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

Authorization to Discharge Under the
National Pollutant Discharge Elimination System

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

American Water Military Services Joint Base Lewis McChord

Solo Point Wastewater Treatment Plant

is authorized to discharge from the Solo Point Wastewater Treatment Plant located in Fort Lewis, WA at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	Puget Sound (Solo Point)	47.13611° N	122. 63806° W

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

This permit shall become effective insert date

This permit and the authorization to discharge shall expire at midnight, insert date.

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

D R A F T

Susan Poulsom

Branch Manager

Permits, 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 the EPA during the term of this permit:

Item	Due Date
Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be submitted via NetDMR on or before the 15th of the month following the monitoring period (see Permit Part III.B.).
Quality Assurance Plan (QAP)	The permittee must provide the EPA with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see Permit Part II.B). The Plan must be kept on site and made available to the EPA upon request.
Operation and Maintenance (O&M) Plan	The permittee must provide the EPA with written notification that the Plan has been developed and implemented within 180 after the effective date of the final permit (see Permit Part II.A). The Plan must be kept on site and made available to the EPA upon request.
Whole Effluent Toxicity Testing (WET) Report	The permittee must submit the results of the toxicity testing with the next DMR after the testing is conducted and with the next permit application (see Permit Part I.C.4).
NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (see Permit Part V.B.).
Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances (see Permit Part III.G).
Emergency Response and Public Notification Plan	The permittee must develop and implement an overflow emergency response and public notification plan. The permittee must submit written notice to the EPA that the plan has been developed and implemented within 180 days of the effective date of this permit (See Permit Part II.D).
Annual Surface Water Monitoring Reports	The permittee must submit all surface water monitoring results for the previous calendar year in an annual report to the EPA by January 31st of the following year and with the reapplication (See Permit Part I.D)
Annual Pretreatment Reports	The permittee must submit an annual report pursuant to 40 CFR 403.12(i) that describes the permittee's program activities over the year. This report must be submitted to the EPA no later than February 15th of each year (See Permit Part II.C.7).

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I. LIMITATIONS AND MONITORING REQUIREMENTS

A. Discharge Authorization

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

B. Effluent Limitations and Monitoring

1. The permittee must limit and monitor discharges from Outfall 001 as specified in the Table below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.

Table 1: Effluent Limitations and Monitoring Requirements

Parameter	Units	Effluent Limits			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Parameters with Effluent Limits							
Flow	MGD	6.7	—	Report[1]	Effluent	Continuous	Measure
Biochemical oxygen demand (BOD_5)	mg/L	30	45	—	Influent and effluent	5/week	24-hour composite
	lbs/day	1,676	2,515	—			
BOD_5 percent removal	%	85 (min.)	—	—	Percent Removal[2]	Monthly	Calculation
Total suspended solids (TSS)	mg/L	30	45	—	Influent and effluent	5/week	24-hour composite
	lbs/day	1,676	2,515	—			
TSS percent removal	%	85 (min.)	—	—	Percent Removal[2]	Monthly	Calculation
Enterococci	#/100 mL	Geometric mean: 30 No more than 3 samples exceeding 110			Effluent	Daily	Grab
Fecal coliform	#/100 mL	200	400	—	Effluent	Daily	Grab
pH	s.u.	6.0 – 8.5			Effluent	Daily	Grab
Total petroleum hydrocarbons	mg/L	—	—	10	Influent and effluent	Quarterly[3]	Grab[4]
	lbs/day	—	—	559			Calculation
	mg/kg dry weight			Report	Sludge	Quarterly, within 30 days of influent sample[3]	Grab[4]
Total inorganic nitrogen (TIN)	mg/L	3.0	Report	—	Effluent	2/week	Calculated[5]
	lbs/day	168	Report	—			
Report Parameters							
Temperature	°C	—	—	Report	Effluent	Daily	Grab
Total residual chlorine	mg/L	—	—	Report	Effluent	Monthly	Grab
Per- and Polyfluoroalkyl	ng/L	—	—	Report	Influent and effluent	Quarterly[3]	24-hour composite

Parameter	Units	Effluent Limits			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Substances (PFAS)[6]	mg/kg dry weight	—	—	Report	Sludge	Quarterly, within 30 days of influent sample[3]	Grab
Polybrominated diphenyl ethers (PBDEs)	µg/L	—	—	Report	Influent and effluent	2/year	Grab
$CBOD_5$	mg/L	Report	--	Report	Influent and effluent	2/week	24-hour composite
Nitrate + Nitrite	mg/L as N	Report	--	Report	Influent	Monthly	24-hour composite
					Effluent	2/week	24-hour composite
Total ammonia	mg/L as N	Report	--	Report	Influent and effluent	2/week	24-hour composite
Total Kjeldahl nitrogen	mg/L as N	—	—	Report	Influent and effluent	Monthly	24-hour composite
Total organic carbon	mg/L as N	Report	--	Report	Effluent	Quarterly[3]	24-hour composite
Total phosphorus	mg/L	—	—	Report	Effluent	2/year	24-hour composite
Whole effluent toxicity (WET) testing (chronic)	TU_c	—	—	Report	Effluent	Annual	24-hour composite
1,2,4-trichlorobenzene	µg/L	—	—	Report	Effluent	2/year	24-hour composite
Effluent Testing for Pretreatment and Permit Renewal							
Metals (total recoverable), cyanide, and total phenols[7]	µg/L	—	—	Report	Influent and effluent	Quarterly[3]	See note 8
	mg/kg dry weight	—	—	Report	Sludge	Quarterly, within 30 days of influent sample[3]	Grab
Volatile organic, acid-extractable, and base-neutral compounds[7]	µg/L	—	—	Report	Influent and effluent	Annual	See note 8
	mg/kg dry weight	—	—	Report	Sludge	Annual, within 30 days of influent sample	Grab
Permit application additional effluent testing[9]	See Note 9				Effluent	Annual	See note 9
Sludge Monitoring for Land Application							
Abide by the limitations and monitoring requirements established by 40 CFR Part 503.							

