Prevention Plan for the facility as an equivalent to satisfy this requirement.

E. Summary of Special Reports

The permittee is required to submit special reports in this permit by the dates listed below in Table 5. For reports that are required to be submitted to R9NPDES@epa.gov, the permittee shall include the following information in the subject line:

1. The permit number (NN0031100).
2. The name of the report as written in Table 3 below.
3. The word "submittal."

Table 3. Special Reports to Submit to EPA.

Special Report Name	Due Date	Section of Permit	Submit Report to:
Asset Management Program Document	Two years after effective date of permit	Part II.C	Retain on site.
Pollution Prevention Plan	180 days after effective date of permit	Part II.D	R9NPDES@epa.gov

F. 401 Water Quality Certification

The permittee shall comply with all requirements set forth in Navajo Nation's 401 Water Quality Certification issued on December 5, 2024. See Attachment F.

Part III. STANDARD CONDITIONS

The permittee shall comply with all EPA Region 9 Standard Conditions below.

A. ***All NPDES Permits***

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

1. Duty to comply; at 40 CFR § 122.41(a).
   The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the CWA and is grounds for an enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
   a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under 405(d) of the CWA within the time provided in the regulations that established these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
   b. The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The Clean Water 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. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of 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 CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.[1]

c. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.[1]

2. Duty to reapply; at 40 CFR § 122.41(b).
   If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. Any permittee with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director.
3. Need to halt or reduce activity not a defense; at 40 CFR § 122.41(c).
   It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
4. Duty to mitigate; at 40 CFR § 122.41(d).
   The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
5. Proper operation and maintenance; at 40 CFR § 122.41(e).
   The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
6. Permit actions; at 40 CFR § 122.41(f).

1 The civil and administrative penalty amounts are adjusted annually for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and the current penalty amounts are set forth in 40 CFR § 19.4.

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

7. Property rights; at 40 CFR § 122.41(g).
   This permit does not convey any property rights of any sort, or any exclusive privilege.
8. Duty to provide information; at 40 CFR § 122.41(h).
   The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.
9. Inspection and entry; at 40 CFR § 122.41(i).
   The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:
   a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.
10. Monitoring and records; at 40 CFR § 122.41(j).
    a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
    b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR § 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time.
    c. Records of monitoring information shall include:
       (1) The date, exact place, and time of sampling or measurements;
       (2) The individual(s) who performed the sampling or measurements;

(3) The date(s) analyses were performed
(4) The individuals(s) who performed the analyses;
(5) The analytical techniques or methods used; and
(6) The results of such analyses.

d. Monitoring must be conducted according to test procedures approved under 40 CFR § 136 or, in the case of sludge use or disposal, approved under 40 CFR § 136 unless otherwise specified in 40 CFR § 503, unless other test procedures have been specified in the permit.

e. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

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

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

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

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

(2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
(3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits, and other information requested by the Director shall be signed by a person described in 40 CFR § 122.22(a), or by a duly authorized representative of that person. A person is a duly authorized representative only if:
(1) The authorization is made in writing by a person described in 40 CFR § 122.22(a);
(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters of the company, (a duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
(3) The written authorization is submitted to the Director.

c. Changes to authorization. If an authorization under 40 CFR § 122.22 (b) 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 40 CFR § 122.22(b) must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under 40 CFR § 122.22 (a) or (b) shall make the following certification:

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

e. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by

a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

12. Reporting requirements; at 40 CFR § 122.41(l).
    a. Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alternations or additions to the permitted facility. Notice is required only when:
        (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b); or
        (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42(a)(1).
        (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, an such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
    b. Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
    c. Transfers. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the CWA. (See 40 CFR § 122.61; in some cases, modification or revocation and reissuance is mandatory.)
    (1) Transfers by modification. Except as provided in 40 CFR § 122.61(b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under 40 CFR § 122.62(b)(2)), or a minor modification made (under 40 CFR § 122.63(d)), to identify the new permittee and incorporate such other requirements as may be necessary under CWA.
    (2) Automatic transfers. As an alternative to transfers under 40 CFR § 122.61(a), any NPDES permit may be automatically transferred to a new permittee if:
        (A) The current permittee notifies the Director at least 30 days in advance of the proposed transfer date in 40 CFR § 122.62(b)(2);
        (B) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
        (C) The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification under 40 CFR § 122.63. If this notice is not

received, the transfer is effective on the date specified in the agreement mentioned in 40 CFR § 122.63(b)(2).

d. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
   (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016 all reports and forms submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with this section and 40 CFR § 3 (including, in all cases, subpart D to part 3), 40 CFR § 122.22, and 40 CFR § 127.
   (2) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR § 136 or, in the case of sludge use or disposal, approved under 40 CFR § 503, or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
   (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

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

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

overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with 40 CFR § 122.41 and 40 CFR § 3 (including, in all cases, subpart D to part 3), 40 CFR § 122.22, and 40 CFR § 127. The permittee shall electronically submit all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events using CDX (https://cdx.epa.gov/) in accordance with the reporting requirements specified in this permit. The permittee must also sign and certify all electronic submissions in accordance with the signatory requirements specified at 40 CFR § 122.41(k).

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

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

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

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

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

g. Other noncompliance. The permittee shall report all instances of noncompliance not reported under 40 CFR § 122.41(l)(4), (5), and (6), at the time monitoring reports are submitted. The reports shall contain the information listed in 40 CFR § 122.4(l)(6).

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

13. Bypass; at 40 CFR § 122.41(m).

a. Definitions.

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

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of 40 CFR § 122.41(m)(3) and (m)(4).

c. Notice.
    (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
    (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in 40 CFR § 122.41(l)(6) (24-hour notice).
    (3) As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with this section and 40 CFR § 3 (including, in all cases, subpart D to part 3), 40 CFR § 122.22, and 40 CFR § 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.

d. Prohibition of bypass.

(1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
    (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
    (iii) The permittee submitted notices as required under 40 CFR § 122.41(m)(3).

(2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in 40 CFR § 122.41(m)(4)(i).

14. Upset; at 40 CFR § 122.41(n).

a. Definition. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent cause by operational error, improperly designed treatment facilities, inadequate

treatment facilities, lack of preventative maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of 40 CFR § 122.41(n)(3) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
   (2) The permitted facility was at the time being properly operated; and
   (3) The permittee submitted notice of the upset as required in 40 CFR § 122.41(l)(6)(ii)(B) (24 hour notice).
   (4) The permittee complied with any remedial measures required under 40 CFR § 122.41(d).
d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

15. Reopener Clause; at 40 CFR § 122.44(c).
For any permit issued to a treatment works treating domestic sewage (including "sludge-only facilities"), the Director shall include a reopener clause to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the CWA. The Director may promptly modify or revoke and reissue any permit containing the reopener clause required by this paragraph if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.
16. Minor modifications of permits; at 40 CFR § 122.63.
Upon the consent of the permittee, the Director may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section, without following the procedures of 40 CFR § 124. Any permit modification not processed as a minor modification under this section must be made for cause and with 40 CFR § 124 draft permit and public notice as required in 40 CFR § 122.62. Minor modifications may only:
    a. Correct typographical errors;
    b. Require more frequent monitoring or reporting by the permittee;
    c. Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or
    d. Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided

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

e. Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under 40 CFR § 122.29.
f. Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.
g. Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR § 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR § 403.18) as enforceable conditions of the POTW's permits.

17. Termination of permits; at 40 CFR § 122.64.
    a. The following are causes for terminating a permit during its term, or for denying a permit renewal application:
        (1) Noncompliance by the permittee with any conditions of the permit;
        (2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
        (3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or
        (4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).
18. Availability of Reports; pursuant to CWA § 308
    Except for data determined to be confidential under 40 CFR § 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator. As required by the CWA, permit applications, permits, and effluent data shall not be considered confidential.
19. Removed Substances; pursuant to CWA § 301
    Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials entering waters of the U.S.
20. Severability; pursuant to CWA § 512
    The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and remainder of this permit, shall not be affected thereby.
21. Civil and Criminal Liability; pursuant to CWA § 309

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

22. Oil and Hazardous Substances Liability; pursuant to CWA § 311
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.
23. State, Tribe, or Territory Law; pursuant to CWA § 510
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State, Tribe, or Territory law or regulation under authorities preserved by CWA § 510.

