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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA-000088-4

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
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Sonoco Products Company
P.O. Box 489
Sumner, WA 98390

<u>Facility Location:</u> Sumner, Washington	<u>Receiving Water:</u> White River
<u>Water Body I.D. No.:</u> WA-10-1030	<u>Discharge Location:</u> Latitude: 47° 12' 50" N Longitude: 122° 14' 20" W
<u>Industry Type:</u> Recycled Paperboard Manufacturing	

is authorized to discharge in accordance with the special and general conditions which follow.

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Solid Waste and Financial Assistant
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

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

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Monthly	
S3.E	Noncompliance Notification	As necessary	
S4.A	Treatment System Operating Plan	1/permit cycle	Within one year of permit effective date
S4.B	Reporting Bypasses	As necessary	
S5.	Application for Permit Renewal	1/permit cycle	180 days before permit expiration date
S6.C	Solid Waste Control Plan	1/permit cycle	Within one year of permit effective date
S6.C	Modification to Solid Waste Plan	As necessary	
S8.	Spill Plan	1/permit cycle, updates submitted as necessary	Within one year of permit effective date
S9.	Receiving Water Study Sampling and Quality Assurance Plan	1/permit cycle	Within 180 days of permit effective date
S9.	Receiving Water and Effluent Study Results	1/permit cycle	21 months after effective date of permit
S10.B	Acute Toxicity Compliance Monitoring	2/year	First sampling within 120 days of permit effective date
S10.C	Response to noncompliance	As Necessary	
S10.C	Acute Toxicity: "Causes and Preventative Measures for Transient Events."	As necessary	
S10.C	Acute Toxicity TI/TRE Plan	As necessary	
S10.D	Acute Toxicity Compliance Monitoring Reports	2/year	60 days after each sampling event
S11.B	Chronic Toxicity Compliance Monitoring	2/year	First sampling within 120 days of permit effective date

Permit Section	Submittal	Frequency	First Submittal Date
S11.C	Response to noncompliance	As necessary	
S11.C	Chronic Toxicity: “Causes and Preventative Measures for Transient Events.”	As necessary	
S11.C	Chronic Toxicity TI/TRE Plan	As necessary	
S11.D	Chronic Toxicity Compliance Monitoring Reports	2/year	60 days after each sampling event
S12	Priority Pollutant Scan	2/permit cycle	1 st and 3 rd year of permit
S13.	Outfall Evaluation	1/permit cycle	
S16	Prepare and submit to Ecology a SWPPP plan	1/permit cycle and update as necessary	One year after effective date of permit and as required
G1.	Notice of Change in Authorization	As necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G8	Notice of Permit Transfer	As necessary	
G21	Reporting Anticipated Non-compliance	As necessary	
G22.	Reporting Other Information	As necessary	

SPECIAL CONDITIONS

S1. 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.

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.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge treated process wastewater at the permitted location subject to complying with the following limitations:

Parameter	EFFLUENT LIMITATIONS: OUTFALL # 001	
	Average Monthly ^a	Maximum Daily ^b
Biochemical oxygen demand	529 lbs BOD/day	673 lbs BOD/day
Total suspended solids	754 lbs TSS/day	1487 lbs TSS/day
pH	Daily minimum is equal to or greater than 5.0 and the daily maximum is less than or equal to 9.0	
^a The average monthly effluent limitation is defined as 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.		
^b The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. 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 other units of measurement, the daily discharge is the average measurement of the pollutant over the day. The pH shall not be averaged.		

The Permittee is further authorized to discharge treated stormwater via outfall 004 conditioned by Special Conditions S15 and S16 and to discharge stormwater from the roof drains via outfall 002 and 003. B. Mixing Zone Descriptions

The maximum boundary of the acute mixing zone is 30 feet from any diffuser. The maximum boundary chronic mixing zone is 300 feet downstream and 100 feet upstream of any diffuser for process water outfall # 001. The acute and chronic dilution ratios are 15:1 and 130:1, respectively.

S2. MONITORING REQUIREMENTS

The Permittee shall monitor in accordance with the following schedule:

Monitoring Schedule

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Outfall 001	Flow	MGD	Effluent	Continuous*	Instantaneous
“	BOD ₅	mg/l	Effluent	3 days/wk	24 hrs Composite
“	TSS	mg/l	Effluent	5 days/wk	24 hrs Composite
“	Ammonia	mg/l	Effluent	1day/month	Grab
“	pH	SU	Effluent	Continuous	Instantaneous
For facilities which continuously monitor and record pH values, the number of minutes the pH value was below or above the permitted range shall be recorded for each day and the total minutes for the month reported, the durations when values were above and below the permitted range shall be reported separately. The instantaneous maximum and minimum pH shall be reported monthly.					
“	Temperature	°F	Effluent	Continuous	Instantaneous
-	Production	Tons/day	Off-Machine	Daily	Daily
Receiving Water and Effluent Study			As specified in section S9.		
Acute Toxicity Testing			As specified in section S10.		
Chronic Toxicity Testing			As specified in section S11.		
Additional Chemical Analysis			As specified in section S12.		
Outfall 004	See Special Condition S15(3) for monitoring Stormwater				

* Continuous means uninterrupted - except for brief lengths of time for calibration, power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken four times a day space 6 hour apart when continuous monitoring is not possible.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of 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 shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. The pH shall be accredited if the laboratory must otherwise be registered or accredited. The Department exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department. DMR forms shall be postmarked or received no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Priority pollutant analysis data shall be submitted no later than hundred and eighty (180) days following the monitoring period. Unless otherwise specified, all toxicity test data shall be submitted within sixty (60) days after the sample date. The report(s) shall be sent to the Department of Ecology, Industrial Section, Solid Waste and Financial Program, Post Office Box 47706, Olympia Washington 98504-7706.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL),

laboratory practical quantitation limit (PQL), reporting units, and concentration detected. Analytical results from samples sent to a contract laboratory must have information on the chain of custody, the analytical method, QA/QC results, and documentation of accreditation for the parameter.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall 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. 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 the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall 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; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Twenty-four Hour Notice of Noncompliance Reporting