1. Report daily flows on days when collecting total ammonia and nitrate plus nitrite samples (and calculating TIN)
2. The monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean of the effluent values for that month using the following equation: (average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration x 100. Influent and effluent samples must be taken over approximately the same time period.
3. Quarters are defined as: January 1 to March 31; April 1 to June 30; July 1 to September 30; and October 1 to December 31.
4. TPH samples must be taken as a grab sample set (one grab for NWTPH-Gx and one grab for NWTPH-Dx).

Parameter	Units	Effluent Limits			Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
5. TIN (mg/L) as N = Total Ammonia (mg/L as N) + Nitrate plus Nitrite (mg/L as N). 6. See Part I.B.7. 7. Pollutants in Table 2, Appendix J of 40 CFR Part 122. See Part II.C.7 for specific instructions. 8. The required sample type is 24-hour composite, except for cyanide, volatile organics and phenols, which must be taken as a minimum of 2 grab samples and separately analyzed in place of each 24-hour composite. Cyanide grab samples shall consist of a minimum of two samples collected at intervals of 15 minutes or greater within a 24-hour period (with the maximum of the two values reported). 9. Additional Effluent Testing – see NPDES Permit Application Form 2A, Tables B and C, and Part I.B.6 for the list of pollutants to be included in this testing. The Permittee must use sufficiently sensitive analytical methods in accordance with Part I.B.3. Where applicable, effluent monitoring required by other conditions of this permit may be used to satisfy this requirement.							

2. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.
3. 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 Table 1.
    b. Parameters that do not have effluent limitations.
        i. The permittee must use a method that detects and quantifies the level of the pollutant, or
        ii. The permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix 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*.
4. 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}.”
5. For purposes of calculating monthly averages, zero may be assigned for values less than the MDL, and the {numeric value of the MDL} may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the permittee must report “less than {numeric value of the MDL}” and if the average value is less than the ML, the permittee must report “less than {numeric value of the ML}.” If a value is equal to or greater than the ML, the permittee must report and use the actual value. The resulting average value must be compared to the compliance level in assessing compliance.
6. Additional pollutants required for application: In addition to the pollutants listed in Tables B and C of NPDES Application Form 2A, the permittee must include the

pollutants listed in Table 2, below, in permit application testing. Results must be reported in Table D of NPDES Application Form 2A.

Table 2: Additional Pollutants for Application Testing (Washington WQS)

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

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

Table 3: PFAS Chemicals to be Analyzed

Target Analyte Name	Abbreviation	CAS Number
Perfluoroalkyl carboxylic acids		
Perfluorobutanoic acid	PFBA	375-22-4
Perfluoropentanoic acid	PFPeA	2706-90-3
Perfluorohexanoic acid	PFHxA	307-24-4
Perfluoroheptanoic acid	PFHpA	375-85-9
Perfluorooctanoic acid	PFOA	335-67-1
Perfluorononanoic acid	PFNA	375-95-1
Perfluorodecanoic acid	PFDA	335-76-2
Perfluoroundecanoic acid	PFUnA	2058-94-8
Perfluorododecanoic acid	PFDoA	307-55-1
Perfluorotridecanoic acid	PFTrDA	72629-94-8
Perfluorotetradecanoic acid	PFTeDA	376-06-7
Perfluoroalkyl sulfonic acids (acid form)		
Perfluorobutanesulfonic acid	PFBS	375-73-5
Perfluoropentansulfonic acid	PFPeS	2706-91-4
Perfluorohexanesulfonic acid	PFHxS	355-46-4

Target Analyte Name	Abbreviation	CAS Number
Perfluoroheptanesulfonic acid	PFHpS	375-92-8
Perfluorooctanesulfonic acid	PFOS	1763-23-1
Perfluorononanesulfonic acid	PFNS	68259-12-1
Perfluorodecanesulfonic acid	PFDS	335-77-3
Perfluorododecanesulfonic acid	PFDoS	79780-39-5
Fluorotelomer sulfonic acids		
1H,1H, 2H, 2H-Perfluorohexane sulfonic acid	4:2FTS	757124-72-4
1H,1H, 2H, 2H-Perfluorooctane sulfonic acid	6:2FTS	27619-97-2
1H,1H, 2H, 2H-Perfluorodecane sulfonic acid	8:2FTS	39108-34-4
Perfluorooctane sulfonamides		
Perfluorooctanesulfonamide	PFOSA	754-91-6
N-methyl perfluorooctanesulfonamide	NMeFOSA	31506-32-8
N-ethyl perfluorooctanesulfonamide	NEtFOSA	4151-50-2
Perfluorooctane sulfonamidoacetic acids		
N-methyl perfluorooctanesulfonamidoacetic acid	NMeFOSAA	2355-31-9
N-ethyl perfluorooctanesulfonamidoacetic acid	NEtFOSAA	2991-50-6
Perfluorooctane sulfonamide ethanols		
N-methyl perfluorooctanesulfonamidoethanol	NMeFOSE	24448-09-7
N-ethyl perfluorooctanesulfonamidoethanol	NEtFOSE	1691-99-2
Per- and Polyfluoroether carboxylic acids		
Hexafluoropropylene oxide dimer acid	HFPO-DA	13252-13-6
4,8-Dioxa-3H-perfluorononanoic acid	ADONA	919005-14-4
Perfluoro-3-methoxypropanoic acid	PFMPA	377-73-1
Perfluoro-4-methoxybutanoic acid	PFMBA	863090-89-5
Nonafluoro-3,6-dioxaheptanoic acid	NFDHA	151772-58-6
Ether sulfonic acids		
9-Chlorohexadecafluoro-3-oxanonane-1-sulfonic acid	9Cl-PF3ONS	756426-58-1
11-Chloroeicosafluoro-3-oxaundecane-1-sulfonic acid	11Cl-PF3OUdS	763051-92-9
Perfluoro(2-ethoxyethane)sulfonic acid	PFEESA	113507-82-7
Fluorotelomer carboxylic acids		
3-Perfluoropropyl propanoic acid	3:3FTCA	356-02-5
2H,2H,3H,3H-Perfluorooctanoic acid	5:3FTCA	914637-49-3
3-Perfluoroheptyl propanoic acid	7:3FTCA	812-70-4

8. Prior to approval of analytical methods for PBDEs under 40 CFR Part 136, the permittee must use EPA Method 1614A. After analytical methods for PBDEs are

approved under 40 CFR Part 136, the permittee may use any sufficiently sensitive approved analytical method. The PBDEs that must be analyzed are listed in Table 4.

