FACT SHEET FOR STATE WASTE DISCHARGE PERMIT NO. ST-9183

BAKER PRODUCE, INC.

DATE OF THIS FACT SHEET – SEPTEMBER 18, 2007
DATE OF EXPIRING PERMIT - OCTOBER 31, 2012

SUMMARY

Baker Produce, Inc. owns and operates a fresh produce storage and packing operation in Kennewick, Washington. Water used to wash potatoes and asparagus flows into a settling tank to allow dirt and debris to settle to the bottom of the tank. The water then flows to the Kennewick Publicly Owned Treatment Works (POTW) and the settled solids are removed monthly from the bottom of the tank and reapplied to crop lands owned by Baker Produce.

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INTRODUCTION

This fact sheet is a companion document to the draft State Waste Discharge Permit No. ST-9183. the Department of Ecology (Ecology) is proposing to issue this permit, which will allow discharge of wastewater to City of Kennewick POTW. This fact sheet explains the nature of the proposed discharge, Ecology's decisions on limiting the pollutants in the wastewater, and the regulatory and technical bases for those decisions.

Washington State law (RCW 90.48.080 and 90.48.160) requires that a permit be issued before discharge of wastewater to waters of the state is allowed. This statute includes commercial or industrial discharges to sewerage systems operated by municipalities or public entities which discharge into public waters of the state. Regulations adopted by the state include procedures for issuing permits and establish requirements which are to be included in the permit (Chapter 173-216 WAC).

This fact sheet and draft permit are available for review by interested persons as described in Appendix A—Public Involvement Information.

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in these reviews have been corrected before going to public notice. After the public comment period has closed, Ecology will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of Ecology's response. The fact sheet will not be revised. Changes to the permit will be addressed in Appendix D—Response to Comments.

GENERAL INFORMATION	
Applicant	Baker Produce, Inc.
Facility Name and Address	Baker Produce, Inc. 212 W. Railroad Ave. Kennewick, WA 99336
Type of Facility:	Produce Packing
Facility Discharge Location	Latitude: 46° 12' 42" N Longitude: 119° 07' 13" W
Treatment Plant Receiving Discharge	City of Kennewick Sewage Treatment Plant
Contact at Facility	Name: Albert Janke, Plant Manager Telephone #: (509) 586-6174
Responsible Official	Name: Frank Tiegs Title: President Address: 212 W. Railroad Ave, Kennewick, WA 99336 Telephone #: (509) 586-6174 FAX # (509) 582-7349

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

History

This facility conducts fresh packing, storing, and shipping of agricultural crops, chiefly asparagus and potatoes. It is a significant industrial user based on discharge rates. It is not subject to Categorical Pretreatment Standards. The facility is an old, existing source which operates year-round with one shift working per day, five to seven days per week, and an average of 255 days per year. Depending on the season, anywhere from eleven to four hundred people may be employed at the facility.

Industrial Processes

The industrial processes involved at this facility include: washing, packing, storage and shipping of fresh agricultural crop products. These processes are classified under the Standard Industrial Classification (SIC) #0723 - Crop Services. The facility, according to the current application, processes approximately 67,000 tons of potatoes and 4,000 tons of asparagus each year as

compared to 50,000 tons of potatoes and 3,000 tons of asparagus during the previous permit cycle.

Harvested potatoes and asparagus are brought to the facility in bulk loads, boxes, or bins. The potatoes are dumped into a large wash water tank, whereas asparagus is dumped into a hydro-cooler, prior to being packed. The recirculated water in these tanks washes the produce to remove leaves, stems, and soil residues. The produce, after washing, is conveyed out of the tanks onto the packing lines located inside the facility's two buildings. After packing, the asparagus is cold-stored for later shipment.

The wastewater pretreatment employed at this facility includes screening, recycling, and sedimentation prior to discharge to the City of Kennewick sanitary sewer system.

Treatment Processes

1. Potato Processing

The potatoes are off-loaded from trucks and washed between the asparagus processing building and the potato packing building. After being washed, the potatoes are conveyed into the packing building.

Initial potato wash process water is discharged to a recirculation tank (Tank A). This water is chlorinated by the addition of liquid bleach. The recirculation water is powered by a 10 horse power (hp) pump. Process water then gravity feeds into an overflow tank (Tank B) that is emptied by a 7 hp pump set to activate when the process water is between the 3 and 4 feet deep.