B. Specific Categories of NPDES Permits

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

Existing manufacturing, commercial, mining, and silviculture dischargers; at 40 CFR § 122.42 (a)All existing manufacturing, commercial, mining, and silviculture dischargers must notify the Director via R9NPDES@epa.gov as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels"
   (1) One hundred micrograms per liter (100 µg/l);
   (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
   (3) 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

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
   (1) Five hundred micrograms per liter (500 µg/l);
   (2) One milligram per liter (1 mg/l) for antimony;
   (3) 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

ATTACHMENTS

Part IV. Attachments

A. Attachment A: Definitions

An **"average monthly discharge limitation"** means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

1. An **"average weekly discharge limitation"** means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.

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

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

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

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

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

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

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

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

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

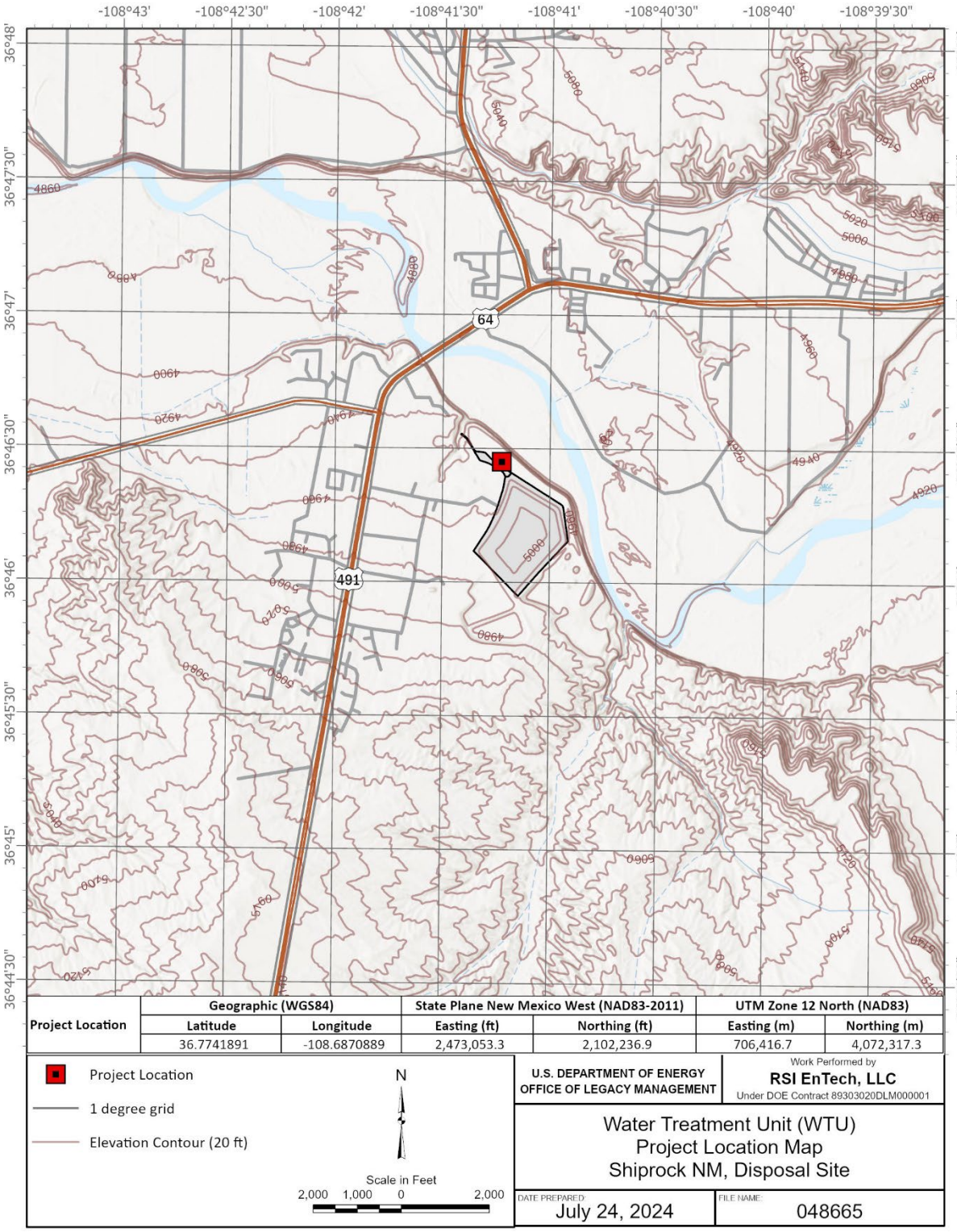
    b. For non-metals, because analytical instruments are generally calibrated using the ML as the lowest calibration standard, the calculated ML is then rounded to the nearest multiple of (1, 2, or 5) x 10^n, where n is zero or an integer. (For example, if an MDL is 2.5 µg/L, then the calculated ML is: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