Table 4: PBDE Congeners to be Analyzed

Target PBDE Congener	CAS Number
Dibromodiphenyl ethers	
BDE-15	2050-47-7
Tribromodiphenyl ethers	
BDE-28/33	41318-75-6/ 147217-78-5
Tetrabromodiphenyl ethers	
BDE-46	446254-22-4
BDE-47	5436-43-1
BDE-66	189084-61-5
BDE-75	189084-63-7
Pentabromodiphenyl ethers	
BDE-99	60348-60-9
BDE-100	189084-64-8
BDE-119	189084-66-0
Hexabromodiphenyl ethers	
BDE-153	68631-49-2
BDE-154	207122-15-4
BDE-155	35854-94-5
Decabromodiphenyl ether	
BDE-209	1163-19-5

9. All TPH monitoring required by this permit must be analyzed using the NWTPH-Gx and NWTPH-Dx analytical methods, ensuring that instruments are calibrated to the JP-8 fuel type and that the integration range is limited to avoid double-counting volatiles in the semi-volatile range or vice versa.

C. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from Outfall 001. Testing must be conducted in accordance with Parts I.C.1 through I.C.4 below.

1. Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters required in Permit Part I.B, *Effluent Limitations and Monitoring*, with a required sampling frequency of monthly or more frequently, using the same sample type required in Permit Part I.B. When the timing of sample collection coincides with that of the sampling required in Permit Part I.B., analysis of the split sample will fulfill the requirements of Permit Part I.B as well. For parameters for which grab samples are required in Permit Part I.B, grab samples must be taken

during the same 24-hour period as the 24-hour composite sample used for the toxicity tests. A split of the first discrete effluent sample collected for the 24-hour composite sample for the toxicity test cannot be used to satisfy the required grab sample in Permit Part I.B.

2. Chronic Test Species and Methods

   a. For Outfall 001, chronic WET testing must be conducted annually while the permit remains in effect. WET testing must begin during the 1st quarter of the first full calendar year (January 1 – December 31) after the effective date of the permit. Annual testing shall be conducted on a rotating quarterly schedule, so that each annual test is conducted during a different quarter than the previous year's test. After four years of annual testing (one test per year, each during a different quarter), the cycle is repeated. For the purposes of WET testing, the annual testing schedule is defined as follows:

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

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

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

Table 5: Toxicity Test Species and Protocols

Marine Chronic Toxicity Tests	Species	Method
Topsmelt 7-day larval survival and growth test	*Atherinops affinis*	EPA/600/R-95/136
Mysid shrimp 7-day survival, growth, and fecundity test	*Americamysis bahia (formerly Mysidopsis bahia)*	EPA-821-R-02-014

   c. The presence of chronic toxicity must be determined as specified in the respective methods manuals corresponding to the required test method.

   d. Results must be reported in TUc (chronic toxic units), which is defined as follows:

      i. For survival endpoints, TUc = 100/NOEC.

      ii. For all other test endpoints, TUc = $100/IC_{25}$

      iii. IC_{25} means "25% inhibition concentration." The IC_{25} is a point estimate of the toxicant concentration, expressed in percent effluent, that causes a 25% reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).

iv. NOEC means “no observed effect concentration.” The NOEC is the highest concentration of toxicant, expressed in percent effluent, to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

3. Quality Assurance

   a. The toxicity testing on each organism must include a series of six test dilutions and a control. The dilution series must include 100, 50, 25, 12.5, 6.25 and the receiving water concentration (RWC), which is 1.1 % effluent.

   b. All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002, and individual test protocols.

   c. In addition to those quality assurance measures specified in the methodology, the following quality assurance procedures must be followed:

      i. If organisms are not cultured in-house, concurrent testing with reference toxicants must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests must be conducted using the same test conditions as the effluent toxicity tests.

      ii. If either of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

      iii. Control and dilution water must be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water must also be used. Receiving water may be used as control and dilution water upon notification of the EPA. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

4. Reporting

   a. The permittee must submit the results of the toxicity testing with the next DMR after it is conducted. The permittee may submit the toxicity testing as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_Bioassay_02610, where YYYY_MM_DD is the date that the permittee submits the testing.

   b. The report of toxicity test results must include all relevant information outlined in Section 10, Report Preparation, of Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms,

Fourth Edition, EPA/821-R-02-013, October 2002. In addition to toxicity test results, the permittee must report: dates of sample collection and initiation of each test; flow rate at the time of sample collection; and the results of the monitoring required in Permit Part I.B.

D. Surface Water Monitoring Report (SWMRP)

The permittee must conduct surface water monitoring. Surface water monitoring must start during the first May after the effective date of the permit and continue for as long as the permit is effective. The program must meet the following requirements:

1. A consistent monitoring location must be established in the receiving water in Puget Sound outside of, but near to, the effluent chronic mixing zone.
2. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.
3. The flow rate must be measured as near as practicable to the time that other ambient parameters are sampled.
4. Samples must be analyzed for the parameters listed in Table 6, below.
5. For all surface water monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
    a. The method must detect and quantify the level of the pollutant, or
    b. The permittee must use a method that can achieve MLs less than or equal to those specified in Appendix A. The permittee may request different MLs. The request must be in writing and must be approved by EPA.
6. Quality assurance/quality control (QA/QC) plans for all the monitoring must be documented in the Quality Assurance Plan required under Permit Part II.B.
7. Submission of surface water monitoring:
    a. Surface water monitoring results must be reported on the monthly DMR.
    b. The permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to the EPA by January 31st of the following year and with the reapplication (see Permit Part V.B). The file must be in the format of one analytical result per row and include the following information: name and contact information of laboratory, sample identification number, sample location in latitude and longitude (decimal degrees format), method of location determination (i.e., GPS, survey etc.), date and time of sample collection, water quality parameter (or characteristic being measured), analysis result, result units, detection limit and definition (i.e., MDL etc.), analytical method, date completed, and any applicable notes.
    c. The permittee may submit the surface water monitoring report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_SWMRP, where YYYY_MM_DD is the date that the permittee submits the report.

