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",

The City of Pocatello

is authorized to discharge from the water pollution control facility located at 10733 North Rio Vista Road in Pocatello, Idaho, at the following location:

Outfall	**Receiving Water**	**Latitude**	**Longitude**
001	Portneuf River	42º 54' 58"	112 º 31' 10'

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 reapply for a 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

DRAFT

Michael A. Bussell, 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	Permit Reference	Due Date
1.	Discharge Monitoring Reports (DMR)	III.B.1	The DMRs are due monthly and must be postmarked **on or before 20th day of the month** for the previous monitoring month.
2.	Whole Effluent Toxicity Test Results	I.C.4	The WET test results must be submitted with May and December DMRs.
3.	Toxicity Reduction Evaluation Work Plan	I.C.5	The plan must be submitted prior to conducting toxicity testing.
4.	Surface Water Monitoring Report	I.D.10	The Report must be submitted annually by **March 1st of each calendar year** for data collected during the previous year.
5.	Local Limits Evaluation	II.A.5	The permittee must submit to EPA a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1) **within one year of the effective date of this permit**
6.	Annual Pretreatment Report	II.A.9	The Report must be submitted to the pretreatment coordinator **no later than March 1st of each calendar year** for data for the previous calendar year.
7.	Operation and Maintenance (O&M) Plan	II.B	The permittee must provide to the 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.C.). The Plan must be kept on site and made available to EPA and the IDEQ upon request.
8.	Quality Assurance Plan (QAP)	II.C	The permittee must provide to the EPA and the IDEQ written notification that the Plan has been developed and **implemented within 60 days after the effective date** of the final permit (see I.C.). The Plan must be kept on site and made available to the EPA and the IDEQ upon request.
9.	Compliance Schedule – Report of Progress	II.E	The permittee must provide to the EPA and the IDEQ written notification of the progress toward compliance with the phosphorus limit. The **first submission is due March 1, 2013 and annually thereafter.**

Item	Permit Reference	Due Date
10. Compliance Schedule	II.D and III.K "Compliance Schedules"	Annual report is required by **March 1st of each calendar year**. 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**.
11. Facility Planning Requirement	II.E	The permittee must submit a facility plan for maintaining capacity if annual average values exceed 85% of the design criteria.
12. Emergency Response and Public Notification Plan	II.E	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**.
13. Twenty-Four Hour Notice of Noncompliance Reporting	III.G	The permittee must report certain occurrences of noncompliance by telephone **within 24 hours** from the time the permittee becomes aware of the noncompliance.
14. NPDES Application Renewal	V.B	The application must be submitted **at least 180 days before the expiration date** of the permit.

Table of Contents

Schedule of Submissions **2**

I. Limitations and Monitoring Requirements **6**

A. Discharge Authorization 6
B. Effluent Limitations and Monitoring 6
C. Whole Effluent Toxicity Testing Requirements 10
D. Surface Water Monitoring 14

II. Special Conditions **15**

A. Pretreatment Requirements 15
1. Implementation 15
2. Spill Prevention and Slug Discharges 17
3. Enforcement Requirement 18
4. Modification of the Pretreatment Program 18
5. Local Limits Evaluation 18
6. Control of Undesirable Pollutants 18
7. Requirements for Industrial users 19
8. Sampling Requirements 19
9. Pretreatment Report 20
B. Operation and Maintenance Plan 22
C. Quality Assurance Plan (QAP) 22
D. Schedule of Compliance for the Phosphorus, Chlorodibromomethane and Dichlorobromomethane Effluent Limitations 23
E. Facility Planning Requirement 24
F. Emergency Response and Public Notification Plan 25

III. Monitoring, Recording and Reporting Requirements **26**

A. Representative Sampling (Routine and Non-Routine Discharges) 26
B. Reporting of Monitoring Results 26
1. Paper Copy Submissions 26
2. Electronic Copy Submissions 27
C. Monitoring Procedures 27
D. Additional Monitoring by Permittee 27
E. Records Contents 27
F. Retention of Records 27
G. Twenty-four Hour Notice of Noncompliance Reporting 28
H. Other Noncompliance Reporting 29
I. Public Notification 29
J. Notice of New Introduction of Toxic Pollutants 29
K. Compliance Schedules 30

IV. Compliance Responsibilities **30**

A. Duty to Comply 30
B. Penalties for Violations of Permit Conditions 30
C. Need To Halt or Reduce Activity not a Defense 32

D. Duty to Mitigate ... 32
E. Proper Operation and Maintenance ... 32
F. Bypass of Treatment Facilities ... 32
G. Upset Conditions ... 33
H. Toxic Pollutants ... 33
I. Planned Changes ... 34
J. Anticipated Noncompliance ... 34
K. Reopener ... 34

V. General Provisions ... 34

A. Permit Actions ... 34
B. Duty to Reapply ... 34
C. Duty to Provide Information ... 35
D. Other Information ... 35
E. Signatory Requirements ... 35
F. Availability of Reports ... 36
G. Inspection and Entry ... 36
H. Property Rights ... 37
I. Transfers ... 37
J. State Laws ... 37

VI. Definitions ... 37

Tables

Table 1. Effluent Limitations and Monitoring Requirements ... 6
Table 2. Maximum MLs for Pollutants Not Subject to Effluent Limitations ... 9
Table 3. Toxicity Test Species and Protocols ... 10
Table 4. Surface Water Monitoring Requirements ... 15
Table 5. Pretreatment Monitoring - Sample Types and Frequency ... 19
Table 6. Tasks Required Under the Schedule of Compliance - Phosphorus, Chlorodibromomethane, and Dichlorobromomethane ... 24
Table 7. Pocatello WPCF Design Criteria ... 25

I. Limitations and Monitoring Requirements

A. Discharge Authorization

During the effective period of this permit, the permittee is authorized to discharge pollutants from outfall 001 specified herein to the Portneuf 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 Table 1, below. 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.

