



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

NOV 19 2013

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7012 3050 0001 6504 7773)

REPLY TO: 6WQ-NP

Ms. Loretta Earnest  
ONEOK Sterling III Pipeline, L.L.C.  
100 West Fifth Street, MD 5-4  
Tulsa, OK 74103

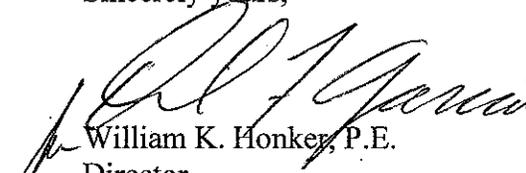
Re: NPDES Application No. OK0044857 – Sterling III Pipeline Project

Dear Ms. Earnest:

This package constitutes EPA's final permit decision for the above referenced facility. Enclosed are the responses to comments received during the public comment period and the final permit. According to EPA regulations at 40 CFR 124.19, within 30 days after a final permit decision has been issued, any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision.

Should you have any questions regarding the final permit, please feel free to contact Maria Okpala of the NPDES Permits Branch at the above address or by telephone: (214) 665-3152, by fax: (214) 665-2191, or by E-mail: [okpala.maria@epa.gov](mailto:okpala.maria@epa.gov). Should you have any questions regarding compliance with the conditions of this permit, please contact the Water Enforcement Branch at the above address or by telephone: (214)-665-6468.