Table 6. Surface Water Monitoring

Parameter	Units	Monitoring Frequency	Sample Type
DO	mg/L	1/month, May to October	Grab
Ammonia (as N)	mg/L	1/month, May to October	Grab
Temperature	°C	1/month, May to October	Grab
pH	s.u.	1/month, May to October	Grab
Salinity	ppt	1/month, May to October	Grab

II. SPECIAL CONDITIONS

A. Operation and Maintenance Plan

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

Within 180 days of the effective date of this permit, the permittee must submit written notice to the EPA that the O&M Plan has been developed and implemented. The permittee may submit the written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_O&M_50108, where YYYY_MM_DD is the date that the permittee submits the written notification. The plan must be retained on site and made available to the EPA upon request.

B. Quality Assurance Plan (QAP)

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

Within 180 days of the effective date of this permit, the permittee must submit written notice to the EPA that the QAP has been developed and implemented. The permittee may submit written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_QAP_55099, where YYYY_MM_DD is the date that the permittee submits the written notification. The plan must be retained on site and made available to the EPA upon request.

1. The QAP must be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the permit and in explaining data anomalies when they occur.
2. Throughout all sample collection and analysis activities, the permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in *EPA Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for*

Quality Assurance Project Plans (EPA/QA/G-5). The QAP must be prepared in the format that is specified in these documents.

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

   a. Details on the number of samples, sample collection procedures, type of sample containers, preservation of samples, holding times, analytical methods, procedures for on-site measurements and/or laboratory analysis (including calibration), analytical detection, quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, chain of custody procedures, and laboratory data delivery requirements. Sample containers, preservation techniques and maximum holding times must adhere to the requirements in 40 CFR 136 and in accordance with the approved test methods.

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

   c. Qualification and training of personnel and maintenance of the training records.

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

4. The permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.

5. Copies of the QAP must be retained on site and made available to the EPA upon request.

C. Pretreatment Requirements

1. Implementation. The permittee must implement its pretreatment program in accordance with the legal authorities, policies, procedures, staffing levels and financial provisions described in its original pretreatment program submission entitled Fort Lewis Pretreatment Program Procedures and received by EPA with the permit application on July 18, 2008, any program amendments submitted thereafter, and the general pretreatment regulations (40 CFR 403) and any amendments thereof. At a minimum, the permittee must carry out the following activities:

   a. Enforce prohibitive discharge standards as set forth in 40 CFR 403.5(a) and (b), categorical pretreatment standards promulgated pursuant to CWA §§ 307(b) and (c) (where applicable), and local limitations and Best Management Practices developed by the permittee in accordance with 40 CFR 403.5(c), whichever are more stringent and are applicable to non-domestic users discharging wastewater into the permittee's collection system. Locally derived limitations must be defined as pretreatment standards under CWA § 307(d).

   b. Maintain, periodically review, and modify as necessary, BMPs for purposes of preventing the introduction of pollutants into surface water and the FOTW. The permittee shall ensure compliance with the BMPs. Any discrepancy that results

in a release to surface water or the FOTW is subject to the reporting requirements in Part III of this permit. Whenever there are substantive changes to the Best Management Practices, the permittee shall submit the revised plan to EPA within thirty (30) days of adoption of the revised provisions.

c. Implement and enforce the requirements of the most recent portions of local law and regulations (e.g. municipal code, sewer use ordinance) addressing the regulation of non-domestic users.

d. Update its inventory of non-domestic users at a frequency and diligence adequate to ensure proper identification of non-domestic users subject to pretreatment standards, but no less than once per year. The permittee must notify these users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii).

e. Issue, reissue, and modify, in a timely manner, industrial wastewater discharge permits to at least all Significant Industrial Users (SIUs) and categorical industrial users (CIUs). These documents must contain, at a minimum, conditions identified in 40 CFR 403.8(f)(1)(iii), including Best Management Practices, if applicable. The permittee must follow the methods described in its implementation procedures for issuance of individual permits.

f. Develop and maintain a data management system designed to track the status of the permittee's non-domestic user inventory, non-domestic user discharge characteristics, and their compliance with applicable pretreatment standards and requirements. The permittee must retain all records relating to its pretreatment program activities for a minimum of three years, as required by 40 CFR 403.12(o), and must make such records available to the EPA upon request. The permittee must also provide public access to information considered effluent data under 40 CFR 2.

g. Establish, where necessary, legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements in 40 CFR Part 403 by industrial users within these jurisdictions. These legally binding agreements must identify the agency responsible for the various pretreatment implementation and enforcement activities in the contributing jurisdiction and outline the specific roles, responsibilities and pretreatment activities of each jurisdiction.

h. Carry out inspections, surveillance, and monitoring of non-domestic users to determine compliance with applicable pretreatment standards and requirements. A complete inspection of all SIUs and sampling of all SIUs' effluent must be conducted at least annually.

    i. In addition to SIU sampling required by Part II.C.1.i, below, the permittee must:

a) Require industrial users identified in the annual report as being likely to discharge PFAS as required by Part II.C.7.b.i.c), to sample for the PFAS chemicals listed in Table 3 at least annually.

b) Require industrial users identified in the annual report as being likely to discharge PBDE as required by Part II.C.7.b.i.d), to sample for the PBDE congeners listed in Table 4 at least annually.

c) The permittee may conduct PFAS or PBDE monitoring for any industrial user instead of requiring the industrial user to self-monitor.

ii. The permittee must require the implementation of BMPs to reduce or eliminate the discharge of PFAS chemicals or PBDE congeners at any industrial user where such chemicals are detected.

a) The permittee must require any industrial user at which PBDE or PFAS had been detected to provide an evaluation of whether the industrial user uses or has historically used any products containing the detected chemical(s) of concern, whether use of those products or legacy contamination reasonably can be reduced or eliminated, and a plan to implement those steps. The permittee must require this evaluation to be completed within 6 months of the IU being identified as a source of PFAS or PBDE.

b) The permittee must require the IU to implement the plan within 12 months of being identified as a source of PFAS or PBDE.