Table 1. Effluent Limitations and Monitoring Requirements

Parameter	Effluent Limitations				Monitoring Requirements		
	Units	Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Numeric Effluent Limits							
Biochemical Oxygen Demand (BOD_5)	mg/L	**30**	**45**	**—**	Influent & Effluent	3/week	24-hour composite
	lb/day	**3,000**	**4,500**	**—**			
	% removal	**85% min.**	**—**	**—**	% removal	1/month	calculation
Total Suspended Solids (TSS) *TMDL-based limit*	mg/L	**30**	**45**	**—**	Influent & Effluent	3/week	24-hour composite
	lb/day	**3,000**	**4,500**	**—**			
	% removal	**85% min.**	**—**	**—**	% removal	1/month	calculation
E. Coli Bacteria[1,2]	#/100 ml	**126** (Geometric Mean)	**—**	**576** (Instantaneous Maximum)	Effluent	3/week	grab
pH	s.u.	**Daily minimum 6.5** **Daily maximum 9.0**			Effluent	5/week or continuous	Grab or measurement
Total Residual Chlorine[2] *High Flow Period (November – June)*	µg/L	**16**	**—**	**41**	Effluent	5/week or continuous	Grab or measurement
	lb/day	**1.6**	**—**	**4.1**			
Total Residual Chlorine[2] *Low Flow Period (July–October)*	µg/L	**12**	**—**	**32**	Effluent	5/week or continuous	Grab or measurement
	lb/day	**1.2**	**—**	**3.2**			
Total Ammonia (as N) *High Flow Period (November – June)*	mg/L	**6.3**	**—**	**16.4**	Effluent	5/week	24-hour composite
	lb/day	**630**	**—**	**1,640**			
Total Ammonia (as N) *Low Flow Period (July–October)*	mg/L	**5.0**	**—**	**13**	Effluent	5/week	24-hour composite
	lb/day	**500**	**—**	**1,300**			

Parameter	Effluent Limitations				Monitoring Requirements		
	Units	Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Numeric Effluent Limits with Compliance Schedule - Effective December 31, 2017							
Chlorodibromomethane *WQ-based limit*	µg/L	**1.4**	**—**	**2.1**	Effluent	1/month	24-hour composite
	lb/day	**0.14**	**—**	**0.21**			
Dichlorobromomethane *WQ-based limit*	µg/L	**2.0**	**—**	**2.9**	Effluent	1/month	24-hour composite
	lb/day	**0.20**	**—**	**0.29**			
Total Phosphorus (as P) *TMDL-based limit*	mg/L	Report	Report	—	Effluent	3/week	24-hour composite
	lb/day	**25.1**	**37.7**	**—**			
Report Parameters							
Flow	mgd	Report	—	Report	Influent or Effluent	Continuous	Measurement
Temperature	ºC	Report	—	Report	Effluent	Continuous or 5/week	Measurement or Grab
Dissolved Oxygen	mg/L	Report	—	Report	Effluent	1/month	grab
Alkalinity, Total	mg/L as $CaCO_3$	Report	—	Report	Effluent	1/month	24-hour composite
Nitrate + Nitrite	mg/L	Report	—	Report	Effluent	1/month	24-hour composite
Oil and Grease	mg/L	Report	—	Report	Effluent	1/month	grab
Orthophosphate, Total (as P)	µg/L	Report	—	Report	Effluent	1/month	24-hour composite
Total Dissolved Solids	mg/L	Report	—	Report	Effluent	1/month	24-hour composite
Total Kjeldahl Nitrogen	mg/L	Report	—	Report	Effluent	1/month	24-hour composite
Report Metals							
Hardness (as $CaCO_3$)	mg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Arsenic Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Cadmium, Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Chromium VI, Dissolved	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Chromium, Total	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Copper Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Cyanide	µg/L	Report	—	Report	Influent & Effluent	2/year	See I.B.11.
Lead Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Mercury Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Molybdenum Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Nickel Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite

Parameter	Effluent Limitations				Monitoring Requirements		
	Units	Average Monthly	Average Weekly	Maximum Daily	Sample Location	Sample Frequency	Sample Type
Selenium Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Silver Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Zinc Total Recoverable	µg/L	Report	—	Report	Influent & Effluent	2/year[3]	24-hour composite
Whole Effluent Toxicity Testing							
Whole Effluent Toxicity, Chronic[4]	TU_c[4]	Report	—	Report	Effluent	1/year[4]	24-hour composite
Expanded Effluent Testing							
Expanded Effluent Testing[5]	See I.B.10. Report with DMR following compilation of analytical results and with NPDES permit renewal application.				Effluent	3 per permit cycle	24-hour composite

1. The average monthly E. coli bacteria counts must not exceed a geometric mean of 126/100 ml. See Part VI for a definition of geometric mean. The maximum is an instantaneous maximum of 576/100 ml.
2. Reporting is required within 24 hours of a maximum daily limit or instantaneous maximum limit violation. See I.B.2. and III.G.

