

**US ENVIRONMENTAL PROTECTION AGENCY, REGION 9
75 Hawthorne Street, San Francisco, CA 94105**

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

NPDES PERMIT NO. NN0030345

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

Permittee Name	Navajo Engineering and Construction Authority ("NECA")
Permittee Address	P.O. Box 969 Shiprock, New Mexico 87420
Facility Name	NECA Navajo Nation Municipal Pipeline Project
Facility Location	Hogback Canal Hogback, New Mexico 87420
Facility Rating	Minor

Outfall Number	General Type Of Waste Discharged	Outfall Latitude	Outfall Longitude	Receiving Water(s)
001	Fill and Flush Water	36° 44' 42.10" N	108°32' 43.00"W	Hogback Canal, a tributary to San Juan River
002	Fill and Chlorinated Water	36° 47' 15.57" N	108°38' 47.71"W	Hogback Canal, a tributary to San Juan River

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

Signed for the Regional Administrator:

Tomás Torres, Director
Water Division

Date

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

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

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

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PART I. EFFLUENT LIMITS AND MONITORING REQUIREMENTS

A. Effluent Limits and Monitoring Requirements

1. Effluent Limits – Outfall Number 001& 002
 The permittee is authorized to discharge fill, flush and chlorinated water from hydrotesting and disinfection of the newly installed pipeline, in compliance with the final effluent limits and monitoring requirements specified in Table 1.
2. The discharge of pollutants to waters of the United States at any point other than Outfall 001 & Outfall 002 is prohibited and constitutes a violation of the permit.
3. To ensure that the discharge will not cause severe erosion at any discharge locations, and in accordance with the requirements set forth in 40 CFR § 122.45 (e), the total volume of flushing waters at Outfall 001 shall not exceed 3,525 gallons per minute (GPM). And the total combined volume of flushing and chlorinated discharge shall not exceed 500 GPM at Outfall 002. In addition, the duration of each discharge shall not exceed 14 days.
4. All discharges to waters on Navajo Nation lands shall be free from:
 - a. visible solids, foam, scum, or any debris that floats;
 - b. oil and/or grease that results in a film or iridescent appearance;
 - c. objectionable odor;
 - d. unnatural color.
5. The permittee shall not place animal carcasses, refuse, rubbish, demolition or construction debris, trash, garbage, motor vehicles, motor vehicle parts, batteries, appliances, tires, or other solid waste into waters of the Navajo Nation or onto their banks.

Table 1. Discharge Limitations—Outfall Number 001 & 002

Parameters	Units	Permit Effluent Limitations			Effluent Data			
		Monthly Average	Weekly Average	Max Daily	Highest Monthly Average	Highest Weekly Average	Highest Daily Maximum	Monitoring Frequency ⁽¹⁾
Flow Rate (Outfall 001)	GPM	--	--	3,525 ⁽²⁾	--	--	--	Continuous
Flow Rate (Outfall 002)	GPM	--	--	500 ⁽²⁾	--	--	--	Continuous
Total Suspended Solids (TSS)	mg/L	10		30	--	--	--	Per Discharge
	kg/day	2.61	3.91	--	--	--	--	
Chlorine, total residual (TRC)	µg /L	--	--	11.0 ⁽³⁾	--	--	--	Per Discharge
pH	S.U.	6.5 to 9.0 (min-max)			--			Per Discharge

Parameters	Units	Permit Effluent Limitations			Effluent Data			Monitoring Frequency ⁽¹⁾
		Monthly Average	Weekly Average	Max Daily	Highest Monthly Average	Highest Weekly Average	Highest Daily Maximum	
Turbidity	NTU	--	--	50	--	--	--	Per Discharge
Oil & Grease	mg/L	5		10				Per Discharge
Nitrogen, total ⁽⁴⁾	mg/L	--	--	--				Per Discharge
Phosphorous, total ⁽⁴⁾	mg/L	--	--	--				Per Discharge
Priority Pollutants Scan ⁽⁴⁾⁽⁵⁾	Various	--	--	--				Years 2 and 4 of permit term

FOOTNOTES:

- (1) Monitoring shall occur only when there is a discharge from the testing and disinfection event. If no discharge occurs during the reporting period, no monitoring is required, and the DMR for that month shall indicate that no discharge occurred. If additional testing is performed, results must be reported.
- (2) All flows shall be monitored and reported, as well as the total volume of discharge. Appropriate erosion prevention measures, such as cable concrete mats, shall be used at the outfall location.
- (3) Chlorination for disinfection purpose indicates that there is reasonable potential for TRC levels in the effluent to cause or contribute to an excursion above the WQS. Therefore, a TRC limit of 11 µg/l has been established in the proposed permit to protect the beneficial uses of the receiving waters.
- (4) Monitoring and reporting required. No limit is set currently.
- (5) See attachment G for list of priority pollutants. For most current listing of all priority pollutants see 40 CFR § 423, Appendix A.

B. Sampling

1. Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge but prior to entry into the receiving water.