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

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

B. Attachment B: Facility Map and Schematic

Figure B-1. Shiprock Facility Location Map



Project Location	Geographic (WGS84)		State Plane New Mexico West (NAD83-2011)		UTM Zone 12 North (NAD83)	
	Latitude	Longitude	Easting (ft)	Northing (ft)	Easting (m)	Northing (m)
	36.7741891	-108.6870889	2,473,053.3	2,102,236.9	706,416.7	4,072,317.3

Figure B-2. Shiprock Facility Map and Outfall Locations

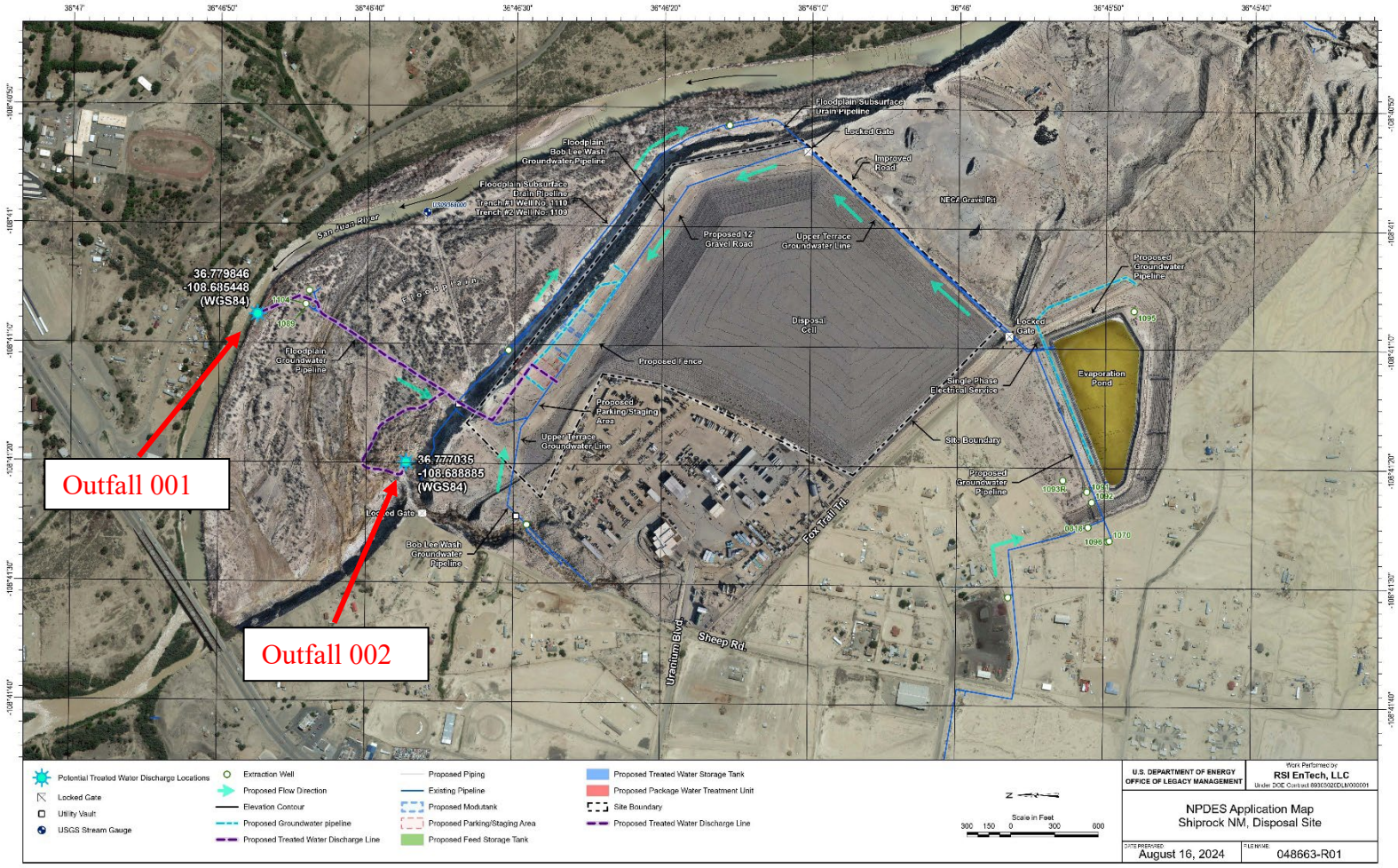