   The limits for total residual chlorine may not be quantifiable using EPA approved analytical methods. The Minimum Level (ML) for chlorine is 50 µg/L. When the daily maximum and average monthly effluent concentration is below the ML, EPA will consider the permittee in compliance with the total residual chlorine limitations. For the purposes of averaging, the permittee shall use the actual values for the values measured above the method detection limit (MDL) of 10 µg/L.
3. Refer to I.B.11 for the detailed sampling and reporting requirements and II.A.8. for sample frequency.
4. Refer to I.C.
5. See NPDES Permit Application Form 2A, Part D for the list of pollutants to include in this testing. Testing is required once per year in 2014, 2015 and 2016. The expanded effluent testing must occur on the same day as a whole effluent toxicity test and must be submitted with the WET test results as well as with the next permit application.

2. The permittee must report within 24 hours any violation of the maximum daily limits or instantaneous maximum limits for the following pollutants: E. coli, total residual chlorine and total ammonia (as N) (See III.G.). 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.).

3. The permittee must not discharge floating, suspended, or submerged matter of any kind in amounts causing nuisance or objectionable conditions or that may impair designated beneficial uses of the receiving water.

4. Removal Requirements for BOD_5 and TSS: The monthly average effluent concentration must not exceed 15 percent of the monthly average influent concentration. Percent removal of BOD_5 and TSS must be reported on the Discharge Monitoring Reports (DMRs). For each parameter, 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. Influent and effluent samples must be taken over approximately the same time period.

5. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.
6. Minimum Levels. For all effluent monitoring, the permittee must use methods that can achieve a minimum level (ML) less than the effluent limitation. For parameters that do not have effluent limitations, the permittee must use methods that can achieve MLs less than or equal to those specified in Table 2
7. 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}."

Table 2. Maximum MLs for Pollutants Not Subject to Effluent Limitations

Parameter	Units	Maximum ML
Total Kjeldahl Nitrogen (TKN)	µg/L	100
Nitrate + Nitrite	µg/L	100
Phosphorus, Total (as P)	µg/L	100
Orthophosphate, Total (as P)	µg/L	100
Arsenic, Total Recoverable	µg/L	4.5
Cadmium, Total Recoverable	µg/L	0.25
Chromium VI, Dissolved	µg/L	10
Chromium, Total	µg/L	25
Copper, Total Recoverable	µg/L	1.0
Lead, Total Recoverable	µg/L	0.5
Mercury, Total Recoverable	µg/L	0.01
Nickel, Total Recoverable	µg/L	15
Selenium, Total Recoverable	µg/L	25
Silver, Total Recoverable	µg/L	0.3
Zinc, Total Recoverable	µg/L	30
Cyanide	µg/L	5.0

8. For purposes of calculating monthly averages, except for E. coli, 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.
9. The permittee must perform the effluent testing required by Part D of NPDES application Form 2A (EPA Form 3510-2A, revised 1-99). The permittee must submit the results of this testing with each Discharge Monitoring Report (DMR) following the compilation of analytical results and with its application for renewal of this NPDES permit. To the extent that effluent monitoring required by other conditions of this permit satisfies this requirement, these samples may be used to satisfy the requirements of this paragraph.
10. Influent and effluent sampling frequency for metals and cyanide: For arsenic, cadmium, chromium, cyanide, copper, lead, mercury, nickel, silver and zinc,

sampling must be conducted twice per year, once during the month of June and once during the month of December. For each twice-per-year sampling event, the permittee must collect three 24-hour composite samples within a calendar week each sample to be analyzed separately. The permittee must report the results of sampling for these parameters on the July and January DMRs following the month the sample event occurred and in the pretreatment annual report required by Part II.A.9 of this permit.

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 4, 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 required in Part 1.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.
2. Chronic Test Species and Methods
   a) For outfall 001, chronic tests must be conducted once per year. The permittee should alternate testing between the period of April 1st through June 30th (2nd Quarter), and the period from October 1st through December 31st (4th Quarter) to evaluate toxicity during both the summer and winter seasons.
   b) The permittee must conduct short-term tests with *Ceriodaphnia dubia* (survival and reproduction test), and the fathead minnow, *Pimephales promelas* (larval survival and growth test), for the first three suites of tests. After this screening period, monitoring shall be conducted using the most sensitive species.

Table 3. Toxicity Test Species and Protocols

Freshwater Acute Toxicity Tests	Species	Method
Fathead minnow 96-hour larval survival and growth test (method 1000.0)	*Pimephales promelas*	EPA-821-R-02-013
Daphnid 96-hour survival and reproduction test (method 1002.0)	*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*, Fourth Edition, EPA/821-R-02-013, October 2002.
   d) Results must be reporting in TU_c (chronic toxic units), which is defined below. Additionally, if acute toxicity is noted during the chronic test, the permittee must report the LC_{50}.
      (i) For survival endpoints, $TU_c = 100/NOEC$.
      (ii) For all other test endpoints, $TU_c = 100/IC_{25}$

(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 five test dilutions and a control. The dilution series must include the receiving water concentration (RWC), which is the dilution associated with the chronic toxicity trigger; two dilutions above the RWC, and; two dilutions below the RWC. **The RWCs for outfall 001 is 52% (testing to be conducted at the most stringent RWC only)**.

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 the IDEQ. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

4. Reporting

   a) The permittee must submit the results of the toxicity tests with the discharge monitoring reports (DMR). Toxicity tests taken from April 1 through October 31 must be reported on the December DMR. Toxicity tests taken from November 1 through March 31 must be reported on the May DMR.

