United States Environmental Protection Agency
Region 10
1200 Sixth Avenue Suite 900
Seattle, Washington 98101-3140

Authorization to Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 *et seq*., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act",

City of Payette
700 Central Ave
Payette, Idaho 83661
NPDES Permit No. ID0020672

is authorized to discharge from the City of Payette facility located in Payette, Idaho, at the following location(s):

Outfall	**Receiving Water**	**Latitude**	**Longitude**
001	Payette River	44° 4' 51.1" N	116° 56' 57.2" W

in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective insert date

This permit and the authorization to discharge shall expire at midnight, insert date

The permittee shall apply for permit reissuance on or before insert date, 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 day of

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

Schedule of Submissions

The following is a summary of some of the items the permittee must complete and/or submit to EPA during the term of this permit:

Item	Due Date
Discharge Monitoring Reports (DMRs)	DMRs are due monthly and must be postmarked on or before the 20th of the month following the monitoring month (see I.B and III.B).
Quality Assurance Plan (QAP)	The permittee must provide EPA and the IDEQ with written notification that the Plan has been developed and implemented within 180 days after the effective date of the final permit (see II.B.). The Plan must be kept on site and made available to EPA and the IDEQ upon request.
Operation and Maintenance (O&M) Plan	The permittee must provide EPA and the IDEQ with written notification that the Plan has been developed and implemented within 180 after the effective date of the final permit (see II.A.). The Plan must be kept on site and made available to EPA and the IDEQ upon request.
NPDES Application Renewal	The application must be submitted at least 180 days before the expiration date of the permit (see V.B.).
Surface Water Monitoring Report	Monitoring data must be submitted with DMRs and with the permit renewal application (see I.D).
Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances (see Part III.G. and Section I.B.2.).
Emergency Response and Public Notification Plan	The permittee must develop and implement an overflow emergency response and public notification plan. The permittee must submit written notice to EPA and the IDEQ that the plan has been developed and implemented within 180 days of the effective date of this permit (see Part III.I.).
Industrial users introducing pollutants to the POTW	The Permittee must develop a list within 180 days of the effective date of this permit of industrial users introducing pollutants to the POTW. (see Part II.D)
Municipal Code for Industrial Discharges to POTW	The Permittee must develop a legally enforceable municipal code to authorize or enable the POTW to apply and enforce the requirements of sections 307 (b) and (c) and 402(b)(8) and (9) of the CWA. (see Part II.D)

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I. Limitations and Monitoring Requirements

A. Discharge Authorization

During the effective period of this permit, the permittee is authorized to discharge pollutants from the outfalls specified herein to the Payette River, within the limits and subject to the conditions set forth herein. This permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been clearly identified in the permit application process.

B. Effluent Limitations and Monitoring

1. The permittee must limit and monitor discharges from outfall 001 as specified in Tables 1 and 2. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.
2. Table 1 (below) presents the proposed average monthly, average weekly, and maximum daily effluent limits.

Table 1: Proposed Effluent Limits

Parameter	Units	Effluent Limits		
		Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit
Five-Day Biochemical Oxygen Demand (BOD_5)[1,2]	mg/L	30	45	—
	lbs/day	721	1081	—
	% removal	85% (min)	—	—
Total Suspended Solids (TSS[1,2])	mg/L	30	45	—
	lbs/day	721	1081	—
	% removal	85% (min)	—	—
pH	standard units (s.u.)	6.5-9.0		
***E. Coli* Bacteria**	#/100 ml	126[3]	—	406 instantaneous max limit
Total Residual Chlorine (TRC)	mg/L	0.122	—	0.250
	lbs/day	2.93	—	6.00
Total Phosphorus	lbs/day	78.2	149	—

1. Loading (in lbs/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) for the day of sampling and a conversion factor of 8.34. For more information on calculating, averaging, and reporting loads and concentrations see the *NPDES Self-Monitoring System User Guide* (EPA 833-B-85-100, March 1985).
2. Percent Removal. The monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean of the effluent values for that month using the following equation:

   (average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration x 100. Influent and effluent samples must be taken over approximately the same time period.
3. The permittee must report the geometric mean *E. coli* concentration.