1. The Permittee must take the following action upon violation of any permit condition: Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem and, if applicable, immediately repeat sampling and analysis. The results of any repeat sampling shall be submitted to Ecology within 30 days of sampling.
2. The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at (360)407-6940, 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;

- 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.16, “Upset”);
 - d. any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in S1.A.; or
 - e. any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.
3. 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 subpart 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; and
 - e. if the non compliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.
 4. Ecology may waive the written report on a case-by-case basis if the oral report has been received within 24 hours of the noncompliance.
 5. Reports must be submitted to the address in Special Condition S3 (“Reporting And Recordkeeping Requirements”).

F. Other Noncompliance Reporting.

The Permittee must report all instances of noncompliance, not required to be reported immediately or within 24 hours, at the time that monitoring reports for S3.A (“Reporting”) are submitted. The reports must contain the information listed in paragraph E above, (“Twenty-four Hour Notice of Noncompliance Reporting”). 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.

G. Maintaining a Copy of This Permit

A copy of this permit must be kept at the permitted facility and be made available upon request to Department of Ecology inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This

provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Operations and Maintenance Manual

For the purposes of this NPDES permit, a Treatment System Operating Plan (TSOP) is a concise summary of specifically defined elements of the O&M Manual. The TSOP shall not conflict with the O&M Manual and shall include the following information:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limitations of S1 at the production levels used in developing these limitations.
2. In the event of production rates, which are below the baseline levels used to establish these limitations, the plan shall describe the operating procedures and conditions needed to maintain design treatment efficiency. The monitoring and reporting shall be described in the plan.
3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan shall describe the operating procedures and conditions employed to mitigate the upset. The monitoring and reporting shall be described in the plan.
4. A description of any regularly scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

The Permittee shall submit to Ecology an updated Treatment System Operating Plan within one year of the effective date of the permit. This plan shall be updated and submitted, as necessary, to include requirements for any major modifications of the treatment system.

B. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass.

The Permittee shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated, and results in noncompliance of this permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause 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.
 - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup 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), or transport of untreated wastes to another treatment facility.
 - c. The Department is properly notified of the bypass as required in condition S3E of this permit.
3. Bypass which is Anticipated and has the Potential to Result in Noncompliance of this Permit.

The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

C. Duty to Mitigate

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

S5. APPLICATION FOR PERMIT RENEWAL

The Permittee shall submit an application for renewal of this permit by 180 days before expiration date of this permit.

S6. SOLID WASTE DISPOSAL

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 shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, 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. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee shall submit all proposed revisions or modifications to the solid waste control plan to the Department. The Permittee shall comply with any plan modifications. The Permittee shall submit an update of the solid waste control plan one year of the effective date of this permit.

S7. NON-ROUTINE AND UNANTICIPATED DISCHARGES

- A. Beginning on the effective date of this permit, the Permittee may discharge non-routine wastewater on a case-by-case basis if approved by the Department. Prior to any such discharge, the Permittee shall contact the Department and **at a minimum** provide the following information:
1. The nature of the activity that is generating the discharge.
 2. Any alternatives to the discharge, such as reuse, storage, or recycling of the water.
 3. The total volume of water expected to be discharged.
 4. The results of the chemical analysis of the water. The water shall be analyzed for all constituents limited for the Permittee's discharge. The analysis shall also include hardness, any metals that are limited by water quality standards, and any other parameter deemed necessary by the Ecology. All discharges must comply with the effluent limitations as established in Condition S1 of this permit, water quality standards, sediment management standards, and any other limitations imposed by the Department.
 5. The date of proposed discharge and the rate at which the water will be discharged, in gallons per minute. The discharge rate shall be limited to that which will not cause erosion of ditches or structural damage to culverts and their entrances or exits.
 6. If the proposed discharge is to a municipal storm drain and is approved by the Department, the Permittee shall notify the municipality of the discharge.
- B. The discharge cannot proceed until the Department has reviewed the information provided and has authorized the discharge. Authorization from the Department will be by letter to the Permittee or by an Administrative Order.

S8. SPILL PLAN

The Permittee shall submit to the Department an update to the existing Spill Control Plan. Within one year after the effective date of the permit, the Permittee shall submit to the Department a spill control plan for the prevention, containment, and control of spills or unplanned discharges of: 1) oil and petroleum products, 2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070, or 3) other materials which may become pollutants or cause pollution upon reaching state's waters. The Permittee shall review and update the Spill Plan, as needed, at least annually. Changes to

the plan shall be sent to the Department. The plan and any supplements shall be followed throughout the term of the permit.

The updated spill control plan shall include the following:

- A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
- A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
- A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into state waters.

For the purpose of meeting this requirement, plans and manuals, or portions thereof, required by 33 CFR 154, 40 CFR 109, 40 CFR 110, and by 40 CFR Part 112, the Federal Oil Pollution Act of 1990, state rules in Chapter 173-181, and contingency plans required by Chapter 173-303 WAC may be submitted.

