

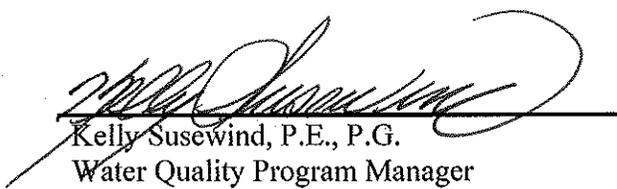
UPLAND FIN-FISH HATCHING AND REARING GENERAL PERMIT

A National Pollutant Discharge Elimination System (NPDES) and
State Waste Discharge General Permit for Discharges Associated
With Upland Fin-Fish Hatching and Rearing Activities

State of Washington
Department of Ecology
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act (FWPCA)
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly
obtained coverage under this general permit are authorized to discharge
in accordance with the special and general conditions which follow.



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Water Quality Program Manager
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORTS & SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	Submittal Date
S5.A	Discharge Monitoring Report	Quarterly	30 th day after each quarterly reporting period
S5.A.2	Disease Control Chemical Use Report	Report Annually	By January 30 th of the following calendar year, with the DMR. Records to be made available to Ecology on a more frequent basis upon request.
S5.A	Facility Sampling Plan Update	1/permit cycle. Updates submitted as necessary	By October 1, 2010
S5.D	Operational Log	Not submitted	Not submitted. Records to be made available to Ecology upon request.
S7.C	Solid Waste Management Plan Update	1/permit cycle. Updates submitted as necessary	By January 1, 2011
S9	Engineering Report for Construction or Modification Activities	As needed	
S8	Pollution Prevention Plan	1/permit cycle. Updates submitted as necessary	By January 1, 2011
S10	Application for Permit Renewal	1/permit cycle	By February 1, 2015
G3	Noncompliance Notification	As necessary	
G6	Notification of Change in Covered Activities	As necessary	
G9	Reporting Modification or Cause for Revocation	As necessary	

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Facilities Required to Seek Coverage Under This General Permit

This statewide permit applies to upland aquaculture facilities or operations that discharge fish rearing water to a surface water body or a system that drains to a surface water body. Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge hatchery and aquaculture discharge water to waters of the state. All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

The permit requires coverage for private entities, state, and local government facilities, and includes both existing and new facilities. The Department of Ecology (Ecology) may also require permit coverage for any facility on a case-by-case basis in order to protect waters of the state (Condition S1.B). Facilities required so seek coverage under this general permit include but are not limited to:

1. Every upland fin-fish hatching or rearing facility within the jurisdiction of Ecology that discharges at least 30 days a year, and:
 - a. Produces more than 20,000 pounds of fish a year, or.
 - b. Feeds more than 5,000 pounds of fish food in any one calendar month, or.
 - c. That Ecology determines is a significant contributor of pollution to waters of the state. To determine this, Ecology will consider the following factors:
 - (i) The location, quantity, and quality of the receiving waters of the state.
 - (ii) The holding, feeding, and production capacities of the facility.
 - (iii) The quantity and nature of the pollutants reaching waters of the state.
 - (iv) Other relevant factors (40 CFR 122.24).

Ecology will evaluate facilities that discharge to a TMDL-assessed waterbody or a waterbody listed on the 303(d) list in the Washington State Water Quality Assessment Section 303(d) Report on a case-by-case basis for individual permit coverage.

B. Facilities Excluded from Coverage

1. Ecology will not provide coverage under this general permit when:
 - a. The facility discharges to a water body with a Total Maximum Daily Load (TMDL) water clean-up plan or other control plan unless this general permit is adequate to provide the level of protection required by the TMDL or control plan.
 - b. New facilities or existing facilities with expansions, production increases, or process modifications which will result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants that discharge to a water body listed pursuant to Section 303(d) of the Clean Water Act unless the Permittee complies with applicable Surface Water Quality Standards (WAC173-201A) at the point of discharge.
2. Facilities which do not meet the definition for an upland fin-fish facility. This includes marine and freshwater net pens located within waters of the state, and facilities used to rear fish in waters of the state, which are not located in an upland setting (Chapter 173-221A WAC).
3. Discharges to surface water on federal land or land within an Indian Reservation.
4. Facilities operating without coverage under this General Permit (for example, those exempt according to the conditions in S1.A.) must meet the discharge standards in WAC 173-221A, including numeric discharge limits and solid waste management, and must not violate the state water quality and ground water standards (Chapters 173-200 and 201A).

C. Discharges to Ground

1. For sites that discharge to both surface water and ground water, the permit terms and conditions also apply to all ground water discharges.
2. Facilities that discharge to ground water through an underground injection control well must comply with any applicable requirements of the Underground Injection Control (UIC) regulations, Chapter 173-218 WAC.

S2. APPLICATION FOR PERMIT COVERAGE

A. Obtaining Permit Coverage

1. For Permitted Facilities:

Permittees with coverage under the existing Upland Fin-Fish Hatching and Rearing General Permit (effective August 1, 2010) must submit a complete permit application to Ecology as follows:

- a. Notify Ecology by submitting a completed application form by February 1, 2015.
- b. Unless Ecology responds in writing to the notification, coverage of a discharger under this permit will commence on the effective date of the permit.

2. For Unpermitted Facilities

Unpermitted facilities that require coverage under this permit must submit a complete and accurate permit application to Ecology as follows:

- a. Existing Facilities
 - i. Unpermitted existing facilities that require coverage under this permit must submit a complete and accurate permit application to Ecology.
 - ii. Existing facilities are facilities in operation prior to the effective date of this permit, August 1, 2010.

b. New Facilities

New facilities are facilities that begin operation on or after the effective date of this permit, August 1, 2010. All unpermitted new facilities must:

- i. Submit a complete and accurate engineering report to Ecology at least 180 days before beginning the planned activity that will result in the discharge to waters of the state (WAC 173-240-110). Prior to constructing any wastewater control facilities (including Pollution Abatement structures), new facilities must:
 - a. Submit an engineering report and detailed plans and specifications to Ecology for review and approval in accordance with Chapter 173-240 WAC.
 - b. Submit engineering reports, plans, and specifications at least 180 days prior to the planned start of construction unless Ecology approves a shorter time interval.
 - c. Construct and operate wastewater control facilities in accordance with the approved plans.
- ii. Submit a complete and accurate permit application to Ecology at least 180 days before the planned activity that will result in the discharge to waters of the state.

- iii. The applicant will publish twice in a local newspaper of general circulation a notice that an application for coverage has been made pursuant to Section 173-226-130(5) WAC. This notice shall specify the last day of the 30-day public comment period. At the end of the 30-day comment period, Ecology will accept the application and review all comments prior to making a determination on whether to grant general permit coverage.
- iv. The application shall include certification that the facility has met the applicable public notice and State Environmental Policy Act (SEPA) requirements in WAC 173-226-200(f) which propose to begin activities which will result in a discharge or potential discharge to waters of the state on or after the effective date of this general permit:

Ecology intends to notify applicants by mail of their status concerning coverage under this permit. If the applicant does not receive notification of the coverage decision from Ecology, coverage under this permit will commence on the 31st day following Ecology's acceptance of the application form.