3. Table 2 below presents the effluent monitoring requirements for the City of Payette WWTP. The sampling location must be after the last treatment unit and prior to discharge to the receiving water. The samples must be representative of the volume and nature of the monitored discharge. If no discharge occurs during the reporting period, "no discharge" must be reported on the DMR.
4. In addition to the monitoring in Table 2, below, the facility must complete all monitoring described in Application Form 2A prior to application for reissuance, including expanded effluent testing.

Table 2: Influent and Effluent Monitoring Requirements[1,2]

Parameter	Units	Sample Location	Sample Frequency	Sample Type
Flow	Mgd	Effluent	Continuous	Recording
BOD_5	mg/L	Influent & effluent	1/week	24-hr composite
	lbs/day	Effluent	1/week	Calculation[3]
	% Removal	Influent & effluent	--	Calculation[4]
TSS	mg/L	Influent & effluent	1/week	24-hr composite
	lbs/day	Effluent	1/week	Calculation[3]
	% Removal	Influent & effluent	--	Calculation[4]
pH	s.u.	Effluent	5/week[5]	Grab
E. Coli Bacteria	#/100 ml	Effluent	5/month[6]	Grab
Temperature[7]	°C	Effluent	Continuous	Recording
TRC	mg/L	Effluent	Daily	Grab
	lbs/day	Effluent		Grab
Total Phosphorus	lbs/day	Effluent	1/week	24-hr composite[3]
Total Ammonia as N	mg/L	Effluent	1/quarter	Grab
Dissolved Oxygen	mg/L	Effluent	1/quarter	Grab
Total Kjeldahl Nitrogen	mg/L	Effluent	1/quarter	24-hr composite
Orthophosphorus	mg/L	Effluent	1/quarter	24-hr composite
Nitrate-Nitrite	mg/L	Effluent	1/quarter	24-hr composite
Mercury, Total Recoverable	mg/L	Effluent	1/quarter	24-hr composite
Whole Effluent Toxicity (WET)[8]	TU_C	Effluent	1/year	24-hour composite

1. The permittee must visually inspect the effluent once a month for any conditions violating the narrative criteria in Paragraph I.B.7 of this permit.
2. All monitoring required only during periods of discharge by the permittee. If there is no discharge, the permittee must report no discharge on the DMR.
3. Loading (in lbs/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) for the day of sampling and a conversion factor of 8.34. For more information on calculating, averaging, and reporting loads and concentrations see the *NPDES Self-Monitoring System User Guide* (EPA 833-B-85-100, March 1985).
4. Percent Removal. The monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean of the effluent values for that month using the following equation: (average monthly influent concentration – average monthly effluent concentration) ÷ average monthly influent concentration x 100. Influent and effluent samples must be taken over approximately the same time period.
5. Samples must be taken on different days.
6. The average monthly *E. coli* bacteria counts must not exceed a geometric mean of 126/100 ml based on a minimum of five samples taken every 3 - 7 days within a calendar month. See Part VI. of this permit for a definition of geometric mean.
7. See Paragraph I.B.5 of this permit
8. See monitoring requirements described in Section I.C. of the permit.

5. Surface water monitoring must begin within six months of the effective date of the permit and continue for four years. Temperature data must be recorded using a micro-recording temperature device known as a thermistor. Set the recording device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum. Use the temperature device manufacturer's software to generate (export) an electronic spreadsheet or ASCII text file. The file must be submitted annually to the EPA and 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.
6. The permittee must report within 24 hours any violation of the maximum daily limits for the following pollutants: E. coli bacteria. Violations of all other effluent limits are to be reported at the time that discharge monitoring reports are submitted (See III.B. and III.H.)
7. Narrative limitations to protect Idaho's narrative criteria for floating suspended or submerged matter:

   The permittee must not discharge floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair designated beneficial uses.
8. For all effluent monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
   a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in Table 1.
   b) Parameters that do not have effluent limitations.
      (i) The permittee must use a method that detects and quantifies the level of the pollutant, or
      (ii) The permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix A. Minimum Levels;
      (iii) For parameters that do not have an effluent limit, the permittee may request different MLs. The request must be in writing and must be approved by EPA.
      (iv) See also Part III.D Monitoring Procedures
9. 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}."
10. 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.

C. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from outfall 001. Testing must be conducted in accordance with subsections 1 through 8, below.

1. Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters, with effluent limits, required in Part I.B. above. When the timing of sample collection coincides with that of the sampling required in Part I.B, analysis of the split sample will fulfill the requirements of Part I.B as well. For parameters for which grab samples are required in Part I.B, grab samples must be taken during the same 24-hour period as the 24-hour composite sample used for the toxicity tests. A split of the first individual effluent sample collected for the 24-hour composite sample cannot be used to satisfy the required grab sampling in Part I.B.

2. Chronic Test Species and Methods

   a) For Outfall 001, chronic tests must be conducted annually while the permit remains in effect. To account for any seasonal variability in effluent quality, annual testing shall be conducted on a rotating quarterly schedule, so that each annual test is conducted during a different quarter than the previous year's test. After four years of testing (one test per year, each during a different quarter), the cycle is repeated. Quarters are defined as: January 1 - March 31, April 1 - June 30, July 1 - September 30, October 1 - December 31. The first annual test must be conducted during the first full quarter of the permit following the effective date. (**Specific quarter to be inserted into final permit**). During the fifth year of the permit the testing rotation would be repeated. The WET testing schedule is provided below. (**To be inserted into final permit**)

Year of Permit	1	2	3	4	5
Quarter in which testing is conducted	**	**	**	**	**

   b) The permittee must conduct the following two chronic toxicity tests on each sample, using the following species and protocols:

Freshwater Chronic Toxicity Tests	**Species**	**Method**
Fathead minnow 7-day static-renewal test	*Pimephales promelas*	EPA-821-R-02-013
Ceriodaphnia dubia 3 brood static renewal test	*Ceriodaphnia dubia*	EPA-821-R-02-013

c) The presence of chronic toxicity must be determined as specified in *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fifth Edition, EPA/821-R-02-013, October 2002.

d) Results must be reported in TUc (chronic toxic units), which is defined as follows:

(i) For survival endpoints, $TU_c = 100/NOEC$.

(ii) For all other test endpoints, $TUc = 100/IC_{25}$

(iii) 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).

(iv) NOEC means "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).

3. Quality Assurance

a) The toxicity testing on each organism must include a series of six test dilutions and a control. The dilution series must include 100, 48, 24, 12, 6, and 3, this includes the receiving water concentration (RWC), which is 6% effluent.

b) All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002, and individual test protocols.

c) In addition to those quality assurance measures specified in the methodology, 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 toxicity tests.

(ii) If either of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

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

4. Reporting

a) Each year, results of WET testing must be reported with the December Discharge Monitoring Report (DMR). All WET test results must be resubmitted with the next permit application.

b) The report of toxicity test results must include all relevant information outlined in Section 10, *Report Preparation, of Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition, EPA/821-R-02-013, October 2002. In addition to toxicity test results, the permittee must report dates of sample collection and initiation of each test; flow rate at the time of sample collection; and the results of the monitoring required in Part I.B. of this permit.

5. Chronic WET Permit Triggers

There are no chronic toxicity effluent limits for this discharge. For this discharge, a mixing zone or dilution allowance is authorized and the chronic WET permit triggers are any one test result greater than 52.6 TUc. Results must be reported in TUc, where TUc = 100/NOEC. The No Observed Effect Concentration (NOEC) is the highest concentration of toxicant to which organisms are exposed in a short-term chronic test that causes no observable adverse effects on the test organisms (e.g., the highest concentration of toxicant in which the values for the observed responses are not statistically significantly different from the controls). This permit requires additional toxicity testing if a chronic WET permit trigger is exceeded.

6. Initial Investigation TRE Workplan

Within 90 days of the permit effective date, the permittee must prepare and submit a copy of the Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan (1-2 pages) to the permitting authority for review. This plan must include steps the permittee intends to follow if toxicity is measured above a chronic WET permit limit or trigger and should include, at minimum:

a) A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.

b) A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the facility.

c) If a Toxicity Identification Evaluation (TIE) is necessary, an indication of who would conduct the TIE (i.e., an in-house expert or outside contractor).