The water is pumped into a collection tee which is connected to an 8 inch pipe that passes underneath the packing warehouse to a collection tank (Tank C) on the east side of the building. A float controlled pump lifts the wastewater through a 6 inch pipe, where it discharges into the south side of the sedimentation tank (a type of flow distribution basin). The sedimentation tank (Tank D) has a volume of 3,096 cubic feet (23,158 gallons). All these tanks are concrete lined. Some suspended solid settling occurs in tanks B and C, which are cleaned more frequently than tank D.

The sedimentation tank's (Tank D) volume allows 2.9 days of detention time at a maximum flow of 8,000 gpd and 5.8 days at an average flow rate of 4,000 gpd. These detention times assume that the tank contains no settled solids. The tank's discharge point is an overflow section of the tank, approximately two feet wide and two inches lower than the remaining wall's top surface. There is a sheet metal drip-lip installed into the bottom of the overflow section that distributes the discharge onto a ¼-inch mesh expanded metal screen. As the wastewater passes through this screen, any large solids are physically removed. The discharged wastewater then falls directly into a sump

connected to the City of Kennewick sanitary sewer system. The quantity of discharged wastewater varies throughout the year due to the seasonality of the crops.

2. Asparagus Processing

Non-contact cooling water is used for refrigeration equipment cooling. It flows and/or is recycled through heat exchangers to remove heat from the equipment. The water is not exposed to any oils or solvents. It is discharged on a continuous or batch process based on equipment needs from April through October.

Hydrocooling water is refrigerated water used for cooling asparagus. This water is treated by chlorine dioxide, generally at the rate of 2.0 ppm. The water is recycled and discharged in a batch process once a week or every other week depending on need. The water typically is discharged from April through July to the collection tee on the west side of the potato packing house, where it is piped to the concrete sedimentation tank prior to discharge to the City of Kennewick sewer system.

PERMIT STATUS

The previous permit for this facility was issued on May 24, 2002.

An application for permit renewal was submitted to Ecology on December 20, 2006 and accepted by Ecology on January 9, 2007.

SUMMARY OF COMPLIANCE WITH THE PREVIOUS PERMIT

The facility was last inspected on January 25, 2007. This inspection revealed that the City of Kennewick installed a flow meter in the water well at Baker Produce. The city will monitor and maintain the flow meter on a monthly basis.

In August of 2003, Baker Produce installed a *Magflow* electromagnetic flow meter model 3100 on the inlet pipe to the sediment basin. This flow meter records total gallons being discharged into the sediment basin. The results are recorded monthly by the City of Kennewick and reported to Ecology.

Ecology has completed a review of the Permittee's compliance during the life of the existing permit. Records indicate that the Permittee's Discharge Monitoring Reports (DMRs) were often incomplete during the January 2002 through February 2007 time frame. The required submittals (report of installation of the effluent flow meter, due May 24, 2003; the Treatment System Operations Maintenance Manual, due October 15, 2002; and the Sludge Management Plan Update, due October 15, 2002, were all received by Ecology on January 10, 2007.

During the history of the previous permit, the Permittee's Discharge Monitoring Reports (DMRs) showed there were two BOD_5 violations reported in 2002, and four incidents when flow was not reported. For the remainder of the last permit cycle, the DMRs have indicated that staying within the limits for Total Suspended Solids has been the biggest challenge (17 violations reported between June 2002 and February 2007). Baker Produce and the City of Kennewick Sewage Treatment Plant have therefore agreed that the most cost-effective way to address the problem of suspended solids is to remove the sludge buildup on a monthly basis. Because DMR records show BOD is within domestic limits, no BOD_5 testing will be required in this permit.