   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.

5. Toxicity Reduction Evaluation (TRE)

   Prior to initiation of the toxicity testing required by this permit, the permittee must submit to EPA a copy of the permittee's initial investigation TRE work plan. This plan shall describe the steps the permittee intends to follow in the event that chronic toxicity is detected above 1.9 TU_c July through September and 2.5 TU_c January through March, and must include at a minimum:

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

   b) A description of the facility's method of maximizing in-house treatment efficiency, good housekeeping practices, and a list of all chemicals used in operation of the facility; and

   c) If a toxicity identification evaluation (TIE) is necessary, state whom will conduct the evaluation.

   d) The initial investigation TRE work plan must be sent to the following address:

      U.S. Environmental Protection Agency Region 10
      Attn: NPDES WET Coordinator
      M/S OWW-130
      1200 Sixth Avenue, Suite 900
      Seattle, WA 98101-3140

6. Accelerated WET Testing

   If chronic toxicity is detected above 1.9 TU_c July through September and 2.5 TU_c January through March, the permittee must comply with the following:

   a) The permittee must implement the initial investigation TRE work plan within 48-hours of the permittee's receipt of the toxicity results demonstrating the exceedance.

   b) The permittee must conduct six more bi-weekly (every two weeks) chronic toxicity tests, over a 12-week period. This accelerated testing shall be

initiated within 10 calendar days of receipt of the test results indicating the initial exceedance.

c) The permittee must notify EPA of the exceedance in writing at the address in Part I.C.5.d, above, within 5 calendar days of receipt of the test results indicating the exceedance. The notification must include the following information:

(i) A status report on any actions required by the permit, with a schedule for actions not yet completed.

(ii) A description of any additional actions the permittee has taken or will take to investigate and correct the cause(s) of the toxicity.

(iii) Where no actions have been taken, a discussion of the reasons for not taking action.

d) If implementation of the initial investigation work plan clearly identifies the source of toxicity to the satisfaction of EPA (e.g., a temporary plant upset), and none of the six accelerated chronic toxicity tests required under Part I.C.6.b. are above 1.9 TU_c July through October and 2.5 TU_c November through June, the permittee may return to the regular chronic toxicity testing cycle specified in Part I.C.2.a.

7. Toxicity Reduction Evaluation (TRE)

a) If implementation of the initial investigation work plan does not clearly identify the source of toxicity to the satisfaction of EPA, or any of the six accelerated chronic toxicity tests indicate toxicity above 1.9 TU_c July through October and 2.5 TU_c November through June, then the permittee must begin implementation of the toxicity reduction evaluation (TRE) requirements below. Implementation of the TRE requirements shall begin within 10 calendar days of receipt of the accelerated chronic toxicity testing results demonstrating the exceedance.

b) In accordance with the permittee's initial investigation work plan and EPA manual EPA 833-B-99-002 (*Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants*), the permittee must develop as expeditiously as possible a more detailed TRE work plan, which includes:

(i) Further actions to investigate and identify the cause of toxicity;

(ii) Actions the permittee will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

(iii) A schedule for these actions.

c) The permittee may initiate a TIE as part of the overall TRE process described in the EPA acute and chronic TIE manuals EPA/600/6-91/005F (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III).

d) If a TIE is initiated prior to completion of the accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TIE.

D. Surface Water Monitoring

The permittee must conduct surface water monitoring as indicated in Table 4 below. Surface water monitoring must start 90 days after the effective date of the permit. The surface water monitoring program must meet the following requirements:

1. Monitoring Locations

   a) Monitoring stations must be established in the Portnuef River at locations approved by the IDEQ. The monitoring locations must be:

      (i) Above the influence of the facility's discharge, and

      (ii) Below the facility's discharge, at a point where the effluent and Portneuf River are completely mixed, but above the influence of any other point source discharge.

      (iii) For the purposes of receiving water monitoring, stations at Batiste Road and Siphon Road as identified in the *Quality Assurance Project Plan for the Portneuf River Monitoring Project* may be used.

   a) Monitoring locations must be identified in the QAP (see Part II. C.). The permittee must seek written approval from the IDEQ for any changes to the surface water monitoring locations. A failure to obtain the IDEQ approval of surface water monitoring stations does not relieve the permittee of the surface water monitoring requirements of this permit.

2. Sample Collection and Analysis

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

   b) Upstream and downstream composite sampling must consist of three grab samples: One from each side of the river, and one from the middle. When weather conditions prevent collecting samples from the middle of the river, then the permittee may composite samples from only each bank. For dissolved oxygen, pH, E. coli and turbidity, the three grab samples must be analyzed separately.

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

   d) The analytical test methods for metals must, at a minimum, achieve a minimum level (ML) or interim ML (IML) as required by 40 CFR 136.

   e) Samples must be analyzed for the parameters listed in Table 4.

3. Reporting

   Surface water monitoring results must be reported with the appropriate Discharge Monitoring Report (DMR). Additionally, the permittee must submit, to the EPA, all monitoring results and sample collection dates electronically on an excel spreadsheet with the NPDES application which is due 180 days before the expiration date of the permit.