7. Accelerated Toxicity Testing and TRE/TIE Process

a) If a chronic WET permit limit or trigger is exceeded and the source of toxicity is known (e.g., a temporary plant upset), then the permittee must conduct one additional toxicity test using the same species and test method. This test must begin within 14 days of receipt of test results exceeding a chronic WET permit limit or trigger. If the additional toxicity test does not exceed a chronic WET permit limit or trigger, then the permittee may return to the regular testing frequency.

b) If a chronic WET permit limit or trigger is exceeded and the source of toxicity is not known, then the permittee must conduct two additional toxicity tests using the same species and test method, two weeks apart beginning within 14 days of receipt of test results exceeding a chronic WET permit limit or trigger. If none of the additional toxicity tests exceed a chronic WET permit limit or trigger, then the permittee may return to their regular testing frequency.

c) If one of the additional toxicity tests (in paragraphs 7.a or 7.b) exceeds a chronic WET permit limit or trigger, then, within 14 days of receipt of this test result, the permittee must initiate a TRE using as guidance, based on the type of treatment facility, EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/ 833/B-99/002, 1999) or EPA manual *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070, 1989). In conjunction, the permittee must develop and implement a Detailed TRE Workplan which must include: further actions undertaken by the permittee to investigate, identify, and correct the causes of toxicity; actions the permittee will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and a schedule for these actions.

d) The permittee may initiate a Toxicity Identification Evaluation (TIE) as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, EPA test method manuals: *Toxicity Identification*

Evaluation: Characterization of Chronically Toxic Effluents, Phase I (EPA/600/6-91/005F, 1992); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document* (EPA/600/R-96-054, 1996).

8. Reporting of Chronic Toxicity Monitoring Results

   a) A full laboratory report for all toxicity testing must be submitted as an attachment to the DMR for the month in which the toxicity test was conducted and must also include: the toxicity test results—in NOEC; TUc = 100/NOEC; EC25 (or IC25); and TUc = 100/EC25 (or IC25)—reported according to the test methods manual chapter on report preparation and test review; the dates of sample collection and initiation of each toxicity test; all results for effluent parameters monitored concurrently with the toxicity test(s); and progress reports on TRE/TIE investigations.

   b) The permittee must notify the permitting authority in writing within 14 days of exceedance of a chronic WET permit limit or trigger. This notification must describe actions the permittee has taken or will take to investigate, identify, and correct the causes of toxicity; the status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken.

D. Surface Water Monitoring

The permittee must conduct surface water monitoring. Surface water monitoring must start immediately after the effective date of the permit and continue for the duration of the permit term**.** The program must meet the following requirements:

1. Monitoring stations must be established in Payette River at the following locations:

   a) Above the influence of the facility's discharge.

   b) Below the facility's discharge

2. The permittee must seek approval of the surface water monitoring stations from IDEQ.

3. A failure to obtain IDEQ approval of surface water monitoring stations does not relieve the permittee of the surface water monitoring requirements of this permit.

4. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.

5. Samples must be analyzed for the parameters listed in Table 3.

6. For all surface water monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:

a) The method must detect and quantify the level of the pollutant, or

b) The permittee must use a method that can achieve MLs less than or equal to those listed specified in *Appendix A. Minimum Levels*. The permittee may request different MLs. The request must be in writing and must be approved by EPA.

Table 3. Surface Water Monitoring Requirements[1]

Parameter	Units	Sample Location	Sample Frequency	Sample Type
Flow	mgd	Upstream of treatment plant outfall	1/month	Recordings
pH	s.u.	Upstream and downstream of treatment plant outfall	1/quarter	Grab
Temperature	°C	Upstream and downstream of treatment plant outfall	Continuous	Recording
Total Ammonia as N	mg/L	Upstream	1/quarter	Grab
Total Phosphorus as P	mg/L	Upstream	1/quarter	Grab
Dissolved Oxygen	mg/L	Upstream	1/quarter	Grab
Mercury	µg/L	Upstream	1/month	Grab

1. Monitoring must be conducted under flow conditions typical for the quarter when sampling occurs. Samples should not be collected immediately after storm events. If there is no flow in the receiving water during the quarter, use the no discharge code on the DMR to report that there was no stream flow during that quarter.

7. Temperature.

a) Continuous temperature monitoring must begin within six months of the effective date of the permit and continue for four years.

b) Temperature data must be recorded using a micro-recording temperature devices known as thermistors. Set the recording device to record at 30-minute intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum.

c) 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 the EPA and 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.

8. Quality assurance/quality control plans for all monitoring must be documented in the Quality Assurance Plan required under Part II.B., "Quality Assurance Plan".