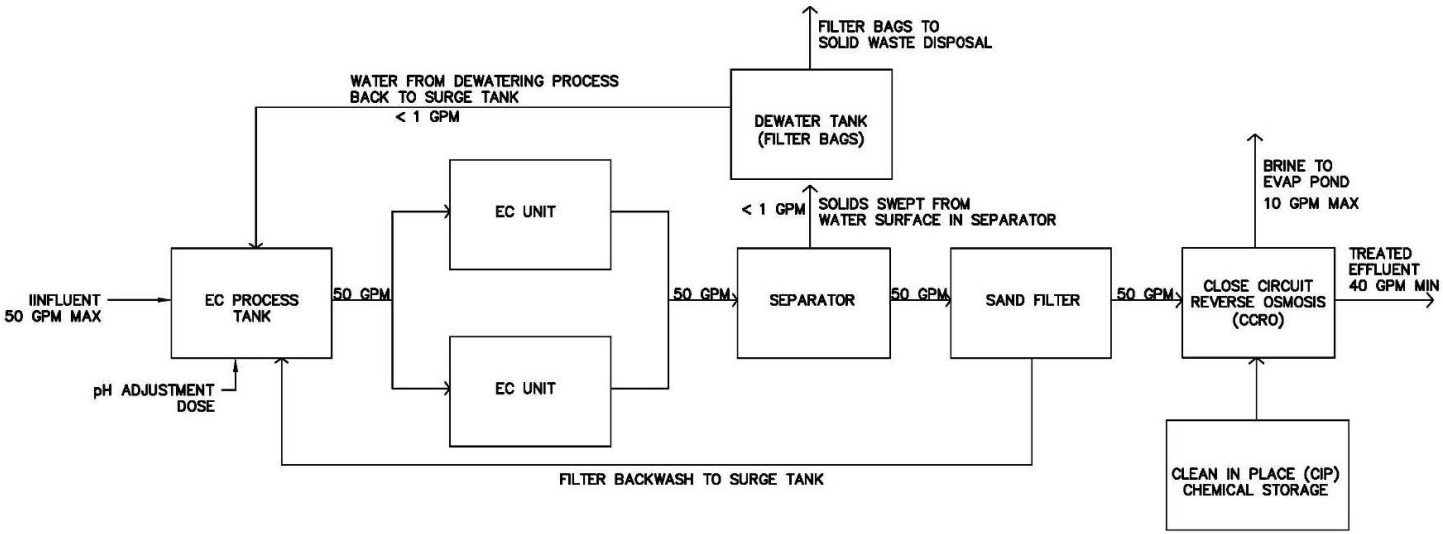


Figure B-3. Shiprock Water Treatment Unit Schematic



NOTE:

- FLOWS REPRESENTED ON THIS PROCESS FLOW DIAGRAM ARE ASSUMING THE MAXIMUM FLOW FOR WHICH THE SYSTEM IS DESIGNED, OBSERVED PUMPING RATES IN THE FIELD ARE LOWER THAN THE 50 GPM MAX DISPLAYED ON THE FIGURE.
- THE SYSTEM WILL RUN INTERMITTENTLY AT TIMES OF LOWER FLOW, TREATMENT CYCLES WILL BE TRIGGERED BY THE WATER LEVEL IN THE EC PROCESS TANK.
- FIGURE ASSUMES ~80% RECOVERY RATE WITH CCRO TREATMENT, THE CCRO SYSTEM TYPICALLY CAN REACH OVER 90% RECOVERY AND AS HIGH AS 98%.