C. General Monitoring and Reporting

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

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

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

3. The permittee shall develop a Quality Assurance ("QA") Manual for the field collection and laboratory analysis of samples. The purpose of the QA Manual is to assist in planning for the collection and analysis of samples and explaining data anomalies if they occur. At a minimum, the QA Manual shall include the following:
 - a. Identification of project management and a description of the roles and responsibilities of the participants; purpose of sample collection; matrix to be sampled; the analytes or compounds being measured; applicable technical, regulatory, or program-specific action criteria; personnel qualification requirements for collecting samples;
 - b. Description of sample collection procedures; equipment used; the type and number of samples to be collected including QA/Quality Control ("QC") samples; preservatives and holding times for the samples (see 40 CFR § 136.3); and chain of custody procedures;
 - c. Identification of the laboratory used to analyze the samples; provisions for any proficiency demonstration that will be required by the laboratory before or after contract award such as passing a performance evaluation sample; analytical method to be used; MDL and ML to be reported; required QC results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and corrective actions to be taken in response to problems identified during QC checks; and,
 - d. Discussion of how the permittee will perform data review, report results, and resolve data quality issues and identify limits on the use of data.
4. Throughout all field collection and laboratory analyses of samples, the permittee shall use the QA/QC procedures documented in their QA Manual. If samples are tested by a contract laboratory, the permittee shall ensure that the laboratory has a QA Manual on file. A copy of the permittee's QA Manual shall be retained on the permittee's premises and available for review by regulatory authorities upon request. The permittee shall review its QA Manual annually and revise it, as appropriate.
5. Samples collected during each month of the reporting period must be reported on DMR forms, as follows:

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

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

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

NODI (B), if the maximum value of all analytical results is less than the laboratory's MDL.

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

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

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

NODI (B), if the maximum value of all analytical results is less than the laboratory's MDL.

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

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

6. In addition to information requirements specified under 40 CFR § 122.41(j)(3), records of monitoring information shall include: the laboratory which performed the analyses and any comment, case narrative, or summary of results produced by the laboratory. The records should identify and discuss QA/QC analyses performed concurrently during sample analyses and whether project and 40 CFR Part 136 requirements were met. The summary of results must include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, and sample condition upon receipt, holding time, and preservation.
7. The permittee shall electronically submit Discharge Monitoring Reports ("DMRs") and Biosolids/Sewage Sludge Reports using NetDMR (<http://www.epa.gov/netdmr>) and EPA's [Central Data Exchange \(CDX\)](#), respectively. Electronic submittals should be copied to R9NPDES@epa.gov.
8. DMRs shall be submitted by the 28th day of the month following the previous reporting period. For example, under quarterly submission, the three DMR forms for January, February, and March are due on April 28th. Annual and quarterly monitoring must be conducted starting in the first complete quarter or calendar year following permit issuance. Reporting for annual monitoring is due on January 28th of the following year. A DMR must be submitted for the reporting period even if there was not any discharge. If there is no discharge from the facility during the reporting period, the permittee shall submit a DMR indicating no discharge as required.

Part II. SPECIAL CONDITIONS

A. Notification of Discharge

1. The permittee shall provide notification to U.S. EPA (Chun Liu at 415-972-3333) and the Navajo Nation EPA (Patrick Antonio at 928-871-7185) at least thirty (30) working days prior to commencement of any discharge of hydrostatic test and clean out water event.

B. Permit Reopener(s)

1. In accordance with 40 CFR Parts 122 and 124, this permit may be modified by USEPA to include effluent limits, monitoring, or other conditions to implement new regulations, including EPA-approved water quality standards; to address new information indicating the presence of effluent toxicity or the reasonable potential for the discharge to cause or contribute to exceedances of water quality standards; or new permit conditions for species pursuant to ESA requirements.
2. In accordance with 40 CFR § 122.44(c), USEPA may promptly modify or revoke and reissue any permit issued to a treatment works treating domestic sewage (including “biosolids only facilities”) to incorporate any applicable standard for biosolids use or disposal promulgated under section 405(d) of the CWA, if the standard for biosolids use or disposal is more stringent than any requirements for biosolids use or disposal in the permit, or controls a pollutant or practice not limited in the permit.
3. This permit may be modified, or revoked and reissued, based on the results of Magnuson-Stevens Fishery Conservation and Management Act and/or Endangered Species Act Section 7 consultation(s) with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service.

C. Twenty-Four-Hour Reporting of Noncompliance

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

Manager	Patrick Antonio
Wastewater Enforcement Office (ENF 3-1)	Navajo Nation EPA
U.S. EPA Region 9	(928) 871-7185
(415) 947-4777	

2. The permittee shall follow up with a written submission within five days of the time the permittee becomes aware of the noncompliance. The written submission shall be emailed to R9NPDES@epa.gov and/or the EPA staff person initially notified. The written submission shall also be emailed to patrickantonio@navajo-nsn.gov at the Navajo Nation EPA and/or the NNEPA staff person initially notified. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and

times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The following shall be included as information which must be reported within 24 hours under this paragraph.
 - a. Any unanticipated bypass' which exceeds any effluent limit in the permit (see 40 CFR § 122.44(g)).
 - b. Any upset which exceeds any effluent limit in the permit.
 - c. Violation of a maximum daily discharge limit for any of the pollutants listed by the director in the permit to be reported within 24 hours (see 40 CFR § 122.44(g)). (see Table 1. Effluent Limits and Monitoring Requirements).
4. USEPA may waive the written report on a case-by-case basis for reports required under paragraph B.2, if the oral report has been received within 24 hours.

D. Best Management Practices and Pollution Prevention

In accordance with section 304(e) of the CWA and 40 CFR § 122.44(k), the permittee shall develop and implement Best Management Practices ("BMPs") for pollution prevention. Pursuant to 40 CFR §122.44(k)(4), EPA may impose BMPs "reasonably necessary...to carry out the purposes of the Act." The pollution prevention requirements or BMPs in the permit operate as technology-based limitations on effluent discharges that reflect the application of Best Available Technology and Best Control Technology. Thus, the permit requires that the permittee develop (or update) and implement a Pollution Prevention Plan within 180 days of the permit effective date with appropriate pollution prevention measures or BMPs designed to prevent pollutants from entering San Juan River while performing normal processing operations to discharge fill, flush and chlorinate water from hydrotesting and disinfection of the newly installed pipeline. The permittee shall develop and implement BMPs that are necessary to control Outfall(s) erosion control.