9. Submission of SW Monitoring

a) Surface water monitoring results must be reported on the monthly DMR.

b) Surface water monitoring results must also be submitted with the application for renewal of this permit (see Part V.B of this permit, *Duty to Reapply*) as a spreadsheet- or text-format electronic file. The file shall be in the format of one analytical result per row and include the following information: name and

contact information of laboratory, sample identification number, sample location in latitude and longitude (decimal degrees format), or other real-world coordinate system (e.g., State Plane), method of location determination (i.e., GPS, survey etc.), date and time of sample collection, water quality parameter (or characteristic being measured), analysis result, result units, detection limit and definition (i.e., MDL etc.), analytical method, date completed, and any applicable notes.

II. Special Conditions

A. Operation and Maintenance Plan

In addition to the requirements specified in Section IV.E. of this permit (Proper Operation and Maintenance), by 180 days after the effective date of this permit, the permittee must provide written notice to EPA and the IDEQ that an operation and maintenance plan for the current wastewater treatment facility has been developed and implemented. The plan must be retained on site and made available on request to EPA and the IDEQ. Any changes occurring in the operation of the plant must be reflected within the Operation and Maintenance plan.

B. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. Within 180 days of the effective date of this permit, the permittee must submit written notice to EPA and the IDEQ that the Plan has been developed and 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 effluent and receiving water samples in support of the permit and in explaining data anomalies when they occur.
2. Throughout all sample collection and analysis activities, the permittee must use EPA-approved QA/QC and chain-of-custody procedures described in *EPA Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). The QAP must be prepared in the format that is specified in these documents. At a minimum, the QAP must include the following:
    a) Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.
    b) Map(s) indicating the location of each sampling point.
    c) Qualification and training of personnel.
    d) Name(s), address(es) and telephone number(s) of the laboratories used by or proposed to be used by the permittee.

3. The permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.
4. Copies of the QAP must be kept on site and made available to EPA and/or the IDEQ upon request.

C. Facility Planning Requirement

Each month, the permittee must compute an annual average value for the flow entering the facility based on the previous twelve months data or all data available, whichever is less. If the facility has completed a plant upgrade that affects the facility planning values listed in Table 4, only the data collected after the upgrade should be used in determining the annual average value.

When the annual average values exceed 85% of the facility planning values listed in Table 4 the permittee must develop a new or updated facility plan and schedule and submit it to the IDEQ for approval within 18 months from the date of the first exceedence. The plan must include the permittee's strategy for continuing to maintain compliance with effluent limits and will be made available to the Director or authorized representative upon request.

Table 4 - Facility Planning

Criteria	Value	Units
Average Flow	2.88	Mgd

D. Industrial Waste Management

1. In accordance with 40 CFR 122.44(j)(1), the Permittee must develop and maintain a master list of the industrial users introducing pollutants to the POTW. This list must identify which industrial users are significant industrial users (SIUs), including which are subject to categorical Pretreatment Standards (see 40 CFR 405-471) and specify which Standards are applicable to each industrial user, and which industrial users are subject to local standards that are more stringent than the categorical Pretreatment Standards. The list must also identify the industrial users that are subject only to local requirements. The Permittee must submit this list, along with a summary description of the sources and information gathering methods used to develop this list, to EPA within 180 days following the effective date of the NPDES permit. For the purposes of this list development, the term SIU means:

   a) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

   b) Any other industrial user that:

      (i) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(ii) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(iii) is designated as such by EPA or the Permittee on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violation of any Pretreatment Standard or requirement in accordance with 40 CFR 403.8(f)(6).

2. The Permittee must not authorize the introduction of pollutants that would inhibit, interfere, or otherwise be incompatible with operation of the treatment works including interference with the use or disposal of municipal sludge.

3. The Permittee must not authorize, under any circumstances, the introduction of the following pollutants to the POTW from any source of nondomestic discharge:

   a) Any pollutant which may cause Pass Through or Interference;

   b) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60° Celsius (140° Fahrenheit) using the test methods specified in 40 CFR Section 261.21;

   c) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH of lower than 5.0 s.u., unless the treatment facilities are specifically designed to accommodate such discharges;

   d) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other interference with the operation of the POTW;

   e) Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with any treatment process at the POTW;

   f) Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40° Celsius (140° Fahrenheit) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;

   g) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through at the POTW;

   h) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

   i) Any trucked or hauled pollutants, except at discharge points designated by the POTW

   j) Any specific pollutant which exceeds a local limitation established by the Permittee in accordance with the requirements of 40 CFR Section 403.5(c) and (d).