C. Attachment C: *Ammonia Chronic Criteria*

Chronic Standard for Aquatic and Wildlife Habitat

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(From 2015 Navajo Nation Surface Water Quality Standards
Table 207.21 Maximum Total Ammonia Concentration)
(Total Ammonia mg-N/liter)

	Temperature (°C)																							
pH	**0-7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**
6.5	4.9	4.6	4.3	4.1	3.8	3.6	3.3	3.1	2.9	2.8	2.6	2.4	2.3	2.1	2.0	1.9	1.8	1.6	1.5	1.5	1.4	1.3	1.2	1.1
6.6	4.8	4.5	4.3	4.0	3.8	3.5	3.3	3.1	2.9	2.7	2.5	2.4	2.2	2.1	2.0	1.8	1.7	1.6	1.5	1.4	1.3	1.3	1.2	1.1
6.7	4.8	4.5	4.2	3.9	3.7	3.5	3.2	3.0	2.8	2.7	2.5	2.3	2.2	2.1	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1
6.8	4.6	4.4	4.1	3.8	3.6	3.4	3.2	3.0	2.8	2.6	2.4	2.3	2.1	2.0	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.1	1.1
6.9	4.5	4.2	4.0	3.7	3.5	3.3	3.1	2.9	2.7	2.5	2.4	2.2	2.1	2.0	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1	1.0
7.0	4.4	4.1	3.8	3.6	3.4	3.2	3.0	2.8	2.6	2.4	2.3	2.2	2.0	**1.9**	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.1	1.1	0.99
7.1	4.2	3.9	3.7	3.5	3.2	3.0	2.8	2.7	2.5	2.3	2.2	2.1	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1	1.0	0.95
7.2	4.0	3.7	3.5	3.3	3.1	2.9	2.7	2.5	2.4	2.2	2.1	2.0	1.8	1.7	1.6	1.5	1.4	1.3	1.3	1.2	1.1	1.0	0.96	0.90
7.3	3.8	3.5	3.3	3.1	2.9	2.7	2.6	2.4	2.2	2.1	2.0	1.8	1.7	1.6	1.5	1.4	1.3	1.3	1.2	1.1	1.0	0.97	0.91	0.85
7.4	3.5	3.3	3.1	2.9	2.7	2.5	2.4	2.2	2.1	2.0	1.8	1.7	1.6	1.5	1.4	1.3	1.3	1.2	1.1	1.0	0.96	0.90	0.85	0.79
7.5	3.2	3.0	2.8	2.7	2.5	2.3	2.2	2.1	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1	1.0	0.95	0.89	0.83	0.78	0.73
7.6	2.9	2.8	2.6	2.4	2.3	2.1	2.0	1.9	1.8	1.6	1.5	1.4	1.4	1.3	1.2	1.1	1.1	0.98	0.92	0.86	0.81	0.76	0.71	0.67
7.7	2.6	2.4	2.3	2.2	2.0	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.1	1.1	1.0	0.94	0.88	0.83	0.78	0.73	0.68	0.64	0.60
7.8	2.3	2.2	2.1	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1	1.0	0.95	0.89	0.84	0.79	0.74	0.69	0.65	0.61	0.57	0.53
7.9	2.1	1.9	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.2	1.1	1.0	0.95	0.89	0.84	0.79	0.74	0.69	0.65	0.61	0.57	0.53	0.50	0.47
8.0	1.8	1.7	1.6	1.5	1.4	1.3	1.2	1.1	1.1	1.0	0.94	0.88	0.83	0.78	0.73	0.68	0.64	0.60	0.56	0.53	0.50	0.44	0.44	0.41
8.1	1.5	1.5	1.4	1.3	1.2	1.1	1.1	0.99	0.92	0.87	0.81	0.76	0.71	0.67	0.63	0.59	0.55	0.52	0.49	0.46	0.43	0.40	0.38	0.35
8.2	1.3	1.2	1.2	1.1	1.0	0.96	0.90	0.84	0.79	0.74	0.70	0.65	0.61	0.57	0.54	0.50	0.47	0.44	0.42	0.39	0.37	0.34	0.32	0.30
8.3	1.1	1.1	0.99	0.93	0.87	0.82	0.76	0.72	0.67	0.63	0.59	0.55	0.52	0.49	0.46	0.43	0.40	0.38	0.35	0.33	0.31	0.29	0.27	0.26
8.4	0.95	0.89	0.84	0.79	0.74	0.69	0.65	0.61	0.57	0.53	0.50	0.47	0.44	0.41	0.39	0.36	0.34	0.32	0.30	0.28	0.26	0.25	0.23	0.22
8.5	0.80	0.75	0.71	0.67	0.62	0.58	0.55	0.51	0.48	0.45	0.42	0.40	0.37	0.35	0.33	0.31	0.29	0.27	0.25	0.24	0.22	0.21	0.20	0.18
8.6	0.68	0.64	0.60	0.56	0.53	0.49	0.46	0.43	0.41	0.38	0.36	0.33	0.31	0.29	0.28	0.26	0.24	0.23	0.21	0.20	0.19	0.18	0.16	0.15
8.7	0.57	0.54	0.51	0.47	0.44	0.42	0.39	0.37	0.34	0.32	0.30	0.28	0.27	0.25	0.23	0.22	0.21	0.19	0.18	0.17	0.16	0.15	0.14	0.13
8.8	0.49	0.46	0.43	0.40	0.38	0.35	0.33	0.31	0.29	0.27	0.26	0.24	0.23	0.21	0.20	0.19	0.17	0.16	0.15	0.14	0.13	0.13	0.12	0.11
8.9	0.42	0.39	0.37	0.34	0.32	0.30	0.28	0.27	0.25	0.23	0.22	0.21	0.19	0.18	0.17	0.16	0.15	0.14	0.13	0.12	0.12	0.11	0.10	0.09
9.0	0.36	0.34	0.32	0.30	0.28	0.26	0.24	0.23	0.21	0.20	0.19	0.18	0.17	0.16	0.15	0.14	0.13	0.12	0.11	0.11	0.10	0.09	0.09	0.08

