United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR GROUNDWATER REMEDIATION DISCHARGE FACILITIES IN IDAHO

In compliance with the provisions of the Clean Water Act, 33U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, Public Law 100-4 (hereafter CWA), the owners and operators of groundwater remediation discharge facilities in Idaho are authorized to discharge to waters of the United States in accordance with the Notice of Intent (NOI) requirements, effluent limitations, monitoring requirements and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT
MUST BE KEPT ON SITE AT ALL GROUNDWATER REMEDIATION FACILITIES
COVERED BY THIS PERMIT.

This Permit shall become effective XXXX XX**, 2014.**

This Permit and the authorization to discharge shall expire at midnight, XXXX XX**, 2019.**

Each Permittee shall reapply for a reauthorization to discharge on or before XXXXX, 180 days before the expiration of this Permit, if the Permittee intends to continue operations and discharges at the facility beyond the term of this Permit.

Signed this XX day of XXXX, 2014

_____
Daniel D. Opalski, Director
Office of Water and Watersheds

Preliminary draft permit. This document does not authorize a discharge.

Schedule of Submissions

The following table summarizes some of the action items the Permittee must complete and/or submit to EPA/IDEQ during the term of this permit.

Action Item	Due Date
1. Notice of Intent (NOI)	New facilities seeking coverage under this General Permit, must submit NOIs to the EPA, IDEQ and any affected tribe at least 180 days prior to the anticipated commencement of a discharge. (See Parts I.G & I.J) Facilities currently covered under an individual Permit wishing to obtain coverage under this General Permit must submit an NOI at least 180 days before the expiration date of the individual Permit. See Part I.C. Authorization to discharge must be obtained from EPA prior to commencement of a discharge.
2. Discharge Monitoring Reports (DMRs)	Facilities must submit DMRs monthly by the 20th day of the month. See Part IV.D for instructions on submitting DMRs.
3. Quality Assurance Plan (QAP)	The QAP must be developed and implemented as a requirement under this Permit. Existing dischargers must modify the QAP as necessary and submit written notice to EPA, IDEQ, and any affected tribe that the Plan has been modified and implemented within 60 days of the effective date of this General Permit. New facilities must develop a QAP and submit it to EPA, IDEQ, and any affected tribe with the NOI. The QAP must be kept on site and made available to the EPA and IDEQ upon request. See Part III.A.
4. Best Management Practices (BMP) Plan	A BMP Plan must be developed and implemented as a requirement under this Permit. All existing dischargers must develop a BMP Plan within 180 days of the effective date of this

	General Permit. New facilities must develop a BMP Plan prior to discharge under this Permit. All Permittees must provide EPA and IDEQ written notification that the Plan has been developed and implemented, either within 180 days of the effective date of this Permit or prior to receiving EPA authorization to discharge. The BMP Plan must be kept on site and made available to the EPA and IDEQ upon request. See Part III.B.
5. Monitoring Records	Monitoring records must be retained for a period of at least five years. See Part IV.G.
6. Twenty-Four Hour Notice of Noncompliance	The Permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the Permittee becomes aware of the circumstances. See Parts IV.H and II.A.12.
6. Notice of Termination of Discharge	Facilities must request Permit termination from the EPA in writing. EPA will respond with a written determination on the request, in accordance with 40 CFR 122.64. See Part I.L.
7. NPDES Application Renewal	All facilities intending to continue discharging beyond this Permit expiration date must submit an NOI for continued coverage at least 180 days before the expiration date of this Permit. See Parts I.H & I.I.

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Preliminary draft permit. This document does not authorize a discharge.

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ACRONYMS

7Q10	7-day, 10 year low flow
AML	Average Monthly limit
BE	Biological Evaluation
BSU	Boise State University
BMP	Best Management Practice
BO	Biological Opinion
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
CAA	Clean Air Act
$CaCO_3$	Calcium Carbonate
CAS	Chemical Abstract Service
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
COC	Chemical of Concern
CWA	Clean Water Act
°C	Degrees Celsius
DMR	Discharge Monitoring Report
DWS	Domestic Water Supply – use designation in Idaho Water Quality Standards
EFH	Essential Fish Habitat
ELG	Effluent Limitation Guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FR	Federal Register
GHS	Global Harmonization System (for chemicals)
GPD	Gallons per Day
GWGP	Groundwater Remediation Facilities General Permit
IC	Inhibition Concentration
IDA	Idaho Department of Agriculture
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
IDWR	Idaho Department of Water Resources
ICIS	EPA Integrated Compliance Information System
IML	Interim Minimum Level
LA	Load Allocation
LC	Lethal Concentration
MCL	Maximum Contaminant Level
MDL	Maximum Daily Limit or Minimum Detection Level
µg/L	Micrograms per Liter
mg/L	Milligrams per Liter

ML	Minimum Level
MPRSA	Marine Protection Research and Sanctuaries Act
MSGP	EPA Storm Water Multi-Sector General Permit
MTBE	Methyl Tert-Butyl Ether
NEPA	National Environmental Policy Act
ng/L	Nanograms per Liter
NOAA-NMFS	National Oceanic and Atmospheric Administration- National Marine Fisheries Service
NOEC	No Observed Effect Concentration
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NSPS	New Source Performance Standards
O&M	Operation and Maintenance
OSHA	U.S. Department of Labor Occupational Safety and Health Administration
OMB	United States Office of Management and Budget
OWW	EPA Office of Water and Watersheds
PAH	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
POTW	Publicly Owned Treatment Works
PSD	Prevention of Significant Deterioration
PSU/PSS	Practical Salinity Units/Practical Salinity Scale
QAP	Quality Assurance Plan
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation Recovery Act
SDS	Safety Data Sheet
SDWA	Safe Drinking Water Act
SIC	Standard Industrial Code
TAS	Treatment in a Manner Similar to a State (denotes EPA-Tribal Government Process)
TBEL	Technology-Based Effluent Limitation
TPH	Total Petroleum Hydrocarbon
TMDL	Total Maximum Daily Load
TSD	EPA *Technical Support Document for Water Quality-based Toxics Control*
TSS	Total Suspended Solids
$TU_{a/c}$	Acute/Chronic Toxic Unit
UIC	Underground Injection Control
UN	United Nations
U.S.	United States
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

UST	Underground Storage Tank
VOC	Volatile Organic Compound
WER	Water Effects Ratio
WET	Whole Effluent Toxicity
WLA	Wasteload Allocation
WQBEL	Water Quality-Based Effluent Limitation
WQS	Water Quality Standards

I. APPLICABILITY AND NOTIFICATION REQUIREMENTS

A. Facilities Eligible for Coverage

Unless excluded from coverage in accordance with Part I.B below, facilities conducting *ex-situ* groundwater remediation activities, such as pump and treat, or seepage water collection systems in which treated groundwater is discharged to waters of the United States (U.S.) within the State of Idaho are eligible for Clean Water Act (CWA) authorization to discharge under this NPDES Groundwater Remediation Discharge Facilities General Permit (GWGP), subject to the limitations and conditions set forth herein. In addition, construction/excavation dewatering activities, building dewatering, and aquifer pump testing that occur at designated or known contaminated sites are eligible for CWA authorization to discharge, subject to the limitations and conditions set forth herein.

B. Facilities Ineligible for Coverage

The following categories of facilities are deemed ineligible for coverage under this GWGP:

1. Facilities Associated with an On-Scene Coordinator Emergency Response Action: In accordance with the U.S. Code of Federal Regulations (CFR) at 40 CFR 122.3(d), if a discharge occurs in compliance with the instructions of an On-Scene Coordinator pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan, then the discharge is excluded from NPDES requirements under the CWA.

2. Facilities Associated with a Federal Superfund Cleanup Action: Facilities discharging treated groundwater as part of an on-site response action conducted pursuant to Sections 104, 106, 120, 121 or 122 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) are not required to obtain NPDES permit coverage under the CWA. The term on-site means the aerial extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action.

3. Facilities Associated with Mining Operations: Those existing mining operations with an EPA administrative extension of coverage under the 2007 GWGP may continue to operate under the limitations and conditions of the 2007 GWGP until such time as a new permit and authorization to discharge is issued to those facilities. If these facilities wish to terminate permit coverage, a request for termination must be submitted to EPA in accordance with 40 CFR 122.64.

4. Pretreatment Facilities: Facilities discharging treated groundwater to a sanitary sewer under an authorized NPDES pretreatment program, or those facilities with the explicit written permission of the Public Works Director or similar authority to discharge to a publicly owned treatment works (POTW) are excluded.
5. Underground Injection Control (UIC) Program Permitted Facilities: Facilities injecting treated groundwater back into the subsurface will require an Underground Injection Control (UIC) Program permit under authority of the Safe Drinking Water Act (SDWA) issued by the Idaho Department of Water Resources (IDWR).

6. In-situ Treatment Facilities: In-situ treatment systems are not covered by this Permit, but if there is a subsequent discharge of treated groundwater to surface water, the facility must obtain coverage under the GWGP.

7. Facilities Authorized under another Appropriate NPDES Permit: Discharges of groundwater from remediation sites which are otherwise eligible but are authorized to discharge groundwater under a different NPDES permit are not covered by this permit.

C. Requirements for an Individual Permit

1. The Director may require any discharger requesting coverage under this GWGP to apply for and obtain an individual NPDES permit in accordance with 40 CFR 122.28(b)(3)(i). In this case, the Permittee will be notified in writing that an individual permit is required and be given a brief explanation of the reasons for the decision. Individual permits may be appropriate if:

    a. The discharger is not in compliance with the conditions of this General Permit;

    b. A change has occurred in the availability of the demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;

    c. Effluent limitation guidelines are promulgated for the groundwater remediation facility;

    d. A Total Maximum Daily Load (TMDL) containing requirements applicable to such point source is approved; or

    e. The discharge(s) is a significant contributor of pollution.

2. The Director may require any owner or operator authorized by this GWGP to apply for an individual NPDES permit if the Permittee has been notified in writing that an

individual permit is required.

3. Any Permittee eligible for authorization under this GWGP may request to be excluded from coverage by applying for an individual permit. The Permittee must submit an individual permit application with reasons supporting the request to the Director no later than 180 days prior to the anticipated commencement of a discharge. Coverage under this GWGP will be automatically terminated on the effective date of the individual permit.

4. Groundwater remediation facilities covered under an existing NPDES individual permit seeking authorization under this GWGP must submit an NOI for coverage at least 180 days prior to the expiration of the individual permit. Upon receiving authorization from the EPA to discharge under this GWGP, the existing individual permit will terminate in accordance with 40 CFR 122.64.

D. Receiving Waters Covered by this General Permit

1. This NPDES General Permit, IDG911000, authorizes discharges of specified pollutants in limited amounts to the waters of the U.S. within the State of Idaho.

2. The effluent limitations in the Draft GWGP are in part dependent on the designated uses of the receiving water as identified in the *State of Idaho Water Quality Standards* [IDAPA 58.01.02]. It is the Permittee's responsibility to identify into which water body the discharge will be received, and the designated beneficial uses of the receiving water(s) [IDAPA 58.01.02.110-160] in the required Notice of Intent (NOI) for coverage under this Permit. See Part I.J.

E. Receiving Waters Excluded from Permit Coverage

1. Receiving waters not supporting their designated uses as identified in IDEQ's most recent EPA-approved Integrated Report (Sections 4(a), 4(b), 4(c) and 5: "Impaired Waters") if the discharge contains the pollutant for which the waterbody is impaired and contributes to the impairment.