1. Outfall Erosion Protection

The permittee must develop or implement appropriate control measures or BMPs designed for outfall erosion control protection and/or energy dissipation at the outfall location to prevent erosion and scouring of the channel during periods of high flow volume discharge. Such BMPs may include rip rap, perforated pipe, construction of a splash pool, diffuser, or other means that will slow down the velocity of the discharge and maintain a stable channel.

- a. The permittee shall develop (or update) or implement an Erosion Control Plan (the "Plan") that describes preventative measures or BMPs that specifically apply to the discharge locations. The permittee shall implement timely corrective actions and revise BMPs, as necessary.
- b. The Plan must identify the areas of the outfall that have a potential for

significant soil erosion, and must describe the structural, vegetative, and/or stabilization BMPs that are or will be implemented to limit erosion.

- c. The Plan may include construction temporary earth plugs at the outfall locations within the canal creating a pond capable of capturing all water necessary to test and disinfect the pipeline; and placing cable concrete mats placed on the side slopes and the bottom width of the irrigation canal to prevent erosion.

At the completion of the disinfection and testing of the pipeline, the permittee shall remove the temporary earth plugs and ensure that the irrigation canal be restored to its original configuration.

2. **Outfall Monitoring Inspection**

The permittee shall establish a monitoring procedure and recordkeeping to evaluate the effects of the discharge on the canal. The monitoring procedure shall consist of visual monitoring at the discharge points.

If significant erosion or potential flooding is observed, the permittee shall notify USEPA and NNEPA within 24 hours. The Permittee may be required to institute protective measures as necessary in order to minimize flooding or erosion.

E. 401 Water Quality Certification

The permittee shall comply with all requirements set forth in **[401 CERTIFICATION AGENCY]'s** 401 Water Quality Certification issued on **[Date]**. See attachment H.

Part III. STANDARD CONDITIONS

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

A. All NPDES Permits

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

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

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

- a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under 405(d) of the CWA within the time provided in the regulations that established these standards or prohibitions or standards for sewage

sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

- b. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who *negligently* violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who *knowingly* violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, such as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.²
- c. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.²

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

² The civil and administrative penalty amounts are adjusted annually for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and the current penalty amounts are set forth in 40 CFR § 19.4.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

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

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample measurement, report or application. This period may be extended by request of the Director at any time.
- c. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements.
 - (2) The individual(s) who performed the sampling or measurements.
 - (3) The date(s) analyses were performed
 - (4) The individuals(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
- d. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless

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

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

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

- a. All applications, reports, or information submitted to the Director shall be signed and certified. (See 40 CFR § 122.22.) All permit applications shall be signed as follows:
 - (1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR § 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under 40 CFR § 122.22(a)(1)(ii) rather than to specific individuals.
 - (2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

- b. All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a) of this section;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters of the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
 - (3) The written authorization is submitted to the Director.
- c. Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
- e. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

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

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

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

- d. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016 all reports and forms submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with this section and 40 CFR § 3 (including, in all cases, subpart D to part 3), 40 CFR § 122.22, and 40 CFR § 127.
 - (2) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 503, or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
 - (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
- e. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- f. Twenty four-hour reporting.
 - (1) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A report shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. As of December 21, 2025, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with this section and 40 CFR Part 3 (including, in all cases, subpart D to Part 3), 40 CFR § 122.22, and

40 CFR Part 127. The permittee shall electronically submit all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events using CDX (<https://cdx.epa.gov/>) in accordance with the reporting requirements specified in this permit. The permittee must also sign and certify all electronic submissions in accordance with the signatory requirements specified at 40 CFR § 122.41(k).

- (2) The following shall be included as information which must be reported within 24 hours under this paragraph.
 - (i) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR § 122.41(g).)
 - (ii) Any upset which exceeds any effluent limitation in the permit.
 - (iii) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR § 122.44(g).)
 - (3) The Director may waive the written report on a case-by-case basis for reports under 40 CFR § 122.41(l)(6)(ii) of this section if the oral report has been received within 24 hours.
- g. Other noncompliance. The permittee shall report all instances of noncompliance not reported under 40 CFR § 122.41(l)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (l)(6) of this section.
- h. Other information. Where the permittee becomes aware that it has failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
- i. Identification of the initial recipient for NPDES electronic reporting data. The owner, operator, or the duly authorized representative of an NPDES-regulated entity is required to electronically submit the required NPDES information (as specified in Appendix A to 40 CFR Part 127) to the appropriate initial recipient, as determined by EPA, and as defined in 40 CFR § 127.2(b) of this chapter. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR § 127.2(c) of this chapter]. EPA will update and maintain this listing.

13. Bypass; at 40 CFR § 122.41(m).

a. Definitions.

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

- (2) “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 40 CFR §§ 122.41(m)(3) and (m)(4) of this section.
- c. Notice.
 - (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.
 - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice).
 - (3) As of December 21, 2025 or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR § 127.2(b), in compliance with this section and 40 CFR § 3 (including, in all cases, subpart D part 3), 40 CFR § 122.22, and 40 CFR § 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
- d. Prohibition of bypass.
 - (1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (iii) The permittee submitted notices as required under 40 CFR § 122.41(m)(3).
 - (2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in 40

CFR § 122.41(m)(4)(i).

14. Upset; at 40 CFR § 122.41(n).

- a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (n)(3) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required in 40 CFR § 122.41 (l)(6)(ii)(B) (24-hour notice of non-compliance).
 - (4) The permittee complied with any remedial measures required under paragraph (d) of this section.
- d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

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

For any permit issued to a treatment works treating domestic sewage (including "sludge-only facilities"), the Director shall include a reopener clause to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the CWA. The Director may promptly modify or revoke and reissue any permit containing the reopener clause required by this paragraph if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

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

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

- a. Correct typographical errors;
- b. Require more frequent monitoring or reporting by the permittee;
- c. Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement: or
- d. Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.
- e. Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under 40 CFR § 122.29.
- f. Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.
- g. Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR § 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR § 403.18) as enforceable conditions of the POTW's permits.