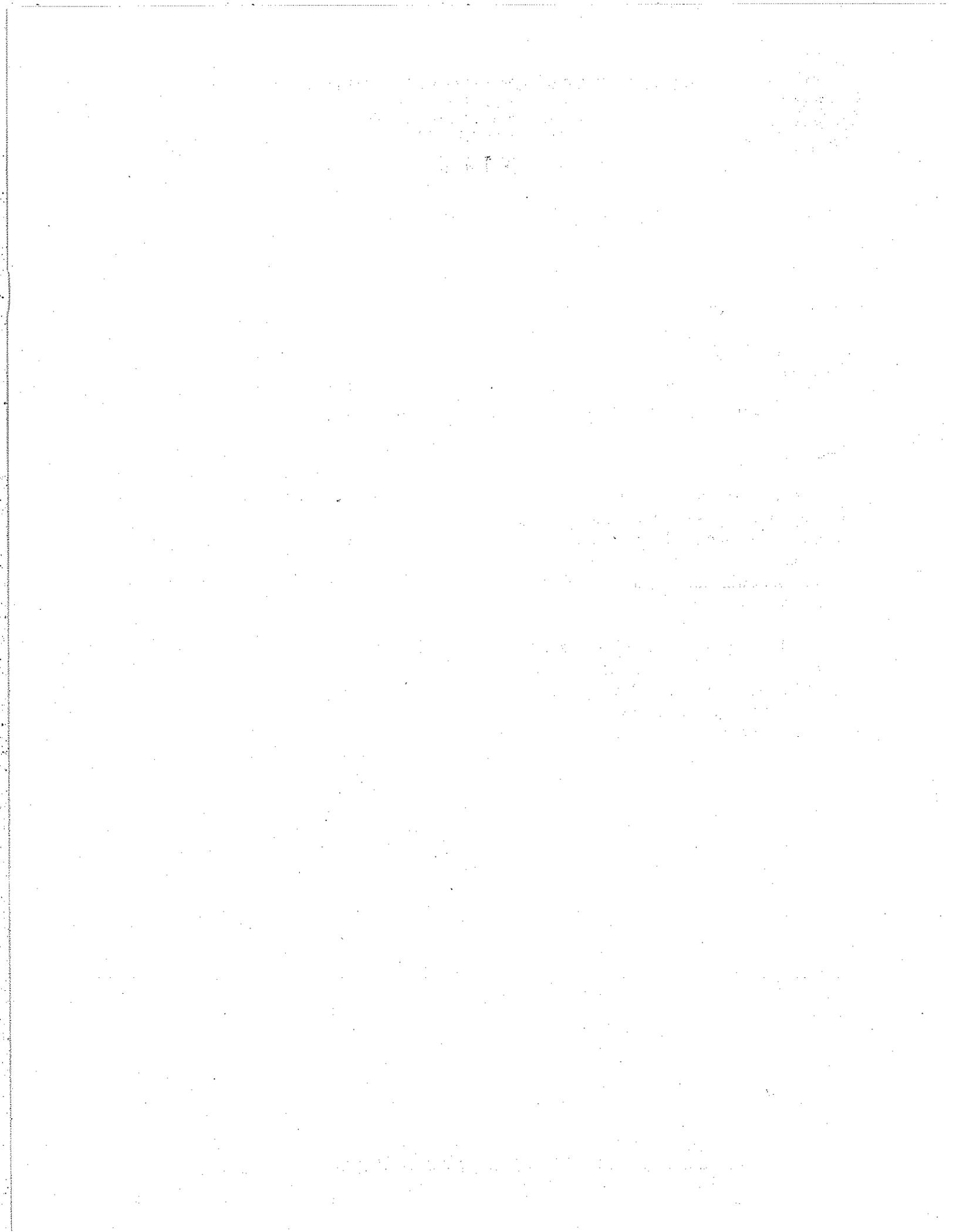
Sincerely yours,



William K. Honker, P.E.  
Director  
Water Quality Protection Division

Enclosures

cc w/enclosures:  
Mark Dericksweiler, ODEQ



**NPDES PERMIT NO. OK0044857  
RESPONSE TO COMMENTS**

**RECEIVED ON THE SUBJECT DRAFT  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
PERMIT IN ACCORDANCE WITH REGULATIONS LISTED AT 40CFR124.17**

**APPLICANT:**

**Sterling III Pipeline Project  
100 West Fifth Street, MD 5-4  
Tulsa, OK 74103**

**ISSUING OFFICE:**

**U.S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733**

**PREPARED BY:**

**Maria Okpala  
Environmental Engineer  
Permits Section (6WQ-PP)  
NPDES Permits Branch  
Water Quality Protection Division  
Telephone: 214-665-3152  
FAX: 214-665-2191  
EMAIL: [okpala.maria@epa.gov](mailto:okpala.maria@epa.gov)**

**PERMIT ACTION: Final permit decision and response to comments received on the proposed NPDES permit publicly noticed on August 31, 2013:**

**DATE PREPARED: November 5, 2013**

**Introduction**

For brevity, Region 6 used acronyms and abbreviated terminology in this response to comments document whenever possible.

CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
F&WS	United States Fish and Wildlife Service
HT	Hydrostatic Testing
IP	Procedures to Implement the Oklahoma Surface Water Quality standards
mg/l	Milligrams per Liter (one part per million)
MGD	Million gallons per Day
NPDES	National Pollutant Discharge Elimination System
NTUs	Nephelometric Turbidity Units
OAC	Oklahoma Administrative Code
ODEQ	Oklahoma Department of Environmental Quality
O&G	Oil and grease
OWQS	Oklahoma Water Quality Standards
OWRB	Oklahoma Water Resources Board
SIC	Standard industrial classification
s.u.	Standard units (for parameter pH)
TMDL	Total maximum daily load
TSS	Total suspended solids
µg /l	Micrograms per Liter (one part per billion)
WQS	Water Quality Standards

Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of November 1, 2013.

**CHANGES FROM DRAFT PERMIT**

EPA made the following changes to the draft NPDES permit publicly noticed on August 31, 2013:

1. The final permit has included language on the prohibition for the discharge to contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by humans.
2. Page 2, Part II of the final permit has been corrected to state that intake credit shall not apply to Outfalls 001 through 004 because the respective receiving streams for these Outfalls are impaired for turbidity

**STATE CERTIFICATION**

In a letter from Mark Derichsweiler, P.E. Watershed Planning and Storm Water Permitting (ODEQ) to William K. Honker, Director, Water Quality Protection Division (EPA) dated October 21, 2013, the ODEQ certifies that the proposed permit is in compliance with Oklahoma's WQS and with the Clean Water Act sections 208(e), 301, 302, 303, 306, and 307 provided the following condition is incorporated in the permit. This condition include:

1. The discharge shall not contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by humans.

**RESPONSE TO ODEQ's STATE CERTIFICATION**

In accordance with 40 CFR 122.44(d) (3), an NPDES permit must conform to the conditions to a State certification under section 401 of the CWA that meets the requirements of § 124.53 when EPA is the permitting authority.