2. Waters designated as Tier 2 "high-quality" waters in the State of Idaho Water Quality Standards (WQS) antidegradation policy [IDAPA 58.01.02.051.02; 58.01.02.052.08]

3. Outstanding Resource Waters identified in the Idaho WQS. The Idaho legislature has not yet designated any of these waters, but once designated, Outstanding Resource Waters would be found at IDAPA 58.01.02.051.03.

4. Receiving waters within one hundred (100) yards upstream of or within a reservation or designated Indian Country inside the State of Idaho.

5. Receiving waters within one hundred (100) yards upstream of a neighboring state or international boundary.

6. Receiving waters designated under the Wild and Scenic Rivers Act.

7. Receiving waters where federally listed threatened, endangered, or candidate species, or designated or proposed critical habitat, pursuant to the Endangered Species Act (ESA) are present, or to any receiving waters determined to be essential fish habitat (EFH) under the Magnuson-Stevens Fishery Management and Conservation Act.

8. Receiving waters within one-half (½) mile upstream of a permanent drinking water intake for a municipality.

F. Waiver to Discharge to Receiving Waters Excluded from Permit Coverage

An owner or operator of a groundwater remediation discharge facility may request a waiver to discharge under this GWGP to the receiving waters excluded under Part I.E. In order to obtain a waiver to discharge to an excluded receiving water, applicants must submit a timely and complete request for a waiver with their required NOI information in accordance with the following requirements:

1. A detailed description of the circumstances requiring a discharge to the excluded water(s). This description should address any alternatives to discharging to the excluded water(s);

2. A detailed description of why the discharge will not cause or contribute to a violation of Idaho WQS, including the State of Idaho antidegradation policy [IDAPA 58.01.02.051], and will not conflict with any applicable state or tribal water resource management plans or programs; and

3. If federally listed threatened, endangered or candidate species pursuant to ESA, or any receiving waters determined to be EFH are present, the applicant must submit complete and timely information demonstrating "no degradation or adverse effects" of the physical, chemical, or biological integrity of the receiving water due to the discharge. This will typically take the form of a Biological Evaluation (BE). BEs may conclude with a *no effect* or a *not likely to adversely affect* ESA species and a *no adverse effect* EFH

determination or a *may adversely affect* ESA species and a *may adversely affect* EFH determination. The prepared BE, including information relevant to ESA and EFH, must be submitted to the EPA and IDEQ along with the required NOI information to seek coverage.

If the submitted BE concludes a *not likely to adversely affect* determination, EPA will consult, pursuant to Section 7 of the ESA, with the USFWS and the National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NOAA-NMFS) (the Services) to obtain their concurrence with the submitted effects determination for ESA/ EFH. A waiver to discharge to an excluded receiving water will be provided to the facility as part of the EPA authorization to discharge letter, at the conclusion of the ESA consultation/EFH determination and concurrence processes.

If, during the course of the consultation process it is determined that the discharge *may adversely affect* any listed threatened, endangered, or candidate species, or "extensive conservation requirements are necessary to protect" EFH, the facility may need to apply for an individual permit (See Part II.C); and/or

4. Discharges to Tier 2 "High Quality" Waters, Outstanding Resource Waters or Impaired Waters (as identified in DEQ's most recent EPA-approved Integrated Report) where the discharge contains the pollutant for which the waterbody is impaired and contributes to the impairment, will only be authorized by the EPA if IDEQ provides a written waiver in the form of an individual § 401 certification that will be included with the EPA's authorization to discharge letter; and/or

5. Discharges to waters within a reservation boundary, or within 100 yards upstream from a reservation boundary, will only be authorized by the EPA after consultation between the EPA and the affected Indian tribe, once the tribe provides a written waiver that will be included with the EPA's authorization to discharge letter.

In general, a waiver to discharge to an excluded receiving water will not be granted by the EPA until after consultation among the EPA, IDEQ, any affected tribe, and any other appropriate federal, state, or local government agency has occurred. If a waiver to discharge to an excluded receiving water is granted by IDEQ, or any affected tribe that has EPA-approved "treatment in a manner similar to a state" (TAS), the appropriate agency will issue an individual CWA Section 401 certification to the facility. Once the § 401 certification is received by the EPA, and subsequently included in the EPA's authorization to discharge letter to the facility, the facility will have authorization to discharge under the GWGP.

G. Authorization to Discharge

1. New facilities covered under this GWGP will be authorized to discharge as of the date of the written notification that EPA has granted coverage under this Permit and assigned the Permittee a number. The state/tribal § 401 certification, waiver to discharge to an excluded receiving water, and/or mixing zone authorization will be attached to the EPA written authorization to discharge, as applicable.

2. This GWGP authorizes groundwater remediation facilities to discharge to waters of the U.S. within Idaho subject to the limitations and conditions set forth herein. The GWGP does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility as disclosed in the NOI to be covered by this GWGP, or any pollutants that are not ordinarily present in such waste streams.

3. Existing dischargers with an EPA administrative extension of coverage under the 2007 IDG910000 Permit shall be authorized to discharge under this Permit upon receipt of an EPA authorization letter, at least 30 days after final publication in the Federal Register (FR). These dischargers include:

    - Univar USA, Inc. facilities at the Boise Town Square Mall (new Permit Number IDG911001), Westpark (new Permit Number IDG911002), and Five Mile Road (new Permit Number IDG911003);
    - PacifiCorp Idaho Falls Pole Yard (new Permit Number IDG911004); and
    - McCall Oil and Chemical Company (new Permit Number IDG911005).

4. A new facility seeking coverage, Boise State University (BSU), submitted a January 25, 2013 application for an individual NPDES permit, and additional NOI information on October 25, 2013. BSU is not seeking to discharge to an excluded receiving water as specified in Part I.E, and therefore will be authorized to discharge under this permit upon receipt of an EPA authorization letter, at least 30 days after final publication in the FR. The NPDES Permit Number for BSU will be IDG911006.

H. Submission of Information

1. A facility requesting authorization to discharge under this GWGP must submit a timely and complete NOI to EPA, in accordance with the requirements listed in Part I.J of this Permit. A copy of the NOI must also be sent to the IDEQ State Office, the appropriate IDEQ Regional Office, and/or any affected Indian tribe.

2. A discharger must submit a legible original NOI and any applicable individual permit Termination Notices to the EPA at the following address, with a copy to IDEQ, in order to be considered for authorization to discharge under the Permit:

   Director, Office of Water and Watersheds
   U.S. Environmental Protection Agency, Region 10
   1200 6th Avenue, Suite 900, OWW-130
   Seattle, Washington 98101

   Idaho Department of Environmental Quality, State Office
   1410 North Hilton Street
   Boise, Idaho 83706

3. A Permittee authorized to discharge under this GWGP must submit to the EPA an updated and/or amended NOI when there is any material change in the information submitted within its original NOI. A material change may include, but is not limited to, changes in the operator/owner of the facility, a modification in the treatment train, the introduction of new pollutants not identified in the original NOI, or increases in pollutants above the presently authorized levels.

4. When a groundwater remediation facility is owned by one person or company, and is operated by another person or company, it is the operator's responsibility to apply for and obtain permit coverage. For owners/operators of multiple groundwater remediation facilities, a separate NOI must be completed for each site or remediation facility.

5. The discharger must also submit a copy of the information to the IDEQ state office, the appropriate IDEQ regional office, and any affected tribe whose waters may be impacted. See Attachment C for the list of IDEQ and tribal government office addresses.

I. Notice of Intent Submittal Deadlines

A new discharger whose operations commence after the effective date of this GWGP must submit the NOI at least **180 days** prior to the anticipated commencement of a discharge.

J. Notice of Intent Requirements

1. The NOI may consist of a letter, report or a table, along with all the necessary attachments, which address each of the requirements identified in this section.

2. The NOI must include the following information in order to receive EPA authorization to discharge under this GWGP:

   a. Owner information. The name and the complete address and telephone number of the owner of the facility and the name of his or her duly authorized representative. Provide ownership status such as a federal, state, private, public, or other entity. The owner may also provide a fax number and e-mail address.

   b. Operator information. The name and the complete address and telephone number of the individual or company operating the facility and the name of his or her duly authorized representative. The operator may also provide a fax number and e-mail address.

   c. Facility information.

      i. Facility address. The name, address, and telephone number of the groundwater remediation facility. Indicate if the facility is located on Indian lands. If the name of the facility has changed during the last five years, the NOI must include the previous name(s) of the facility and the date(s) of these changes. The facility may also provide a fax number and e-mail address.

      ii. Location map. Include an area map identifying the location of the groundwater remediation facility and each of its intake structure(s) and outfall(s), as well as the hazardous waste treatment, storage, or disposal facilities associated with the groundwater remediation activity. This map should have a scale of resolution of at least 1:24,000 (if a United States Geological Survey (USGS) map is used, provide title and catalog number). Identify those wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant as being located within the map area.

      iii. Location information. Include a description of the physical location of the facility and its outfall(s) with latitude and longitude information precise to within at least 15 seconds of a degree (~0.25 mile). New facilities not yet operating also must include the date when the facility is scheduled to begin discharging.

      iv. Other permits and approvals. List all permits or construction approvals received or applied for under any of the following programs: Hazardous Waste Management under the Resource Conservation and Recovery Act (RCRA), UIC program under the Safe Drinking Water Act (SDWA), NPDES program under the CWA, Prevention of Significant Deterioration (PSD) program under the Clean

Air Act (CAA), other relevant environmental permits under the CWA, CAA, the Marine Protection Research and Sanctuaries Act (MPRSA) or state law. Identify any EPA NPDES permit number(s) currently or previously assigned to the facility, or any permit or license number assigned by the IDEQ, commercial permit number assigned by the Idaho Department of Agriculture (IDA), underground injection permit issued and/or water rights number assigned by the Idaho Department of Water Resources (IDWR), dredge or fill permits assigned pursuant to Section 404 of the CWA, and the ESA determinations (if any) relative to these permitting actions.

v. Facility Category. Identify which of the six (6) general categories of groundwater remediation facility is best represented. See Attachment A for information on the six facility categories.

d. Operations and production information (Project Plan).

i. A drawing of the water flow through the facility with a water balance, showing operations contributing wastewater to the effluent and treatment units, or provide a pictorial description of the nature and amount of any sources of water and any collection and treatment measures if a water balance cannot be determined.

ii. A description of any chemical additives or biocides that are used in the treatment process, including chlorinated tap water. Include Safety Data Sheets (SDS) under the United Nations/U.S. Occupational Safety and Health Administration (UN/OSHA) Global Harmonization System (GHS) for these chemicals, with the new format required as of December 1, 2013.

e. Nature of Contamination.

i. The NOI must include the laboratory analytical results for three (3) rounds of influent and effluent sampling of each of the chemicals of concern (COCs) required to be limited in the self-identified groundwater remediation facility category (See Attachment A), the test methods used by the laboratory and the detection limits of the method used. Include the maximum and the average influent/effluent concentrations of each COC analyzed over the 3 rounds of sampling.

ii. Alternatively, the facility may wish to submit a full Priority Pollutant (toxic chemical) scan to the EPA (see 40 CFR 122.21 Appendix D) for the influent and effluent samples from the groundwater remediation facility. The facility must

identify each detectable contaminant and report influent and effluent concentrations on the NOI.

New groundwater remediation facilities that have not yet discharged must include the remedial action treatment system design criteria and/or the anticipated effluent concentrations of all COCs known to be present in the effluent.