S9. RECEIVING WATER STUDY

The Permittee shall collect receiving water information necessary to determine if the effluent has a reasonable potential to cause a violation of the water quality standards. If reasonable potential exists the Department will use this information to calculate effluent limits. All sampling and analysis shall be conducted in accordance with the guidelines given in *Guidelines and Specifications for Preparing Quality Assurance Project Plans*, Ecology Publication 91-16. The Permittee shall submit a sampling and quality assurance plan for Department review and approval within 180 days of the effective date of this permit.

The Permittee shall sample and analyze the receiving water for hardness. The following metals shall be analyzed for both total recoverable and dissolved: zinc, copper, lead, selenium. The Permittee shall follow the clean sampling techniques (*Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels*, EPA Publication No. 821-R-95-034, April 1995). The sampling station accuracy requirements are ± 20 meters. The receiving water sampling location should be outside the zone of influence of the effluent. The Permittee shall collect and analyze receiving quarterly water samples to be used in determining reasonable potential to cause a violation of the water quality standards, at least 4 sampling events. The sample events shall be spaced three months apart. All chemical analysis shall be conducted according to methods given in 40 CFR 136 and shall have the following detection levels:

POLLUTANT PARAMETER	DETECTION LIMIT REQUIRED
Copper	1.0 $\mu\text{g/L}$
Lead	1.0 $\mu\text{g/L}$
Zinc	2.0 $\mu\text{g/L}$
Selenium	2.0 $\mu\text{g/L}$

Any subsequent sampling and analysis shall also meet these requirements. The Permittee may conduct a cooperative receiving water study with other NPDES Permittees discharging within the same vicinity. The Permittee shall submit the results of the study to the Department within 90 days of completing the effluent and receiving water studies.

S10. ACUTE TOXICITY

A. Effluent Limit for Acute Toxicity

Acute toxicity tests shall be conducted with the following species and protocols semiannually on a rotating basis:

1. Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA-821-R-02-012).
2. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA-821-R-02-012). The Permittee shall choose one of the three species and use it consistently throughout effluent characterization.

The effluent limit for acute toxicity is no acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC).

In the event of failure to pass the test described in subsection B. of this section for compliance with the effluent limit for acute toxicity, the Permittee is considered to be in compliance with all permit requirements for acute whole effluent toxicity as long as the requirements in subsection C. are being met to the satisfaction of the Department.

The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the zone of acute criteria exceedance assigned pursuant to WAC 173-201A-100. The zone of acute criteria exceedance is authorized in Section S1.B of this permit. The ACEC equals 6.7% effluent.

B. Monitoring for Compliance With an Effluent Limit for Acute Toxicity

Monitoring to determine compliance with the effluent limit shall be conducted twice per year for the permit term using each of the species listed in subsection A on a rotating basis and performed using at a minimum 100% effluent, the ACEC, and a control. The Permittee shall start sampling for acute toxicity within 120 days of the effective date of the permit. The Permittee shall schedule the toxicity tests in the order listed in the permit unless the Department notifies the Permittee in writing of another species rotation schedule. The percent survival in 100% effluent shall be reported for all compliance monitoring.

Compliance with the effluent limit for acute toxicity means no statistically significant difference in survival between the control and the test concentration representing the ACEC. The Permittee shall immediately implement subsection C if any acute toxicity test conducted for compliance monitoring determines a statistically significant difference in survival between the control and the ACEC using hypothesis testing at

the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in survival between the control and the ACEC is less than 10%, the hypothesis test shall be conducted at the 0.01 level of significance.

C. Response to Noncompliance With an Effluent Limit for Acute Toxicity

If the Permittee violates the acute toxicity limit in subsection A, the Permittee shall begin additional compliance monitoring within one week from the time of receiving the test results. This additional monitoring shall be conducted weekly for four consecutive weeks using the same test and species as the failed compliance test. Testing shall determine the LC₅₀ and effluent limit compliance. The discharger shall return to the original monitoring frequency in subsection A after completion of the additional compliance monitoring.

If the Permittee believes that a test indicating noncompliance will be identified by the Department as an anomalous test result, the Permittee may notify the Department that the compliance test result might be anomalous and that the Permittee intends to take only one additional sample for toxicity testing and wait for notification from the Department before completing the additional monitoring required in this subsection. The notification to the Department shall accompany the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous. The Permittee shall complete all of the additional monitoring required in this subsection as soon as possible after notification by the Department that the compliance test result was not anomalous. If the one additional sample fails to comply with the effluent limit for acute toxicity, then the Permittee shall proceed without delay to complete all of the additional monitoring required in this subsection. The one additional test result shall replace the compliance test result upon determination by the Department that the compliance test result was anomalous.

If all of the additional compliance monitoring conducted in accordance with this subsection complies with the permit limit, the Permittee shall search all pertinent and recent facility records (operating records, monitoring results, inspection records, spill reports, weather records, production records, raw material purchases, pretreatment records, etc.) and submit a report to the Department on possible causes and preventive measures for the transient toxicity event which triggered the additional compliance monitoring.

If toxicity occurs in violation of the acute toxicity limit during the additional compliance monitoring, the Permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to the Department. The TI/RE plan submittal shall be within sixty (60) days after the sample date for the fourth additional compliance monitoring test. If the Permittee decides to forgo the rest of the additional compliance monitoring tests required in this subsection because one of the first three additional compliance monitoring tests failed to meet the acute toxicity limit, then the Permittee shall submit the TI/RE plan within sixty (60) days after the sample date for the first additional monitoring test to violate the acute toxicity limit. The TI/RE plan shall be based on

WAC 173-205-100(2) and shall be implemented in accordance with WAC 173-205-100(3).