1. EPA notes that Condition #1 has been incorporated in Part I.A. of the final permit under the subheading "Other Requirements."
2. EPA has changed the final permit to reflect intake credit for Outfall 003.

**COMMENTS THAT ARE NOT CONDITIONS OF CERTIFICATION**

ODEQ also stated that some conditions contained in the September 3, 2013, draft NPDES permit may be made less stringent without violating Oklahoma WQS. These conditions are:

**Comment No. 1:**

- A TMDL for Red Rock Creek, segment OK621200050010\_10 was approved by EPA on September 30, 2011, and established a TSS target goal of 38 mg/l. The proposed TSS limits in the permit would comply with that TMDL target and the turbidity end-of-pipe limit of 50 NTUs for Outfall 001 may be removed.
- The turbidity final effluent limit of 50 NTU at the end of the pipe for Outfall 002 may be removed because the receiving stream is not impaired for turbidity. The proposed limit for TSS average of 30 mg/l is sufficient.
- The TSS intake credit may apply to Outfall 002 and Outfall 003 since the respective receiving streams for these Outfalls are not impaired for turbidity.

**Response No. 1:** EPA notes that there is discrepancy in the stream segments identified by the State and that identified by EPA. The stream segments identified by the permittee are consistent with that identified by EPA. These inconsistency stream segments have resulted in the above

comments made by the State. In a phone conversation on November 6, 2013, with Elena Jigoulina of ODEQ, she is of the opinion that EPA can maintain the same stream segments already listed in the permit. Based on this conversation, EPA maintains the stream segments and will not change any of the conditions already established in the final permit.

- EPA agrees that there is a TMDL for Red Rock Creek, segment OK621200050010\_10 which was approved by EPA on September 30, 2011, and established a TSS target goal of 38 mg/l. The Outfall identified by EPA and the permittee for Outfall 001 is OK621200050010 and not OK621200050010\_10. According to the 2010 edition of the 303(d) list of impaired waters, the receiving stream for Outfall 001, OK621200050010, Red Rock Creek is listed for turbidity. As a result, the turbidity end-of-pipe limit of 50 NTUs for Outfall 001 is not removed in the final permit.
- For Outfall 002, the stream segment identified by EPA is OK520510000110 which is consistent with that identified by the permittee. The stream segment identified by the State is OK520510000110\_20. Outfall 002, OK520510000110, North Canadian River is listed for Enterococcus, Lead, pH, and turbidity. As a result, the turbidity end-of-pipe limit of 50 NTUs for Outfall 002 is not removed in the final permit.
- EPA agrees with the State that TSS intake credit does apply for Outfall 003 since the receiving stream is not impaired for turbidity, but disagrees with the State that it does apply for Outfall 002. Outfall 002 is impaired for turbidity; as a result, intake credit does not apply. EPA has changed the final permit to reflect intake credit for Outfall 003.

**Comment No. 2:**

- ODEQ stated that the stream segments for Outfalls 001, 002, and 005 do not have correct waterbody identification numbers (ID). According to the Oklahoma Integrated Water Quality Assessment Report of 2010 (IR 2010; [http://www.deq.state.ok.us/wqdnew/305b\\_303d/index.html](http://www.deq.state.ok.us/wqdnew/305b_303d/index.html)), the respective stream segment ID for Outfall 001 is OK621200050010\_10, the respective stream segment ID for Outfall 002 is OK520510000110\_20, and the respective stream segment ID for Outfall 005 is OK410700000010\_40
- ODEQ commented that the list of beneficial uses is not complete for all stream segments (page 3-4 of the Statement of Basis). The beneficial uses missing for Red Rock Creek (OK621200050010\_10), North Canadian River (OK520510000110\_20), Salt Creek (OK520800030010\_00), and Red River (OK410700000010\_40) are Agriculture, Aesthetics, and Fish Consumption.
- The State stated that the list of impairments provided in the Statement of Basis is not correct for stream segments for Outfalls 001 and 002. According to IR 2010, the respective stream segment for Outfall 001 (OK621200050010\_10) is also impaired for sulfates and E. coli; and the respective stream segment for Outfall 002

(OK520510000110\_20) is impaired for dissolved oxygen, E. coli, and enterococcus and not impaired for lead, pH, and turbidity as stated in the Statement of Basis.