Table 4. Surface Water Monitoring Requirements

Parameter	Units	Sample Locations	Sample Frequency	Sample Type	Method Detection Limit (MDL)
River Flow	cfs	Upstream only	Continuous	Measurement, as daily average	—
Temperature	ºC	Upstream only	Continuous	Measurement, as daily max.	—
Alkalinity (as $CaCO_3$)	mg/L	Upstream **and** Downstream of the point of discharge as described in I.D.1.a. and as approved by IDEQ	1/Quarter[1]	Composite[3]	—
E. Coli	#/100 ml			Grab[2]	—
Dissolved Oxygen	mg/L			Grab[2]	—
pH	standard units			Grab[2]	—
Turbidity	NTU			Grab[2]	—
Total Phosphorus	mg/L			Composite[3]	As in Table 2.
Ortho-phosphorus	mg/L			Composite[3]	As in Table 2.
Total Ammonia (as N)	mg/L			Composite[3]	As in Table 2.
Total Kjeldahl Nitrogen	mg/L			Composite[3]	—
Nitrate-Nitrite	mg/L			Composite[3]	As in Table 2.
Hardness (as $CaCO_3$)	mg/L	Upstream **and** Downstream of the point of discharge as described in I.D.1.a. and as approved by IDEQ	1/year[1]	Composite[3]	As in Table 2.
Arsenic[4]	µg/L			Composite[3]	As in Table 2.
Cadmium[5]	µg/L			Composite[3]	As in Table 2.
Chromium[5]	µg/L			Composite[3]	As in Table 2.
Copper[5]	µg/L			Composite[3]	As in Table 2.
Cyanide	µg/L			Composite[3]	As in Table 2.
Lead[5]	µg/L			Composite[3]	As in Table 2.
Mercury[4]	µg/L			Composite[3]	As in Table 2.
Nickel[5]	µg/L			Composite[3]	As in Table 2.
Selenium[5]	µg/L			Composite[3]	As in Table 2.
Silver[5]	µg/L			Composite[3]	As in Table 2.
Zinc[5]	µg/L			Composite[3]	As in Table 2.

1. Collect samples once per year at the time of one of the quarterly sampling events.
2. Minimum 3 discrete grab samples as described in I.D.2.b.
3. Composite samples as described in I.D.2.b.
4. Analyze samples for total.
5. Analyze samples for both total recoverable and dissolved.

II. Special Conditions

A. Pretreatment Requirements

1. Implementation

   The permittee must implement its pretreatment program in accordance with the legal authorities, policies, procedures, staffing levels and financial provisions described in its original approved pretreatment program submission entitled Industrial Pretreatment Program for the City of Pocatello, Idaho, August 25, 1983,

any program amendments submitted thereafter and approved by the EPA, and the general pretreatment regulations (40 CFR Part 403) and any amendments thereof. At a minimum, the permittee must carry out the following activities:

a) Enforce prohibitive discharge standards as set forth in 40 CFR 403.5(a) and (b), categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Act (where applicable), and local limitations and BMPs developed by the permittee in accordance with 40 CFR 403.5(c), whichever are more stringent and are applicable to non-domestic users discharging wastewater into the permittee's collection system. Locally derived limitations must be defined as pretreatment standards under Section 307(d) of the Act.

b) Implement and enforce the requirements of the most recent EPA-approved portions of local law and regulations (e.g. municipal code, sewer use ordinance) addressing the regulation of non-domestic users.

c) Update its inventory of non-domestic users at a frequency and diligence adequate to ensure proper identification of non-domestic users subject to pretreatment standards, but no less than once per year. The permittee must notify these users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii).

d) Issue, reissue, and modify, in a timely manner, industrial wastewater discharge permits to at least all Significant Industrial Users (SIUs) and categorical industrial users. These documents must contain, at a minimum, conditions identified in 40 CFR 403.8(f)(1)(iii), including Best Management Practices, if applicable. The permittee must follow the methods described in its implementation procedures for issuance of individual permits.

e) Develop and maintain a data management system designed to track the status of the permittee's non-domestic user inventory, non-domestic user discharge characteristics, and their compliance with applicable pretreatment standards and requirements. The permittee must retain all records relating to its pretreatment program activities for a minimum of three years, as required by 40 CFR 403.12(o), and must make such records available to EPA upon request. The permittee must also provide public access to information considered effluent data under 40 CFR 2.

f) Establish, where necessary, legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements in 40 CFR Part 403 by industrial users within these jurisdictions. These legally binding agreements must identify the agency responsible for the various pretreatment implementation and enforcement activities in the contributing jurisdiction and outline the specific roles, responsibilities and pretreatment activities of each jurisdiction.

g) Carry out inspections, surveillance, and monitoring of non-domestic users to determine compliance with applicable pretreatment standards and requirements. A complete inspection of all SIUs and sampling of all SIUs' effluent must be conducted at least annually.

h) Require SIUs to conduct wastewater sampling as specified in 40 CFR 403.12(e) or (h). Frequency of wastewater sampling by the SIUs must be appropriate for the character and volume of the wastewater but no less than twice per year. Sample collection and analysis must be performed in accordance with 40 CFR 403.12(b)(5)(ii) through (v) and 40 CFR 136. In cases where the Pretreatment Standard requires compliance with a Best Management Practice or pollution prevention alternative, the permittee must require the User to submit documentation to determine compliance with the Standard. If the permittee elects to conduct all non-domestic user monitoring for any SIU instead of requiring self-monitoring, the permittee must conduct sampling in accordance with the requirements of this paragraph, and the requirements of 40 CFR 403.12(g)(2).

i) Enforce and obtain remedies for any industrial user noncompliance with applicable pretreatment standards and requirements. This must include timely and appropriate reviews of industrial reports to identify all violations of the user's permit, the local ordinance, and federal pretreatment standards and requirements. Once violations have been uncovered, the permittee must take timely and appropriate action to address the noncompliance. The permittee's enforcement actions must follow its EPA-approved enforcement response procedures.

j) Publish, at least annually, in a newspaper or newspapers of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of all non-domestic users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8 (f)(2)(viii).

k) Maintain adequate staff, funds and equipment to implement its pretreatment program.

l) Conduct an analysis annually to determine whether influent pollutant loadings are approaching the maximum allowable headworks loadings calculated in the permittee’s most recent local limits calculations. Any local limits found to be inadequate by this analysis must be revised. The permittee may be required to revise existing local limits or develop new limits if deemed necessary by the EPA.