B. Transfer of Permit Coverage

Coverage under this general permit automatically transfers to a new discharger, if all of the following conditions are met:

1. The Permittee (existing discharger) and new discharger submit to Ecology a complete, written, and signed agreement (Transfer of Coverage Form) containing a specific date for transfer of permit responsibility, coverage, and liability.
2. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.
3. Ecology does not notify the existing discharger and new discharger of its intent to revoke coverage under the general permit. The transfer is effective on the date specified in the written agreement unless *Ecology* gives this notice.

S3. DISCHARGE LIMITATIONS

A. Process Wastewater Discharges

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge the following wastestreams at the permitted locations, as specified in the site-specific Sampling Plan (S5.B) subject to complying

with the following limitations. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

B. Rearing Pond or Raceway Discharges

These limits apply to flow-through settling rearing pond or raceway discharges, and all other discharges **except** offline settling basin discharges and rearing pond or raceway drawdown for fish release discharges. These limits apply to pond drawdown discharges when drawdown occurs for reasons other than fish release.

Parameter	Monthly Average	Instantaneous Maximum
Settleable Solids (SS) (net ¹ mL/L)	0.1	--
Total Suspended Solids (TSS) (net ¹ mg/L)	5.0	15.0

¹ Net values apply when influent and effluent solids are comparable (see Section S4.A). Ecology will accept net values if both influent and effluent values are reported on the DMR.

C. Offline Settling Basin Discharges

Parameter	Monthly Average	Instantaneous Maximum
Settleable Solids (mL/L)	--	1.0
Total Suspended Solids (mg/L)	--	100

D. Rearing Pond or Raceway Drawdown for Release Discharges

Parameter	Instantaneous Maximum
Settleable Solids (mL/L)	1.0
Total Suspended Solids (mg/L)	100

E. Rearing Vessel Disinfection Water

Parameter	Instantaneous Maximum
Total Residual Chlorine (µg/L)	19.0

F. Prohibitions

The Permittee must not discharge or release Atlantic salmon (*Salmo salar*) to any surface waters of the state without written approval from the Director of the Washington State Department of Fish and Wildlife.

The discharge of any pollutant not specifically authorized by this permit in concentrations that violate receiving water quality standards established under Section 307(a) of the Clean Water Act or Chapter 173-201A WAC, constitutes a violation of this permit and the Clean Water Act.

G. Discharges to Impaired Waterbodies

The Permittee's discharge must not cause or contribute to an excursion of the state's water quality standards, including the state's narrative criteria for water quality. If Ecology determines that a hatchery causes or contributes to an excursion of state water quality standards and if Ecology has established wasteload allocations for the impaired receiving water, then the hatchery must obtain an individual permit with explicit limits set to meet the wasteload allocations. Permittees must comply with any applicable Total Maximum Daily Load (TMDL) determination.

S4. TESTING SCHEDULE

Permittees must collect and analyze samples and measure flow as described in the site-specific Sampling Plan (S5.B) according to the following schedules.

A. Rearing Pond or Raceway Discharges

Flow-through settling rearing pond or raceway discharges, and all other discharges **except** offline settling basin discharges and rearing pond or raceway drawdown for fish release discharges.

Parameter	Sample Point ^a	Sampling Frequency	Type of Samples ^d
Flow (MGD)	I or E	2/month	Daily total, calculated
Settleable Solids (net ml/L) ^e	I & E	1/week	Grab ^b
Total Suspended Solids (net mg/L) ^e	I & E	1/month	Composite ^c

I = Hatchery or rearing facility influent. Permittees do not need to collect an influent sample if they assume the influent concentration is zero. Permittees may only use net calculations if the influent and effluent solids are characteristically similar. Permittees can use influent and effluent total volatile suspended solids (TVSS) measurements to demonstrate comparability.

E = Hatchery or rearing facility effluent prior to mixing with the receiving waters or any other flow.

- ^a Refer to site-specific Sampling Plan for appropriate sampling locations.
- ^b For reporting net settleable solids, the Permittee must collect influent and effluent grab samples on the same day. Permittees must take effluent samples during rearing pond or raceway cleaning. If the Permittee cleans the rearing pond or raceway less often than twice per week, they must collect a settleable solids sample immediately following fish feeding. If the Permittee did not collect or analyze an influent sample, it must assume an influent sample concentration of zero. Ecology will only accept net values if the Permittee reports both influent and effluent sample values on the DMR form.
- ^c Permittees must collect total suspended solids influent samples of all influent water sources using flow proportional composite samples. Permittees must collect and combine at least six representative grab samples of effluent throughout the normal working day to measure the effluent total suspended solids. The Permittee must collect at least one sample while it feeds the fish and another while it cleans the rearing pond or raceway. The Permittee must combine equal volumes of each of six grab samples to constitute the total suspended solids composite sample. The Permittee may use the same total suspended solids composite sample to determine compliance with the monthly average and the instantaneous maximum limits. If necessary, the Permittee may take additional composite sample(s) to calculate compliance with the monthly average limit.
- ^d All effluent grab samples must be representative samples of all outfalls which discharge rearing pond or raceway water to waters of the state.
- ^e For reporting net values, the Permittee must report influent and effluent values on the DMR form. Ecology may require further characterization of the influent and effluent solids to demonstrate comparability. Permittees can use influent and effluent total volatile suspended solids (TVSS) measurements to demonstrate comparability.

B. Offline Settling Basin Discharges

Permittees must monitor offline settling basin discharges at the sampling frequency specified in the following table during every month that the settling basin discharges.

Parameter	Sample Point ^a	Sampling Frequency ^d	Type of Samples ^c
Flow (GPD)	EW	1/week ^b	Daily Total
Settleable Solids (ml/L)	EW	1/month ^b	Grab
Total Suspended Solids (mg/L)	EW	1/month ^b	Grab

EW = Offline settling basin effluent sample taken prior to mixing with any other hatchery or rearing flows or receiving waters.

- ^a Refer to site-specific Sampling Plan for sampling locations.
- ^b If the offline settling basin discharges less frequently than 1/week, the Permittee must measure flow at the discharge frequency. If the offline settling basin does not discharge during a reporting period, the Permittee must report “No Discharge” on the DMR form.

- ^c Offline settling basin effluent samples must be collected during the last quarter of a rearing pond or raceway cleaning event. (For batch type settling basins, the Permittee must collect a representative sample of the effluent at the time of discharge.)*
- ^d Offline settling basin discharges must be monitored 12 months out of the year if there is a discharge, regardless of pounds of fish on station.*

C. Rearing Pond or Raceway Drawdown for Fish Release Discharges

Permittees must collect samples for rearing pond or raceway drawdown for fish release regardless of pounds of fish on-hand.

The rearing pond drawdown for fish release effluent limits do not apply to pond drawdown for purposes other than fish release. Pond drawdown for reasons other than fish release shall be subject to the effluent limits in S2.A of this permit.

Parameter	Sample Point ^a	Sampling Frequency ^b	Type of Samples ^b
Settleable Solids (mL/L)	E	1/drawdown	Grab
Total Suspended Solids (mg/L)	E	1/drawdown	Grab

E = Effluent. Permittees must collect grab samples of rearing pond or raceway effluent prior to mixing with receiving waters or any other flow.

^a See site-specific Sampling Plan (S5.B) for appropriate sampling locations.

^b Rearing pond drawdown for fish release sample(s) must be collected during the last quarter of the volume of the rearing pond or raceway drawdown for release event. If releasing multiple raceways or rearing ponds at the same time, Permittees may combine grab samples from individual discharges into a flow proportional composite sample for analysis.