c) Following implementation of BMPs for PFAS or PBDE reduction, the status of such BMP implementation must be described in the pretreatment annual report. This must include a list of potential sources of PFAS or PBDE at the IU, a summary of actions taken by the IU to reduce PFAS or PBDE discharges, and applicable PFAS or PBDE IU monitoring results.

i. Require SIUs to conduct wastewater sampling as specified in 40 CFR 403.12(e) or (h). Frequency of wastewater sampling by the SIUs must be appropriate for the character and volume of the wastewater but no less than twice per year. Sample collection and analysis must be performed in accordance with 40 CFR 403.12(b)(5)(ii) through (v) and 40 CFR 136. In cases where the Pretreatment Standard requires compliance with a Best Management Practice or pollution prevention alternative, the permittee must require the User to submit documentation to determine compliance with the Standard. If the permittee elects to conduct all non-domestic user monitoring for any SIU instead of requiring self-monitoring, the permittee must conduct sampling in accordance with the requirements of this paragraph, and the requirements of 40 CFR 403.12(g)(2).

j. Enforce and obtain remedies for any industrial user noncompliance with applicable pretreatment standards and requirements. This must include timely

and appropriate reviews of industrial reports to identify all violations of the user's permit, the local ordinance, and federal pretreatment standards and requirements. Once violations have been uncovered, the permittee must take timely and appropriate action to address the noncompliance. The permittee's enforcement actions must follow its EPA-reviewed enforcement response procedures.

k. Publish, at least annually, in a newspaper or newspapers of general circulation that provides meaningful public notice within the jurisdiction(s) served by the FOTW, a list of all non-domestic users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8 (f)(2)(viii).

l. Maintain adequate staff, funds and equipment to implement its pretreatment program.

m. Conduct an analysis annually to determine whether influent pollutant loadings are approaching the maximum allowable headworks loadings calculated in the permittee's most recent local limits calculations. Any local limits found to be inadequate by this analysis must be revised. The permittee may be required to revise existing local limits or develop new limits if deemed necessary by EPA.

2. Spill Prevention and Slug Discharges. The permittee must implement an accidental spill prevention program to reduce and prevent spills and slug discharges of pollutants from non-domestic users.

   a. Control mechanisms for SIUs must contain requirements to control slug discharges if determined by the FOTW to be necessary [40 CFR 403.8(f)(1)(iii)(B)(6)].

   b. SIUs must be evaluated for the need for a plan or other action to control slug discharges within 1 year of being designated an SIU.

   c. SIUs must notify the FOTW immediately of any changes at their facilities affecting the potential for a slug discharge [40 CFR 403.8(f)(2)(vi)].

3. Enforcement Requirement. Whenever the EPA finds, on the basis of any available information, that the owner or operator of any source is introducing a pollutant into the FOTW in violation of national pretreatment standards, including prohibited discharges, local limits, or categorical standards, or has caused interference or pass through, the EPA may notify the owner or operator of the FOTW of such violation. If, within 30 days after such notification has been sent by the EPA to the FOTW, the FOTW fails to commence appropriate enforcement action to correct the violation, the EPA may take appropriate enforcement action under the authority provided in CWA § 309(f).

4. Modification of the Pretreatment Program. If the permittee elects to modify any components of its pretreatment program, it must comply with the requirements of 40 CFR 403.18. No substantial program modification, as defined in 40 CFR 403.18(b), may be implemented prior to receiving written authorization from the EPA.

5. Control of Undesirable Pollutants. The permittee must not allow introduction of the following pollutants into the FOTW:
    a. Pollutants which will create a fire or explosion hazard in the FOTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21;
    b. Pollutants which will cause corrosive structural damage to the FOTW, but in no case, indirect discharges with a pH lower than 5.0, unless the treatment facilities are designed to accommodate such indirect discharges;
    c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the FOTW (including the collection system) resulting in interference;
    d. Any pollutant, including oxygen demanding pollutants (*e.g.* BOD_5), released in an indirect discharge at a flow rate and/or pollutant concentration which will cause interference with the FOTW;
    e. Heat in amounts which inhibit biological activity in the FOTW resulting in interference, but in no case heat in such quantities that the temperature at the FOTW treatment plant exceeds 40°C (104°F) unless the Regional Administrator, upon request of the FOTW, approves alternate temperature limits;
    f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
    g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the FOTW in a quantity that may cause acute worker health and safety problems; and
    h. Any trucked or hauled pollutants, except at discharge points designated by the FOTW.
6. Requirements for Industrial users. The permittee must require any industrial user of its treatment works to comply with any applicable requirements in 40 CFR 403 through 471.
7. Sampling Requirements
    a. Parameters:
        i. The permittee must sample influent and effluent from the FOTW for arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, zinc, and total phenols. Metals must be analyzed and reported as total metals.
        ii. The permittee must sample sludge for arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, percent solids, selenium and zinc.
        iii. The permittee must perform chemical analyses of its influent, effluent, and sludge for all specific toxic organic pollutants listed in Table II of Appendix D of 40 CFR 122.

a) GC/MS Analysis: In addition to analyzing for pollutants specified in Table 1, the permittee must make a reasonable attempt using GC/MS analytical techniques to identify and quantify the ten most abundant constituents of each effluent extract (excluding toxic organic pollutants and unsubstituted aliphatic compounds) shown to be present by peaks on the total ion plots (reconstructed gas chromatograms). Identification must be attempted through the use of the USEPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order-of-magnitude estimate based upon comparison with an internal standard.

b) Sample Handling: All samples must be prepared, preserved, shipped, and analyzed in accordance with the QAP and Permit Part III.C, *Monitoring Procedures.*

b. Frequency

i. Metals, cyanide, and phenols (influent and effluent): Sampling must be conducted quarterly, as specified in Table 1.

ii. Metals (sludge): Sampling must be done once per quarter, within 30 days of influent sample.

iii. Toxic organic pollutants: Sampling must be conducted annually, as specified in Table 1.

c. Sampling Locations and Sample Type

d. Analytical Methods: For influent and effluent pretreatment sampling of Arsenic, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Silver and Zinc, the permittee must use EPA-approved analytical methods that achieve the ML in Appendix A.