2. Spill Prevention and Slug Discharges

The permittee must implement an accidental spill prevention program to reduce and prevent spills and slug discharges of pollutants from non-domestic users.

a) Control mechanisms for SIUs must contain requirements to control slug discharges if determined by the POTW to be necessary [40 CFR 403.8(f)(1)(iii)(B)(6)].

b) SIUs must be evaluated for the need for a plan or other action to control slug discharges within 1 year of being designated an SIU. For IUs designated as significant prior to November 14, 2005, this evaluation must have been conducted by October 14, 2006 [40 CFR 403.8(f)(2)(vi)].

c) SIUs must notify the POTW immediately of any changes at their facilities affecting the potential for a slug discharge [40 CFR 403.8(f)(2(vi)].

3. Enforcement Requirement

   Whenever the EPA finds, on the basis of any available information, that the owner or operator of any source is introducing a pollutant into the POTW in violation of national pretreatment standards, including prohibited discharges, local limits, or categorical standards, or has caused interference or pass through, the EPA may notify the owner or operator of the POTW of such violation. If, within 30 days after such notification has been sent by the EPA to the POTW, the POTW fails to commence appropriate enforcement action to correct the violation, the EPA may take appropriate enforcement action under the authority provided in section 309(f) of the Clean Water Act.

4. Modification of the Pretreatment Program

   If the permittee elects to modify any components of its pretreatment program, it must comply with the requirements of 40 CFR 403.18. No substantial program modification, as defined in 40 CFR 403.18(b), may be implemented prior to receiving written authorization from the EPA.

5. Local Limits Evaluation

   Within one year of the effective date of this permit, the permittee must submit to the EPA a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1). The study must take into account water quality in the receiving stream, inhibition levels for biological processes in the treatment plant, and sludge quality goals. The study must address at least the following pollutants: arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, zinc, TSS, BOD_5, and any other pollutants of concern.

   The permittee must address total ammonia as N if the POTW accepts non-domestic discharges of ammonia. Submitted results of the study must include proposed local limits, maximum allowable headworks loadings, all supporting calculations, and all assumptions.

6. Control of Undesirable Pollutants

   The permittee must not allow introduction of the following pollutants into the publicly owned treatment works (POTW):

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

   b) Pollutants which will cause corrosive structural damage to the POTW, but in no case, discharges with a pH lower than 5.0, unless the POTW is designed to accommodate such discharges;

   c) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW (including the collection system) resulting in interference;

d) Any pollutant, including oxygen demanding pollutants (BOD_5, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

e) Heat in amounts which 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 ºC (104 ºF) unless the Regional Administrator, upon request of the POTW, approves alternate temperature limits;

f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

g) 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; and

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

7. Requirements for Industrial users

   The permittee must require any industrial user of its treatment works to comply with any applicable requirements in 40 CFR Part 403 through 471.

8. Sampling Requirements

   a) Sample parameters as identified in Table 1

   b) Frequency: Sampling must be conducted twice per year: once during the 2nd quarter (April-June) and once during the 4th quarter (October-December), the two sampling events must be approximately 6 months apart.

   c) Sampling Locations and Sample Type: The permittee must sample as described in 5. To the extent that the timing of effluent sampling coincides with sampling required for whole effluent toxicity testing under I.C, these results will satisfy the requirements of that paragraph.

Table 5. Pretreatment Monitoring - Sample Types and Frequency

Parameter	Sample Location	Sample Frequency	Sample Type
As specified in II.A.8.a	Influent	3 days within a week (Mon - Fri)	24-hour composite
	Effluent	3 days within a week (Mon - Fri)	24-hour composite
	Sludge	Once, during the same time period that influent and effluent samples are being taken	Grab
1. Influent and effluent samples for cyanide must be collected and analyzed as required in paragraph II.A.8(h).			

   d) Analytical Methods: For influent and effluent pretreatment sampling, the permittee must use EPA-approved analytical methods that achieve the method detection limits (MDLs) or minimum level (ML).. Requests for higher MDLs

for pretreatment monitoring must be submitted in writing to the Pretreatment Coordinator at the address in paragraph 9, below.

e) Sludge Sampling: Sludge samples must be taken as the sludge leaves the dewatering device or digesters. The permittee must sample sludge for arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, percent solids, selenium and zinc.

f) Sludge Reporting: Metals concentrations in sludge must be reported in mg/kg, dry weight.

g) Reporting Results: Analytical results for each day's samples must be reported separately. Sample results must be submitted with the pretreatment annual report required in paragraph 9, below.

h) Cyanide sampling: Influent and effluent sampling for cyanide must be conducted as follows. Eight discrete grab samples must be collected over a 24-hour day. Each grab sample must be at least 100 ml. Each sample must be checked for the presence of chlorine and/or sulfides prior to preserving and compositing (refer to Standard Methods, 4500-CN B). If chlorine and/or sulfides are detected, the sample must be treated to remove any trace of these parameters. After testing and treating for the interference compounds, the pH of each sample must be adjusted, using sodium hydroxide, to 12.0 standard units. Each sample can then be composited into a larger container which has been chilled to 4 degrees Celsius, to allow for one analysis for the day.