Notes: pH and temperature are field measurements taken at the same time and location as the water samples destined for the laboratory analysis of ammonia.

If the field measured pH value falls between the tabular values, round the field measured value according to standard scientific rounding procedures to the nearest tabular value, and then determine the ammonia standard using linear interpolation when the temperature value is between the values provided in the table.

D. Attachment D: Ammonia Impact Ratio (AIR)

Sample AIR Data Log

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

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

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

Signature of Authorized Representative: _____

E. Attachment E: List of Priority Pollutants

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

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

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

F. Attachment F: 401 Certification

NAVAJO NATION ENVIRONMENTAL PROTECTION AGENCY
SURFACE & GROUND WATER PROTECTION DEPARTMENT
P.O. Box 339, Window Rock, AZ 86515
Tel. (928) 871-7701 Fax. (928) 871-7599

DR. BUU NYGREN
PRESIDENT

RICHELLE MONTOYA
VICE-PRESIDENT

December 5, 2024

Joni R. Tallbull, Site Manager
U.S. Department of Energy – Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

RE: Navajo Nation Certification (Project ID No. 2025-0112SR)
New NPDES Permit
U.S. DOE Office of Legacy Management – Shiprock Water Treatment System

Dear Ms. Tallbull:

Navajo EPA's Water Quality/NPDES Program has examined the National Pollutant Discharge Elimination System (NPDES) permit application for the new U.S. DOE Office of Legacy Management water treatment system in Shiprock, NM to discharge treated domestic wastewater into the San Juan River. Compliance with the terms and conditions of the permit will provide reasonable assurance that the permitted activities will be conducted in a manner that will not violate applicable water quality standards.

The Navajo Nation certifies that the discharge will comply with the applicable provisions of the Clean Water Act Sections 301, 302, 303, 306, and 307 and with appropriate requirements of Navajo Nation law. In order to meet the requirements of Navajo Nation law, including water quality standards, each of the conditions cited in the NPDES permit and the Navajo Nation certification shall not be made less stringent.

Please contact Patrick Antonio at (928) 871-7185 or patrickantonio@navajo-nsn.gov if you have any questions concerning this certification.

Sincerely,

Yolanda Barney, Environmental Department Manager
Surface and Ground Water Protection Department
Navajo Nation Environmental Protection Agency

xc: Gary Sheth, U.S. EPA Region 9 NPDES Permits Section
File