In addition to submitting a data table summarizing the COCs present in the effluent, facilities must also submit the data on COC concentrations in a spreadsheet or text-format electronic file.

iii. Describe the nature of the groundwater contamination and how the contamination originated.

iv. Identify the Standard Industrial Classification (SIC) code of the industry that caused the groundwater pollution (if applicable).

f. Description of discharge(s).

i. Include the design flow of water in gallons per day (gpd) through the facility and the overall anticipated continuous duration of the discharge. If the discharge is not continuous and the effluent is discharged in batches, with periods of no discharge in between batches, provide information on the schedule of non-continuous discharge. If not indicated otherwise, the EPA will consider the discharge to be continuous.

ii. Identify the temperature of the discharge including the minimum, average, and maximum temperatures, and the corresponding times of year in which they occur.

g. Receiving water information.

i. The name of the water body receiving the discharge from the facility, and the name of any other receiving water within one (1) mile downstream of the discharge.

ii. The designated beneficial uses of these waters in the State of Idaho WQS. See IDAPA 58.01.02.110-160, available online at http://deq.idaho.gov/water-quality/surface-water/standards.aspx and http://adminrules.idaho.gov/rules/current/58/0102.pdf

iii. Identify any federally listed threatened, endangered or candidate species in the receiving water using information provided on the USFWS web site at http://www.fws.gov/endangered/ and selecting for Idaho and/or the specific county of interest (county where the discharge will occur).

iv. Include the minimum and maximum measured flow in cubic feet per second (cfs) of the receiving water body and any other receiving water within 100 yards downstream of the discharge. If adequate flow data is available, also include the critical low flow values (i.e., the 7Q10), and how they were calculated. Identify the source of the flow data. Check the IDWR website at http://maps.idwr.idaho.gov/qWRAccounting/WRA_Select.aspx or the USGS website at http://nwis.waterdata.usgs.gov/usa/nwis/discharge.

v. Identify whether the receiving water is excluded from permit coverage as described in Part I.E and state whether the facility is requesting a waiver. If the facility is seeking a waiver under Part I.F.3, submit a BE along with the waiver request.

vi. If the receiving water has been included on the state's 303(d) list of impaired waterways, identify the pollutant impairment, and state whether any pollutant(s) proposed to be discharged is indicated as a cause or a contributor to the listing.

vii. Identify any public or private drinking water intakes within a one-half (½) mile downstream of the discharge.

h. Request for mixing zone

If a facility is requesting that IDEQ consider a mixing zone for one or more of the COCs required to be limited by the category, the following additional information must be included in the NOI:

i. A request, in writing, that IDEQ consider a mixing zone;

ii. The analytical results from a minimum of one (1) representative ambient background sample for each of the COCs for which a mixing zone is requested, collected from the receiving water at a location immediately upstream of the outfall. If additional data is available on the pollutant(s) included in the mixing zone request, submit it with the NOI information; and,

iii. Calculate the applicable critical low flow of the receiving water and identify the source of the flow data. Calculate a dilution factor for the receiving water as

described in Section V.F of the fact sheet accompanying this GWGP and show the calculations performed.

i. No Dilution Statement
Include a statement that the owner/operator of the facility will not use dilution as a form of treatment to comply with the concentration based effluent limits in the GWGP.

j. Additional information
The EPA or IDEQ may require an applicant to submit additional information deemed necessary to evaluate whether the discharge is consistent with the authorization criteria under the GWGP. This information must be provided upon request.

k. Signatory requirements
The NOI must be signed in accordance with Part VI.G of the Permit.

K. Transfers

This permit is not transferable to any person except after written notice to the Director of the Office of Water and Watersheds as specified in Part I.H. The Director may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the CWA.

L. Notice of Termination of Discharge

The Permittee must notify EPA, the appropriate IDEQ regional office, and any affected tribe within 30 days of discharge termination. The Permittee is required to submit discharge monitoring reports (DMRs) until the effective date of Permit termination.

1. Requests to terminate coverage under this Permit must be made in writing and submitted to EPA at the following address:

   United States Environmental Protection Agency, Region 10
   Unit Manager, NPDES Permits Unit
   1200 Sixth Avenue, Suite 900 OWW-130
   Seattle, WA 98101

2. Coverage under this Permit may be terminated in accordance with 40 CFR 122.64 if EPA determines in writing that the entire discharge is permanently terminated either by elimination of the flow or by connection to a publicly owned treatment works (POTW).

3. Termination of coverage will become effective 30 days after the written determination is sent to the Permittee by EPA, unless the Permittee objects within that time.

II. EFFLUENT LIMITATIONS, MONITORING AND REPORTING REQUIREMENTS

A. Effluent Limitations

1. The Permittee must not discharge hazardous materials in concentrations that pose a threat to public health or impair the beneficial uses of the receiving water.

2. The Permittee must not discharge chemicals or toxic pollutants in concentrations that impair the beneficial uses of the receiving water.

3. The Permittee must not discharge deleterious materials in concentrations that impair the beneficial uses of the receiving water.

4. The Permittee must not discharge floating, suspended or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair the beneficial uses of the receiving water.

5. The Permittee must not discharge excess nutrients that can cause visible slime growth or other nuisance aquatic growths impairing beneficial uses of the receiving water.

6. The Permittee must comply with the effluent limits for all COCs that pertain to the self-identified category of groundwater remediation facility. See Attachment A for the facility categories.

7. Dilution of effluent as a form of treatment, or as a means of complying with concentration-based effluent limitations, is prohibited.

8. The discharge of sediment in quantities which impair beneficial uses is prohibited.

9. pH values must not measure less than 6.5 standard units or greater than 9.0 standard units.

10. The tables below show the effluent limits and monitoring requirements for groundwater remediation facilities by Facility Category. Permittees discharging to

surface waters designated for Domestic Water Supply (DWS) in the State of Idaho WQS must comply with the applicable effluent limits in the tables below. Permittees discharging to surface waters designated for all other uses in the Idaho WQS must comply with the applicable effluent limits in the tables below. For facilities that may be requesting a mixing zone allowance for certain COCs, the maximum limits are also included in the tables. In no case may a mixing zone allowance provide for a limit higher than the maximum included below.

11. If additional COCs are present at the site, they must be provided with the NOI information along with influent and effluent concentrations.

12. The Permittee must report within 24 hours any violation of the maximum daily limits (MDL) for all of the COCs included in the category, with the exception of flow, pH, temperature, and total suspended solids (TSS). Violations of these conventional pollutant effluent limits are to be reported at the time that the discharge monitoring reports (DMRs) are submitted. See Parts IIV.D and IV.H.

13. If mercury is detected in an effluent sample, the Permittee must develop a Methylmercury (fish tissue) Monitoring Plan. The Plan must be submitted to EPA/IDEQ for approval. Depending on the location of the discharge, it may be possible to join the cooperative methylmercury monitoring efforts underway in the Boise River area. See Attachment B for details. At each location where fish are collected, a surface water sample must be collected and analyzed for total mercury using an analytical method which achieves a minimum level (ML) of 0.5 nanograms per liter (ng/L) or lower (0.0005 µg/L). EPA Guidance recommends Methods 1631E or 245.7 for analyzing mercury in water.

14. The effluent limits for 22 COCs in the tables below may not be quantifiable using EPA approved analytical methods. The minimum level (ML) for these COCs is provided in the tables below. For cases where the applicable effluent limit is less than the specified ML, EPA will use the ML as the compliance evaluation level. For parameters with an applicable effluent limit higher than the 22 MLs specified in the tables below, the analytical method used by the laboratory must achieve a ML less than the effluent limitation.

15. For all effluent monitoring, the Permittee must use a sufficiently sensitive analytical method.

16. For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the Permittee must report “less than {numeric value of the MDL}” and if a value is less than the ML, the Permittee must report “less than {numeric value of the

ML}."

17. For purposes of calculating monthly averages, zero may be assigned for values less than the MDL, and the {numeric value of the MDL} may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the Permittee must report "less than {numeric value of the MDL}" and if the average value is less than the ML, the Permittee must report "less than {numeric value of the ML}." If a value is equal to or greater than the ML, the Permittee must report and use the actual value. The resulting average value must be compared to the compliance level, the ML, in assessing compliance.

18. Temperature data must be recorded using micro-recording temperature devices known as thermistors. Four (4) years of continuously recorded effluent flow and effluent temperature data during this permit cycle is required, therefore the Permittee has six (6) months to one (1) year to install the equipment and begin recording. The Permittee must set the recording device to record at a minimum of 1-hour intervals for effluent monitoring. The Permittee must report the effluent temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum. Reporting of the instantaneous maximum and the maximum daily average for effluent is required monthly with the DMR information to EPA. If the facility discharges to waters with bull trout, the Permittee should also report the maximum weekly maximum temperature.

19. The Permittee must use the temperature device manufacturer's software to generate (export) an Excel text or electronic ASCII text file. The file must be submitted annually to IDEQ by January 31 for the previous monitoring year along with the placement log. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies.

Table 1. Effluent Limitations and Monitoring Sample Type for Category A-1: Gasoline Only Sites

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Total Petroleum Hydrocarbons (TPH)	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	--	Grab
Benzene	2.2	3.2	3.4	5.0	3.4	5.0	--	Grab
Total BTEX[2]	68	100	68	100	68	100	--	Grab
EDB	0.03	0.05	0.03	0.05	0.03	0.05	--	Grab
MTBE	21	30	21	30	21	30	--	Grab
Napthalene	68	100	68	100	68	100	--	Grab
Lead (Boise River Segment SW-5)	0.91	1.83	0.91	1.83	10	15	--	24-hr Composite
Lead (except Boise River Segment SW-5)	0.45	0.89	0.45	0.89	10	15	0.5	24-hr Composite
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

Table 2. Effluent Limitations and Monitoring Sample Type for Category A-2: Fuel Oils and Other Oils Sites

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5-and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Total Petroleum Hydrocarbons (TPH)	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	--	Grab
Benzene	2.2	3.2	3.4	5.0	3.4	5.0	--	Grab
Total BTEX[2]	68	100	68	100	68	100	--	Grab
Napthalene	68	100	68	100	68	100	--	Grab
Benzo (a) Anthracene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Benzo (a) Pyrene	0.0038	0.0055	0.018	0.026	0.14	0.2	1.0	Grab
Benzo (b) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Benzo (k) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Chrysene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Dibenzo (a,h) anthracene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Indeno (1,2,3-cd) Pyrene	0.0038	0.0055	0.018	0.026	0.68	1.0	1.0	Grab
Acenapthene	137	200	137	200	137	200	--	Grab
Acenapthylene	137	200	137	200	137	200	--	Grab
Anthracene	137	200	137	200	137	200	--	Grab
Perylene	137	200	137	200	137	200	--	Grab
Fluoranthene	130	190	137	200	137	200	--	Grab
Fluorene	137	200	137	200	137	200	--	Grab
Phenanthrene	137	200	137	200	137	200	--	Grab
Pyrene	137	200	137	200	137	200	--	Grab
Chromium III	22.7	45.5	22.7	45.5	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Chromium VI	8.0	16.0	8.0	16.0	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite
Nickel	13.2	26.5	13.2	26.5	13.2	26.5	--	24-hr Composite
Zinc	18	37	18	37	18	37	--	24-hr Composite
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

Table 3. Effluent Limitations and Monitoring Sample Type for Category A-3: Mixed Petroleum Sites Containing Other Contaminants