D. Sampling and Reporting Requirements

1. All reports for effluent compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results. The acute toxicity test results shall be sent to the Ecology within 60 days after each sampling event.
2. Testing shall be conducted on grab effluent samples. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20° C at receipt. If a grab sample is received at the testing lab within 4 hours after collection, it must be below 12° C at receipt. All other samples must be 0 - 6° C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 0 - 6° C in the dark from receipt until completion of the test.
3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.
4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.
6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.
7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29% as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

S11. CHRONIC TOXICITY

A. Effluent Limit for Chronic

The effluent limit for chronic toxicity is no toxicity detected in a test concentration representing the chronic critical effluent concentration (CCEC).

In the event of failure to pass the test described in subsection B. of this section for compliance with the effluent limit for chronic toxicity, the Permittee is considered to be in compliance with all permit requirements for chronic whole effluent toxicity as long as the requirements in subsection C. are being met to the satisfaction of the Department.

The CCEC means the maximum concentration of effluent during critical conditions at the boundary of the zone of chronic criteria exceedance assigned pursuant to WAC 173-201A-100. The zone of chronic criteria exceedance is authorized in Section S1.B of this permit. The CCEC equals 0.77% effluent.

B. Monitoring for Compliance With an Effluent Limit for Chronic Toxicity

Monitoring to determine compliance with the effluent limit shall be conducted twice per year during the term of the permit term using each of the species listed below on a rotating basis and performed using at a minimum the CCEC, the ACEC, and a control. The Permittee shall start sampling for chronic toxicity within 120 days of the effective date of the permit. The Permittee shall schedule the toxicity tests in the order listed in the permit unless the Department notifies the Permittee in writing of another species rotation schedule.

Freshwater Chronic Test	Species	Method
Fathead minnow survival and growth	<i>Pimephales promelas</i>	EPA-821-R-02-013
Water flea survival and reproduction	<i>Ceriodaphnia dubia</i>	EPA-821-R-02-013

Compliance with the effluent limit for chronic toxicity means no statistically significant difference in response between the control and the test concentration representing the CCEC. The Permittee shall immediately implement subsection C if any chronic toxicity test conducted for compliance monitoring determines a statistically significant difference in response between the control and the CCEC using hypothesis testing at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in response between the control and the CCEC is less than 20%, the hypothesis test shall be conducted at the 0.01 level of significance.

In order to establish whether the chronic toxicity limit is eligible for removal from future permits, the Permittee shall also conduct this same hypothesis test (Appendix H, EPA/600/4-89/001) to determine if a statistically significant difference in response exists between the ACEC and the control.

C. Response to Noncompliance With an Effluent Limit for Chronic Toxicity

If a toxicity test conducted for compliance monitoring under subsection B determines a statistically significant difference in response between the CCEC and the control, the Permittee shall begin additional compliance monitoring within one week from the time of receiving the test results. This additional monitoring shall be conducted monthly for three consecutive months using the same test and species as the failed compliance test. Testing shall be conducted using a series of at least five effluent concentrations and a control in order to be able to determine appropriate point estimates. One of these effluent concentrations shall equal the CCEC and be compared statistically to the nontoxic control in order to determine compliance with the effluent limit for chronic toxicity as described in subsection B. The discharger shall return to the original monitoring frequency in subsection B after completion of the additional compliance monitoring.

If the Permittee believes that a test indicating noncompliance will be identified by the Department as an anomalous test result, the Permittee may notify the Department that the compliance test result might be anomalous and that the Permittee intends to take only one additional sample for toxicity testing and wait for notification from the Department before completing the additional monitoring required in this subsection. The notification to the Department shall accompany the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous. The Permittee shall complete all of the additional monitoring required in this subsection as soon as possible after notification by the Department that the compliance test result was not anomalous. If the one additional sample fails to comply with the effluent limit for chronic toxicity, then the Permittee shall proceed without delay to complete all of the additional monitoring required in this subsection. The one additional test result shall replace the compliance test result upon determination by the Department that the compliance test result was anomalous.

If all of the additional compliance monitoring conducted in accordance with this subsection complies with the permit limit, the Permittee shall search all pertinent and recent facility records (operating records, monitoring results, inspection records, spill reports, weather records, production records, raw material purchases, pretreatment records, etc.) and submit a report to the Department on possible causes and preventive measures for the transient toxicity event which triggered the additional compliance monitoring.

If toxicity occurs in violation of the chronic toxicity limit during the additional compliance monitoring, the Permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to the Department. The TI/RE plan submittal shall be within sixty (60) days after the sample date for the third additional compliance monitoring test.

If the Permittee decides to forgo the rest of the additional compliance monitoring tests required in this subsection because one of the first two additional compliance monitoring tests failed to meet the chronic toxicity limit, then the Permittee shall submit the TI/RE plan within sixty (60) days after the sample date for the first additional monitoring test to violate the chronic toxicity limit. The TI/RE plan shall be based on WAC 173-205-100(2) and shall be implemented in accordance with WAC 173-205-100(3).

D. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into the Department's database, then the Permittee shall send the disk to the Department along with the test report, bench sheets, and reference toxicant results. The chronic toxicity test results shall be sent to the Ecology within 60 days after each sampling event.
2. Testing shall be conducted on grab samples. Composite samples taken for toxicity testing shall be cooled to 0 - 6 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20° C at receipt. If a grab sample is received at the testing lab within 4 hours after collection, it must be below 12° C at receipt. All other samples must be 0 - 6° C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 0 - 6° C in the dark from receipt until completion of the test.
3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.
4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by the Department, testing shall be repeated with freshly collected effluent.
5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.
7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC and the CCEC.
8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing, and do not comply with the chronic statistical power standard of 39% as defined in WAC 173-205-020, must be repeated on a fresh sample with an increased number of replicates to increase the power.