e. Sludge Sampling: Sludge samples must be taken as the sludge leaves the dewatering device or digesters.

f. Sludge Reporting: Metals concentrations in sludge must be reported in mg/kg, dry weight.

g. Reporting Results: Analytical results for each day's samples must be reported separately. Sample results must be submitted with the pretreatment annual report required in paragraph 8, below.

h. Cyanide sampling: Influent and effluent sampling for cyanide must be conducted as follows. Eight discrete grab samples must be collected over a 24-hour day. Each grab sample must be at least 100 ml. Each sample must be checked for the presence of chlorine and/or sulfides prior to preserving and compositing (refer to Standard Methods, 4500-CN B). If chlorine and/or sulfides are detected, the sample must be treated to remove any trace of these parameters. After testing and treating for the interference compounds, the pH of each sample must be adjusted, using sodium hydroxide, to 12.0 standard units. Each sample can then

be composited into a larger container which has been chilled to 4 degrees Celsius, to allow for one analysis for the day.

8. Annual Pretreatment Report

   a. The permittee must submit an annual report pursuant to 40 CFR 403.12(i) that describes the permittee's program activities over the year. This report must be submitted no later than February 15th of each year. It must be submitted electronically using NeT-PRR by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR Part 3 (including, in all cases, subpart D to 40 CFR Part 3), 40 CFR 122.22, and 40 CFR Part 127.

   b. The pretreatment report must be compiled following the Region 10 Annual Report Guidance. Categorical industrial users should have the applicable category noted as well as cases where more stringent local limits apply instead of the categorical standard. At a minimum, the report must include:

      i. An updated non-domestic user inventory, including:

         a) Those facilities that are no longer discharging (with explanation),

         b) New dischargers, appropriately categorized and characterized,

         c) A list of dischargers that are likely to discharge PFAS.

         d) A list of dischargers that are likely to discharge PBDE.

      ii. Results of wastewater and sludge sampling at the FOTW as specified in paragraph 7 of this Part, above.

      iii. Calculations of removal rates for each pollutant for each day of sampling.

      iv. An analysis and discussion of whether the existing local limitations in the permittee's sewer use ordinance continue to be appropriate to prevent treatment plant interference and pass through of pollutants that could affect water quality or sludge quality. This should include a comparison between influent loadings and the most recent relevant maximum allowable headworks loadings calculated for the treatment plant.

      v. Status of program implementation, including:

         a) Any planned modifications to the pretreatment program, including staffing and funding updates.

         b) A description of any interference, pass through, upset, or NPDES permit violations experienced at the FOTW which were directly or indirectly attributable to non-domestic users, including:

            i) Date & time of the incident

            ii) Description of the effect on the FOTW's operation

            iii) Effects on the FOTW's effluent and biosolids quality

iv) Identification of suspected or known sources of the indirect discharge causing the upset

v) Steps taken to remedy the situation and to prevent recurrence

c) Listing of non-domestic users inspected and/or monitored during the report year with dates and an indication of compliance status.

d) Listing of non-domestic users planned for inspection and/or monitoring for the coming year along with associated frequencies.

e) Listing of non-domestic users whose permits have been issued, reissued, or modified during the report year along with current permit expiration dates.

f) Listing of non-domestic users notified of promulgated pretreatment standards and/or local standards during the report year as required in 40 CFR 403.8(f)(2)(iii).

g) Listing of non-domestic users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing must include the final date of compliance for each facility.

vi. Status of enforcement activities including:

a) Listing of non-domestic users who failed to comply with applicable pretreatment standards and requirements, including:

b) Summary of the violation(s).

c) Enforcement action taken or planned by the permittee.

d) Present compliance status as of the date of preparation of the pretreatment report.

e) Listing of those users in significant noncompliance during the report year as defined in 40 CFR 403.8(f)(2)(viii) and a copy of the newspaper publication of those users' names.

f) The EPA may require more frequent reporting on those users who are determined to be in significant noncompliance.

D. Emergency Response and Public Notification Plan

1. The permittee must develop and implement an overflow emergency response and public notification plan that identifies measures to protect public health from overflows that may endanger health and unanticipated bypasses or upsets that exceed any effluent limitation in the permit. At a minimum the plan must include mechanisms to:

a. Ensure that the permittee is aware (to the greatest extent possible) of all overflows from portions of the collection system over which the permittee has

ownership or operational control and unanticipated bypass or upset that exceed any effluent limitation in the permit;

b. Ensure appropriate responses including assurance that reports of an overflow or of an unanticipated bypass or upset that exceed any effluent limitation in the permit are immediately dispatched to appropriate personnel for investigation and response;

c. Ensure immediate notification to the public, health agencies, and other affected public entities (including public water systems). The overflow response plan must identify the public health and other officials who will receive immediate notification;

d. Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained; and

e. Provide emergency operations.

2. The permittee must submit written notice to the EPA that the plan has been developed and implemented within 180 days of the effective date of this permit. Any existing emergency response and public notification plan may be modified for compliance with this Part.

3. The permittee must submit the written notification as an electronic attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_ERPNP, where YYYY_MM_DD is the date that the permittee submits the written notification.

III. 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 Permit Part I.B. that are likely to be affected by the discharge.

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

B. Reporting of Monitoring Results

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

2. Monitoring data must be submitted electronically to the EPA no later than the 15th of the month following the completed reporting period.
3. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Permit Part V.F, *Signatory Requirements*.
4. Submittal of Reports as NetDMR Attachments. Unless otherwise specified in this permit, the permittee must submit all reports to the EPA as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_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

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless another method is required under 40 CFR Part 136, subchapters N or O, or other test procedures have been specified in this permit or approved by the 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 Part 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 and measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) and time analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