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

- a. The following are causes for terminating a permit during its term, or for denying a permit renewal application:
 - (1) Noncompliance by the permittee with any conditions of the permit;
 - (2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
 - (3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or
 - (4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice

controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).

18. Availability of Reports; pursuant to CWA § 308

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

19. Removed Substances; pursuant to CWA § 301

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

20. Severability; pursuant to CWA § 512

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

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

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

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

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

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

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

B. Specific Categories of NPDES Permits

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

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

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

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 and 306 of the CWA if it were directly discharging those pollutants; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - c. For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
1. The following condition has been established by EPA Region 9 to enforce applicable requirements of the Resource Conservation and Recovery Act:
 - a. Publicly-owned treatment works may not receive hazardous waste by truck, rail, or dedicated pipe except as provided under 40 CFR Part 270. Hazardous wastes are defined at 40 CFR Part 261 and include any mixture containing any waste listed under 40 CFR § 261.31 through § 261.33. The Domestic Sewage Exclusion (40 CFR § 261.4) applies only to wastes mixed with domestic sewage in a sewer leading to a publicly owned treatment works and not to mixtures of hazardous wastes and sewage or septage delivered to the treatment plant by truck.

Part IV. ATTACHMENTS

Attachment A: Definitions

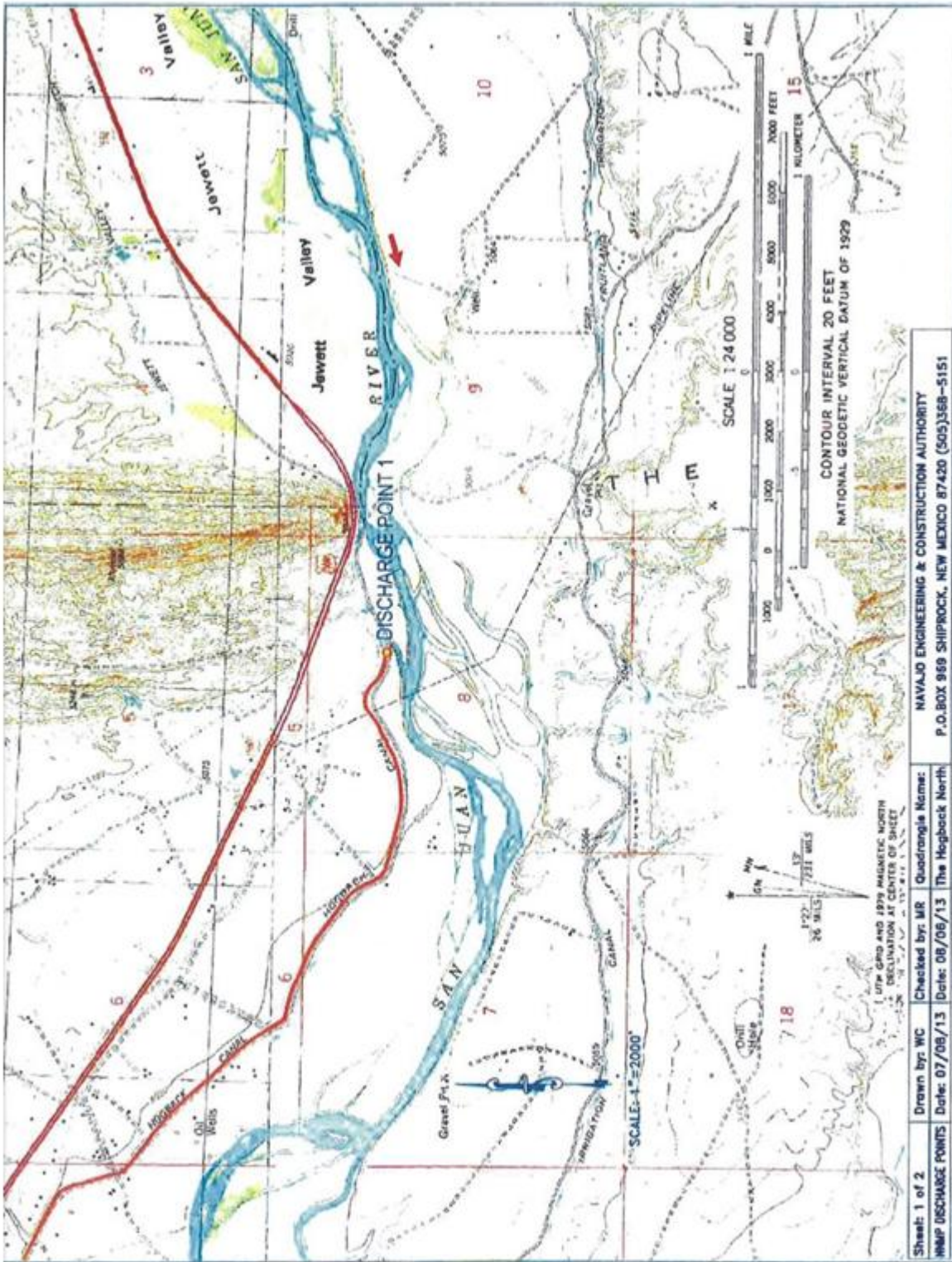
1. An **“average monthly discharge limitation”** means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
2. An **“average weekly discharge limitation”** means the highest allowable average of “daily discharges” over a calendar week, calculated as the sum of all “daily discharges” measured during a calendar week divided by the number of “daily discharges” measured during that week.
3. **“Best Management Practices”** or **“BMPs”** are schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural, and/or managerial practices to prevent or reduce the pollution of waters of the U.S. BMPs include treatment systems, operating procedures, identification of necessary training, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may further be characterized as operational, source control, erosion and sediment control, and treatment BMPs.