D. Rearing Vessel Disinfection Water

Permittees must neutralize water chlorinated for rearing vessel disinfection so that the total residual chlorine is less than 19 µg/liter. Permittees must measure the chlorine residual in the rearing vessel disinfection water before discharge to surface waters of the state. Acceptable chlorine tests are:

1. Amperometric Titration, Method 408C; *Standard Methods for the Examination of Water and Wastewater*.
2. DPD Colormetric field test kit based on Method 4500-CL G.
3. Permittees must report analytical results for halogen-based disinfectants other than chlorine as the equivalent concentration of chlorine.

E. Sampling and Analytical Procedures

The Permittee must collect effluent samples to comply with the monitoring and testing requirements established in this permit from the effluent stream prior to discharge into the receiving waters. The Permittee must collect influent samples at the point where the water enters the facility or settling pond. Facilities shall sample at the locations designated in their site-specific Sampling Plan (S5B).

Samples and measurements taken to meet the requirements of this permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

F. Flow Measurement

The Permittee must select appropriate flow measurement devices and methods consistent with accepted aquaculture practice to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The Permittee must install, calibrate (if appropriate), and maintain flow measurement devices so that accuracy of the measurements is consistent with accepted industry standard for that type of device. Frequency of calibration must be in conformance with the manufacturer's recommendation (where applicable) and at a minimum frequency of at least one calibration per year. The Permittee must maintain calibration records for at least three years.

G. Laboratory Accreditation

The Permittee must ensure that all monitoring data required by Ecology is prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement.

S5. MONITORING, REPORTING, AND RECORD KEEPING REQUIREMENTS

The Permittee must monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology is a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. The Permittee must:

1. Submit monitoring results quarterly for the quarterly reporting periods January through March, April through June, July through September, and October through December.
2. Summarize, report, and submit monitoring data obtained during each monitoring period on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology.
3. Submit DMR forms quarterly whether or not the facility was discharging. If the facility did not discharge during a given monitoring period, submit the form as required with the words "NO DISCHARGE" entered in place of the monitoring results.
4. Report the average pounds of fish on station and the pounds of food fed during the calendar month on the DMR form in the space provided. If net values are calculated, both influent and effluent values must be reported on the form, in addition to the calculated net value.
5. Ensure that DMR forms are postmarked or received by Ecology no later than the 30th day of the month following the completed monitoring period, unless otherwise specified in this permit.
6. Report the use of any disease control chemicals on a form supplied by Ecology. Submit the Disease Control Chemical Use Report annually, unless Ecology requests this information on a more frequent basis. Each annual report must cover the amounts of chemicals used during the previous year. Each annual report must be post marked by the 30th day of January following the annual reporting period.
7. Submit Discharge Monitoring Reports, Disease Control Chemical Use Reports, all other reports and report permit violations to the address indicated below for the respective location of the permitted upland fin-fish facility.

Northwest Regional Office

(425) 649-7000
Department of Ecology
3190 – 160th Avenue SE
Bellevue, WA 98008-5452
*For: King, Whatcom, Skagit, Snohomish,
San Juan, Kitsap, and Island Counties*

Central Regional Office

(509) 575-2490
Department of Ecology
106 South 6th Avenue
Yakima, WA 98902-3387
*For : Yakima, Benton, Klickitat, Chelan,
Douglas, Kittitas, and Okanogan
Counties*

Southwest Regional Office

(360) 407-6300
Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775
*For: Thurston, Clallam, Jefferson, Grays Harbor,
Mason, Pierce, Lewis, Skamania, Wahkiakum,
Cowlitz, Clark, and Pacific Counties.*

Eastern Regional Office

(509) 329-3400
Department of Ecology
North 4601 Monroe, Suite 100
Spokane, WA 99205-1295
*For: Spokane, Grant, Adams, Whitman,
Ferry, Franklin, Stevens, Pend Oreille,
Garfield, Columbia, Asotin, Lincoln, and
Walla Walla Counties.*

B. Facility Sampling Plan

Each Permittee must develop a site-specific Sampling Plan. The plan must describe:

1. All discharge points (outfalls) to surface water or land.
2. The ponds or raceways that contribute to each discharge point.
3. How the Permittee measures or calculates flow at each outfall.
4. How the Permittee will compound a flow proportional composite sample from the individual grab samples, if it plans to combine grab samples from different outfalls into a composite sample.
5. The source(s) of water for the influent and the receiving water(s).

The Permittee must submit the Facility Sampling Plan or the update to Ecology by January 1, 2011. The Permittee may combine the plan with the Solid Waste Management Plan (S7) and the Pollution Prevention Plan (S8) and submit them together by January 1, 2011.

C. Operational Log

1. The Permittee must keep records on all **disease control chemicals** used at the facility, on the Disease Control Chemical Use Form provided by or approved by Ecology. All variances from the disease control chemical use procedures contained in the facility Pollution Prevention Plan must be noted. These records must include the:
 - a. Person responsible for the administration of the disease control chemical if different from the individual identified in the facility Pollution Prevention Plan.
 - b. Date of application of the disease control chemical used. For disease chemicals that are used on a routine basis the frequency of application may be recorded in place of each individual application date.
 - c. Trade name of the disease control chemical used.
 - d. Pond or raceway treatment concentration of the active ingredient, duration of treatment, and amount in gallons or pounds of the chemical.
 - e. Estimated concentration of the active ingredient in the hatchery or rearing facility effluent at the point of discharge to the receiving waters.
 - f. Reason for use and method of application.
 - g. Quantity, type (trade name), method of disposal, and location of any disposed spent chemical dip solutions.

2. The Permittee must keep records of the **average and maximum loading** in pounds of fish and the **total amount of food fed** in pounds for each calendar month at the facility. The Permittee must provide a copy of loading and feeding records to Ecology upon request.
3. The Permittee must use the information contained in the Operational Log to complete the disease control chemical use reporting requirements as noted in Section S6, below.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant regulated in this permit more frequently than required by this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Records Retention

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original 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. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

F. Recording of Results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

G. Reporting Permit Violations

The Permittee must take the following actions when it violates or is unable to comply with any permit condition:

- Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.
- If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to Ecology within thirty (30) days of sampling.

1. Immediate Reporting

The Permittee must report any failure of the disinfection system **immediately** to the appropriate Department of Ecology's Regional Office 24-hour number listed below:

Northwest Regional Office	425-649-7000
Eastern Regional Office	509-329-3400
Central Regional Office	509-575-2490
Southwest Regional Office	360-407-6300

2. Twenty-four-hour Reporting

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at the telephone numbers listed above, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

- a. Any noncompliance that may endanger health or the environment, unless previously reported under subpart 1, above.
- b. Any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S4.B, "Bypass Procedures").
- c. Any **upset** that exceeds any effluent limitation in the permit (See G.15, "Upset").
- d. Any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in Section S1.A of this permit.

3. Report Within Five Days

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 subparts 1 or 2, 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.
- d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. Waiver of Written Reports

Ecology may waive the written report required in subpart 3, above, on a case-by-case basis upon request if a timely oral report has been received.

5. All Other Permit Violation Reporting

The Permittee must report all permit violations, which do not require immediate or within 24 hours reporting, when it submits monitoring reports for S5.A ("Reporting"). The reports must contain the information listed in paragraph E.3, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

6. Report Submittal

The Permittee must submit reports to the address listed in S5.

H. Other Reporting

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and Chapter 173-303-145. You can obtain further instructions at the following website:

<http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm> .