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Total Residual Chlorine	9	18	9	18	342	500	50	Grab
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5-and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Total Petroleum Hydrocarbons (TPH)	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	--	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Benzene	2.2	3.2	3.4	5.0	3.4	5.0	--	Grab
Total BTEX[2]	68	100	68	100	68	100	--	Grab
EDB	0.03	0.05	0.03	0.05	0.03	0.05	--	Grab
MTBE	21	30	21	30	21	30	--	Grab
Napthalene	68	100	68	100	68	100	--	Grab
Carbon Tetrachloride	0.23	0.34	1.6	2.3	3.4	5.0	2.0	Grab
1,4 Dichlorobenzene (p-DCB)	51	75	51	75	51	75	--	Grab
1,2 Dichlorobenzene (o-DCB)	411	600	411	600	411	600	--	Grab
1,3 Dichlorobenzene (m-DCB)	411	600	411	600	411	600	--	Grab
1,1 Dichloroethane (DCA)	1.6	2.4	1.6	2.4	1.6	2.4	2.0	Grab
1,2 Dichloroethane (DCA)	0.38	0.55	3.4	5.0	3.4	5.0	2.0	Grab
1,1 Dichloroethylene (DCE)	5.0	7.0	5.0	7.0	5.0	7.0	--	Grab
cis-1,2 Dichloroethylene (DCE)	48	70	48	70	48	70	--	Grab
Dichloromethane (Methylene Chloride)	3.4	5.0	3.4	5.0	3.4	5.0	10.0	Grab
Tetrachloroethylene (PCE)	0.69	1.01	3.3	4.8	3.4	5.0	2.0	Grab
1,1,1 Trichloroethane (TCA)	137	200	137	200	137	200	--	Grab
1,1,2 Trichloroethane (TCA)	0.59	0.86	3.4	5.0	3.4	5.0	2.0	Grab
Trichloroethylene (TCE)	2.5	3.7	3.4	5.0	3.4	5.0	--	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Vinyl Chloride (Chloroethene)	0.025	0.037	1.4	2.0	1.4	2.0	2.0	Grab
Pentachlorophenol (PCP)	0.27	0.39	0.68	1.0	0.68	1.0	1.0	Grab
Bis (2-Ethylhexyl) Phthalate/[Di-(ethylhexyl) Phthalate]	1.2	1.8	2.2	3.2	3.3	4.8	--	Grab
Benzo(a) Anthracene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Benzo (a) Pyrene	0.0038	0.0055	0.018	0.026	0.14	0.2	1.0	Grab
Benzo (b) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Benzo (k) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Chrysene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Dibenzo (a,h) anthracene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Indeno (1,2,3-cd) Pyrene	0.0038	0.0055	0.018	0.026	0.68	1.0	1.0	Grab
Acenapthene	137	200	137	200	137	200	--	Grab
Acenapthylene	137	200	137	200	137	200	--	Grab
Anthracene	137	200	137	200	137	200	--	Grab
Benzo(ghi) Perylene	137	200	137	200	137	200	--	Grab
Fluoranthene	130	190	137	200	137	200	--	Grab
Fluorene	137	200	137	200	137	200	--	Grab
Phenanthrene	137	200	137	200	137	200	--	Grab
Pyrene	137	200	137	200	137	200	--	Grab
Total PCBs	0.000064	0.000093	0.000064	0.000093	0.3	0.5	0.5	Grab
Antimony	4.0	6.0	4.0	6.0	4.0	6.0	--	Grab
Arsenic	7.0	10	7.0	10	7.0	10	--	24-hr Composite
Cadmium	0.1	0.2	0.1	0.2	3.4	5.0	0.25	24-hr Composite
Chromium III	22.7	45.5	22.7	45.5	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite
Chromium VI	8.0	16.0	8.0	16.0	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Copper (Boise River Segment SW-5 only)	6.17	12.4	6.17	12.4	0.89	1.3	--	24-hr Composite
Copper (except Boise River Segment SW-5)	2.4	4.8	2.4	4.8	0.89	1.3	--	24-hr Composite
Lead (Boise River Segment SW-5)	0.91	1.83	0.91	1.83	10	15	--	24-hr Composite
Lead (except Boise River Segment SW-5)	0.45	0.89	0.45	0.89	10	15	0.5	24-hr Composite
Mercury	0.01[6]	0.02[6]	0.01[6]	0.02[6]	1.4	2.0		24-hr Composite
Nickel	13.2	26.5	13.2	26.5	13.2	26.5	--	24-hr Composite
Selenium	4.1	8.2	4.1	8.2	34	50	--	24-hr Composite
Silver	0.19	0.4	0.19	0.4	0.19	0.4	0.2	24-hr Composite
Zinc	18	37	18	37	18	37	--	24-hr Composite
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite
Cyanide	4.3	8.5	4.3	8.5	4.3	8.5	10	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

Table 4. Effluent Limitations and Monitoring Sample Type for Category B-1: VOC Only Sites

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5-and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Total Petroleum Hydrocarbons (TPH)	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	--	Grab
Total BTEX[2]	68	100	68	100	68	100	--	Grab
Carbon Tetrachloride	0.23	0.34	1.6	2.3	3.4	5.0	2.0	Grab
1,4 Dichlorobenzene (p-DCB)	51	75	51	75	51	75	--	Grab
1,2 Dichlorobenzene (o-DCB)	411	600	411	600	411	600	--	Grab
1,3 Dichlorobenzene (m-DCB)	411	600	411	600	411	600	--	Grab
1,1 Dichloroethane (DCA)	1.6	2.4	1.6	2.4	1.6	2.4	2.0	Grab
1,2 Dichloroethane (DCA)	0.38	0.55	3.4	5.0	3.4	5.0	2.0	Grab
1,1 Dichloroethylene (DCE)	5.0	7.0	5.0	7.0	5.0	7.0	--	Grab
cis-1,2 Dichloroethylene (DCE)	48	70	48	70	48	70	--	Grab
Dichloromethane (Methylene Chloride)	3.4	5.0	3.4	5.0	3.4	5.0	10.0	Grab
Tetrachloroethylene (PCE)	0.69	1.01	3.3	4.8	3.4	5.0	2.0	Grab
1,1,1 Trichloroethane (TCA)	137	200	137	200	137	200	--	Grab
1,1,2 Trichloroethane (TCA)	0.59	0.86	3.4	5.0	3.4	5.0	2.0	Grab
Trichloroethylene (TCE)	2.5	3.7	3.4	5.0	3.4	5.0	--	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Vinyl Chloride (Chloroethene)	0.025	0.037	1.4	2.0	1.4	2.0	2.0	Grab
Pentachlorophenol (PCP)	0.27	0.39	0.68	1.0	0.68	1.0	1.0	Grab
Bis (2-Ethylhexyl) Phthalate/ [Di-(ethylhexyl) Phthalate]	1.2	1.8	2.2	3.2	3.3	4.8	--	Grab
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

Table 5. Effluent Limitations and Monitoring Sample Type for Category B-2: VOC Sites with Other Contaminants

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Total Residual Chlorine	9	18	9	18	342	500	50	Grab
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5-and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Total Petroleum Hydrocarbons (TPH)	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	3.4 mg/L	5.0 mg/L	--	Grab
Benzene	2.2	3.2	3.4	5.0	3.4	5.0	--	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total BTEX[2]	68	100	68	100	68	100	--	Grab
EDB	0.03	0.05	0.03	0.05	0.03	0.05	--	Grab
MTBE	21	30	21	30	21	30	--	Grab
Napthalene	68	100	68	100	68	100	--	Grab
Carbon Tetrachloride	0.23	0.34	1.6	2.3	3.4	5.0	2.0	Grab
1,4 Dichlorobenzene (p-DCB)	51	75	51	75	51	75	--	Grab
1,2 Dichlorobenzene (o-DCB)	411	600	411	600	411	600	--	Grab
1,3 Dichlorobenzene (m-DCB)	411	600	411	600	411	600	--	Grab
1,1 Dichloroethane (DCA)	1.6	2.4	1.6	2.4	1.6	2.4	2.0	Grab
1,2 Dichloroethane (DCA)	0.38	0.55	3.4	5.0	3.4	5.0	2.0	Grab
1,1 Dichloroethylene (DCE)	5.0	7.0	5.0	7.0	5.0	7.0	--	Grab
cis-1,2 Dichloroethylene (DCE)	48	70	48	70	48	70	--	Grab
Dichloromethane (Methylene Chloride)	3.4	5.0	3.4	5.0	3.4	5.0	10.0	Grab
Tetrachloroethylene (PCE)	0.69	1.01	3.3	4.8	3.4	5.0	2.0	Grab
1,1,1 Trichloroethane (TCA)	137	200	137	200	137	200	--	Grab
1,1,2 Trichloroethane (TCA)	0.59	0.86	3.4	5.0	3.4	5.0	2.0	Grab
Trichloroethylene (TCE)	2.5	3.7	3.4	5.0	3.4	5.0	--	Grab
Vinyl Chloride (Chloroethene)	0.025	0.037	1.4	2.0	1.4	2.0	2.0	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Pentachlorophenol (PCP)	0.27	0.39	0.68	1.0	0.68	1.0	1.0	Grab
Bis (2-Ethylhexyl) Phthalate/ [Di-(ethylhexyl) Phthalate]	1.2	1.8	2.2	3.2	3.3	4.8	--	Grab
Benzo(a) Anthracene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Benzo (a) Pyrene	0.0038	0.0055	0.018	0.026	0.14	0.2	1.0	Grab
Benzo (b) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Benzo (k) Fluoranthene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Chrysene	0.0038	0.0055	0.018	0.026	0.4	0.6	0.6	Grab
Dibenzo (a,h) anthracene	0.0038	0.0055	0.018	0.026	1.1	1.6	1.6	Grab
Indeno (1,2,3-cd) Pyrene	0.0038	0.0055	0.018	0.026	0.68	1.0	1.0	Grab
Acenapthene	137	200	137	200	137	200	--	Grab
Acenapthylene	137	200	137	200	137	200	--	Grab
Anthracene	137	200	137	200	137	200	--	Grab
Benzo(ghi) Perylene	137	200	137	200	137	200	--	Grab
Fluoranthene	130	190	137	200	137	200	--	Grab
Fluorene	137	200	137	200	137	200	--	Grab
Phenanthrene	137	200	137	200	137	200	--	Grab
Pyrene	137	200	137	200	137	200	--	Grab
Total PCBs	0.000064	0.000093	0.000064	0.000093	0.3	0.5	0.5	Grab
Antimony	4.0	6.0	4.0	6.0	4.0	6.0	--	Grab
Arsenic	7.0	10	7.0	10	7.0	10	--	24-hr Composite
Cadmium	0.1	0.2	0.1	0.2	3.4	5.0	0.25	24-hr Composite
Chromium III	22.7	45.5	22.7	45.5	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite
Chromium VI	8.0	16.0	8.0	16.0	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Copper (Boise River Segment SW-5 only)	6.17	12.4	6.17	12.4	0.89	1.3	--	24-hr Composite
Copper (except Boise River Segment SW-5)	2.4	4.8	2.4	4.8	0.89	1.3	--	24-hr Composite
Lead (Boise River Segment SW-5)	0.91	1.83	0.91	1.83	10	15	--	24-hr Composite
Lead(except Boise River Segment SW-5)	0.45	0.89	0.45	0.89	10	15	0.5	24-hr Composite
Mercury	0.01[6]	0.02[6]	0.01[6]	0.02[6]	1.4	2.0	--	24-hr Composite
Nickel	13.2	26.5	13.2	26.5	13.2	26.5	--	24-hr Composite
Selenium	4.1	8.2	4.1	8.2	34	50	--	24-hr Composite
Silver	0.19	0.4	0.19	0.4	0.19	0.4	0.2	24-hr Composite
Zinc	18	37	18	37	18	37	--	24-hr Composite
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite
Cyanide	4.3	8.5	4.3	8.5	4.3	8.5	10	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