4. The EPA is the Pretreatment Approval Authority. The mailing address for all reporting and notifications to the Pretreatment Approval Authority is US EPA Region 10, Attn: Pretreatment Coordinator, 1200 6th Avenue Suite 900, Seattle WA 98101.

5. The Permittee must develop a legally enforceable municipal code to authorize or enable the POTW to apply and enforce the requirements of sections 307(b) and (c) and 402(b)(8) and (9) of the CWA. The draft legal authority must be submitted to EPA for review and comment, to ensure that it complies with the minimum requirements of 40 CFR 403.8(f)(1), within 180 days of the effective date of the permit. Within 90 days following EPA comment, the Permittee must adopt, implement, and enforce the local pretreatment legal authority.

E. Emergency Response and Public Notification Plan

1. The permittee must develop and implement an overflow emergency response and public notification plan that identifies measures to protect public health from overflows that may endanger health and unanticipated bypasses or upsets that exceed any effluent limitation in the permit. At a minimum the plan must include mechanisms to:

   a) Ensure that the permittee is aware (to the greatest extent possible) of all overflows from portions of the collection system over which the permittee has ownership or operational control and unanticipated bypass or upset that exceed any effluent limitation in the permit;

   b) Ensure appropriate responses including assurance that reports of an overflow or of an unanticipated bypass or upset that exceed any effluent limitation in the permit are immediately dispatched to appropriate personnel for investigation and response;

   c) Ensure immediate notification to the public, health agencies, and other affected public entities (including public water systems). The overflow response plan must identify the public health and other officials who will receive immediate notification;

   d) Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained; and

   e) Provide emergency operations.

2. The permittee must submit written notice to EPA and IDEQ that the plan has been developed and implemented within 180 days of the effective date of this permit. Any existing emergency response and public notification plan may be modified for compliance with this section.

III. Monitoring, Recording and Reporting Requirements

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

Samples and measurements must be representative of the volume and nature of the monitored discharge.

To ensure that routine sampling does not overlook possible exceedances of permit limits and requirements, the permittee must collect additional samples at the appropriate outfall 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 those parameters limited in Part I.B. of this permit that are likely to be affected by the discharge.

The permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with paragraph III.C ("Monitoring Procedures"). The permittee must report all additional monitoring in accordance with paragraph III.D ("Additional Monitoring by Permittee").

B. Reporting of Monitoring Results

During the period between the effective date of the permit and six months from the effective date of the permit, the permittee must either submit monitoring data and other reports in paper form, or must report electronically using NetDMR, a web-based tool that allows permittees to electronically submit DMRs and other required reports via a secure internet connection.

After six months of the effective date of the permit, the permittee must submit monitoring data and other reports electronically using NetDMR.

Specific requirements regarding submittal of data and reports in paper form and submittal using NetDMR are described below.

1. Paper Copy Submissions. Monitoring data must be submitted using the DMR form (EPA No. 3320-1) or equivalent and must be postmarked by the 20th day of the month following the completed reporting period. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E of this permit, *Signatory Requirements*. The permittee must submit the legible originals of these documents to the Director, Office of Compliance and Enforcement, with copies to IDEQ at the following addresses:

   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
   Boise Regional Office
   1445 N. Orchard St.
   Boise, Idaho 83706

2. Electronic Copy Submissions

   a) Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period. All reports

required under this permit must be submitted to EPA as a legible electronic attachment to the DMR. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E of this permit, *Signatory Requirements*. Once a permittee begins submitting reports using NetDMR, it will no longer be required to submit paper copies of DMRs or other reports to EPA and IDEQ.

b) The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR is accessed from http://www.epa.gov/netdmr.

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 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 alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMR.

Upon request by EPA, the permittee must submit results of any other sampling, regardless of the test method used.

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling or measurements;
2. the name(s) 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; and
6. the results of such analyses.

F. Retention of Records

The permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of EPA or the IDEQ at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone 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 exceeds any effluent limitation in the permit (See Part IV.F., "Bypass of Treatment Facilities");

   c) any upset that exceeds any effluent limitation in the permit (See Part IV.G., "Upset Conditions"); or

   d) any violation of a maximum daily discharge limitation for applicable pollutants;

   e) any overflow prior to the treatment works over which the permittee has ownership or has operational control. An overflow is any spill, release or diversion of municipal sewage including:

      (i) an overflow that results in a discharge to waters of the United States; and

      (ii) an overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately owned sewer or building lateral) that does not reach waters of the United States.