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to Ecology, it must submit such facts or information promptly.

S6. OPERATING REQUIREMENTS AND CONDITIONS

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. The following requirements and conditions apply to all facilities covered under this permit.

A. General Operating Requirements

The Permittee must:

1. Properly handle and dispose of sand, silt, mud, solids, sludges, filter backwash, debris, or other pollutants deposited or removed in the course of treatment or control of water supply and wastewaters in a manner so as to prevent such materials or leachate from such materials entering waters of the state, including ground water.

2. Not discharge untreated cleaning wastes (for example, obtained from a vacuum or standpipe bottom drain system) to waters of the state (including ground water) without prior treatment.
3. Not sweep or intentionally discharge accumulated solids from raceways or ponds to waters of the state without prior treatment.
4. Not remove dam boards in raceways or ponds that allow accumulated solids to discharge to waters of the state.
5. Clean rearing ponds and raceways within one week prior to drawdown for fish release, where practical.
6. Implement all aspects of the Pollution Prevention Plan required in Section S6, during all phases of operation of the facility.
7. Keep a copy of this permit at the facility at all times and make it available to all employees and to Ecology upon request.
8. Dispose of fish mortalities, egg taking, or processing wastes in a manner so as to prevent such materials, including leachate, from entering the waters of the state.
9. Conduct phased reductions of the amount of water discharged prior to complete shutdown, if supplied with ground water and discharging to surface receiving waters.
10. Prevent the discharge of floating solids to surface waters to the extent possible.
11. Ensure proper storage, containment, and disposing of drugs, pesticides, and feed to prevent such materials from entering waters of the state.
12. At all times comply with applicable water quality standards.

B. Disease Control Chemicals

Unless approved by Ecology, the Permittee may only use disease control chemicals approved for hatchery use by the United States Food and Drug Administration (USFDA) or the United States Environmental Protection Agency (USEPA). Permittees may use USFDA approved Investigational New Animal Drugs (INADs) provided it meets the conditions detailed in a facility's INAD permit application and it reports the use on the disease control chemical use form required in Section S5.C. Permittees must use disease control chemicals in conformance with product label instructions or approved INAD protocols, or use a licensed veterinarian to administer the disease control chemical. Permittees must document the disposal of all spent chemical dip treatment solutions in the Operational Log in accordance with the provisions of S5.

1. Non-Emergency Extra-Label Drug and Chemical Use

Ecology recognizes that there are many situations where the extra-label use of disease control chemicals could occur with little or no reasonable potential to impact water quality. If administered by or under the supervision of a licensed veterinarian, Permittees may use:

- a. Disease control chemicals or drugs through injection, by the use of a dip or as an additive to feed.
- b. Any drugs classified by USFDA as a low priority aquaculture drug (Appendix 2).

2. Emergency Drug and Chemical Use

Ecology recognizes that an emergency epizootic disease may require the use of a drug or chemical not approved by either the USFDA or the USEPA, and not in conformance with S6.B.1, above.

The use of disease control chemicals not otherwise approved by Ecology is approved for the treatment of an emergency epizootic disease provided:

- a. A licensed veterinarian administers or directly supervises the administration of the drug or disease control chemical.
- b. The Permittee could not have reasonably anticipated the drug or disease control chemical used and/or the method of its application.
- c. The Permittee notifies the appropriate Ecology Regional Office 24 hours prior to administering the drug or disease control chemical in writing or by facsimile.

Notwithstanding the provisions of Section S6.B, the Permittee is responsible for fully complying with all the terms and conditions in the General Permit for Upland Fin-Fish Hatching and Rearing Facilities including, but not limited to monitoring, record keeping, and reporting. Further, this clarification of disease control chemicals use does not authorize the Permittee to violate or cause an exceedance of applicable water quality standards.

C. Production Changes

1. The Permittee must notify Ecology of any proposed production increases or changes in the nature of the discharge which substantially deviates from the information submitted in the permit application.
2. If the pounds of fish on hand for a facility drops below 20,000 pounds and the monthly pounds of food fed for a month is less than 5,000 pounds, the Permittee must continue monitoring and submitting DMRs to Ecology. Raceway and rearing pond (S.4.a) discharge sampling may be suspended 30 days after all fish are

released from those structures. The Permittee must still submit DMR forms with “no fish” noted in the comment section. Sampling must resume when fish are reintroduced to the raceway or pond unless #3 below applies.

Nothing in this section shall relieve the Permittees of the testing requirements of S3.B, Offline Settling Basin Discharges, or S3.C, Rearing Pond or Raceway Drawdown for Fish Release Discharges.

3. If the Permittee anticipates production below 20,000 pounds or if production falls below the 20,000 pounds of fish for a complete calendar year, the Permittee may contact Ecology and file a request to suspend sampling. The Permittee must still submit signed quarterly DMR forms, with the comment section filled out to indicate extended production below 20,000 pounds.

This holds true only for facilities that are below the permitting thresholds for the full calendar year. This section may not apply for discharges to waterbodies listed on the 303(d) list for a parameter known to be present in the hatchery discharge.

S7. SOLID WASTE MANAGEMENT

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee must not allow leachate from its solid waste material to enter state waters without providing all known, available, and reasonable methods of treatment (AKART), nor allow such leachate to cause violations of the state surface water quality standards, Chapter 173-201A WAC, or the state ground water quality standards, Chapter 173-200 WAC.

C. Solid Waste Management Plan

The Permittee must prepare a Solid Waste Management Plan and submit it to the appropriate regional office of Ecology no later than January 1, 2011. This plan must include all solid wastes with the exception of those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The plan must describe how the Permittee collects, stores, and disposes of solid and biological wastes. Among the solid wastes of concern are:

1. Sands, silts, and other debris collected from facility source waters.
2. Accumulated settled solids in rearing ponds and settling ponds.
3. Any fish mortalities under normal hatchery operation.
4. Fish mortalities due to a fish kill involving more than five percent of the fish in any raceway or pond, or due to kill spawning operations.

5. Blood from kill spawning or harvesting operations.
6. Floating debris removed from ponds and raceways.

The Permittee must:

1. Keep a copy of the Solid Waste Management Plan on-site.
2. Ensure that all hatchery personnel follow it.
3. Ensure that the plan does not conflict with any approved local Solid Waste Management Plan.
4. Submit any proposed revision or modification of the plan to Ecology and the local Health Department (if applicable).
5. Comply with the plan and any plan modifications.

The Solid Waste Management Plan shall be submitted to Ecology by January 1, 2011. The plan may be combined with the Facility Sampling Plan (S5.B) and the Pollution Prevention Plan (S9) and submitted together by January 1, 2011.

S8. POLLUTION PREVENTION PLAN

The Permittee must prepare or update the site-specific Pollution Prevention Plan and submit it to Ecology by January 1, 2011. This plan must address operating, spill prevention, spill response, and stormwater discharge practices that will prevent or minimize the release of pollutants from the facility to the waters of the state.

The Permittee must review the effectiveness of the Pollution Prevention Plan at least annually, and following any facility changes and revise the plan as needed. Any proposed revision or modification of the Pollution Prevention Plan must be submitted to Ecology within 30 days of plan revision. The Permittee must comply with the plan and any plan modifications. The Permittee must operate the facility in accordance with this plan along with any subsequent amendments or revisions.

The Permittee must maintain a copy of the most current version of the Pollution Prevention Plan at the facility and ensure that its operations staff for the facility are familiar with the plan and adequately trained in the specific procedures that it requires.