F. Retention of Records

The permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete

the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the EPA at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance to the NPDES Compliance Hotline in Seattle, Washington, (206) 553-1846, to the Department of Ecology Southwest Regional Office, (360) 407-6300, and via email to the Nisqually Indian Tribe Department of Natural Resources (troutt.david@nisqually-nsn.gov, homerding.margaret@nisqually-nsn.gov, nardi.shannon@nisqually-nsn.gov) within 24 hours from the time the permittee becomes aware of the circumstances:
   a. any noncompliance that may endanger health or the environment;
   b. any unanticipated bypass that exceeds any effluent limitation in the permit (See Permit Part IV.F, *Bypass of Treatment Facilities*);
   c. any upset that exceeds any effluent limitation in the permit (See Permit Part IV.G, *Upset Conditions*);
   d. any overflow prior to the treatment works over which the permittee has ownership or has operational control. An overflow is any spill, release or diversion of municipal sewage including:
      i. an overflow that results in a discharge to waters of the United States; and
      ii. an overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately-owned sewer or building lateral) that does not reach waters of the United States.
2. The permittee must also provide a written submission within five days of the time that the permittee becomes aware of any event required to be reported under Paragraph 1 above. The written submission must contain:
   a. a description of the noncompliance and its cause;
   b. the period of noncompliance, including exact dates and times;
   c. the estimated time noncompliance is expected to continue if it has not been corrected; and
   d. steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
   e. if the noncompliance involves an overflow, the written submission must contain:
      i. The location of the overflow;
      ii. The receiving water (if there is one);
      iii. An estimate of the volume of the overflow;

iv. A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);

v. The estimated date and time when the overflow began and stopped or will be stopped;

vi. The cause or suspected cause of the overflow;

vii. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;

viii. An estimate of the number of persons who came into contact with wastewater from the overflow; and

ix. Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

3. The Director of the Enforcement and Compliance Assurance Division may waive the written report submission on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.

4. The permittee must sign and certify the report in accordance with the requirements of Permit Part V.F, *Signatory Requirements.* Reports must be submitted via email to R10enforcement@epa.gov with the subject line "CWA NPDES_WA0021954_Noncompliance Report." The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_Noncompliance Report, where YYYY_MM_DD is that date that the permittee submits the report. Copies must also be submitted to Ecology at the following email address: swroerts@ecy.wa.gov, and to the Nisqually Indian Tribe Department of Natural Resources at the following email addresses: troutt.david@nisqually-nsn.gov, homerding.margaret@nisqually-nsn.gov, nardi.shannon@nisqually-nsn.gov.

5. All reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically using NeT-SewerOverflow by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR Part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 CFR Part 127.

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 Permit Part III.B, *Reporting of Monitoring Results* are submitted. The reports must contain the information listed in Permit Part III.G.2. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall also contain the applicable required data in appendix A to 40 CFR Part 127. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this

section and 40 CFR part 3 (including, in all cases, Subpart D to Part 3), § 122.22, and 40 CFR Part 127. 40 CFR Part 127 is not intended to undo existing requirements for electronic reporting. The Director may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.

1. At the same time as they are submitted to the EPA, the permittee must also submit all noncompliance reports to the Nisqually Indian Tribe Department of Natural Resources at the following email addresses: troutt.david@nisqually-nsn.gov, homerding.margaret@nisqually-nsn.gov, nardi.shannon@nisqually-nsn.gov.

I. Public Notification

The permittee must immediately notify the public, health agencies and other affected entities (e.g., public water systems) of any overflow which the permittee owns or has operational control; or any unanticipated bypass or upset that exceeds any effluent limitation in the permit in accordance with the notification procedures developed in accordance with Permit II.D, *Emergency Response and Public Notification Plan.*

J. Notice of New Introduction of Toxic Pollutants

1. The permittee must provide adequate notice to the Director of the Water Division and Ecology of the following:
    a. Any new introduction of pollutants into the FOTW from an indirect discharger which would be subject to CWA §§ 301 or 306 if it were directly discharging those pollutants; and
    b. Any substantial change in the volume or character of pollutants being introduced into the FOTW by a source introducing pollutants into the FOTW at the time of issuance of the permit.
    c. For the purposes of this Part, adequate notice must include information on:
        i. The quality and quantity of effluent to be introduced into the FOTW, and
        ii. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the FOTW.
2. The permittee must notify the Director of the Water Division with an attachment in NetDMR and via email (to EPAR10WD-NPDES@epa.gov with the subject line "CWA NPDES_WA0021954_New Pollutants"). The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0021954_New Pollutants, where YYYY_MM_DD is the date that the permittee submits the notice.

K. Compliance Schedules

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

IV. Compliance Responsibilities

A. Duty to Comply

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

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the CWA, any person who violates CWA §§ 301, 302, 306, 307, 308, 318 or 405, or any permit condition or limitation implementing any such sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8), is subject to a civil penalty not to exceed the maximum amounts authorized by CWA § 309(d) and the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. § 2461 note; Pub. L. 101-410) as amended by the Debt Collection Improvement Act of 1996 (31 USC § 3701 note) and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note, Pub. L.114-74) (currently $68,445 per day for each violation).
2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating CWA §§ 301, 302, 306, 307, 308, 318 or 405, or any permit condition or limitation implementing any of such sections in a permit issued under CWA § 402. Pursuant to 40 CFR Part 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by CWA § 309(g)(2)(A) and the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. § 2461 note; Pub. L. 101-410) as amended by the Debt Collection Improvement Act of 1996 (31 USC § 3701 note) and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note, Pub. L.114-74) (currently $27,378 per violation, with the maximum amount of any Class I penalty assessed not to exceed $68,445). Pursuant to 40 CFR Part 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by CWA § 309(g)(2)(B) and the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. § 2461 note; Pub. L. 101-410) as amended by the Debt Collection Improvement Act of 1996 (31 USC § 3701 note) and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (28 U.S.C. § 2461 note, Pub. L.114-74) (currently $27,378 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $342,218).
3. Criminal Penalties:
    a. Negligent Violations. The Act provides that any person who negligently violates CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any of such sections in a permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8), is subject to criminal penalties of $2,500 to $25,000 per

day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

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

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

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

C. Need to Halt or Reduce Activity not a Defense

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

D. Duty to Mitigate

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

E. Proper Operation and Maintenance

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

F. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts IV.F.2 and IV.F.3 below.
2. Notice.
    a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it must submit prior written notice, if possible at least 10 days before the date of the bypass. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.
    b. Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required under Permit Part III.G, *Twenty-four Hour Notice of Noncompliance Reporting*. As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127.
3. Prohibition of bypass.
    a. Bypass is prohibited, and the Director of the Enforcement and Compliance Assurance Division may take enforcement action against the permittee for a bypass, unless:
        i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

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

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

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

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of Part IV.G.2 below. 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 Permit Part III.G, *Twenty-four Hour Notice of Noncompliance Reporting* and

   d. The permittee complied with any remedial measures required under Permit Part V.D, *Duty to Mitigate*.