**Response No. 2:**

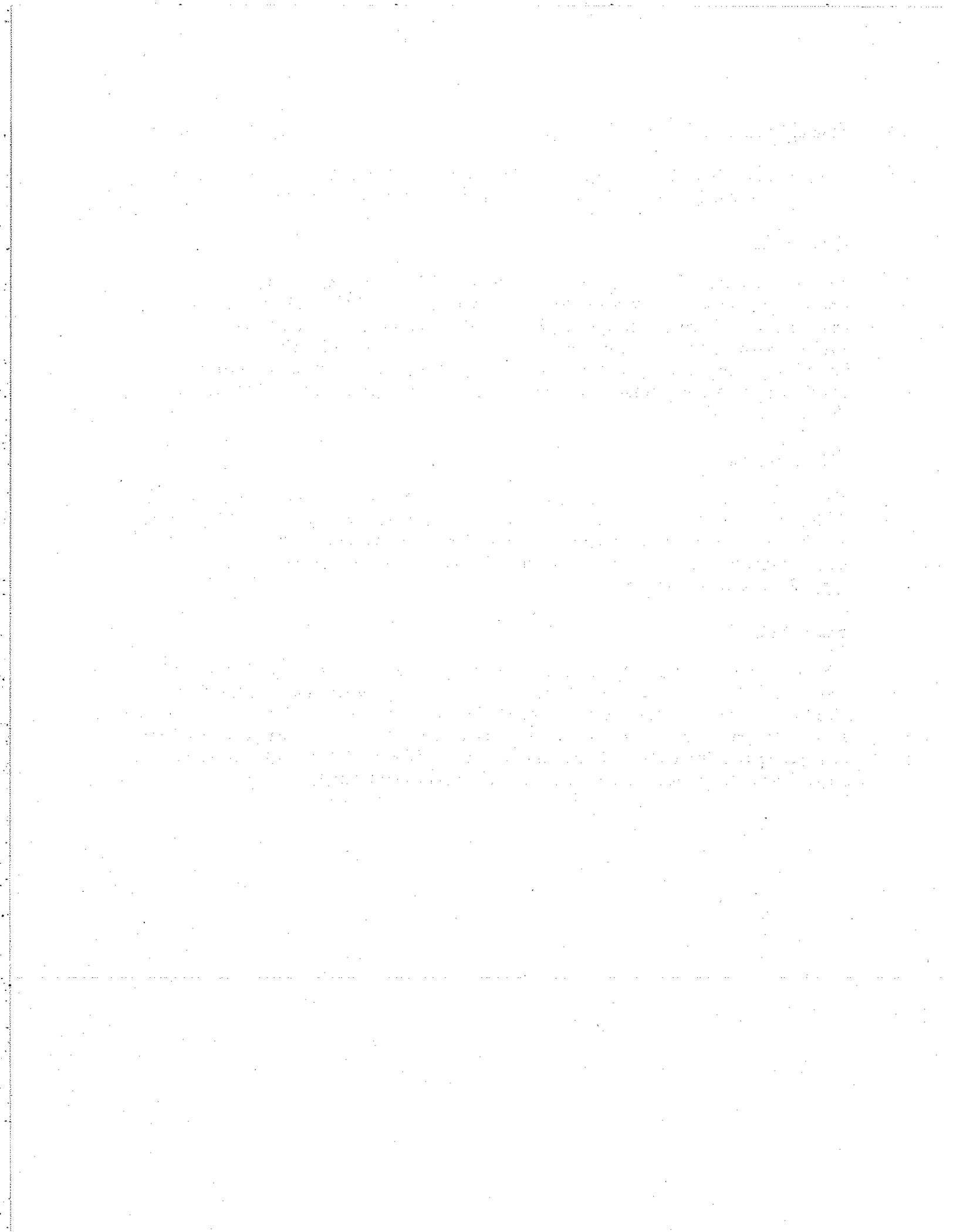
EPA notes that the stream segments in the Statement of Basis and draft permit were obtained from the current Oklahoma Water Quality Standards (Title 785, Chapter 45) promulgated by the Oklahoma Water Resources Board including all amendments which are effective as of July 1, 2011. Based on these stream segments, the beneficial uses and list of impairments were identified. These stream segments are consistent with that identified by the permittee in its Permit Application. As a result, these stream segments are not changed in the final permit. See also comment #1 above.