The Permittee must address the following in the Plan.

- A. How it will conduct fish feeding to minimize the discharge of unconsumed food.
- B. The frequency of pond and raceway cleaning and what procedures it will use to determine when cleaning is necessary to prevent accumulated solids from being discharged.

- C. How it will perform pond and raceway cleaning to reduce the disturbance and subsequent discharge of settled solids during cleaning events.
- D. How it will carry out fish grading, harvesting, and other activities within ponds or raceways to minimize the disturbance and subsequent discharge of accumulated solids.
- E. How it will prevent the discharge of accumulated solids during the fish release if it release fishes for enhancement purposes.
- F. How it uses disease control chemicals within the facility to ensure that the amounts and frequency of application are the minimum necessary for effective disease treatment and control. The Permittee must minimize the concentration of disease control chemicals in the facility's discharge to the maximum extent practicable.
- G. Practices for the storage and, if necessary, disposal of disease control chemicals.
- H. Procedures to prevent or respond to spills and unplanned discharges of oil and hazardous materials. These procedures must address the following:
 - 1. A description of the reporting system to alert responsible facility management and appropriate legal authorities.
 - 2. A description of facilities (including an overall facility site plan) which prevent, control, or treat spills and unplanned discharges and compliance schedule to install any necessary facilities in accordance with the approved plan.
 - 3. A list of all hazardous materials used, processed, or stored at the facility that may spill directly or indirectly into state waters.
- I. Procedures to identify and prevent existing and potential sources of stormwater pollution.

The Permittee must submit the Pollution Prevention Plan to Ecology by January 1, 2011. The Permittee may combine the plan with the Facility Sampling Plan (S5.B) and the Solid Waste Management Plan (S8) and submit them together by January 1, 2011.

S9. ENGINEERING DOCUMENTS

Prior to constructing or modifying any wastewater control facilities (including Pollution Abatement structures), the Permittee must submit:

- A. An engineering report and detailed plans and specifications to Ecology for approval in accordance with Chapter 173-240 WAC.
- B. Engineering reports, plans, and specifications at least 180 days prior to the planned start of construction unless Ecology approves a shorter time.

Permittees must construct and operate facilities in accordance with the approved plans.

The Permittee must give notice to Ecology of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:

- A. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b).
- B. A significant change in the nature or an increase in quantity of pollutants discharged.
- C. A significant change in the Permittee's sludge use or disposal practices.

Newly constructed facilities, or facilities that expand production by fifty percent over the production on October 31, 1995, must conduct a receiving water quality study (WAC173-221A-100(6)). Dilution shall be evaluated using total facility effluent a maximum production at the lowest seven-day average receiving stream flow with a 10-year recurrence interval (7Q10).

Ecology may require the Permittee to submit a new application or supplement to the existing application, along with required engineering plans and reports for review and approval.

S10. APPLICATION FOR PERMIT RENEWAL

The Permittee must reapply for coverage under this general permit at least 180 days prior to the specified expiration date of this general permit (February 1, 2015). An expired general permit continues in force and effect until Ecology issues a new general permit or until Ecology cancels it. Only those facilities that have reapplied for coverage under this general permit are covered under the continued permit.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

The Permittee shall at all times be responsible for continuous compliance with the terms and conditions of this general permit. All discharges and activities authorized by this general permit shall be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently, or at a concentration in excess of, or at an application rate exceeding that authorized by this general permit shall constitute a violation of the terms and conditions of this general permit unless such discharges are covered under another discharge permit. The Permittee shall be responsible for compliance with any order, directive, or penalty issued by Ecology.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain any facilities or systems of control to achieve compliance with the terms and conditions of the general permit. Where design criteria have been established, the Permittee shall not allow flows or waste loadings to exceed approved design criteria or approved revisions thereto.

G3. NONCOMPLIANCE NOTIFICATION

If for any reason the Permittee does not comply with, or will be unable to comply with, any of the discharge limitations or other conditions specified in this general permit, the Permittee shall, at a minimum, provide Ecology with the following information:

- A. A description of the nature and cause of noncompliance, including the quantity and quality of any unauthorized waste discharges.
- B. The period of noncompliance, including exact dates and times and/or the anticipated time when the Permittee will return to compliance.
- C. The steps taken, or to be taken, to reduce, eliminate, and/or prevent recurrence of the noncompliance.

In addition, the Permittee shall:

- D. Take immediate action to stop, contain, and clean up any unauthorized discharges.
- E. Take all reasonable steps to minimize any adverse impacts to waters of the state and correct the problem.
- F. Notify Ecology, by telephone, so that an investigation can be made to evaluate any resulting impacts and the corrective actions taken to determine if additional action should be taken.

In the case of any discharge subject to any applicable toxic pollutant effluent standard under Section 307(a) of the Clean Water Act, or which could constitute a threat to human health, welfare, or the environment, 40 CFR Part 122.41 requires that the information specified in this general condition shall be provided not later than twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. If this information is provided orally, a written submission covering these points shall be provided within five (5) days of the time the Permittee becomes aware of the circumstances unless Ecology waives or extends this requirement on a case-by-case basis. Noncompliance notifications shall be made to the appropriate Ecology regional office in Section S4.H.3 of this permit. Compliance with any of these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this general permit or the resulting liability for failure to comply.

G4. BYPASS PROHIBITED

The intentional bypass of wastes from all or any portion of a collection, treatment, disposal, or control facility or system is prohibited unless the following four conditions are met:

- A. The bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act and authorized by administrative order.
- B. There are no feasible alternatives to bypass such as: (1) the use of auxiliary collection, treatment, and/or pollution control facilities/systems; (2) retention of untreated wastes; (3) maintenance during normal periods of equipment down time; or (4) temporary reduction or termination of production.
- C. The Permittee submits notice of an unanticipated bypass to Ecology in accordance with Condition G3. Where the Permittee knows or should have known in advance of the need for a bypass, this prior notification shall be submitted for approval to Ecology, if possible, at least 30 days before the date of bypass.
- D. The bypass is allowed under conditions determined to be necessary by Ecology to minimize any adverse effects. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible.

Ecology will approve or deny the request to bypass by administrative order under RCW 90.48.120.

G5. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law, at reasonable times:

- A. To enter upon the Permittee's premises in which a discharge is located or where any records are required to be kept under the terms and conditions of this general permit;
- B. To have access to and to copy at reasonable costs, any records required to be kept under terms and conditions of the permit;
- C. To inspect any monitoring equipment or method of monitoring required in this general permit;
- D. To inspect any collection, treatment, pollution management, or discharge facilities; and/or
- E. To sample any discharge of pollutants. If the sampling of influent or internal hatchery waters is necessary, the Permittee will be provided the opportunity to collect the required sample.

Alternate right-of-entry standards and 72-hour pre-notification requirements due to USDA/AHIS disease-free status must be adhered to at facilities that follow this protocol.

G6. NOTIFICATION OF CHANGE IN COVERED ACTIVITIES

The Permittee shall notify Ecology when facility expansions, production increases, or process modifications will (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants or (2) violate the terms and conditions of this general permit.