WASTEWATER CHARACTERIZATION

The concentration of pollutants in the discharge was reported in the permit application and in discharge monitoring reports. The proposed wastewater discharge is characterized for the following parameters:

	pH Value	**Conductivity**	**TSS**	**BOD_5**
Low	5.75	493	41.0	12.0
High	7.36	775	580	518
Avg	6.76[1]	622	230.3	86.2
[1]logarithmic average				

Wastewater parameters for which the original permit required quarterly testing are given below. However, the requirement for annual testing of these parameters was inadvertently left out of the current permit. Because the City of Kennewick POTW has indicated there are no immediate concerns, the new permit will require testing and reporting of these parameters once per permit cycle:

Wastewater Parameters				
Pesticides[1]	TKN (Total Kjeldahl Nitrogen)	NO_3 (nitrate)[2]	Depth of Sludge (inches)	Volume of Sludge (cf)
[1]"Pesticides" means all of the non-PCB pesticides as listed in 40 CFR Part 122 [2]mg/L				

PROPOSED PERMIT LIMITATIONS

State regulations require that limitations set forth in a waste discharge permit must be based on the technology available to treat the pollutants (technology-based) or be based on the effects of the pollutants to the POTW (local limits). Wastewater must be treated using all known, available, reasonable methods of prevention, control, and treatment (AKART) and not interfere with the operation of the POTW.

The more stringent of the local limits-based or technology-based limits are applied to each of the parameters of concern. Each of these types of limits is described in more detail below.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS

All waste discharge permits issued by Ecology must specify conditions requiring all known, available and reasonable methods of prevention, control, and treatment (AKART) of discharges to waters of the state (WAC 173-216-110). Existing federal categorical limitations for this facility are found under 40 CFR Part 405-471.

EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS

Pollutant concentrations in the proposed discharge with technology-based controls in place will not cause problems at the receiving POTW such as interference, pass-through or hazardous exposure to POTW workers nor will it result in unacceptable pollutant levels in the POTW's sludge. Baker Produce, Inc. entered into a Memorandum of Understanding with the City of Kennewick regarding industrial sewerage discharges on April 16, 2001. In this agreement, Baker Produce agreed to make improvements to its pretreatment facilities to reduce the total suspended solids to levels that are within a range that is typical of the City's sanitary sewage system. The typical range of total suspended solids received at the City's Wastewater Treatment Plant is 150 to 250 mg/L.

Other wastewater parameters of concern for this facility are as follows: Settleable Solids (SS), 5-day Biochemical Oxygen Demand (BOD_5), pH; Conductivity, and Flow.

The most significant parameters of concern are SS, TSS and BOD_5 in the wastewater, which result from washing dirt and other debris off raw produce. TSS and SS are easily-determined measures of the pollution that may subsequently settle in the sewer system and the wastewater treatment facilities after being discharged from the industrial facility. High concentrations of such solids may restrict the flow of sewage to the POTW, or may interfere with its operation or performance, which would constitute a violation of State and Federal pretreatment standards. However, these solids may be easily removed from the process wastewater by sedimentation, which occurs prior to discharge to the City's sewer system. For all processes included under this permit, organic materials which are not screened out of the wastewater will typically end up in the sediments of the treatment system (sedimentation tank), where they may decay. The decay process of these materials may cause odor problems when sediments are removed during tank cleanout or maintenance, and may contribute a significant BOD_5 loading in the discharged wastewater.

Conductivity is an indirect method of measuring total dissolved solids which, in turn, may inhibit the operation of the POTW. Conductivity measures a variety of inorganic ions including chloride, nitrate, sulfate, phosphate, sodium, calcium, magnesium, iron and aluminum.

Flow, although not a pollutant must be included in permit monitoring in order to determine the total loading of specific pollutants. The total loading rate of pollutants is of concern to the City of Kennewick POTW. In order to determine these values, the City has installed an effluent flow meter which is accessible for reading to both Baker Produce and the POTW.

COMPARISON OF LIMITATIONS WITH THE EXISTING PERMIT ISSUED MAY 24, 2002

Parameter	Existing Limits	Proposed Limits
Total Suspended Solids (TSS)	250 mg/L	Same
Flow[1]	None	Same
pH	Not outside the range of 5.5 to 9.5	Same
BOD_5	None	Same

[1] Flow is not to exceed that needed to operate the potato cleaning and asparagus washing operations efficiently as per instructions in Baker Produce's Treatment System Operating Manual. During the previous permit cycle, water used records were generally in the range of 2,000 to 6,000 gpd. However, during the months of September and October, water use records indicate a substantially increased flow in a 10,000 to 17,000 gpd range. It is expected that these usage figures will not change substantially.