9. Pretreatment Report

a) The permittee must submit an annual report pursuant to 40 CFR 403.12(i) that describes the permittee's program activities over the calendar year, January 1st through December 31st, for the report year This report must be submitted to the following address no later than March 1st for the previous report year:

U.S. Environmental Protection Agency Region 10
Attn: Pretreatment Coordinator
M/S OWW-130
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

b) The pretreatment report must be compiled following the Region 10 Annual Report Guidance. At a minimum, the report must include:

(i) An updated non-domestic user inventory, including those facilities that are no longer discharging (with explanation), and new dischargers, appropriately categorized and characterized. Categorical users should have the applicable category noted as well as cases where more stringent local limits apply instead of the categorical standard.

(ii) Results of wastewater and sludge sampling at the POTW as specified in Part II.A.8 (above).

(iii) Calculations of removal rates for each pollutant for each day of sampling.

(iv) An analysis and discussion of whether the existing local limitations in the permittee's sewer use ordinance continue to be appropriate to prevent treatment plant interference and pass through of pollutants that could affect water quality or sludge quality. This should include a comparison between influent loadings and the most recent relevant maximum allowable headworks loadings calculated for the treatment plant.

(v) Status of program implementation, including:

(a) Any planned modifications to the pretreatment program that have been approved by EPA, including staffing and funding updates.

(b) A description of any interference, upset, or NPDES permit violations experienced at the POTW which were directly or indirectly attributable to non-domestic users, including:

(i) Date & time of the incident

(ii) Description of the effect on the POTW's operation

(iii) Effects on the POTW's effluent and biosolids quality

(iv) Identification of suspected or known sources of the discharge causing the upset

(v) Steps taken to remedy the situation and to prevent recurrence

(c) Listing of non-domestic users inspected and/or monitored during the report year with dates and an indication compliance status.

(d) Listing of non-domestic users planned for inspection and/or monitoring for the coming year along with associated frequencies.

(e) Listing of non-domestic users whose permits have been issued, reissued, or modified during the report year along with current permit expiration dates.

(f) Listing of non-domestic users notified of promulgated pretreatment standards and/or local standards during the report year as required in 40 CFR 403.8(f)(2)(iii).

(g) Listing of non-domestic users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing must include the final date of compliance for each facility.

(vi) Status of enforcement activities including:

(a) Listing of non-domestic users who failed to comply with applicable pretreatment standards and requirements, including:

(vi) Summary of the violation(s).

(vii) Enforcement action taken or planned by the permittee.

(viii) Present compliance status as of the date of preparation of the pretreatment report.

(b) Listing of those users in significant noncompliance during the report year as defined in 40 CFR 403.8(f)(2)(viii) and a copy of the newspaper publication of those users' names.

(c) EPA may require more frequent reporting on those users who are determined to be in significant noncompliance.

B. 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 the EPA and the IDEQ that an operations and maintenance plan for the current wastewater treatment facility has been developed and implemented within 60 days of the effective date of this permit. The plan shall be retained on site and made available on request to the EPA and the IDEQ.

C. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. The permittee must submit written notice to the EPA and the IDEQ that the Plan has been developed and implemented within 60 days of the effective date of this permit. 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 the 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.

3. 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, address and telephone number of each laboratory 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 on request to the EPA and the IDEQ.

D. Schedule of Compliance for the Phosphorus, Chlorodibromomethane and Dichlorobromomethane Effluent Limitations

1. The permittee must achieve compliance with the phosphorus, chlorodibromomethane and dichlorobromomethane effluent limitations of Part I.A.1. (Table 1), by December 31, 2017.

2. Until compliance with the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations is achieved, at a minimum, the permittee must complete the tasks and reports listed in Table 6.

3. The permittee must provide written notification to the EPA and the IDEQ within fourteen (14) days upon completion of each of the above mentioned tasks at the addresses provided in III.B.1.

4. In addition, the permittee must submit an annual report of progress which outlines the progress made towards reaching the compliance date for the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations. The annual report of progress must be submitted by March 1st of each year. The first report is due March 1, 2013 and annually thereafter, until compliance with the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limits are achieved. See also Part III.K. “Compliance Schedules”. At a minimum, the annual report must include:

   a. An assessment of the previous year of phosphorus, chlorodibromomethane, and dichlorobromomethane data and comparison to the effluent limitations.

   b. A report on progress made towards meeting the effluent limitations, including the applicable deliverable required under II.D.2 (Table 7).

   c. Further actions and milestones targeted for the upcoming year.