G7. REVOCATION OF COVERAGE

Pursuant to Chapter 43.21B RCW and Chapter 173-226 WAC, the Director may require any discharger authorized by this general permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to the following:

- A. Violation of any term or condition of this general permit;
- B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;
- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090; unless otherwise overturned by Findings of Fact, Conclusions of Law and Order PCHB No. 02-056;
- E. A determination that the permitted activity endangers human health or the environment, or significantly contributes to water quality standards violations;

- F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;
- G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable.
- H. Facilities that discharge to a waterbody that is either 303(d) listed or part of a completed TMDL (Total Maximum Daily Load) assessment, and require additional monitoring or limits.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within 90 days from the time of revocation and is submitted along with a complete individual permit application form.

G8. GENERAL PERMIT MODIFICATION OR REVOCATION

General permits may be modified, or revoked and reissued, in accordance with the provisions of Chapter 43.21B RCW and Chapter 173-226 WAC. Grounds for modification or revocation and reissuance include, but are not limited to, the following:

- A. When a change that occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this general permit.
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW for the category of dischargers covered under this general permit.
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this general permit is approved.
- D. When information is obtained, which indicates that cumulative effects on the environment from dischargers covered under this general permit are unacceptable.

G9. REPORTING A CAUSE FOR MODIFICATION OR REVOCATION OF COVERAGE

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G7 or 40 CFR 122.62 shall report such information to Ecology so that a decision can be made on whether action to revoke coverage under this general permit will be required. Ecology may then require submission of a new Application for Coverage under this or another general permit or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing general permit until the new application for coverage has been approved.

G10. TRANSFER OF PERMIT COVERAGE

Coverage under this general permit is automatically transferred to a new discharger if:

- A. A written signed agreement between the old and new discharger containing a specific date for transfer of permit responsibility and coverage is submitted to Ecology; and
- B. Ecology does not notify the old and new discharger of its intent to revoke coverage under the general permit. If this notice is not given, the transfer is effective on the date specified in the written agreement between the old and new discharger.

G11. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in this general permit, Ecology shall institute proceedings to modify or revoke and reissue this general permit to conform to the new toxic effluent standard or prohibition.

G12. OTHER REQUIREMENTS OF TITLE 40 CODE OF FEDERAL REGULATIONS

All other applicable requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G13. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G14. ADDITIONAL MONITORING REQUIREMENTS

Ecology may establish specific monitoring requirements in addition to those contained in this general permit by administrative order or permit modification.

G15. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or pollution control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters. Such removed substances shall be lawfully disposed in an appropriate manner and shall comply with Chapter 173-303 WAC and Chapter 173-304 WAC.

G16. RECORD KEEPING REQUIREMENTS

The Permittee shall maintain records of all information resulting from any activities, including monitoring activities required as a condition of the application for or as a condition of coverage under this general permit. Records of monitoring activities and results shall include for all samples:

- A. The date, exact place, and time of sampling.
- B. The individual who performed the sampling or measurement.
- C. The dates analyses were performed.
- D. Who performed the analyses.
- E. The analytical techniques/methods used.
- F. The results of such analyses.

The Permittee shall retain for a minimum of five (5) years any records of monitoring activities and results including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records.

This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology or regional administrator.

G17. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology shall be signed and certified.

- A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by Ecology shall 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:
 - 1. The authorization is made in writing by a person described above and submitted to Ecology.
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of a regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

- C. Changes to authorization. If an authorization under paragraph B.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 paragraph B.2, above, must be submitted to Ecology 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 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 gathered and evaluated the information submitted. Based on my inquiries of the person or persons who manage the system, or those persons directly responsible for gathering 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 fines and imprisonment for knowing violations.”

G18. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger shall submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The Director shall either issue an individual permit or deny the request with a statement explaining the reason for the denial.

G19. APPEALS

The terms and conditions of this general permit:

- A. As they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of this general permit in accordance with Chapter 43.21(B) RCW and Chapter 173-226 WAC; and
- B. As they apply to an individual discharger are subject to appeal in accordance with Chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that discharger. Appeal of this general permit coverage of an individual discharger shall not affect any other individual dischargers. If the terms and conditions of this general permit are found to be inapplicable to any discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.

G20. TERMINATION OF COVERAGE UPON ISSUANCE OF AN INDIVIDUAL PERMIT

When an individual permit is issued to a discharger otherwise subject to this general permit, the coverage under this general permit for that Permittee is terminated on the effective date of the individual permit.

G21. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any violation of the terms and conditions of this general permit, the state Water Pollution Control Act, and the federal Clean Water Act, will be subject to the enforcement sanctions, direct and indirect, as provided for in WAC 173-226-250.

Any person who violates the terms and conditions of this waste discharge permit may incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G22. SEVERABILITY

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

G23. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

APPENDIX A

**EFFLUENT CHARACTERIZATION FOR POLLUTANTS
 THIS LIST INCLUDES EPA-REQUIRED POLLUTANTS (PRIORITY POLLUTANTS)
 AND SOME ECOLOGY PRIORITY TOXIC CHEMICALS (PBTs)**

The following table with analytical methods and levels is to be used as guidance for effluent characterization in NPDES permit applications, applications for permit renewal, and monitoring required by permit. This attachment is used in conjunction with Section V, Parts A, B, and C of EPA Application Form 2C, Parts A.12, B.6, and D of EPA application form 2A and with State applications. This attachment specifies effluent characterization requirements of the Department of Ecology.

Ecology may require additional pollutants to be analyzed within a group. The objectives are to reduce the number of analytical “non-detects” in applications and to measure effluent concentrations near or below criteria values where possible at a reasonable cost. If an applicant or Permittee knows that an alternate, less sensitive method (higher DL and QL) from 40 CFR Part 136 is sufficient to produce measurable results in their effluent, that method may be used for analysis.

Pollutant & CAS No. (if available)	Recommended Analytical Protocol	Detection (DL)¹ µg/L unless specified	Quantitation Level (QL)² µg/L unless specified
CONVENTIONALS			
Total Suspended Solids	SM2540-D		5 mg/L
Flow	Calibrated device		
Dissolved oxygen	4500-OC/OG		0.2 mg/L
TVSS	SM2450E		11 mg/L
pH	SM4500-H ⁺ B	N/A	N/A
NONCONVENTIONALS			
Chlorine, Total Residual	4500 Cl G		50.0
Iodine	SM4500-I		
Bromide	SM4500-Br		100
Settleable Solids	SM2540 -F		100

1. Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99 percent confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR Part 136, Appendix B.
2. Quantitation Level (QL) is equivalent to EPA’s Minimum Level (ML) which is defined in 40 CFR Part 136 as the minimum level at which the entire GC/MS system must give recognizable mass spectra (background corrected) and acceptable calibration points. These levels were published as proposed in the Federal Register on March 28, 1997.

APPENDIX B - DEFINITIONS

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

Composite Sample means a flow-proportioned mixture of not less than six discrete aliquots. Each aliquot shall be a grab sample of not less than 100 mL and shall be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Department means Department of Ecology.

Director means the Director of the Department of Ecology or his/her authorized representative.

Epizootic means the occurrence of a specific disease which can be detected in fifty percent of the mortality or moribund individual fish in an affected container or within an affected population, and which results in an average daily mortality of at least one-half of one percent of the affected individual fish for five or more days in any thirty-day period.

FWPCA means the Federal Water Pollution Control Act (The Clean Water Act), as amended, Title 33 United States Code, Section 1251 et seq.

40 CFR means Title 40 of the Code of Federal Regulations. The Code of Federal Regulations is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

GPD = gallons per day

Grab Sample means an individual discrete water sample.