Table 6. Effluent Limitations and Monitoring Sample Type for Category B-3: Sites Containing Primarily Metals

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Total Suspended Solids (TSS)	21 mg/L	30 mg/L	21 mg/L	30 mg/L	21 mg/L	30 mg/L	--	24-hr Composite
Temperature	--	--	--	--	--	--	--	Recording
pH	Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		Not less than 6.5 and not greater than 9.0 standard units (s.u.)		--	Grab
Flow	--	--	--	--	--	--	--	Recording
Carbon Tetrachloride	0.23	0.34	1.6	2.3	3.4	5.0	2.0	Grab
1,4 Dichlorobenzene (p-DCB)	51	75	51	75	51	75	--	Grab
1,2 Dichlorobenzene (o-DCB)	411	600	411	600	411	600	--	Grab
1,3 Dichlorobenzene (m-DCB)	411	600	411	600	411	600	--	Grab
1,1 Dichloroethane (DCA)	1.6	2.4	1.6	2.4	1.6	2.4	2.0	Grab
1,2 Dichloroethane (DCA)	0.38	0.55	3.4	5.0	3.4	5.0	2.0	Grab
1,1 Dichloroethylene (DCE)	5.0	7.0	5.0	7.0	5.0	7.0	--	Grab
cis-1,2 Dichloroethylene (DCE)	48	70	48	70	48	70	--	Grab
Dichloromethane (Methylene Chloride)	3.4	5.0	3.4	5.0	3.4	5.0	10.0	Grab
Tetrachloroethylene (PCE)	0.69	1.01	3.3	4.8	3.4	5.0	2.0	Grab
1,1,1 Trichloroethane (TCA)	137	200	137	200	137	200	--	Grab
1,1,2 Trichloroethane (TCA)	0.59	0.86	3.4	5.0	3.4	5.0	2.0	Grab
Trichloroethylene (TCE)	2.5	3.7	3.4	5.0	3.4	5.0	--	Grab
Vinyl Chloride (Chloroethene)	0.025	0.037	1.4	2.0	1.4	2.0	2.0	Grab

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Pentachlorophenol (PCP)	0.27	0.39	0.68	1.0	0.68	1.0	1.0	Grab
Bis (2-Ethylhexyl) Phthalate/ [Di-(ethylhexyl) Phthalate]	1.2	1.8	2.2	3.2	3.3	4.8	--	Grab
Antimony	4.0	6.0	4.0	6.0	4.0	6.0	--	Grab
Arsenic	7.0	10	7.0	10	7.0	10	--	24-hr Composite
Cadmium	0.1	0.2	0.1	0.2	3.4	5.0	0.25	24-hr Composite
Chromium III	22.7	45.5	22.7	45.5	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite
Chromium VI	8.0	16.0	8.0	16.0	68.5 Total Chromium	100 Total Chromium	--	24-hr Composite
Copper (Boise River Segment SW-5 only)	6.17	12.4	6.17	12.4	0.89	1.3	--	24-hr Composite
Copper (except Boise River Segment SW-5)	2.4	4.8	2.4	4.8	0.89	1.3	--	24-hr Composite
Lead (Boise River Segment SW-5)	0.91	1.83	0.91	1.83	10	15	--	24-hr Composite
Lead (except Boise River Segment SW-5)	0.45	0.89	0.45	0.89	10	15	0.5	24-hr Composite
Mercury	0.01[6]	0.02[6]	0.01[6]	0.02[6]	1.4	2.0	--	24-hr Composite
Nickel	13.2	26.5	13.2	26.5	13.2	26.5	--	24-hr Composite
Selenium	4.1	8.2	4.1	8.2	34	50	--	24-hr Composite
Silver	0.19	0.4	0.19	0.4	0.19	0.4	0.2	24-hr Composite
Zinc	18	37	18	37	18	37	--	24-hr Composite
Iron	685	1,000	685	1,000	685	1,000	--	24-hr Composite

Parameter	Facilities Discharging to Receiving Waters Protected for Domestic Water Supply (DWS) Uses		Facilities Discharging to All Other Receiving Waters (Not Protected for DWS)		Maximum Limits -If Granted a Mixing Zone		ML	Sample Type
	AML	MDL	AML	MDL	AML	MDL		
	In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted		In µg/L unless otherwise noted	
Cyanide	4.3	8.5	4.3	8.5	4.3	8.5	10	24-hr Composite

Footnotes: [1]BTEX = Sum of Benzene, Toluene, Ethylbenzene, total Xylenes.

B. Whole Effluent Toxicity Testing Requirements

1. Requirements for Non-Continuous, Intermittent, and Seasonal Discharges[1]

   a. Any facilities which discharge continually for ≥1 hour during any 24-hour period are required to perform whole effluent toxicity (WET) testing in accordance with 2.b through 2.g and the table below.

Table 7. WET Requirements for Non-Continuous, Intermittent, and Seasonal Discharges

Discharge Duration	Test Method	Testing Frequency[2]		Sample Type
1-144 hours	Method 2000.0[3] and	≤1.0 mgd	≥1.0 mgd	Grab

[1]Non-continuous, intermittent, and seasonal discharges are those discharges which do not meet the definition of a *continuous discharge* (see definitions in Part VIII).

[2]Testing frequency is determined by the discharge flow rate.

[3]Acute tests shall be conducted in accordance with the testing protocols outlined in EPA/821-R-02-012. The test must be a 48-hour static non-renewal test.

	2002.0[3]	Annually[4]	Quarterly[5]	
>144 hours	Method 1000.0[6] and 1002.0[6]	≤1.0 mgd	≥1.0 mgd	Grab
		Annually[4]	Quarterly[5]	

2. Requirements for Continuous Discharges

   a. Any facilities which discharge continuously are required to perform WET testing in accordance with 2.b through 2.g and the table below.

Table 8. WET Requirements for Continuous Discharges

Test Method	Testing Frequency[2]		Sample Type
Method 1000.0[6] and 1002.0[6]	≤1.0 mgd	≥1.0 mgd	Grab
	Annually[4]	Quarterly[5]	

   b. A split of each sample collected must be analyzed for the chemical and physical parameters required by Part IIV.B/Table 1 for the facility's category, with a required sampling frequency of monthly or more frequently. When the timing of sample collection coincides with that of the sampling required in Part IIV.B/Table 1, analysis of the split sample will fulfill the requirements of Part IIV.B/Table 1 as well.

   c. The presence of toxicity must be determined as specified in the WET method manual corresponding to the WET test required.

      i. For acute WET testing (Methods 2000.0 and 2002.0), results must be reported in acute toxic units (TU_a), which is defined as follows:

         a.) For survival endpoints, $TU_a = 100/LC_{50}$

[4]Annual testing shall be conducted once per year, during a different quarter from the previous year's testing, unless the timing of discharge precludes WET testing during a particular quarter (i.e., annual discharges occurring only during the summer months, thus precluding testing during winter months). Dischargers are not required to conduct annual WET testing during years when no discharge occurred.

[5]Quarterly testing shall be conducted four times per year, approximately every three months. Dischargers are not required to conduct quarterly WET testing during quarters in which no discharge occurred.

[6]Chronic tests shall be conducted in accordance with the testing protocols outline in EPA/821-R-02-013. The test must be a 7-day static renewal test.

b.) Lethal concentration, 50 percent (LC_{50}) = the percent effluent concentration that is lethal to 50% of the test organisms.

ii. For chronic WET testing (Methods 1000.0 and 1002.0), results must be reported in chronic toxic units (TU_c), which is defined as follows:

a.) For survival endpoints, TU_c=100/NOEC

b.) For all other test endpoints, TU_c=100/IC_{25}

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

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

3. For Permittees required to do quarterly testing, the testing frequency may be reduced to annually if four successive quarterly WET tests do not demonstrate measurable toxicity in 100% effluent (i.e., TU_a or $TU_c \leq 1.0$). WET testing will convert back to a quarterly testing frequency if any annual test demonstrates toxicity (i.e., TU_a or $TU_c > 1.0$).

4. For Permittees required to do annual testing, the testing frequency may be reduced to semi-annually (i.e., one test every two years) if two successive years of WET testing do not demonstrate measurable toxicity in 100% effluent (i.e., TU_a or $TU_c \leq 1.0$).WET testing will convert back to an annual testing frequency if any semi-annual test demonstrates toxicity (i.e., TU_a /$TU_c > 1.0$).

5. Quality Assurance

a. The toxicity testing on each organism must include a series of five test dilutions and a control. The test dilution series shall be 100, 50, 25, 12.5, 6.25, and 0 (control) percent effluent.

b. All quality assurance criteria and statistical analysis used for acute and chronic WET tests must be in accordance with EPA/821-R-02-012 and EPA/821-R-02-013, respectively.

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

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

ii. If either the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manuals, the Permittee must re-sample and re-test within 14-days of receipt of the test result. Non-continuous, intermittent, or seasonal dischargers which have ceased discharging (and thus cannot collect a new sample within 14-days) are required to re-test during their next discharge.

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

6. Reporting

a. The Permittee must submit the results of the WET test with the following month's DMR, and no later than 45 days after completion of the WET test.

b. The report of WET test results must include all relevant information outlined in the Report Preparation and Test Review section of the WET methods manuals. In addition to the WET test results, the Permittee must report: Dates of sample collection and initiation of each test; effluent flow rate at the time of sample collection; and the results of the monitoring required in Part IV.B. of this Permit, for parameters with a required sampling frequency of monthly or more frequently.

III. SPECIAL CONDITIONS

A. Quality Assurance Requirements

Any Permittee covered under this GWGP must develop a Quality Assurance Plan (QAP) that guides the water quality monitoring required by this Permit. The QAP must be developed by new dischargers and submitted to EPA and IDEQ with the NOI. Existing Permittees must submit written notice to EPA and IDEQ within 60 days of receipt of the EPA authorization to discharge letter that the QAP has been revised if necessary, and the revised plan has been implemented. Any existing QAPs may be modified for compliance with this section.

1. The QAP must be designed to assist in planning for the collection and analysis of environmental samples in support of the permit and in explaining data anomalies when they occur.

2. Throughout all sample collection and analysis activities, the Permittee shall use the EPA-approved quality assurance and control (QA/QC) and chain-of-custody procedures described in *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) *and Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). Copies of these documents can be found at http://www.epa.gov/quality/qs-docs/r5-final.pdf and http://www.epa.gov/quality/qs-docs/g5-final.pdf. The QAP must be prepared in the format which is specified in these documents.

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

    a. Details on the number of samples, detailed sampling locations, type of sample containers, preservation of samples, holding times, analytical detection and quantitation limits for each target compound, analytical methods, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements;

    b. A map indicating the location of each monitoring point;

    c. Qualifications and training of all personnel involved with water quality sampling;

    d. Specifications for the collection and analysis of quality assurance samples for each sampling event, including matrix spiked and duplicate samples and analysis of field transfer blanks (sample blanks); and,

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

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

5. Copies of the QAP must be kept on site and made available to the EPA and/or IDEQ upon request.

B. Best Management Practices Plan

1. The Permittee must develop and implement a best management practices (BMP) plan which incorporates practices that achieve the objectives and specific requirements listed below. The Permittee must operate the groundwater remediation facility in accordance with this BMP Plan and with subsequent amendments to the Plan. Through implementation of the BMP Plan, the Permittee must prevent or minimize the generation and the potential for the release of COCs, wastes, and pollutants from the facility to waters of the U.S. through normal operations and ancillary activities.