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly, and that effluent limitations are being achieved (WAC 173-216-110).

The monitoring schedule is detailed in the proposed permit under Condition S2. and S3. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring. The amount of effluent flow to the City of Kennewick's POTW should not be excessive. These data also help determine total loading of specific pollutants. Therefore effluent flow will be monitored by the City of Kennewick with the *Magflo* electromagnetic flow meter, which was installed on August 6, 2003.

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The Permit condition is based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-216-110 and 40 CFR 403.12 (e),(g), and (h)).

OPERATIONS AND MAINTENANCE

The proposed permit contains condition S5 as authorized under WAC 173-240-150 and WAC 173-216-110. It is included to ensure proper operation and regular maintenance of equipment and to ensure that adequate safeguards are taken so that constructed facilities are used to their optimum potential in terms of pollutant capture and treatment. The proposed permit requires submission of an updated Treatment System Operating Manual for the wastewater treatment facility. Monitoring records from the previous permit cycle indicate that sediments are not being reduced at the optimum potential of the sediment basin. The settling basin should remove all of the sand and silt, which settle readily and can potentially clog sewers or fill a sump at a pump station or treatment basin. Sand and silt increase the wear on pumps and pipes and should be removed at the earliest opportunity. The organic matter captured in the solids settled in the bottom decomposes, generating bubbles, which have the potential to re-suspend the finer solids that have settled out. Pumping the water out of the basin in order to remove the solids has to be done carefully to avoid stirring up the mud in the bottom and discharging it to the POTW.

The settling basin most effectively removes settled solids (SS) and total suspended solids (TSS) from the effluent when it has minimal accumulated sediments taking up the basins working volume. If the basin is allowed accumulate sediments until it becomes full, it cannot remove any SS or TSS from the effluent. Therefore, Baker Produce's Sludge Management Plan stipulates that accumulated sediments be removed at least at monthly intervals, and twice monthly during peak operations, so that the basin's TSS settling effectiveness is not compromised.

Baker Produce has improved the operation of its pretreatment settling basin since the issuance of its 1995 State Waste Discharge Permit. Baker Produce has reconfigured where the process wastewater enters the settling basin since an inspection on April 18, 2001 by an Ecology inspector. Process wastewater now enters into the settling basin on the opposite end from the outflow, while still allowing the basin to operate at its full design capability.

Baker Produce has agreed to make improvements to its pretreatment facility in order to keep its effluent's TSS in the range of 150 to 250 mg/L. This range of values is significantly lower than those reported by Baker Produce on its Discharge Monitoring Reports to Ecology over the 2002-2007 time periods. Baker Produce indicated during an inspection conducted by Ecology on January 23, 2002 that it intended to install a baffle in the settling basin to increase the basin's sedimentation efficiency. However, Baker Produce and the City of Kennewick POTW have determined that removal of solids on a monthly basis is a more cost-efficient approach to reducing solids. A combination of the a baffling system, adhering to influent volume limits, and regular removal of the sludge from the basin, has been suggested to make these TSS goals achievable for Baker's effluent discharge to the Kennewick POTW.

The treatment system operating plan also includes a slug discharge control appendix that details information and procedures relating to the prevention of unauthorized slug discharges. It includes a description of a reporting system to be used to immediately notify facility

management, who will notify the POTW operator, and appropriate state, federal, and local authorities of any slug discharges. Also, a description of equipment and facilities (including overall facility plan) for preventing, containing, or treating slug discharges are detailed.

PROHIBITED DISCHARGES

Certain pollutants are prohibited from being discharged to the POTW. These include substances which cause pass-through or interference, pollutants which may cause damage to the POTW or harm to the POTW workers (Chapter 173-216 WAC) and the discharge of designated dangerous wastes not authorized by this permit (Chapter 173-303 WAC).

An inspection on January 23, 2002 showed that Baker Produce stores only small quantities of chemicals which may disrupt treatment plant operations or pollute state waters. Therefore, Baker Produce will not be required to produce a spill control plan.

DILUTION PROHIBITED

The Permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

SLUDGE MANAGEMENT PLAN

Ecology has determined that the Permittee has a potential to cause pollution of the waters of the state from leachate of solid waste.