Lined Pond means asphalt, concrete, plastic membrane or similarly lined ponds. Ponds lined with gravel or soil are considered unlined.

Instantaneous Maximum is the maximum allowable concentration of a pollutant determined from the analysis of any discrete or composite sample collected, independent of the flow rate and the duration of the sampling event.

MGD = million gallons per day

mg/L = milligrams per liter ("Net mg/L" = mg/L in hatchery effluent minus mg/L in hatchery influent)

ml/L = milliliters per liter ("Net ml/L" = ml/L in hatchery effluent minus ml/L in hatchery influent)

Monthly Average shall be calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

New Facility means a facility that begins activities that will result in a discharge or potential discharge to waters of the state on or after the effective date of the general permit.

Offline Settling Basin shall mean those pond cleaning waste treatment systems which have a hydraulic detention time of 24 hours and a designed removal efficiency of at least 85% for total suspended solids and 90% for settleable solids.

Production means net gain in weight of fish at the facility.

Rearing Ponds or Raceways means ponds, raceways, circular ponds, or any other method used to keep fin-fish captive for culture purposes at an upland fin-fish rearing facility.

Rearing Vessel means all rearing ponds, raceways, and fish hauling tanks.

Representative Sample means multiple outfalls with similar waste streams can be sampled and combined into one sample for one analysis. The sample volume from each outfall shall be apportioned according to the volume of flow at the time of sampling. These apportioned samples can then be combined into one representative sample for analysis.

Settleable Solids means those solids in surface waters or wastewaters which are measured volumetrically in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

Section 303(d) List is a part of the federal Clean Water Act that requires states to identify waterbodies that are water quality limited (i.e. waterbodies that do not meet, or are not expected to meet, applicable water quality standards after sources have undergone technology-based controls).

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 or losses in production.

Surface Waters include lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington. For the purposes of this permit surface waters do not include hatchery ponds, raceways, pollution abatement ponds, and wetlands constructed solely for wastewater treatment.

Total Maximum Daily Load (TMDL) is the sum of all waste load allocations (WLAs) and load allocations (LAs) (non-point source and background) and a safety margin. The TMDL is a mechanism for establishing water quality-based controls on all point and nonpoint sources of pollutants within a water quality-limited basin, subbasin, or hydrographic segment.

TVSS means total volatile suspended solids in the influent or effluent water, which are measured in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.

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.

Note – An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met:

- 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 facilities were being properly operated at the time of the upset;
 - 3) the Permittee submitted notice of the upset as required; and
 - 4) the Permittee complied with any remedial measures required under this permit.

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

Waters of the State include those waters defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter RCW 90.48 RCW which include lakes, rivers, ponds, streams, waters, underground waters, salt waters, and all other surface water and water courses including wetlands within the jurisdiction of the state of Washington.

Water Quality Standards means the water quality standards for ground waters of the state of Washington (Chapter 173-200 WAC), the water quality standards for surface waters of the state of Washington (Chapter 173-201A WAC), and the sediment management standards of the state of Washington (Chapter 173-204 WAC).