2. New Permittees under this GWGP must certify and notify EPA in writing that the BMP Plan has been developed and will be implemented on-site prior to any authorized discharge under this Permit. The certification must be signed in accordance with the Signatory Requirements in Part VI.G of this GWGP. Existing Permittees under this GWGP without an existing BMP Plan must develop a BMP Plan within 180 days of the effective date of this GWGP and certify to EPA and IDEQ in writing, in accordance with Part VI.G, the development and implementation of the BMP Plan. The certification must be received by EPA within 180 days of the effective date of this Permit.

3. Any existing BMP Plans developed previously by existing Permittees may be modified for compliance with this section within 90 days of the effective date of this Permit. Existing Permittees must certify to EPA and IDEQ in writing, in accordance with Part VI.G, the modification of the BMP Plan. After the first 90 days from the effective date of this Permit, any changes made to the BMP Plan must follow subpart 7 below.

4. The Permittee must develop and/or amend the BMP Plan to include the following objectives for the control of COCs and pollutants:

    a. The number and quantity of COCs and the toxicity of effluent generated, discharged, or potentially discharged at the facility must be minimized by the Permittee to the extent feasible by managing each waste stream in the most

appropriate manner;

b. Under the BMP Plan, and any standard operating procedures included in the Plan, the Permittee must ensure the proper operation and maintenance of water management and wastewater treatment systems and the control of the discharge or potential release of COCs to the receiving water; and

c. Evaluations for the control of COCs by conducting the following evaluations:

i. Each facility component or system must be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of COCs to waters of the U.S. due to equipment failure, improper operation, or natural phenomena (i.e. rain, snowfall, etc.). The examination must include all normal operations and ancillary activities, including material storage areas, storm water, in-plant transfer, material handling and processing areas, spillage or leaks, sludge and waste disposal, or other activities.

ii. Where experience indicates a reasonable potential for equipment failure, natural conditions or other circumstances which will result in significant amounts of pollutants reaching surface waters of the U.S., the Plan should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

5. The BMP Plan must be consistent with the objectives listed above and the general guidance contained in the publication entitled *Guidance Manual for Developing Best Management Practices (BMPs)* (EPA-833-B-93-004, 1993) and any subsequent revisions to this guidance document. The BMP Plan must:

a. Be written in narrative form and must include any necessary system schematics, drawings or maps and be developed in accordance with good engineering practices; and,

b. Be organized and written with the following structure:

i. Statement of BMP policy. The BMP Plan must include a statement of management commitment to provide the necessary financial, staff, equipment and training resources to develop and implement the BMP Plan on a continuing basis and the intent and goals of the BMP Plan.

ii. Name and location of the facility;

iii. Description of potential pollutant sources;

iv. Specific management practices and standard operating procedures, including, but not limited to,

1. The modification of equipment, facilities, technology, processes, and procedures;

2. The reformulation or redesign of products;

3. The substitution of materials; and/or,

4. The improvement in management, inventory control, materials handling, or general operational phases of the facility.

v. Risk identification and assessment of discharges, including but not limited to,

1. Review of existing materials and plans, as a source of information, to ensure consistency and to eliminate duplication;

2. Characterization of actual and potential pollutant sources that might be subject to release;

3. Evaluations of potential COCs released based on the hazards they present to human health and the environment; and,

4. Identification of pathways through which COCs identified at the site might reach environmental and human receptors.

vi. Reporting of BMP incidents. The written report to EPA and IDEQ, due within seven (7) days after the incident has been successfully addressed, must include a description of the circumstances leading to the incident, corrective actions taken, and recommended changes to operation and maintenance practices and procedures to prevent incident recurrence;

vii. Materials Compatibility;

viii. Good Housekeeping;

ix. Preventative Maintenance and Repair;

x. Inspections;

xi. Security;

xii. Recordkeeping and Reporting;

xiii. Employee Training;

xiv. Prior evaluation of any planned modifications to the facility in order to ensure that the requirements of the BMP Plan are considered as part of the modifications; and

xv. Any final constructed site plans, drawings and maps (including detailed stormwater outfall/culvert configurations).

c. Establish specific BMPs or other measures which ensure the following:

i. Proper management of solid and hazardous waste in accordance with regulations promulgated under RCRA. Management practices required under RCRA regulations must be referenced in the BMP Plan; and

ii. Requirements for air emissions under applicable state and federal air quality regulations and permits are reflected;

d. Include the following minimum set of BMPs:

i. Ensure that solids, sludges, or other pollutants removed in the course of treatment or control of water and wastewaters are disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the U.S.;

ii. Minimize groundwater remediation system upsets;

iii. Reduce spillage and leaks from the remediation system through the use of good spill prevention techniques and other handling and collection methods;

iv. Use of local containment devices where chemicals are being unpackaged and where wastes are being stored and transferred.

6. The Permittee must maintain a copy of the BMP Plan on-site at the facility and make it available to EPA or an authorized representative upon request.

7. The Permittee must amend the BMP Plan whenever there is a change in the facility and/or related activities that materially increase the generation of COCs or their release or potential release to the receiving surface water.

    a. The Permittee must also amend the BMP Plan, as appropriate, when the operations and maintenance procedures covered by the BMP Plan change;
    b. Any such changes to the BMP Plan must be consistent with the objectives and specific requirements listed above. As stated above in subpart.3, any changes to the BMP Plan must be certified and reported to the EPA in writing with the annual certification.

8. The BMP Plan must be reviewed and certified as follows:

    a. There must be an annual review by the plant manager and appropriate staff.

    b. There must be a certified statement that the above annual review has been completed and that the BMP Plan fulfills the requirements set forth in this Permit. The statement must be certified by the dated signatures of the facility manager. The certified statement must be submitted to EPA on or before XXX Month, Day of each year of operation under this Permit.

9. Through implementation of the BMP Plan, the Permittee must:

    a. Prevent or minimize the generation and the potential for the release of pollutants from the groundwater remediation facility to waters of the U.S. through normal operations and ancillary activities; and,

    b. Ensure that methods of pollution prevention, control, and treatment will be applied to all wastes and other substances discharged.

IV. GENERAL MONITORING, RECORDING AND REPORTING REQUIREMENTS

A. Representative Sampling (Routine and Non-Routine Discharges)

1. The Permittee must ensure that samples and measurements collected for the purpose of monitoring are representative of the monitored activity or the environmental condition.

2. In order to ensure that the effluent limits set forth in this GWGP are not violated at times other than when routine samples are collected, the Permittee must collect additional samples whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The Permittee must analyze the additional samples for the COCs in the facility category that are likely to be affected by the discharge.

3. The Permittee must collect such additional samples as soon as a spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with Part IIV.C "Monitoring Procedures." The Permittee must report all additional monitoring in accordance with Part IIV.E "Additional Monitoring by Permittee."

B. Monitoring Requirements

1. Continuous dischargers are required to monitor continuously for effluent flow and temperature, weekly for pH, and monthly for all COCs identified for a facility's category using the Sample Type identified in Tables 1-6.

2. Non-continuous dischargers are required to monitor weekly for all parameters identified for the facility's category during the weeks that the facility is discharging to waters of the U.S. in Idaho using the Sample Type identified in Tables 1-6.

C. Monitoring Procedures

The Permittee must conduct monitoring according to test procedures approved under 40 CFR 136, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this Permit or approved by EPA as an alternative test procedure under 40 CFR 136.5.

D. Reporting of Monitoring Results

1. The Permittee must summarize monthly monitoring results on the DMR. Monitoring data must be submitted electronically using NetDMR. NetDMR is described in more detail below. If additional monitoring of any pollutant is performed more frequently than required by the permit, the results must be included in the DMR.

2. The Permittee is not required to monitor when the facility is not discharging. However,

the DMR must indicate the facility is not discharging and must be submitted as described in Part IIV.D. The Permittee must submit a monthly DMR even if a discharge has not occurred, unless permit coverage has been terminated in accordance with Part I.L of this permit.

3. An annual report of raw monitoring data in a spreadsheet or text-format electronic file must be submitted to the EPA and the appropriate IDEQ offices with the January DMR each year.

4. During the period between the effective date of the Permit and six months from the effective date, the Permittee must either submit monitoring data and other reports in paper form, or must report electronically using NetDMR.

   a. *Paper Copy Submissions*

      i. All required monitoring data must be submitted using the DMR form (EPA No. 3320-1) or the equivalent and must be postmarked by the 20th day of the month following the end of the reporting period.

      ii. The Permittee must submit the legible originals of these documents to the EPA Region 10 Director, Office of Compliance and Enforcement, with a copy to IDEQ:

      US EPA Region 10
      Attn: ICIS Data Entry Team
      1200 Sixth Avenue, Suite 900, OCE-133
      Seattle, Washington 98101-3140

      Idaho Department of Environmental Quality
      Attn: Miranda Adams
      1410 N. Hilton Street
      Boise, ID 83706

      And, the appropriate IDEQ Regional Office address or any affected tribe. See Appendix D for the list of addresses.

   b. *Electronic Copy Submissions*

      i. All required monitoring data must be submitted electronically to EPA no later than the 20th day of the month following the end of the reporting period.

ii. All reports required under this Permit must be submitted to EPA as a legible electronic attachment to the DMR.

iii. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit paper copies of DMRs to EPA and IDEQ.

5. After the first six (6) months of the effective date of the Permit, the Permittee must submit monitoring data and other reports electronically using NetDMR. The Permittee may use NetDMR after requesting and receiving permission from U.S. EPA Region 10. NetDMR is accessed from http://www.epa.gov/netdmr.

E. Additional Monitoring by the Permittee

1. If the Permittee monitors any pollutant more frequently than required by this GWGP, using test procedures approved under 40 CFR 136 or as specified in this General Permit, the Permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMRs.
2. Upon request by the Director, the Permittee must submit results of any other sampling regardless of the test method used.

F. Records Content

The Permittee must include the following in records of monitoring information:

1. The date, exact place, and time of sampling or measurements;
2. The names of the individual(s) who performed the sampling or measurements;
3. The date(s) analyses were performed;
4. The names of the individual(s) who performed the analyses;
5. The analytical techniques or methods used;
6. The results of such analyses; and
7. The certification requirements as identified in Part VI.G.

G. Retention of Records

The Permittee must retain records of all monitoring information, including but not limited to, all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this NPDES General Permit, copies of DMRs, a copy of this Permit, and records of all data used to complete the Notice of Intent (NOI) for this NPDES General Permit, for a period of at least five (5) years from the date of the sample, measurement, report, or NOI submittal, or for the term of this General Permit, whichever is longer. This period may be extended at the request of the EPA Director or by IDEQ at any time.

H. Twenty-Four Hour Notice of Noncompliance Reporting

1. The Permittee must report the following occurrences of noncompliance by telephone at (206) 553-1846, within 24 hours from the time the Permittee becomes aware of the circumstances:

    a. Any noncompliance that may endanger health or the environment;

    b. Any unanticipated bypass that results in or contributes to an exceedance of any effluent limitation in this General NPDES Permit. See Part V.H "Bypass of Treatment Facilities";

    c. Any upset that results in or contributes to an exceedance of any effluent limitation in this General NPDES Permit. See Part V.I "Upset Conditions;" and,

    d. Any violation of a maximum daily discharge limitation; with the exception of flow, temperature, pH and TSS.

2. The Permittee must also provide a written submission within five (5) business days of the time that the Permittee becomes aware of any event required to be reported under subpart 1 above. The written submission must contain:

    a. A description of the noncompliance and its cause;

    b. The period of noncompliance, including exact dates and times;

    c. The estimated time noncompliance is expected to continue if it has not been corrected; and,

    d. All steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3. The Director of the EPA Office of Compliance and Enforcement may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone. The number is listed above in subpart 1.