S12. PRIORITY POLLUTANT SCAN

The Permittee shall analyze final mill effluent for the priority pollutants in the third and fifth year of the permit. The list of chemicals is identified in Appendix A of this permit. Analysis shall be done in accordance with general QA/QC provisions set forth throughout this permit. The results shall be reported within 6 months of sampling.

S13. OUTFALL EVALUATION

The Permittee shall inspect the submerged portion of the outfall 001 diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in the report. The Permittee shall submit the video documentation to Ecology with the permit renewal application.

S14. FECAL COLIORM EFFLUENT STUDY

The Permittee shall determine if fecal coliform counts in the effluent will cause a violation of the water quality criteria at the edge of the chronic mixing zone and will determine if the measured fecal coliform values organisms are from the pulping processing. After review of the data, Ecology will determine if the data indicate an alternative indicator organism and will determine if the water quality criteria is being met. If the criteria for fecal coliform are not met, the permit will be reopened and limits placed in the permit.

S15. STORMWATER LIMITATIONS AND MONITORING REQUIREMENTS

1. Authorized Stormwater and Non-Stormwater Discharges

Beginning on the effective date of this permit and lasting through its expiration date, the Permittee is authorized to discharge stormwater and conditionally approved non-stormwater discharges from Outfall 004 to waters of the state. All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The Permittee is further authorized to

discharge non-process stormwater through outfall 002 and 003 without further treatment or monitoring.

2. General Prohibitions

The Permittee must manage all process stormwater discharges via outfall 004 to prevent the discharge of: 1) synthetic, natural, or processed oil or oil-containing products as identified by oil sheens, or 2) floating materials.

3. Monitoring Requirements

Beginning on the effective date of this permit, the Permittee shall monitor stormwater from Outfalls 004 for the parameters listed in the following tables.

Outfall 004			
Parameter	Benchmark Value	Monitoring Frequency ^a	Sample Type
BOD5	30 mg/L	Once/year	Grab
Ammonia	38 mg/L	Once/year	Grab
Lead	81.6 µg/L	Once/year	Grab
Copper	63.6 µg/L	Once/year	Grab
Turbidity	25 NTU	Once/year	Grab
Oil and Grease	15 mg/L	Once/year	Grab
Total Zinc	117 µg/L	Once/year	Grab
pH	6-9 SU	Once/year	Grab
Visual Monitoring as described below			
The sampling point and the point of compliance are located at the point just before being discharged into the city of Sumner collection system.			

^a The Permittee may petition the Department to reduce or suspend monitoring for one or more of these parameters upon consistent attainment of benchmark values. Consistent attainment is defined as four consecutive years where the reported values are equal to or less than benchmark values.

If there is no discharge during an entire year, the Permittee shall submit a report to the Department stating that no discharge occurred.

The storm event sampled must be at least 0.1 inches of rain in a 24-hour period preceded by at least 24 hours of no greater than trace precipitation. Grab samples shall be taken within the first hour after discharge begins or each drainage can be analyzed to determine the appropriate time period to achieve first flush capture. The Permittee is required to sample only once in the storm event sample collection period and use its best effort to achieve the sample collection criteria. The Permittee is not required to sample outside of regular environmental staff business hours or during unsafe conditions.

Monitoring of stormwater discharges shall also consist of visual monitoring. Visual monitoring shall include observations made at stormwater sampling locations at the time of sampling. Observations of the presence of floating materials, visible sheen, discoloration, turbidity, odor, etc. in the stormwater discharge and an evaluation of whether or not stormwater best management practices established by the Pollution Prevention Plan are in place and/or are being followed shall be reported with the discharge monitoring report. Dry weather observations shall note the presences of non-stormwater discharges to the stormwater system that are not authorized by this permit. Any non-stormwater discharges not otherwise authorized shall be reported to Ecology per Permit Condition S3.E.

The Permittee shall submit the results of stormwater monitoring/visual inspection to the Department within 60 days after each sampling event.

4. Response to Monitoring Results Above Benchmark Values

Each time that sampling results are above a benchmark value or outside the benchmark range for pH, the Permittee shall take the following actions:

- a. Conduct an inspection of the drainage area for the affected outfall as promptly as possible, but no later than two weeks after receipt of sampling results.
- b. Identify the possible sources of stormwater contamination from industrial activity that are causing or contributing to the elevated levels of the benchmark parameter.
- c. Evaluate whether any improvements or changes to source control, operational control, and stormwater best management practices (BMPs) are warranted to reduce stormwater contamination below benchmark values. Any elevated TSS levels attributable to vegetative or naturally-occurring conditions do not require additional BMPs.
- d. Implement additional source/operational control and best management practices as identified as needed in the investigation.
- e. Include a brief summary of inspection results and remedial actions taken with the monitoring report for the time period in which sample results were above benchmark values.

S16. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Permittee shall develop a Stormwater Pollution Prevention Plan (SWPPP) specifically developed for the facility within one year after the effective date of the permit and submit to Ecology. The SWPPP must be consistent with permit requirements, fully implemented as directed by permit conditions, and updated as necessary to maintain compliance with permit conditions. The SWPPP must include the BMPs necessary to provide all known, available and reasonable methods of prevention, control, and treatment (AKART). It must also include any additional BMPs as necessary to comply

with state water quality standards. Some components of a SWPPP are added over time (e.g. results of dry and wet weather inspections) and cannot be included in the first SWPPP. The Permittee must update the SWPPP as required.

The technical basis for the selection of all stormwater BMPs must be documented within the Stormwater Pollution Prevention Plan. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis which support the performance claims for the BMPs being selected, and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3 (the *demonstration approach*).