Table 6. Tasks Required Under the Schedule of Compliance - Phosphorus, Chlorodibromomethane, and Dichlorobromomethane

Task No.	Due By	Task Description
1	December 31, 2013	**Planning** The permittee must develop a facility plan that evaluates the options that would allow the facility to meet the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations and select a preferred alternative. Deliverable: The permittee must provide written notice to EPA that the facility plan has been submitted to the IDEQ for the necessary approvals.
2	December 31, 2014	**Design** The permittee must complete design of the selected alternative for meeting the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations. Deliverable: The permittee must provide written notice to EPA that the design plans and specifications have been submitted to the IDEQ for the necessary approvals.
3	December 31, 2015	**Award Bid for Construction** The permittee must complete the awarding of the bid for construction of the project to meet the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations. Deliverable: The permittee must provide written notice to the EPA and the IDEQ that the bid award is complete.
4	December 31, 2016	**Construction Complete** The permittee must complete construction to reduce phosphorus, chlorodibromomethane, and dichlorobromomethane in the discharge from outfalls 001 to achieve the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations. Deliverable: The permittee must submit construction completion reports to the EPA and the IDEQ.
5	December 31. 2017	**Meet Effluent Limitation for Phosphorus, Chlorodibromomethane, and Dichlorobromomethane** Construction and optimization of process such that compliance with the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations are achieved. Deliverable: The permittee must provide written notice to the EPA and the IDEQ that the phosphorus, chlorodibromomethane, and dichlorobromomethane effluent limitations are achieved.

E. Facility Planning Requirement

Each month, the permittee must compute an annual moving average value for the flow, BOD_5 loading, and TSS loading entering the facility based on the previous twelve months. If the facility has completed a plant upgrade that affects the facility

planning values listed in Table 8**,** 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 8, the permittee must develop a facility plan and schedule within one year 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 of the Office of Compliance and Enforcement or authorized representative upon request.

Table 7. Pocatello WPCF Design Criteria

Criteria	Value	Units
Average Flow	12	mgd
Influent BOD_5 Loading	24,600	lbs/day
Influent TSS Loading	27,400	lbs/day

F. Emergency Response and Public Notification Plan

1. The permittee must develop and implement an overflow emergency response and public notification plan. The plan must identify 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 response operations.

4. The permittee must submit written notice to the EPA and the 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.

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, 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

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. 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 the IDEQ at the following addresses:

   U.S. Environmental Protection Agency Region 10
   Attn: ICIS Data Entry Team
   M/S OCE-133
   1200 Sixth Avenue, Suite 900
   Seattle, Washington 98101-3140

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

2. Electronic Copy Submissions

   Monitoring data must be submitted electronically to the EPA no later than the 20th of the month following the completed reporting period. All reports required under this permit must be submitted to the 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 the EPA and the IDEQ.

   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 136, unless other test procedures have been specified in this permit or approved by the 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 §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 the 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 the following records of all monitoring information 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 the EPA or the IDEQ at any time.

1. all calibration and maintenance records,
2. all original strip chart recordings for continuous monitoring instrumentation,

3. copies of all reports required by this permit,
4. copies of DMRs,
5. a copy of the NPDES permit, and
6. records of all data used to complete the application for this permit.

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:
   c) any noncompliance that may endanger health or the environment;
   a) any unanticipated bypass that exceeds any effluent limitation in the permit (See Part IV.F., "Bypass of Treatment Facilities");
   b) any upset that exceeds any effluent limitation in the permit (See Part IV.G., "Upset Conditions"); or
   c) any violation of a maximum daily or instantaneous discharge limitation for applicable pollutants identified by Part I.B, Table 1.
   d) 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 to the addresses in Part III.B ("Reporting of Monitoring Results").

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 III.G.

J. Notice of New Introduction of Toxic Pollutants

The permittee must notify the Director of the Office of Water and Watersheds and the 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 Act 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:

   U.S. Environmental Protection Agency Region 10
   Attn: NPDES Permits Unit Manager
   M/S OWW-130
   1200 Sixth Avenue, Suite 900
   Seattle, WA 98101-3140

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).

. 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, 122.64, 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 the EPA and the IDEQ, within the time specified in the request, any information that the 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 the 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 the 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 the 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 the 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 the 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, the 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; 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. "Acute Toxic Unit" ("TUa") is a measure of acute toxicity. TUa is the reciprocal of the effluent concentration that causes 50 percent of the organisms to die by the end on the acute exposure period (i.e., 100/"LC50").
3. "Administrator" means the Administrator of the EPA, or an authorized representative.
4. "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.
5. "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.
6. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.
7. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
8. "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").

9. "Composite" - see "24-hour composite".
10. "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.
11. "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.
12. "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.
13. "DMR" means discharge monitoring report.
14. "EPA" means the United States Environmental Protection Agency.
15. "Geometric Mean" means the nth root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.
16. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
17. "IDEQ" means the Idaho Department of Environmental Quality.
18. "Inhibition concentration", IC, is a point estimate of the toxicant concentration that causes a given percent reduction (p) in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).
19. "Interference" is defined in 40 CFR 403.3.
20. "Interim Minimum Level (IML)" is used when a method-specific "Minimum Level (ML)" has not been published by EPA. The IML is equal to 3.18 times the method-specified "Method Detection Limit (MDL)". The IML for non-metals is rounded to the nearest multiple of 2, 5, 10, 20, 50.
21. "LC50" means the concentration of toxicant (e.g., effluent) which is lethal to 50 percent of the test organisms exposed in the time period prescribed by the test.
22. "Maximum daily discharge limitation" means the highest allowable "daily discharge."
23. "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.
24. "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.
25. "NOEC" means no observed effect concentration. The NOEC is the highest concentration of toxicant (e.g., 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).

26. "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.
27. "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).
28. "QA/QC" means quality assurance/quality control.
29. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.
30. "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.
31. "Significant Industrial User" means all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)). Upon a finding that an industrial user meeting above the criteria has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority (as defined in 40 CFR 403.12(a)) may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.
32. "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.
33. "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 Wastewater.