This proposed permit requires, under the authority of RCW 90.48.080, that the Permittee submit a sludge management plan designed to prevent solid waste and associated leachate from causing pollution of the waters of the state. The plan was submitted on January 10, 2007. The sludge management portion of the plan details how the sludge removed from the settling basin is handled. Effluent leached from the removed sludge (sediments) is not allowed to drain over the surrounding pavement and onto city streets or escape from trucks removing the sludge from the site. The sludge is land applied to crop lands owned by Baker Produce.

GENERAL CONDITIONS

General Conditions are based directly on state laws and regulations and have been standardized for all industrial waste discharge to POTW permits issued by Ecology.

- Condition G1. requires responsible officials or their designated representatives to sign submittals to the Department.
- Condition G2. requires the Permittee to allow the Department to access the treatment system, production facility, and records related to the permit.
- Condition G3. specifies conditions for modifying, suspending or terminating the permit.

- Condition G4. requires the Permittee to apply to the Department prior to increasing or varying the discharge from the levels stated in the permit application.
- Condition G5. requires the Permittee to construct, modify, and operate the permitted facility in accordance with approved engineering documents.
- Condition G6. prohibits the Permittee from using the permit as a basis for violating any laws, statutes or regulations.
- Conditions G7. relates to permit renewal and transfer.
- Condition G8. requires the Permittee to control production or wastewater discharge in order to maintain compliance with the permit.
- Condition G9. prohibits the reintroduction of removed pollutants into the effluent stream for discharge.
- Condition G10. requires the payment of permit fees.
- Condition G11. describes the penalties for violating permit conditions.

PUBLIC NOTIFICATION OF NONCOMPLIANCE

A list of all industrial users which were in significant noncompliance with Pretreatment Standards or Requirements during any of the previous four quarters may be annually published by Ecology in a local newspaper. Accordingly, the Permittee is apprised that noncompliance with this permit may result in publication of the noncompliance.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics. Ecology proposes that the permit be issued for five years.

REFERENCES FOR TEXT AND APPENDICES

Washington State Department of Ecology.

Laws and Regulations(http://www.ecy.wa.gov/laws-rules/index.html)

Permit and Wastewater Related Information
(http://www.ecy.wa.gov/programs/wq/wastewater/index.html

APPENDIX A --PUBLIC INVOLVEMENT INFORMATION

Ecology has tentatively determined to reissue a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on June 21, 2007 in the Tri City Herald to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

Ecology will publish a Public Notice of Draft on August 17, 2007 in the Tri-City Herald to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator
Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, WA 98902

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. Ecology will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-216-100). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing.

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

Ecology will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. Ecology's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from Ecology by telephone, 509/457-7105, or by writing to the address listed above.

This permit was written by Lynda Jamison.

APPENDIX B -- GLOSSARY

Ammonia—Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation—The average of the measured values obtained over a calendar month's time.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD_5--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD_5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass—The intentional diversion of waste streams from any portion of the collection or treatment facility.

Categorical Pretreatment Standards—National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

Composite Sample—A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be

"time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity—Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring –Uninterrupted, unless otherwise noted in the permit.

Engineering Report—A document, signed by a professional licensed engineer, which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Grab Sample—A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial User—A discharger of wastewater to the sanitary sewer which is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

Industrial Wastewater—Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Interference— A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and;
Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Local Limits—Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

Maximum Daily Discharge Limitation—The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Pass-through— A discharge which exits the POTW into waters of the-State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

pH—The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Potential Significant Industrial User--A potential significant industrial user is defined as an Industrial User which does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

a. Exceeds 0.5 % of treatment plant design capacity criteria and discharges <25,000 gallons per day or;
b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

Ecology may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

Quantitation Level (QL)-- A calculated value five times the MDL (method detection level).

Significant Industrial User (SIU)--

1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;

2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down

wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

Slug Discharge—Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate which may cause interference with the POTW.

State Waters—Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater—That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Technology-based Effluent Limit—A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Coliform Bacteria—A microbiological test which detects and enumerates the total coliform group of bacteria in water samples.

Total Dissolved Solids—That portion of total solids in water or wastewater that passes through a specific filter.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Water Quality-based Effluent Limit—A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

APPENDIX C -- RESPONSE TO COMMENTS

No comments were received by the Department of Ecology.