If the Permittee chooses to follow the stormwater management practices contained in approved stormwater technical manuals (*the presumptive approach*), including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater approach may select BMPs which are functionally equivalent to BMPs in the Manual but must document within the SWPPP their functional equivalency.

A. General Requirements

The Permittee shall retain the SWPPP on-site or within reasonable access to the site and make it immediately available, upon request, to Ecology. The municipal operator of the storm sewer system shall also have access to the SWPPP. The responsible party as identified in General Condition G17, Signatory Requirements, shall sign the SWPPP and significant updates.

1. Illicit Discharges:

The SWPPP shall include measures to identify and eliminate the discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to stormwater drainage systems, or to surface waters of the state of Washington.

2. Ecology Request:

Ecology may request a current copy of or update to the stormwater pollution prevention plan (SWPPP). The Permittee must submit their SWPPP/update to Ecology within two (2) weeks of receiving the request or at a later date if approved by Ecology.

3. Public Access:

Ecology will maintain a copy of the SWPPP for each industrial facility at the

Industrial Section office. The public may view a copy of a Permittee's SWPPP at the Ecology office.

4. Enhanced/Additional Best Management Practices (BMPs):

The Permittee shall provide a schedule in the SWPPP for implementation of any additional or enhanced BMPs that are necessary because of a notice from Ecology, facility changes, or self-inspection. A schedule for implementation (plan) must be completed and entered into the SWPPP within 30 days of a notice/determination of necessary improvements. BMPs identified in the plan must be implemented with due diligence. Noncapital BMPs shall be completed within two weeks after completing the plan and capital BMPs within six months. Enhanced/additional BMPs will comply with Special Condition S16.A.5. below. Complying with this provision does not limit the potential liability for enforcement action where the Permittee has failed to implement required BMPs or where stormwater discharges violate water quality standards.

Ecology may issue a notice to the Permittee when the SWPPP does not meet one or more of the minimum requirements of Special Condition S16 or when it is not adequate to assure compliance with standards. The Permittee shall modify the SWPPP and the BMPs to correct the deficiencies identified in the notice.

Ecology may require additional BMPs where the Permittee exceeds benchmark values for required sampling.

The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation or maintenance of any BMP which cause(s) the SWPPP to be less effective in controlling the pollutants.

This permit requires the Permittee to conduct visual monitoring and this monitoring may identify BMPs that are inadequate or pollutant sources that are not identified or poorly described in the SWPPP. When visual monitoring identifies inadequacies in the SWPPP, due to the actual discharge of or potential to discharge a significant amount of any pollutant, the SWPPP must be modified and BMPs adjusted to correct the deficiency.

5. Proper Selection And Proper Use of Storm Water Management Manuals (SWMM):

Permittees choosing to use the Presumptive Approach in selecting BMPs from approved stormwater technical manuals must clearly state which of the approved stormwater technical manuals the BMPs in their SWPPP are based on. Permittees who choose not to use this approach must demonstrate in their SWPPP the technical basis for the BMPs selected as set forth in the introductory paragraphs of this section, S16.

For permittees which choose to follow the presumptive approach, the approved and applicable stormwater management manuals are:

- The Stormwater Management Manual for Western Washington is the applicable SWMM for all facilities west of the crest of the Cascade Mountains as of February 1, 2002.

Existing facilities are not required to redo their SWPPP and BMPs to incorporate changes to BMPs that were designed and implemented according to an earlier version of the SWMM. However, existing facilities shall apply the applicable technical standards and BMPs as found in the most recent published edition of the SWMM, or other equivalent manuals, that are available when updating their SWPPP to accommodate changes at their facility or when additional BMPs are required to maintain compliance with permit conditions.

Facilities undergoing new development or redevelopment will apply the applicable minimum requirements of the appropriate, most current SWMM available when beginning final design of the project to the development site.

All treatment BMPs that include the addition of chemicals to provide treatment must be approved by Ecology before implementation.

6. Other Pollution Control Plans:

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their facility. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit and must meet the availability requirements of the SWPPP (see S16.A., S16A.2. and 3.). A Pollution Prevention Plan prepared under the Hazardous Waste Reduction Act, Chapter 70.95C RCW, is an example of such a plan.

E. SWPPP Contents and Requirements

The SWPPP shall contain a detailed assessment of the facility and a detailed description of the best management practices (BMPs). Any parts of the SWPPP which the facility wants to claim as Confidential Business Information must be clearly identified in the plan.

1. Facility Assessment:

The facility assessment must include a description of the facility, a detailed site map, an inventory of facility activities and equipment that contribute to or have the potential to contribute pollutants to stormwater, and an inventory of materials that contribute to or have the potential to contribute pollutants to stormwater. The assessment must be as complete as possible (including incidental sources such as tire wear or equipment leaks) and must be updated to reflect substantive changes at the facility. The SWPPP must address each potential pollutant source of a significant amount with best management practices that will eliminate or reduce the potential to contaminate stormwater through source control or treatment.

- a. **Facility Description:** The facility description will describe the industrial activities conducted at the site, the general layout of the facility including buildings and storage of raw materials, and the flow of goods and materials through the facility. It should include seasonal variations including peaks in production and any changes in work based on season or weather (e.g. moving work outdoors on dry days).
- b. **Site Map:** The site map must be drawn to an identified scale or include relative distances between significant structures and drainage systems. It must provide identifiers (names) of significant features and be of sufficient size and detail to identify the following: The site map will show the storm water drainage and discharge structures, an outline of the stormwater drainage areas for each stormwater discharge point (including discharges to ground water), paved areas and buildings, areas of pollutant contact (actual or potential), surface water locations (including wetlands and drainage ditches), areas of existing and potential soil erosion (in a significant amount) and vehicle service areas;

Lands and waters adjacent to the site shall also be depicted where helpful in identifying discharge points or drainage routes.