4. A “**composite**” sample means a time-proportioned mixture of not less than eight (8) discrete aliquots obtained at equal time intervals (e.g., 24-hour composite means a minimum of eight samples collected every three hours). The volume of each aliquot shall be directly proportional to the discharge flow rate at the time of sampling, but not less than 100 ml. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR § 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR § 136.3, procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.
5. A “**daily discharge**” means the “**discharge of a pollutant**” measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the day.
6. A “**daily maximum allowable effluent limitation**” means the highest allowable “daily discharge” measured during a calendar day or 24-hour period representing a calendar day.
7. A “**DMR**” is a “**Discharge Monitoring Report**” that is an EPA uniform national form, including any subsequent additions, revisions, or modifications for reporting of self-monitoring results by the permittee.
8. A “**grab**” sample is a single sample collected at a particular time and place that represents the composition of the discharge only at that time and place. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR § 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR § 136.3, procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.
9. The “**method detection limit**” or “**MDL**” is the minimum concentration of an analyte that can be detected with 99% confidence that the analyte concentration is greater than zero, as defined by a specific laboratory method in 40 CFR Part 136. The procedure for determination of a laboratory MDL is in 40 CFR Part 136, Appendix B.
11. The “**minimum level**” or “**ML**” is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed in a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed (as defined in EPA’s draft National Guidance for the Permitting, Monitoring, and Enforcement of Water Quality-Based Effluent Limitations Set Below Analytical Detection/Quantitative Levels, March 22, 1994). If a published method-specific ML is not available, then an interim ML shall be calculated. The interim ML is equal to 3.18 times the published method-specific MDL rounded to the nearest multiple of 1, 2, 5, 10, 20, 50, etc. (When neither an ML nor MDL are available under 40 CFR Part 136, an interim ML should be calculated by multiplying the best estimate of detection by a factor of 3.18; when a range of

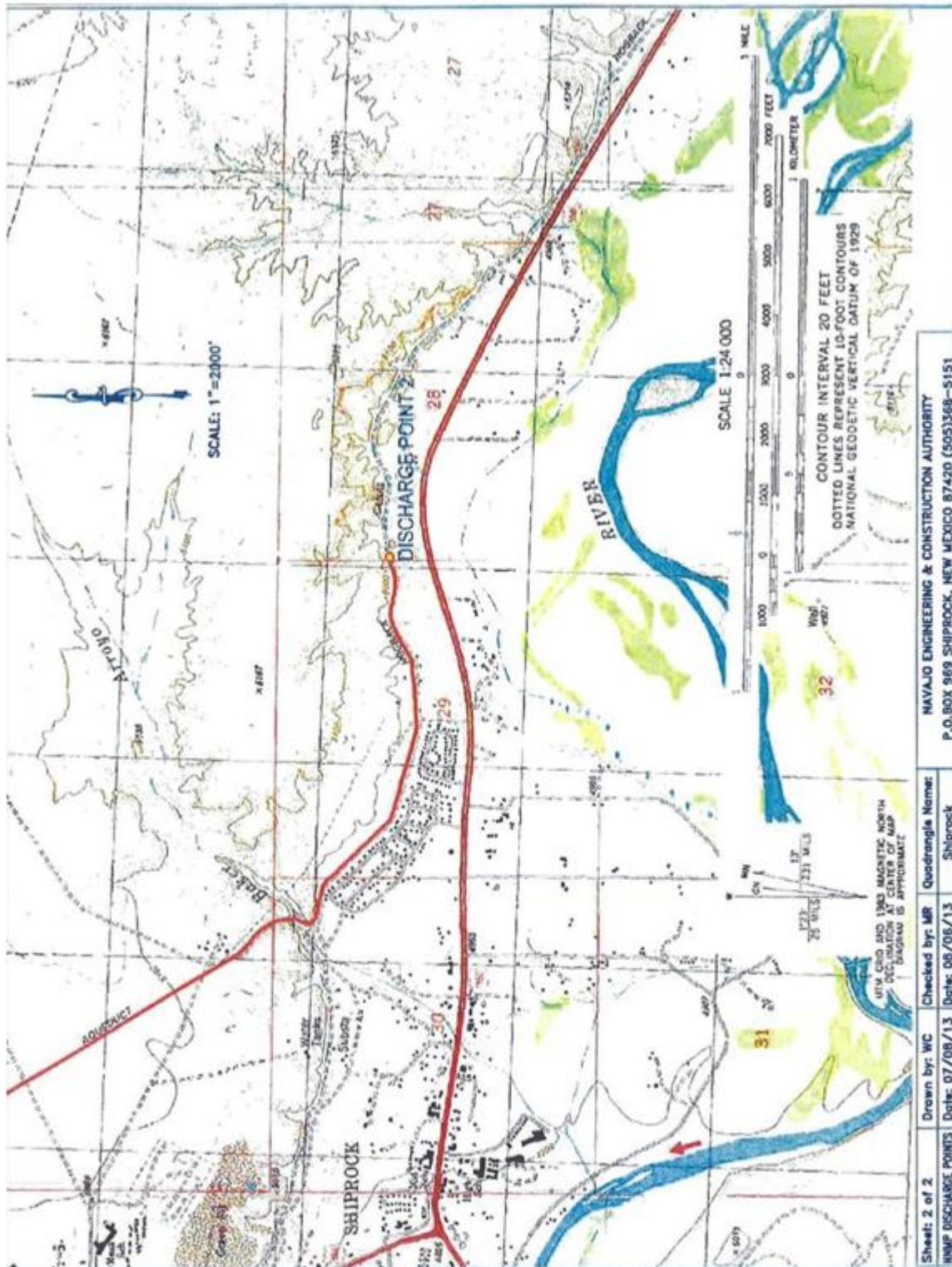
detection is given, the lower end value of the range of detection should be used to calculate the ML.) At this point in the calculation, a different procedure is used for metals than non-metals:

- a. For metals, due to laboratory calibration practices, calculated MLs may be rounded to the nearest whole number.
 - b. For non-metals, because analytical instruments are generally calibrated using the ML as the lowest calibration standard, the calculated ML is then rounded to the nearest multiple of $(1, 2, \text{ or } 5) \times 10^n$, where n is zero or an integer. (For example, if an MDL is $2.5 \mu\text{g/L}$, then the calculated ML is: $2.5 \mu\text{g/L} \times 3.18 = 7.95 \mu\text{g/L}$. The multiple of $(1, 2, \text{ or } 5) \times 10^n$ nearest to 7.95 is $1 \times 10^1 = 10 \mu\text{g/L}$, so the calculated ML, rounded to the nearest whole number, is $10 \mu\text{g/L}$.)
12. A “**NODI(B)**” means that the concentration of the pollutant in a sample is not detected. NODI(B) is reported when a sample result is less than the laboratory’s MDL.
 13. A “**NODI(Q)**” means that the concentration of the pollutant in a sample is detected but not quantified. NODI(Q) is reported when a sample result is greater than or equal to the laboratory’s MDL, but less than the ML.

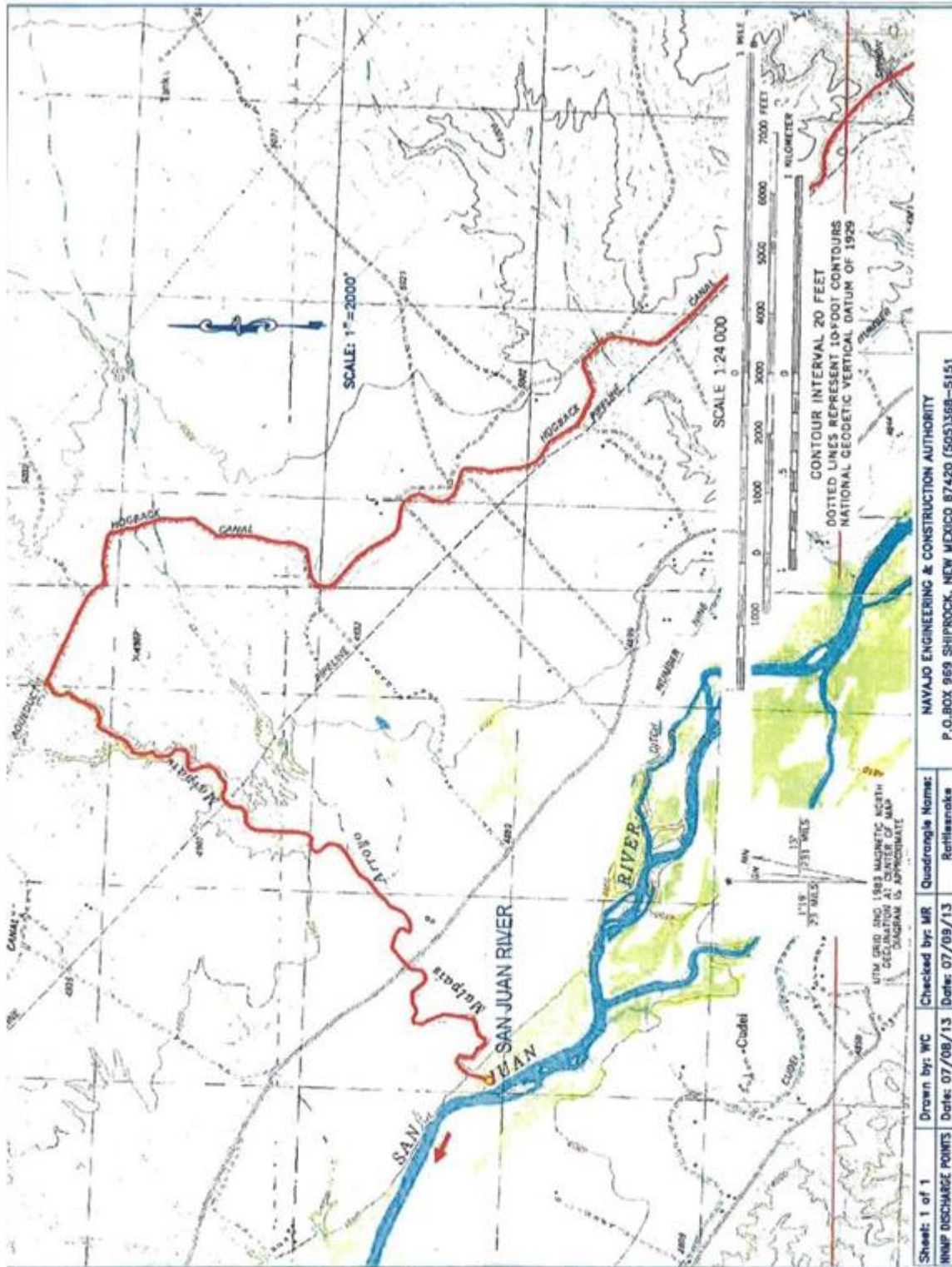
Attachment B: Map of Hogback Canal/Jewett Valley and Outfall 001