2. The permittee must also provide a written submission within five days of the time that the permittee becomes aware of any event required to be reported under subpart 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) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

   e) if the noncompliance involves an overflow, the written submission must contain:

      (i) The location of the overflow;

      (ii) The receiving water (if there is one);

      (iii) An estimate of the volume of the overflow;

      (iv) A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);

      (v) The estimated date and time when the overflow began and stopped or will be stopped;

(vi) The cause or suspected cause of the overflow;

(vii) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;

(viii) An estimate of the number of persons who came into contact with wastewater from the overflow; and

(ix) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

3. The Director of the 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, (206) 553-1846.

4. Reports must be submitted in paper form. The permittee must sign and certify the report in accordance with the requirements of Part V.E., of this permit Signatory Requirements. The permittee must submit the legible originals of these documents to the Director, Office of Compliance and Enforcement, with copies to IDEQ at the following addresses.

H. 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 III.B ("Reporting of Monitoring Results") are submitted. The reports must contain the information listed in Part III.G.2 of this permit ("Twenty-four Hour Notice of Noncompliance Reporting").

I. Public Notification

The permittee must immediately notify the public, health agencies and other affected entities (e.g., public water systems) of any overflow which the permittee owns or has operational control; or any unanticipated bypass or upset that exceeds any effluent limitation in the permit in accordance with the notification procedures developed in accordance with Part II.E of this permit.

J. Notice of New Introduction of Pollutants

The Permittee must notify the Director of the Office of Water and IDEQ in writing of:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants; and

2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

3. For the purposes of this section, adequate notice must include information on:

   a) The quality and quantity of effluent to be introduced into the POTW, and

b) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

4. The permittee must notify the Director of the Office of Water and Watersheds at the following address:

US EPA Region 10
Attn: NPDES Permits Unit Manager
1200 6th Avenue
Suite 900 OWW-130
Seattle, WA 98101-3140

Idaho Department of Environmental Quality
Boise Regional Office
1445 N. Orchard St.
Boise, Idaho 83706

K. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date.

IV. Compliance Responsibilities

A. Duty to Comply

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

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act 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 Act 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 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 Act 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 day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $177,500).

3. Criminal Penalties:

   a) Negligent Violations. The Act 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 Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more

than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act 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 6 months per violation, or by both.

C. 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 this permit.

D. 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.

E. 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) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. 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 written notice, 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 III.G (“Twenty-four Hour Notice of Noncompliance Reporting”).
3. Prohibition of bypass.

a) Bypass is prohibited, and the Director of the Office of Compliance and Enforcement 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 paragraph 2 of this Part.

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 paragraph 3.a. of this Part.

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of paragraph 2 of this Part. 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 III.G, “Twenty-four Hour Notice of Noncompliance Reporting;” and

d) The permittee complied with any remedial measures required under Part IV.D, “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.

H. Toxic Pollutants

The permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Act 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.

I. Planned Changes

The permittee must give written notice to the Director of the Office of Water and Watersheds as specified in part III.J.4. and the IDEQ 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 pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this permit.
3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application site.

J. Anticipated Noncompliance

The permittee must give written advance notice to the Director of the Office of Compliance and Enforcement and the IDEQ of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

K. Reopener

This permit may be reopened to include any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Act. The Director may modify or revoke and reissue the permit if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

V. General Provisions

A. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.63, 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. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. 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 Regional Administrator, the permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information

The permittee must furnish to EPA and the IDEQ, within the time specified in the request, any information that EPA or the IDEQ 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 EPA or the IDEQ, upon request, copies of records required to be kept by this permit.

D. Other Information

When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or that it submitted incorrect information in a permit application or any report to EPA or the IDEQ, it must promptly submit the omitted facts or corrected information in writing.

E. Signatory Requirements

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

1. All permit applications must be signed as follows:
   a) For a corporation: by a responsible corporate officer.
   b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
   c) For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by EPA or the IDEQ must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   a) The authorization is made in writing by a person described above;
   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, 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; and
   c) The written authorization is submitted to the Director of the Office of Compliance and Enforcement and the IDEQ.
3. Changes to authorization. If an authorization under Part V.E.2 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 Part V.E.2. must be submitted to the Director of the Office of Compliance and

Enforcement and the IDEQ 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."