4. The Permittee must submit reports to EPA and IDEQ as specified in Part IV.D "Reporting of Monitoring Results."

I. Other Noncompliance Reporting

The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part IIV.D "Reporting of Monitoring Results" are submitted. The reports must contain the information listed in Part IIV.H "Twenty-four Hour Notice of Noncompliance Reporting" of this Permit.

J. Changes in Discharge of Toxic Substances

The Permittee must notify the Director of the Office of Water and Watersheds and DEQ as soon as it knows, or has reason to believe [40 CFR 122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a **routine or frequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the following "notification levels":

   a. One hundred micrograms per liter (100 µg/l);

   b. Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; 500 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.

   c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or,

   d. The level established by the Director in accordance with 40 CFR 122.44(f).

2. That any activity has occurred or will occur that would result in any discharge, on a **non-routine or infrequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge may reasonably be expected to exceed the following "notification levels":

a. Five hundred micrograms per liter (500 µg/l);

b. One milligram per liter (1 mg/l) for antimony;

c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

d. The level established by the Director in accordance with 40 CFR 122.44(f).

3. The Permittee must submit the notification to the Office of Water and Watersheds at the following address:

   US EPA Region 10
   Attn: NPDES Permits Unit Manager
   1200 Sixth Avenue, Suite 900, OWW-130
   Seattle, WA 98101

V. COMPLIANCE RESPONSIBILITIES

A. Proper Operation and Maintenance

The Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this general NPDES permit. Proper O&M also includes best management practices, adequate laboratory controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this General NPDES Permit.

B. Duty to Comply

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

C. Inspection and Entry

The Permittee must allow the Director of the Office of Compliance and Enforcement, EPA Region 10; IDEQ; or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this General NPDES Permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this General NPDES Permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this General NPDES Permit; and

4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the CWA, any discharges, substances or parameters at any location.

D. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR 19 and the CWA, any person who violates sections 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed the maximum amounts authorized in the United States Code (USC) by section 309(d) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $37,500 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by section 309(g)(2)(A) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $16,000 per day for each violation, with the maximum amount of any Class I penalty assessed not to exceed $37,500]. Pursuant to 40 CFR 19 and the Act,

penalties for Class II violations are not to exceed the maximum amounts authorized by section 309(g)(2)(B) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) [currently $16,000 per day for each violation, with the maximum amount of any Class II penalty not to exceed $177,500].

3. Criminal Penalties:

   a. Negligent Violations. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

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

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

   d. False Statements. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not

more than $10,000, or by imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both. The CWA further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

E. Need to Halt or Reduce Activity Not a Defense

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

F. Duty to Mitigate

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

G. Removed Substances

All collected screenings, grit, solids, sludges, filter backwash water, and/or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in a manner such as to prevent such pollutants from entering the waters of the U.S.

H. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2 and 3 of this part.

2. Notice.

    a. Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it must submit prior notice, to the Director, if possible at least 10 days before the date of

the bypass.

b. Unanticipated bypass. The Permittee must submit notice of an unanticipated bypass as required under Part IIV.H. ("Twenty-four Hour Notice of Noncompliance Reporting")

3. Prohibition of bypass.

a. Bypass is prohibited, and the Director may take enforcement action against the Permittee for a bypass, unless:

i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

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

iii. The Permittee submitted notices as required under subpart 2 above.

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

I. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with a technology-based permit effluent limitation if the Permittee meets the requirements of Paragraph 2 of this section. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the Permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The Permittee submitted notice of the upset as required under Part IIV.H, "Twenty-four Hour Notice of Noncompliance Reporting" and,

d. The Permittee complied with any remedial measures required under Part V.F, "Duty to Mitigate.

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

J. Toxic Pollutants

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

VI. GENERAL REQUIREMENTS

A. Permit Actions.

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

B. Planned Changes.

The Permittee must give notice to the Director and the responsible IDEQ office as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR 122.29(b); or

2. The alteration or addition could significantly change the nature or increase the quantity of the pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Part IIV.J "Changes in Discharge of Toxic Substances" of this Permit.

C. Anticipated Noncompliance

The Permittee must give advance notice to the Director of the EPA Office of Compliance and Enforcement and IDEQ of any planned changes in the permitted facility or activity which may result in noncompliance with this Permit.

D. Duty to Reapply

1. If the Permittee intends to continue an activity regulated by this GWGP after the expiration date of this Permit, the Permittee must either apply for and obtain an individual permit or submit an NOI to be covered under a new GWGP. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Director, the Permittee must submit an application for an individual permit or submit a new NOI at least 180 days before the expiration date of this GWGP.

2. If this GWGP is not reissued or replaced prior to the expiration date, it will be administratively continued in accordance with section 558(c) of the Administrative Procedure Act (5 U.S.C. 558(c)) and EPA's implementing regulations at 40 CFR 122.6 and remain in full force for discharges that were authorized prior to this Permit's expiration and the Permittee meets the requirements of subpart 1 above. Permittees granted GWGP coverage prior to the expiration date will automatically remain covered by this Permit until the earliest of:

    a. Authorization for coverage under a reissuance or replacement of this Permit, following timely and appropriate submittal of a complete NOI requesting authorization to discharge under the new GWGP and compliance with the requirements of the new GWGP;

    b. Submittal of a Notice of Termination in accordance with Part I.L. of this Permit and 40 CFR 122.64;

    c. Issuance of a new GWGP that authorizes discharges from facilities conducting groundwater remediation and/or related activities and provides GWGP coverage without requiring re-submittal of an NOI to obtain coverage;
    d. Issuance or denial of an individual permit for the facility's discharges; or,

e. A formal permit decision by EPA not to reissue this GWGP, at which time EPA will identify a reasonable time period for covered dischargers to seek coverage under an alternative General Permit or an individual Permit. Coverage under this Permit will cease at the end of this time period.

E. Duty to Provide Information

The Permittee must furnish to the EPA and IDEQ, within the time specified in the request, any information that the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee must also furnish to the EPA or IDEQ, upon request, copies of the records required to be kept by this Permit.

F. Other Information

When the Permittee becomes aware that it failed to submit any relevant facts in a notice of intent, or that it submitted incorrect information in a Notice of Intent, permit application, or any report to the EPA or IDEQ, it shall promptly submit the omitted facts or corrected information in writing.

G. Signatory Requirements

All permit applications, reports, or information submitted to the EPA and IDEQ must be signed and certified as follows:

1. All NOIs must be signed and certified:

    a. For a corporation: by a principal corporate officer.

    b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

    c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

2. All reports required by this Permit and other information requested by the EPA or IDEQ must be signed by a person described in subpart 1 above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

    a. The authorization is made in writing by a person described above and submitted to

the Director;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, owner or operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

c. The written authorization is submitted to the Director of the Office of Compliance and Enforcement and IDEQ.

3. Changes to authorization. If an authorization under subpart 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 subpart 2 must be submitted to the Director of the Office of Compliance and Enforcement and the responsible IDEQ office prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this part must make the following certification:

> *"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

H. Availability of Reports

In accordance with 40 CFR 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the Permittee. In accordance with the CWA, permit applications, permits, and effluent data are not considered confidential. Any confidential claim must be asserted at the time of submission by stamping the words “confidential business information” on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice to the Permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart

B (Public Information) and 41 Federal Register 36924 (September 1, 1976), as amended.

I. Oil and Hazardous Substance Liability

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of the CWA or Section 106 of CERCLA.

J. Property Rights

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

K. State Laws

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

L. Re-opener Clause

This Permit is subject to modification, revocation and reissuance, or termination at the request of any interested person (including the Permittee) or upon EPA initiative. However, permits may only be modified, revoked or reissued, or terminated for the reasons specified in 40 CFR 122.62 or 122.64, and 40 CFR 124.5. This includes new information which was not available at the time of permit issuance and would have justified the application of different permit conditions at the time of issuance, including but not limited to future monitoring results. All requests for Permit modification must be addressed to EPA in writing and shall contain facts or reasons supporting the request.

VII. DEFINITIONS

7Q10 flow (seven-day, ten year low flow) means the lowest seven day consecutive mean daily stream flow with a recurrence interval of ten years.

Administrator means the Administrator of the United States Environmental Protection Agency, or an authorized representative [40 CFR 122.2].

Average monthly limits means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. It may also be referred to as the "monthly average limits"[40 CFR 122.2].

BTEX means the sum of benzene, toluene, ethylbenzene and total xylenes -volatile organic compounds typically found in petroleum products, such as gasoline and diesel fuel.
Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

CAS registration number means the number assigned by the Chemical Abstract Service (CAS) to uniquely identify a chemical.

CFR means the Code of Federal Regulations, which is the official annual compilation of all regulations and rules promulgated during the previous year by the agencies of the United States government, combined with all the previously issued regulations and rules of those agencies that are still in effect.

Composite sample means a flow-proportioned mixture of not less than four discrete representative samples collected within the same 24 hours.

Conventional pollutant means BOD, TSS, bacteria, oil and grease, and pH as defined in 40 CFR 401.16.

Continuous Discharge means a discharge which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities [40 CFR 122.2].

CWA means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, 33 U.S.C. § 1251 et seq. [40 CFR 122.2].

Daily discharge means the "discharge of a pollutant" measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limits expressed as mass "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day [40 CFR 122.2].

Designated Use means those beneficial uses assigned to identified waters in Idaho Department of Environmental Quality Rules, IDAPA 58.01.02, "Water Quality Standards," Sections 110 through 160, whether or not the uses are being attained [IDAPA 58.01.02.010.24].
The Director means the Regional Administrator of EPA Region 10, or the Director of the EPA Region 10 Office of Water and Watersheds, the State of Idaho Department of Environmental Quality, or an authorized representative thereof.

Discharge when used without qualification means the "discharge of a pollutant."

Discharge Monitoring Report (DMR) means the EPA uniform national form, including any subsequent additions, revisions, or modifications for the reporting of self-monitoring results by Permittees [40 CFR 122.2].

Discharge of a pollutant means:

(a) Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or
(b) Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. This term does not include an addition of pollutants by any "indirect discharger" [40 CFR 122.2].

Draft permit means a document prepared under 40 CFR 124.6 indicating the Director's tentative decision to issue or deny, modify, revoke and reissue, terminate, or reissue a "permit" [40 CFR 122.2].

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean [40 CFR 122.2].

Effluent limitations guidelines (ELG) means a regulation published by the Administrator under section 304(b) of CWA to adopt or revise "effluent limitations' [40 CFR 122.2].

Excluded Waters, or prohibited waters, means water bodies not authorized as receiving waters to be covered under this general NPDES permit.

Ex-situ treatment means treatment of contaminated groundwater that has been removed from the underground aquifer and treated above the ground surface.

Facility means any NPDES point source or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

General permit means an NPDES "permit" issued under 40 CFR 122.28 authorizing a category of discharges under the CWA within a geographical area [40 CFR 122.2].

Grab sample means a single water sample or measurement of water quality taken at a specific time.

Hazardous Material means a material or combination or materials which, when discharged in any quantity into state waters, presents a substantial present or potential hazard to human health, the public health, or the environment [IDAPA 58.01.02.010.46]. It is defined at 40 CFR 122.2 to mean any substance designated under 40 CFR 116, pursuant to Section 311 of the CWA.

Indian Country as indicated by 18 U.S.C. § 1151 means: (a) All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation,
(b) All dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and,
(c) All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe means any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation [40 CFR 122.2].
Influent means the water from upstream that enters into the groundwater remediation facility.