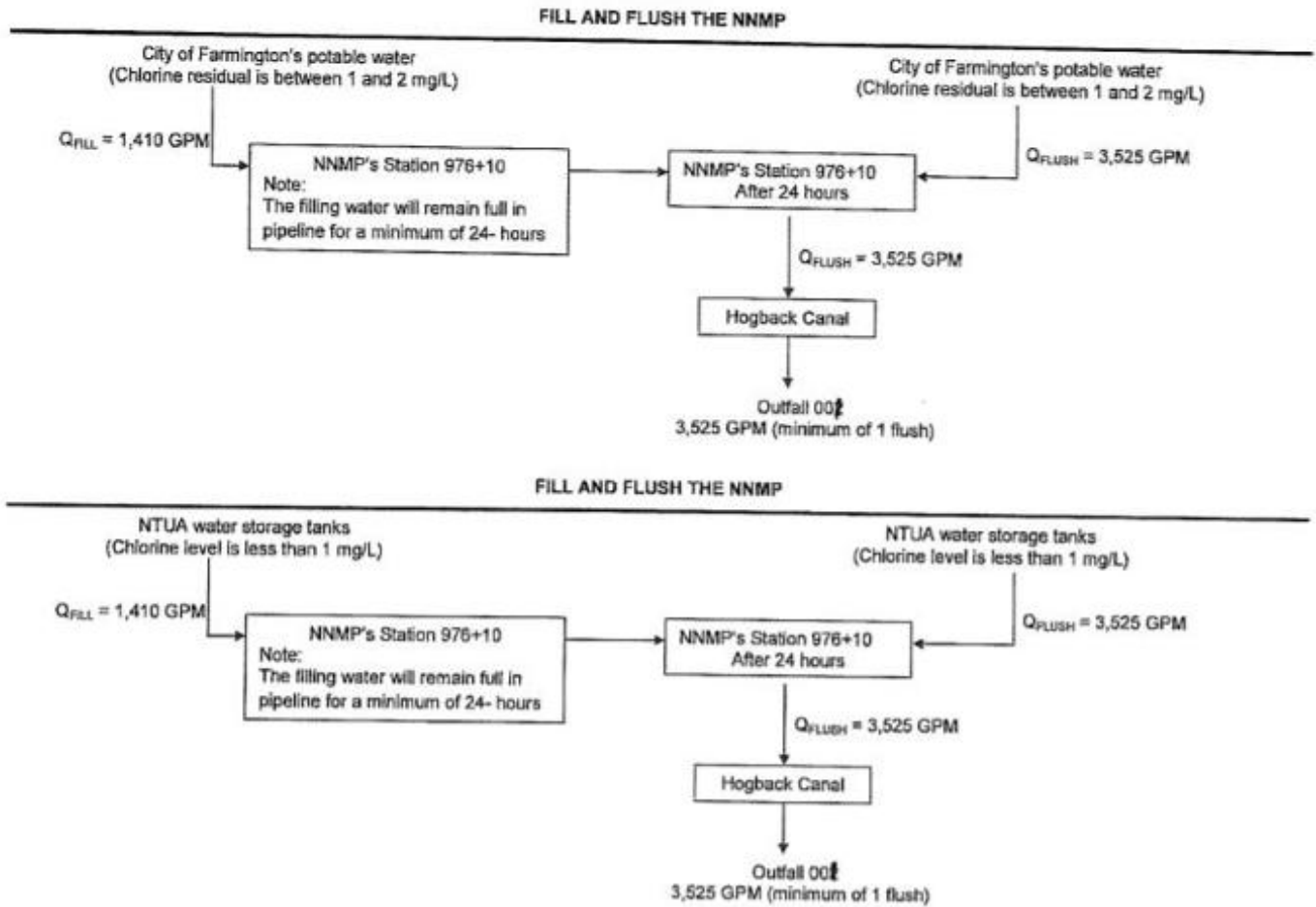
Attachment C: Map of Hogback Canal/Shiprock and Outfall 002