F. Availability of Reports

In accordance with 40 CFR Part 2, information submitted to EPA pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act, permit applications, permits and effluent data are not considered confidential. Any confidentiality 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 Part 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The permittee must allow the Director of the Office of Compliance and Enforcement, EPA Region 10; the 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 permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

H. 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 persons or property or invasion of other private rights, nor any infringement of federal, tribal, state or local laws or regulations.

I. 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 III.J.4. 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 Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. 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 Act.

VI. Definitions

1. "Act" means the Clean Water Act.
2. "Administrator" means the Administrator of EPA, or an authorized representative.
3. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
4. "Average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.
5. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
6. "Chronic toxic unit" ("TUc") is a measure of chronic toxicity. TUc is the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/"NOEC"). "Composite" - see "24-hour composite".
7. "Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of

measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

8. "Director of the Office of Compliance and Enforcement" means the Director of the Office of Compliance and Enforcement, EPA Region 10, or an authorized representative.
9. "Director of the Office of Water and Watersheds" means the Director of the Office of Water and Watersheds, EPA Region 10, or an authorized representative.
10. "DMR" means discharge monitoring report.
11. "EPA" means the United States Environmental Protection Agency.
12. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
13. "IDEQ" means the Idaho Department of Environmental Quality.
14. "Maximum daily discharge limitation" means the highest allowable "daily discharge."
15. "Method Detection Limit (MDL)" means the minimum concentration of a substance (analyte) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.
16. "Minimum Level (ML)" means the concentration at which the entire analytical system must give a recognizable signal and an acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed.
17. "NPDES" means National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits . . . under sections 307, 402, 318, and 405 of the CWA.
18. "Pass Through" means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
19. Receiving Water Concentration (RWC) is the concentration of a toxicant or effluent in the receiving water after mixing. The RWC is the inverse of the dilution factor. It is sometimes referred to as the instream waste concentration (IWC).
20. "QA/QC" means quality assurance/quality control.
21. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.

22. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
23. “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.
24. “24-hour composite” sample means a combination of at least 8 discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24 hour period. The composite must be flow proportional. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater002E

Appendix A

Minimum Levels

The Table below lists the maximum Minimum Level (ML) for pollutants not subject to concentration effluent limits in the permit. The permittee may request different MLs. The request must be in writing and must be approved by EPA.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Biochemical Oxygen Demand	2 mg/L
Soluble Biochemical Oxygen Demand	2 mg/L
Chemical Oxygen Demand	10 mg/L
Total Organic Carbon	1 mg/L
Total Suspended Solids	5 mg/L
Total Ammonia (as N)	50
Dissolved oxygen	0.2 mg/L
Temperature (max. 7-day avg.)	0.2º C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Alkalinity	5 mg/L as CaCO3
Chlorine, Total Residual	50.0
Color	10 color units
Fluoride (16984-48-8)	100
Nitrate + Nitrite Nitrogen (as N)	100
Nitrogen, Total Kjeldahl (as N)	300
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Salinity	3 practical salinity units or scale (PSU or PSS)
Settleable Solids	500 (or 0.1 mL/L)
Sulfate (as mg/L SO4)	0.2 mg/L
Sulfide (as mg/L S)	0.2 mg/L
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

PRIORITY POLLUTANTS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.25
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.5
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36
Zinc, Total (7440-66-6)	2.5
Cyanide, Total (57-12-5)	10
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Phenols, Total	50
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6
Dichlorobromomethane (75-27-4)	2.0
1,1-Dichloroethane (75-34-3)	2.0
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0
Benzo(a)pyrene (50-32-8)	1.0
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0
Isophorone (78-59-1)	1.0
3-Methyl cholanthrene (56-49-5)	8.0
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4’-DDT (50-29-3)	0.05
4,4’-DDE (72-55-9)	0.05
4,4’ DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05
PCB-1242 (53469-21-9)	0.5
PCB-1254 (11097-69-1)	0.5
PCB-1221 (11104-28-2)	0.5
PCB-1232 (11141-16-5)	0.5

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
PCB-1248 (12672-29-6)	0.5
PCB-1260 (11096-82-5)	0.5
PCB-1016 (12674-11-2)	0.5
Toxaphene (8001-35-2)	0.5