APPENDIX C - SAMPLING LOCATIONS

Figure 1. Off-Line Settling Basin

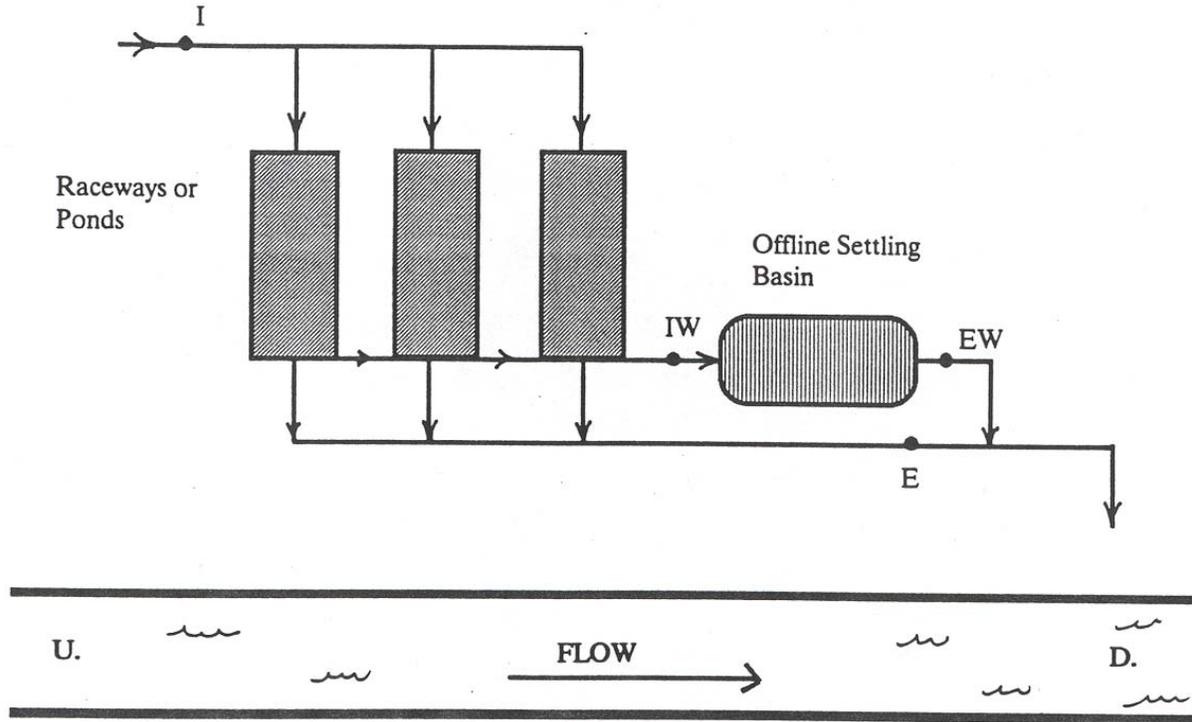


Figure 2. Flow Through Settling Basin

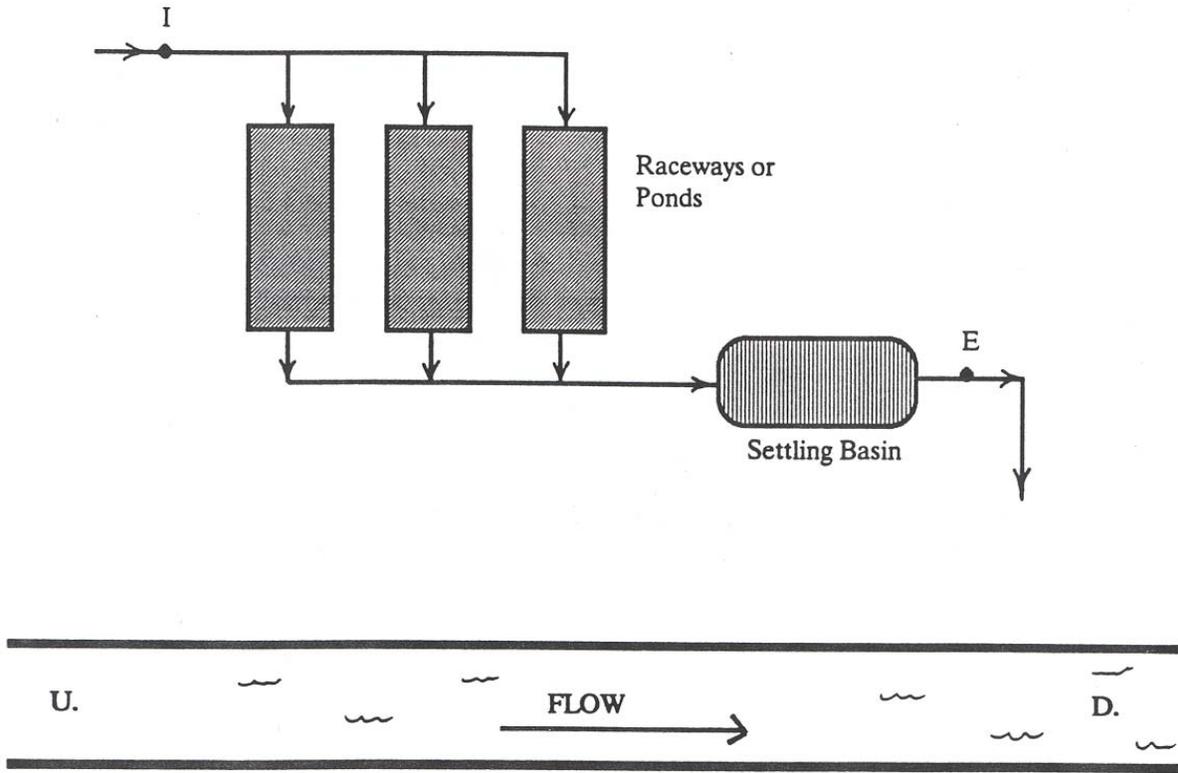
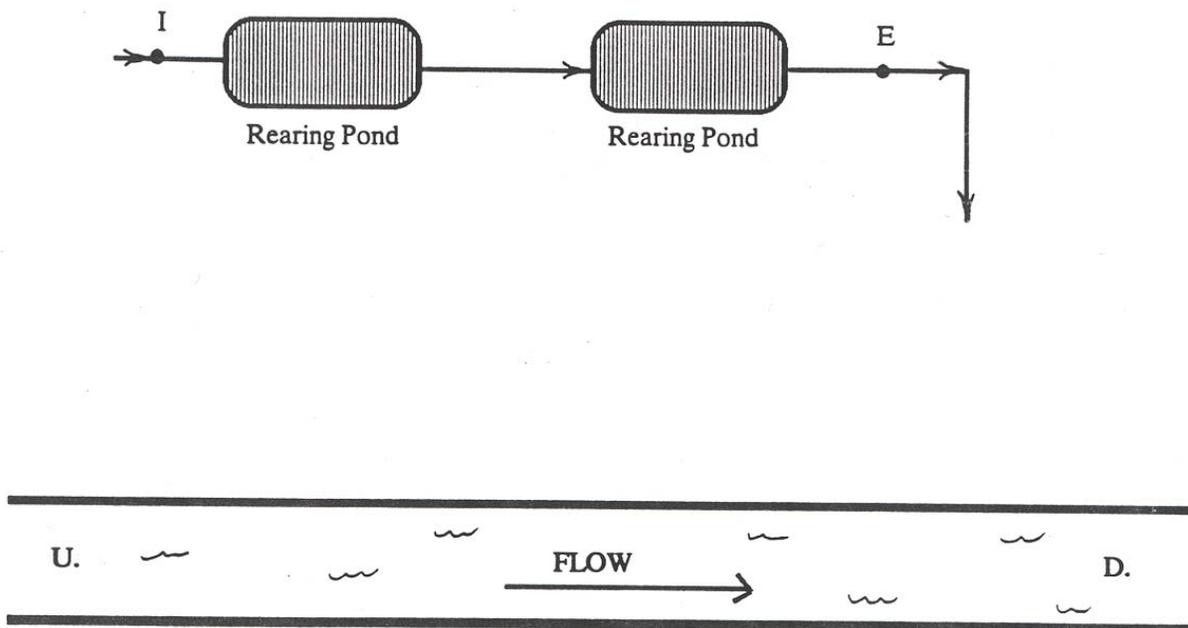


Figure 3. Rearing Pond Culture



APPENDIX D - AQUACULTURE DRUGS

LOW REGULATORY PRIORITY AQUACULTURE DRUGS

The following compounds have undergone review by the Food and Drug Administration and have been determined to be new animal drugs of low regulatory priority.

ACETIC ACID - 1000 to 2000 ppm dip for 1 to 10 minutes as a parasiticide for fish.

CALCIUM CHLORIDE - Used to increase water calcium concentration to ensure proper egg hardening. Dosages used would be those necessary to raise calcium concentration to 10-20 ppm CaCO₃.

- Up to 150 ppm indefinitely to increase the hardness of water for holding and transporting fish in order to enable fish to maintain osmotic balance.

CALCIUM OXIDE - Used as an external protozoicide for fingerlings to adult fish at a concentration of 2000 mg/L for 5 seconds.

CARBON DIOXIDE GAS - For anesthetic purposes in cold, cool, and warm water fish.

FULLER'S EARTH - Used to reduce the adhesiveness of fish eggs to improve hatchability.

GARLIC (Whole Form) - Used for control of helminth and sea lice infestations of marine salmonids at all life stages.

HYDROGEN PEROXIDE - Used at 250-500 mg/L to control fungi on all species and life stages of fish, including eggs.

ICE - Used to reduce metabolic rate of fish during transport.

MAGNESIUM SULFATE - Used to treat external monogenic trematode infestations and external crustacean infestations in fish at all life stages. Used in all freshwater species. Fish are immersed in a 30,000 mg MgSO₄/L and 7000 mg NaCl/L solutions for 5 to 10 minutes.

ONION (Whole Form) - Used to treat external crustacean parasites, and to deter sea lice from infesting external surface of salmonids at all life stages.

PAPAIN - Use of a 0.2% solution in removing the gelatinous matrix of fish egg masses in order to improve hatchability and decrease the incidence of disease.

POTASSIUM CHLORIDE - Used as an aid in osmoregulation; relieves stress and prevents shock. Dosages used would be those necessary to increase chloride ion concentration to 10-2000 mg/L.

POVIDONE IODINE - 100 ppm solution for 10 minutes as an egg surface disinfectant during and after water hardening.

SODIUM BICARBONATE - 142 to 642 ppm for 5 minutes as a means of introducing carbon dioxide into the water to anesthetize fish.

SODIUM CHLORIDE - 0.5% to 1.0% solution for an indefinite period as an osmoregulatory aid for the relief of stress and prevention of shock; and 3% solution for 10 to 30 minutes as a parasiticide.

SODIUM SULFITE - 15% solution for 5 to 8 minutes to treat eggs in order to improve their hatchability.

THIAMINE HYDROCHLORIDE - Used to prevent or treat thiamine deficiency in salmonids. Eggs are immersed in an aqueous solution of up to 100 ppm for up to four hours during water hardening. Sac fry are immersed in an aqueous solution of up to 1,000 ppm for up to one hour.

UREA and TANNIC ACID - Used to denature the adhesive component of fish eggs at concentrations of 15g urea and 20g NaCl/5 liters of water for approximately 6 minutes, followed by a separate solution of 0.75 g tannic acid/5 liters of water for an additional 6 minutes. These amounts will treat approximately 400,000 eggs.

SPECIAL CATEGORY

Products found not to be low priority but regulatory action deferred pending further study.

COPPER SULFATE

POTASSIUM PERMANGANATE