- c. **Industrial Activities:** The inventory of industrial activities will identify all areas associated with industrial activities which have been or may potentially be sources of significant amounts of pollutants, including the following:
 - i) Loading and unloading of dry bulk materials or liquids.
 - ii) Outdoor storage of materials or products.
 - iii) Outdoor manufacturing and processing.
 - iv) Dust or particulate generating processes.
 - v) Roofs or other surfaces exposed to air emissions from a manufacturing building or a process area.
 - vi) On-site waste treatment, storage or disposal.
 - vii) Vehicle and equipment fueling, maintenance and/or cleaning (includes washing).
 - viii) Roofs or other surfaces composed of materials that may be mobilized by stormwater (e.g. galvanized or copper roofs).
- d. **Inventory of Materials:** The inventory of materials will list all the types of materials handled at the site that potentially may be exposed to precipitation or runoff and could result in stormwater pollution of a significant amount. The inventory will include a short narrative for each material describing the

potential of the pollutant to be present in stormwater discharges. The Permittee will update this narrative when data become available to verify the presence or absence of these pollutants. The inventory will include a narrative description of any potential sources of pollutants of a significant amount from past activities; significant materials that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to stormwater. Include the method and location of on-site storage or disposal; and a list of significant spills and significant leaks of toxic or hazardous pollutants.

2. **Monitoring Plan:** The SWPPP will include a monitoring plan. The plan must identify all the points of discharge to surface water or to a storm drain system. If there is more than one point of discharge then the plan must include a discussion of representative sampling and how the Permittee has determined which points of discharge will be monitored. The discussion must include a means to estimate of the volume/rate of discharge from each discharge point based on storm duration, intensity and quantity, differences in exposure to pollutants, pollutants likely to be in each discharge and a relative comparison of probable pollutant concentrations. The plan must identify who is responsible for monitoring and how monitoring will be conducted to comply with permit conditions. The monitoring plan will address stormwater sampling requirements and visual inspections. The plan must include the following:
 - a. Identification of points of discharge
 - b. A check list for visual monitoring
 - c. Who conducts stormwater sampling
 - d. Where samples will be taken
 - e. Parameters for analysis
 - f. Procedures for sample collection and handling
 - g. Procedures for sending samples to lab
 - h. Procedure for submitting results to Ecology
3. **BMPs:** The SWPPP must include a description of the best management practices (BMPs) that are necessary for the facility to eliminate or reduce the potential to contaminate stormwater. BMPs must also be considered to regulate peak flow and volume of stormwater discharge. The SWPPP must document how stormwater BMPs were selected, the pollutant removal performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected and an assessment of how the selected BMP will comply with state water quality standards, satisfy the state AKART requirements, and the federal technology-based treatment requirements under 40 CFR part 125.3.

Permittees which choose to follow the stormwater management practices, or their functional equivalents, contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined in S16.A.5.

BMPs shall be included to comply with the following requirements:

- a. **Operational Source Control BMPs:** Operational BMPs are common to all facilities. The categories listed below are a minimum set of BMPs that must be included in the SWPPP.
 - i) Pollution Prevention Team: The SWPPP will include a BMP that identifies specific individuals by name or by title within the plant organization who are responsible for developing the SWPPP and assisting the plant manager in its implementation, maintenance, and modification. The activities and responsibilities of the team should address all aspects of the facility's SWPPP.
 - ii) Good Housekeeping: The SWPPP will include a BMP(s) that defines ongoing maintenance and cleanup, as appropriate, of areas which may contribute pollutants to stormwater discharges. The SWPPP will include the schedule/frequency for completing each housekeeping task.
 - iii) Preventive Maintenance: The SWPPP will include a BMP(s) to inspect and maintain the stormwater drainage and treatment systems (if any), and plant equipment and systems that could fail and result in contamination of stormwater. The SWPPP will include the schedule/frequency for completing each maintenance task.
 - iv) Spill Prevention and Emergency Cleanup Plan: The SWPPP will include BMP(s) to identify areas where potential spills can contribute pollutants to stormwater discharges. The BMP(s) must specify material handling procedures, storage requirements, cleanup equipment and procedures as appropriate. The SWPPP may include excerpts of plans prepared for other purposes (e.g., Spill Prevention Control and Countermeasure (SPCC) plans under Section 311 of the CWA), where those excerpts meet the intent of this requirement.
 - v) Employee Training: The SWPPP will include a BMP(s) to provide SWPPP training for employees who have duties in areas of industrial activity subject to this permit. At a minimum, training shall include an overview of what is in the SWPPP and how employees make a difference in complying with the SWPPP and preventing contamination of stormwater. The training must address spill response procedures, good

housekeeping, and material management practices. The BMP(s) must provide the content of the training, how training will be conducted and the frequency/schedule for assuring employees receive training. Annual training is the minimum acceptable frequency. A log of the dates on which specific employees receive training shall be kept and included in the SWPPP.