In-situ Treatment means groundwater treatment that occurs within the aquifer in contrast to pump and treat or similar systems where groundwater is removed from the aquifer and treated above the ground surface.

Maximum means the highest measured discharge or pollutant in a waste stream during the time period of interest.

Maximum Daily Discharge limitation means the highest allowable "daily discharge" [40 CFR 122.2].

Monthly Average Limit means the average of "daily discharges" over a monitoring month, calculated as the sum of all "daily discharges" measured during a monitoring month divided by the number of "daily discharges" measured during that month [40 CFR 122.2].

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA [40 CFR 122.2].

Nonconventional Pollutants means all pollutants that are not included in the list of conventional or toxic pollutants in 40 CFR 401. This includes pollutants such as chlorine, ammonia, COD, nitrogen and phosphorous.

Notice of Intent (NOI) means a request, or application, to be authorized to discharge under a general NPDES permit.

Nuisance means anything which is injurious to the public health or an obstruction to the free use, in the customary manner, of any waters of the State [IDAPA 58.01.02.010.67].

Outstanding resource water means a high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational significance. ORW constitutes as outstanding national or state resource that requires protection from point and nonpoint source activities that may lower water quality [IDAPA 58.01.02.010.72].

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials [except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011 et seq.)], heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water [40 CFR 122.2].

Services means the United States Fish and Wildlife Service and/or the National Oceanic and Atmospheric Administration- National Marine Fisheries Service (NOAA Fisheries).

Technology-based effluent limitation (TBEL) means treatment requirements under Section 301(b) of the Clean Water Act that represent the minimum level of control that must be imposed in a permit issued under Section 402 of the Clean Water Act. EPA is required to promulgate technology-based limitations and standards that reflect pollutant reductions that can be achieved by categories, or subcategories of industrial point sources using specific technologies that EPA identifies as meeting the statutorily prescribed level of control under the authority of CWA Sections 301, 304, 306, 307, 308, 402, and 501 [33 U.S.C. § 1311, 1314,1316,1318,1342, and 1361].

Total Maximum Daily Load (TMDL) means the sum of the individual wasteload allocations (WLAs) for point sources, load allocations (LAs) for non-point sources, and natural background. Such load shall be established at a level necessary to implement the applicable water quality standards with seasonal variations and a margin of safety which takes into account any lack of knowledge concerning the relationship between effluent limitations and water quality [IDAPA 58.012.02.010.100].

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 [40 CFR 122.41(n)].

Waters of the United States or waters of the U.S. means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
(b) All interstate waters, including interstate "wetlands;"
(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:
  (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;
  (2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
  (3) Which are used or could be used for industrial purposes by industries in interstate commerce;
(d) All impoundments of waters otherwise defined as waters of the United States under this definition;
(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;
(f) The territorial sea; and
(g)"Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition [40 CFR 122.2].

Whole Effluent Toxicity (WET) means the aggregate toxic effect of an effluent measured directly by a toxicity test [40 CFR 122.2].

ATTACHMENT A. CATEGORIES OF FACILITIES

Provided below is a discussion of six general categories of site types (3 petroleum related and 3 non-petroleum related). The general permit is intended to cover discharges from these six categories. As part of the NOI submittal (see Part I.J), a groundwater remediation facility must identify the category that fits most accurately. Additional information is provided in the fact sheet.

Facilities covered under this General Permit are required to monitor for those COCs identified in Tables 1 through 6 for the applicable category. It is the responsibility of the facility to identify all COCs present in the groundwater at the site in the NOI, whether or not listed in the tables.

A. Petroleum Related Site Remediation Activities

Category A-1: Gasoline Only Sites. The general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where gasoline was released. This includes short term dewatering from underground storage tank (UST) removal or replacement, long term groundwater pump and treat system, groundwater seepage collection systems, construction dewatering, aquifer pump testing, or other activities where gasoline is a known contaminant. This also includes releases which may contain leaded gasoline.

Category A-2: Fuel Oils (and Other Oils) Only Sites. The general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where there has been a release of fuel oils such as diesel fuel, kerosene, jet fuel, heating oil, and heavier residual fuel oils. Also included are lube oils, machine oils, hydraulic fluids, mineral oils, and other oil products excluding waste oil. This includes short term dewatering from USTs removal or replacement, long term groundwater pump and treat system, groundwater seepage collection systems, construction dewatering, aquifer pump testing, or other activities where oil is a known contaminant.

The Existing Facility to have these limits and monitoring requirements, applying the DWS designation: PacifiCorp Idaho Falls Pole Yard, under new NPDES No. IDG911004.

Category A-3: Mixed Petroleum Sites Containing Other Contaminants. The general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where the releases are primarily petroleum contaminants from mixed wastes. Typically, these are sites where petroleum

releases have been identified as the primary source; however, other contaminants have also been found. These contaminants may include waste solvents, heavy metals from industrial processes, or waste oils which may be commingled with other contaminants including PAHs and PCBs.

B. Non Petroleum Site Remediation Activities

Category B-1: Volatile Organic Compound (VOC) Only Sites. This general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where the release of chlorinated VOC compounds is the primary source of contamination. These releases are typically related to improper disposal or spills of solvents, de-greasers, cleaners, paint removers, etc., or from industrial operations, chemical blending, transportation, or other sources.

Existing Facilities to have these limits and monitoring requirements: Univar USA, Inc. Boise Town Square Mall, Westpark Shopping Center, and North Five Mile Road sites; under new NPDES Nos. IDG911001 – IDG911003, and McCall Oil and Chemical Company, under new NPDES No. IDG911005.

Additional Facility to have these limits and monitoring requirements: Boise State University, under NPDES No. IDG911006. BSU received a mixing zone allowance from IDEQ for PCE and TCE, so the Maximum Limits for these COCs listed in Table 4 above apply to BSU.

Category B-2: VOC Sites with Other Contaminants. The general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where site characterization has identified chlorinated VOC compounds as the primary source of contamination, but where other chemicals are present in small amounts. For example, VOC sites may have varying amounts of petroleum hydrocarbons, PAHs, metals or other pollutants.

Category B-3: Sites Containing Primarily Metals. The general permit is designed to cover discharges resulting from the treatment of contaminated groundwater and remediation related wastewater where the release of heavy metals is the primary source of contamination. For example, a sludge lagoon from a former metal plating shop may contain small amounts of other contaminant types; however, the treatment process and discharge limitations are driven by the heavy metals present.

ATTACHMENT B. IDAHO METHYLMERCURY MONITORING REQUIREMENTS

1. The Permittee may satisfy the requirements of the Methylmercury Fish Tissue Monitoring program by developing and submitting a Methylmercury Fish Tissue Monitoring Plan to the Director of the EPA Region 10 Office of Water and Watersheds and to IDEQ for review and approval within one (1) year of the effective date of the permit, or by arranging to participate in a cooperative effort with other entities authorized for NPDES permitted discharges to the Lower Boise River or to tributaries of the Lower Boise River, if applicable.
2. Fish Tissue Sampling
   a. Objective: The objective of the Methylmercury Fish Tissue Monitoring program is to collect reliable methylmercury fish tissue data, within a specific geographic area, to determine if fish tissue concentrations of methylmercury are compliant with Idaho's methylmercury fish tissue criterion of 0.3 mg/kg. The monitoring program may also be used to advise the public on safe levels of fish consumption.
   b. Applicability: The Permittee may satisfy the requirements of the Methylmercury Fish Tissue Monitoring Program by monitoring selected locations individually, or by arranging to participate in a cooperative effort with other entities which have NPDES permitted discharges to the Lower Boise River or tributaries to the Lower Boise River, if applicable.
   c. Requirements: The Permittee must develop and submit a Methylmercury Fish Tissue Monitoring Plan to the Director of the Office of Water and Watersheds and the IDEQ for review and approval within one year of the effective date of the permit. A failure to obtain approval of the Methylmercury Fish Tissue Monitoring Plan from the IDEQ or the Director of the Office of Water and Watersheds does not relieve the Permittee of the fish tissue monitoring requirements of this permit. At a minimum the plan must include the following elements:
      i. Monitoring stations where fish tissue samples will be collected: At least one monitoring station must be located upstream from the discharge and at least one monitoring station must be located downstream from the discharge; alternatively, if arranging to participate in the Boise River Area cooperative effort, the same monitoring stations may potentially be utilized by all facilities participating.

ii. Name, address of organization collecting and analyzing fish tissue samples. The organization must have experience in the collection and analysis of methylmercury fish tissue samples.

iii. Develop a sampling plan that specifies sample target species, sample number and size, timing of sample collection, and all essential fish collection, handling, and shipping information for field sampling teams collecting fish. The plan must include a project description, detailed standard operating procedures (SOPs) for fish collection, and instructions for completing field forms and labels and for shipping fish samples. Protocols must be consistent with Chapter 4 of *Implementation Guidance for the Idaho Mercury Water Quality Criteria* (Idaho Department of Environmental Quality, 2005).

iv. Identify all protocols related to sample preparation methods and analytical methods to be used on samples.

v. Identify data quality goals for all sample collection and handling activities and describe the Quality Assurance/Quality Control (QA/QC) techniques employed by field teams to support those goals.

d. Sample Frequency: Initial sampling must occur within two (2) years of the effective date of the Permit. Following the initial sampling event, monitoring must occur at least once every 2 years. After three (3) sampling cycles, locations should be sampled once every 5 years. Sample sites will be determined in consultation with IDEQ.

e. Water Column Mercury Sampling: At each sample location where fish are collected a surface water sample must be collected and analyzed for total mercury using an analytical method which achieves a ML of 0.5 ng/L (0.0005 µg/L) or lower. EPA Guidance recommends Methods 1631E or 245.7 for analyzing mercury in water.

f. Reporting Requirements: The Permittee must submit a report which lists the name, address and phone number of the entity collecting and analyzing samples; sample locations; target species used; sample size; time samples were collected; analytical methods used; results, and any other information relevant to the monitoring program. The Permittee must submit the report to the EPA, the DEQ and the Idaho Fish Consumption Advisory Board by March 31st of the year following sampling.

g. Revision to the Methylmercury Monitoring Plan: Any revisions to the Methylmercury Monitoring Plan must be approved by the DEQ and the Director of the Office of Water and Watersheds.

ATTACHMENT C. MAILING INFORMATION

IDEQ Offices

Idaho Department of Environmental Quality
State Office
1410 North Hilton Street
Boise, ID. 83706
208/373-0502

Idaho Department of Environmental Quality
Twin Falls Regional Office
650 Addison Avenue West, Suite 110
Twin Falls, ID 83301

Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard Street
Boise, Idaho 83706-2239

Idaho Department of Environmental Quality
Pocatello Regional Office
444 Hospital Way, #300
Pocatello, Idaho 83201

Idaho Department of Environmental Quality
Lewiston Regional Office
1118 F Street
Lewiston, Idaho 83501

Idaho Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

Idaho Department of Environmental Quality
Idaho Falls Regional Office
900 N. Skyline Street, Suite B
Idaho Falls, Idaho 83402

Tribal Offices

Chairman
Shoshone-Paiute Tribes of the Duck Valley Indian Reservation
P.O. Box 219
Owyhee, NV 89832

Chairman
Shoshone-Bannock Tribes of Idaho
P.O. Box 306
Ft. Hall, ID 83203

Chairman
Coeur d'Alene Tribe
850 A Street, P.O. Box 408
Plummer, ID 83851

Chairman
Kootenai Tribe of Idaho
County Road 38A, P.O. Box 1269
Bonners Ferry, ID. 83805

Chairman
Nez Perce Tribe of Idaho
P.O. Box 365
Lapwai, ID 83540