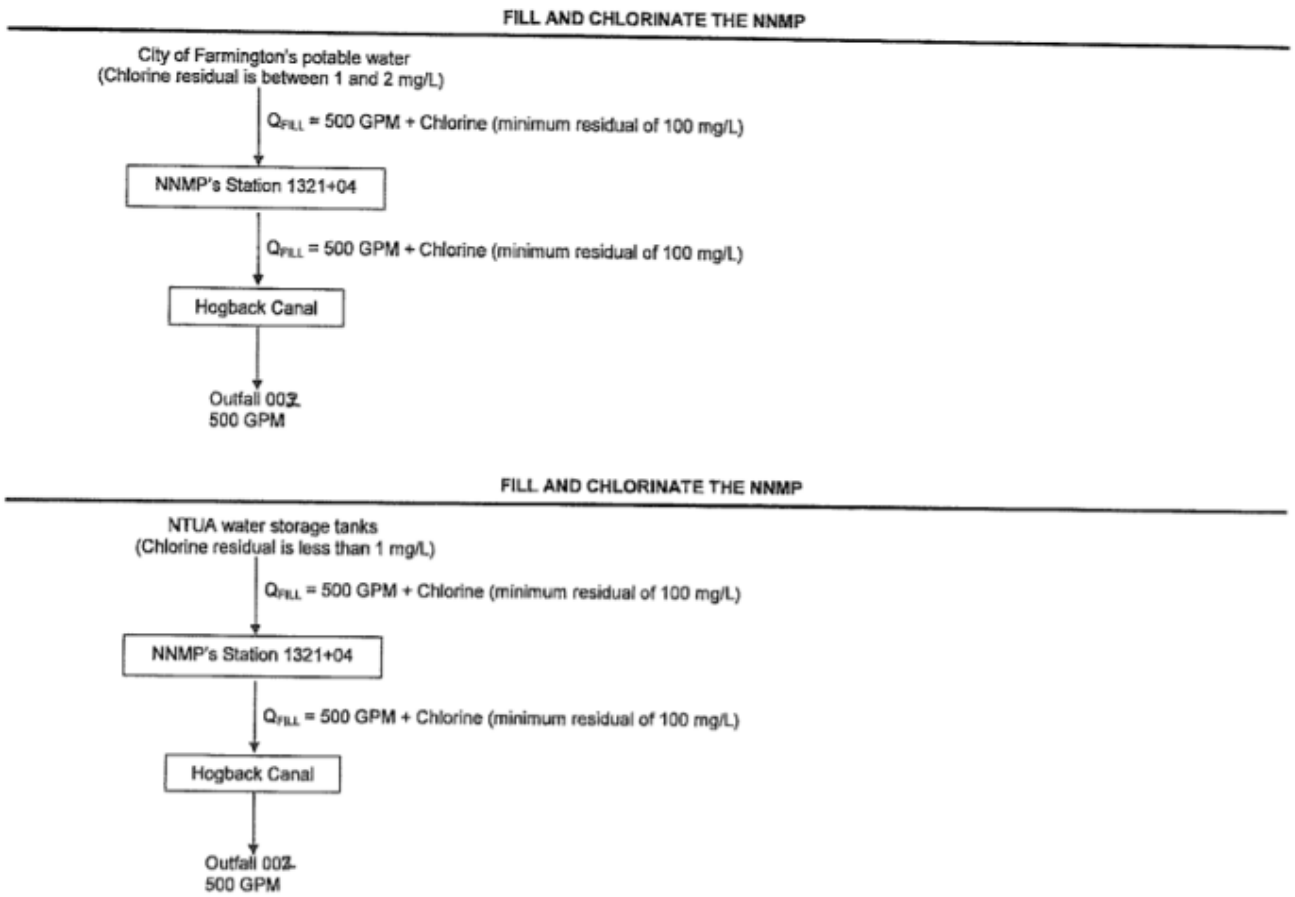
Attachment D: Map of Entire Pipeline along Hogback Canal



Attachment E: Schematic of Water Flow to Outfall 001



Attachment F: Schematic of Water Flow to Outfall 002



Attachment G: List of Priority Pollutants

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

- | | | | |
|-----|-----------------------------------|-----|------------------------------|
| 1. | Acenaphthene | 41. | 4-bromophenyl phenyl ether |
| 2. | Acrolein | 42. | Bis(2-chloroisopropyl) ether |
| 3. | Acrylonitrile | 43. | Bis(2-chloroethoxy) methane |
| 4. | Benzene | 44. | Methylene chloride |
| 5. | Benzidine | 45. | Methyl chloride |
| 6. | Carbon tetrachloride | 46. | Methyl bromide |
| 7. | Chlorobenzene | 47. | Bromoform |
| 8. | 1,2,4-trichlorobenzene | 48. | Dichlorobromomethane |
| 9. | Hexachlorobenzene | 49. | REMOVED |
| 10. | 1,2-dichloroethane | 50. | REMOVED |
| 11. | 1,1,1-trichloroethane | 51. | Chlorodibromomethane |
| 12. | Hexachloroethane | 52. | Hexachlorobutadiene |
| 13. | 1,1-dichloroethane | 53. | Hexachlorocyclopentadiene |
| 14. | 1,1,2-trichloroethane | 54. | Isophorone |
| 15. | 1,1,2,2-tetrachloroethane | 55. | Naphthalene |
| 16. | Chloroethane | 56. | Nitrobenzene |
| 17. | REMOVED | 57. | 2-nitrophenol |
| 18. | Bis(2-chloroethyl) ether | 58. | 4-nitrophenol |
| 19. | 2-chloroethyl vinyl ethers | 59. | 2,4-dinitrophenol |
| 20. | 2-chloronaphthalene | 60. | 4,6-dinitro-o-cresol |
| 21. | 2,4,6-trichlorophenol | 61. | N-nitrosodimethylamine |
| 22. | Parachlorometa cresol | 62. | N-nitrosodiphenylamine |
| 23. | Chloroform | 63. | N-nitrosodi-n-propylamine |
| 24. | 2-chlorophenol | 64. | Pentachlorophenol |
| 25. | 1,2-dichlorobenzene | 65. | Phenol |
| 26. | 1,3-dichlorobenzene | 66. | Bis(2-ethylhexyl) phthalate |
| 27. | 1,4-dichlorobenzene | 67. | Butyl benzyl phthalate |
| 28. | 3,3-dichlorobenzidine | 68. | Di-N-Butyl Phthalate |
| 29. | 1,1-dichloroethylene | 69. | Di-n-octyl phthalate |
| 30. | 1,2-trans-dichloroethylene | 70. | Diethyl Phthalate |
| 31. | 2,4-dichlorophenol | 71. | Dimethyl phthalate |
| 32. | 1,2-dichloropropane | 72. | benzo(a) anthracene |
| 33. | 1,3-dichloropropylene | 73. | Benzo(a)pyrene |
| 34. | 2,4-dimethylphenol | 74. | Benzo(b) fluoranthene |
| 35. | 2,4-dinitrotoluene | 75. | Benzo(k) fluoranthene |
| 36. | 2,6-dinitrotoluene | 76. | Chrysene |
| 37. | 1,2-diphenylhydrazine | 77. | Acenaphthylene |
| 38. | Ethylbenzene | 78. | Anthracene |
| 39. | Fluoranthene | 79. | Benzo(ghi) perylene |
| 40. | 4-chlorophenyl phenyl ether | 80. | Fluorene |

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

Attachment H: 401 Water Quality Certification, [DATE]