- vi) Inspections and Recordkeeping: The SWPPP will include documentation of procedures to assure compliance with permit requirements for inspections and recordkeeping. At a minimum it will:
- identify plant personnel who will inspect designated equipment and plant areas as required in Special Condition S15, Monitoring Requirements,
 - provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual monitoring,
 - define how Permittee will comply with signature requirements and records retention identified in Special Condition S3, Reporting and Recordkeeping Requirements, and
 - include certification of compliance with the SWPPP.
- b. **Structural Source Control BMPs**: Structural source control BMPs must be provided to eliminate or minimize the exposure of stormwater to pollutants. Volume IV of Ecology's SWMM provides useful information for source control BMPs for different industrial activities. For permittees choosing to use approved SWMMs or other technical guidance documents approved by Ecology as a means to meet this requirement the BMPs listed as "applicable" are considered the minimum set of required BMPs for an industrial activity. Equivalent BMPs may be selected which result in equal or better quality of storm water discharge.
- c. **Treatment BMPs**: Treatment BMPs are required when operational and source control BMPs are not adequate to reduce pollutants below a significant amount and maintain compliance with water quality standards. At a minimum the SWPPP must include a narrative that describes how the Permittee determined if treatment BMPs are/are not required. When treatment BMPs are required, the permittee may refer to the Ecology SWMM, Volume V, or equivalent manual, for guidance on selecting treatment BMPs.
- d. **Stormwater Peak Runoff Rate and Volume Control BMPs**: Stormwater runoff from new development and redevelopment shall be evaluated to determine if flow control is necessary to satisfy the state AKART requirements, prevent pollution of state waters, or comply with state water quality standards. At a

minimum, the SWPPP must include a narrative that describes how the Permittee determined if flow control BMPs are/are not required. Permittees who choose not use approved SWMMs or other technical guidance documents approved by Ecology to meet this requirement must include within the SWPPP the technical basis for their chosen BMPs as described in the introductory paragraphs of section S16. Where required, the SWPPP shall include appropriate BMPs from Volumes I and III of Ecology's SWMM or equivalent manuals.

4. Erosion and Sediment Control BMPs: All facilities must evaluate the risk of soil erosion on their site that could contaminate stormwater. At a minimum the SWPPP must include a narrative that describes if there is reasonable potential for soil erosion of a significant amount at the site. Where reasonable potential exists, the Permittee must include BMPs to prevent or minimize the potential for soil erosion on-site. The SWPPP must document how stormwater BMPs were selected, the performance expected from the BMP being selected and the technical basis that supports the performance claims for the BMPs being selected, and an assessment of how the selected BMP will reduce the potential for soil erosion.

Permittees which choose to follow the stormwater management practices contained in approved stormwater management manuals, including the proper selection, implementation, and maintenance of appropriate best management practices are presumed to have satisfied this demonstration requirement and do not need to include within the Stormwater Pollution Prevention Plan the technical basis which support the performance claims for the BMPs being used. The proper use and selection of approved stormwater management manuals is outlined

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department 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 the Department 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 the Department.
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the 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 the Department 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 inquiry 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 fine and imprisonment for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

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

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the

reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
1. Violation of any permit term or condition.
 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
 3. A material change in quantity or type of waste disposal.
 4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].
 5. 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 [40 CFR part 122.64(4)].
 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
 7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.
- B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:
1. A material change in the condition of the waters of the state.
 2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
 3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
 4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
 5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.
 6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
 7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7, of this section, and the Department determines that modification or revocation and reissuance is appropriate.
2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

G4. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

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

G7. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification

Except as provided in paragraph B below, this permit may be transferred by the Permittee to a new owner or operator only if this 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 the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G8. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department 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 submit to the Department upon request, copies of records required to be kept by this permit.

G11. OTHER REQUIREMENTS OF 40 CFR

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

G12. ADDITIONAL MONITORING

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

G13. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) 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.

G15. UPSET

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 preventive maintenance, or careless or improper operation.

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 facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3.E; and 4) the Permittee complied with any remedial measures required under S4.C of this permit.

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

G16. PROPERTY RIGHTS

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

G17. DUTY TO COMPLY

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

G18. TOXIC POLLUTANTS

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G19. PENALTIES FOR TAMPERING

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

G20. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

G21. REPORTING OTHER INFORMATION

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

**G22. REPORTING REQUIREMENTS APPLICABLE TO EXISTING
MANUFACTURING, COMMERCIAL, MINING, AND SILVICULTURAL
DISCHARGERS**

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify the Department as soon as they know or have reason to believe:

- A. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following “notification levels:”
 - 1. One hundred micrograms per liter (100 µg/L).
 - 2. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony.
 - 3. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - 4. The level established by the Director in accordance with 40 CFR 122.44(f).

- B. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following “notification levels:”
 - 1. Five hundred micrograms per liter (500µg/L).
 - 2. One milligram per liter (1 mg/L) for antimony.
 - 3. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - 4. The level established by the Director in accordance with 40 CFR 122.44(f).

G23. 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 fourteen (14) days following each schedule date.

APPENDIX A - PRIORITY POLLUTANT LIST

Pollutant & CAS No. (if available)		Analytical Protocol as EPA Part 136 methods or Standard Methods	Detection or Quantitation Level
Metals (Part C)			DL µg/l
Antimony, Total	7440-36-0	204.2	3
Arsenic, Total	7440-38-2	206.2	1
Beryllium, Total	7440-43-9	210.2	1
Cadmium, Total	7440-43-9	213.2	0.1
Chromium, Total	7440-47-3	218.2	1
Copper, Total	7440-50-8	220.2	1
Lead, Total	7439-92-1	239.2	1
Mercury, Total	7439-97-6	1631	0.2 ng/l
Nickel, Total	7440-02-0	249.2	1
Selenium, Total	7782-49-2	270.2	2
Silver, Total	7440-22-4	272.2	0.2
Thallium, Total	7440-28-0	279.2	1
Zinc, Total	7440-66-6	289.2	0.05

* Persistent, Bioaccumulative and Toxic (PBT) Chemicals of Concern

This table is a list of all priority pollutants and also includes PBT chemicals of concern indicated with an asterisk. The treatment efficiency study analysis does not include PCBs and pesticides that are tested for, unless those chemicals are used on site.