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

H. Toxic Pollutants

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

I. Planned Changes

The permittee must give written notice to the Director of the Water Division at the address specified in Permit Part III.J.2. 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 not subject to effluent limitations in this permit.
3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application site.

J. Anticipated Noncompliance

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

K. Reopener

This permit may be reopened to include any applicable standard for sewage sludge use or disposal promulgated under CWA § 405(d). The Director may modify or revoke and reissue the permit if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

V. General Provisions

A. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.63, 122.64, or 124.5. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

B. Duty to Reapply

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

C. Duty to Provide Information

The permittee must furnish to the EPA and Ecology, within the time specified in the request, any information that the EPA 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 the EPA 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 the EPA or Ecology, it must promptly submit the omitted facts or corrected information in writing.

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

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

F. Signatory Requirements

All applications, reports or information submitted to the EPA 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 the EPA 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 Enforcement and Compliance Assurance Division and Ecology.
3. Changes to authorization. If an authorization under Part V.F.2 above 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.F.2 must be submitted to the Director of Enforcement and Compliance Assurance

Division 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."

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

G. Availability of Reports

In accordance with 40 CFR Part 2, information submitted to the 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, the EPA may make the information available to the public without further notice to the permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

H. Inspection and Entry

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

I. Property Rights

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

J. Transfers

This permit is not transferable to any person except after written notice to the Director of the Water Division at the address specified in Permit Part III.J.2. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (*See* 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

K. State Laws

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

VI. Definitions

1. "Act" means the Clean Water Act.
2. "Administrator" means the Administrator of the EPA, or an authorized representative.
3. Approval Authority means the Regional Administrator of EPA Region 10, 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. "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.
6. "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.

7. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
8. "Chronic toxic unit" ("TUc") is defined at Part I.C.2.d.
9. "Composite" - see "24-hour composite".
10. "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.
11. "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.
12. "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.
13. "Director of the Water Division" means the Director of the Water Division, EPA Region 10, or an authorized representative.
14. "DMR" means discharge monitoring report.
15. "Ecology" means the Washington Department of Ecology.
16. "EPA" means the United States Environmental Protection Agency.
17. "Geometric Mean" means the n^{th} root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.
18. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
19. "Inhibition concentration", IC, is a point estimate of the toxicant concentration that causes a given percent reduction (p) in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).
20. "Indirect Discharge" means the introduction of pollutants into a FOTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.
21. "Industrial User" means a source of "Indirect Discharge."
22. "Interference" means a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) Inhibits or disrupts the FOTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) Therefore is a cause of a violation of any requirement of the FOTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance

with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

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

24. "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.

25. "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.

26. "National Pollutant Discharge Elimination System (NPDES)" means, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and enforcing pretreatment requirements, under CWA §§ 307, 402, 318, and 405.

27. "NOEC" means no observed effect concentration. The NOEC is the highest concentration of toxicant (e.g., effluent) to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

28. "Pass Through" means an Indirect Discharge which exits the FOTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the FOTW's NPDES permit (including an increase in the magnitude or duration of a violation).

29. Receiving Water Concentration (RWC) is the concentration of a toxicant or effluent in the receiving water after mixing. The RWC is the inverse of the dilution factor. It is sometimes referred to as the instream waste concentration (IWC).

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

31. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.

32. "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.

33. "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.

34. "24-hour composite" sample means a combination of at least 8 discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24 hour period. The composite may be flow proportional or time proportional. The sample aliquots must be collected and stored in accordance with procedures prescribed in 40 CFR 136.

Appendix A. Minimum Levels

The Tables below list 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 the EPA with appropriate laboratory documentation.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Biochemical Oxygen Demand	2 mg/L
Soluble Biochemical Oxygen Demand	2 mg/L
Chemical Oxygen Demand	10 mg/L
Dissolved Organic Carbon	1 mg/L
Total Organic Carbon	1 mg/L
Total Suspended Solids	5 mg/L
Total Ammonia (as N)	50
Dissolved oxygen	+/- 0.2 mg/L
Temperature	+/- 0.2°C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Total Alkalinity	5 mg/L as CaCO3
Chlorine, Total Residual	50.0
Color	10 color units
Fluoride (16984-48-8)	100
Nitrate + Nitrite Nitrogen (as N)	100
Nitrogen, Total Kjeldahl (as N)	300
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Salinity	3 practical salinity units or scale (PSU or PSS)
Settleable Solids	500 (or 0.1 mL/L)
Sulfate (as mg/L SO4)	0.2 mg/L

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Sulfide (as mg/L S)	0.2 mg/L
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

PRIORITY POLLUTANTS

Pollutant & CAS No. (if available)	ML, µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.1
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.16
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Zinc, Total (7440-66-6)	2.5
Cyanide, Total (57-12-5)	10
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10
Phenols, Total	50
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Dichlorobromomethane (75-27-4)	2.0
1,1-Dichloroethane (75-34-3)	2.0
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Benzo(a)pyrene (50-32-8)	1.0
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0
Isophorone (78-59-1)	1.0
3-Methyl cholanthrene (56-49-5)	8.0

Pollutant & CAS No. (if available)	ML, µg/L unless specified
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4'-DDT (50-29-3)	0.05
4,4'-DDE (72-55-9)	0.05
4,4' DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05
PCB-1242 (53469-21-9)	0.5
PCB-1254 (11097-69-1)	0.5
PCB-1221 (11104-28-2)	0.5

Pollutant & CAS No. (if available)	ML, µg/L unless specified
PCB-1232 (11141-16-5)	0.5
PCB-1248 (12672-29-6)	0.5
PCB-1260 (11096-82-5)	0.5
PCB-1016 (12674-11-2)	0.5
Toxaphene (8001-35-2)	0.5