**Comment No. 3:**

ODEQ remarked that there is a discrepancy regarding the applicability of intake credit between the Statement of Basis (page 6 states "intake credit is authorized for only Outfall 005") and the permit (page 2 Part II states "TSS intake credit shall not apply to Outfalls 001 and 002"). The intake credit should be applicable to Outfalls 002, 003, and 005. The intake credit should not be applicable to Outfalls 001 and 004.

**Response No. 3:**

EPA concurs with ODEQ that there is discrepancy regarding the applicability of intake credit between the Statement of Basis and the draft permit, but disagrees with the State that the intake credit should be applicable to Outfalls 002 and 005. EPA agrees with the State that intake credit should also apply to Outfall 003. Page 4, Part I and Page 2, Part II of the final permit has been corrected to state that intake credit shall not apply to Outfalls 001, 002 and 004 because the respective receiving streams for these Outfalls are impaired for turbidity.





REGION 6  
1445 ROSS AVENUE  
DALLAS, TEXAS 75202-2733

NPDES Permit No OK0044857

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**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

Sterling III Pipeline Project  
100 West Fifth Street, MD 5-4  
Tulsa, OK 74103

is authorized to discharge hydrostatic test water from a pipeline located in Garfield, Pontotoc, Pottawatomie, and Bryan Counties

from outfalls described on the attached table,

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II and Part III hereof.

This permit shall become effective on January 1, 2014

This permit and the authorization to discharge shall expire at midnight, December 31, 2018

Issued on November 19, 2013

Prepared by

William K. Honker, P.E.  
Director  
Water Quality Protection Division (6WQ)

Maria Okpala  
Environmental Engineer  
Permits & Technical Section (6WQ-PP)

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PERMIT OUTFALL TABLE

The permitted Outfalls showing Outfall number, discharge coordinates: latitude and longitude, county, average flow rate in millions gallons per day (MGD), receiving water, and the waterbody identification numbers are shown in the following table:

Outfall Reference Number	Discharge Coordinates Latitude Deg° Min' Sec" Longitude Deg° Min' Sec"	County	Average Flow MGD	Receiving Water	Waterbody ID #
001	36° 31' 22.6" N 97° 35' 49.7" W	Garfield	2.88	Red Rock Creek	OK621200050010
002	35° 25' 48.4" N 97° 3' 51.0" W	Pottawatomie	2.88	North Canadian River	OK520510000110
003	35° 5' 29.9" N 96° 54' 12.1" W	Pottawatomie	2.88	Salt Creek	OK520800030010
004	34° 43' 32.9" N 96° 44' 5.7" W	Pontotoc	2.88	Unnamed Trib. to Sandy Creek Reservoir Site #2	Unlisted
005	33° 46' 55.4" N 96° 26' 52.3" W	Bryan	2.88	Red River	OK410700000010

PART I - REQUIREMENTS FOR NPDES PERMITS

SECTION A. LIMITATIONS AND MONITORING REQUIREMENTS

1. Outfalls 001,002, and 004 - Final Effluent Limits

During the period beginning on the effective date of the permit and lasting until the expiration date, the permittee is authorized to discharge hydrostatic wastewater from the Outfalls described above in the Permit Outfall Table to the receiving waters described therein. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	STORET CODE	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	00400	6.5	9.0	Daily (*1)	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	STORET CODE	MON AVG	DAY MAX	MON AVG	DAY MAX	SAMPLE TYPE
Flow	50050	Report MGD	Report MGD (*2)	N/A	N/A	Estimate (*2)
Oil & Grease	00556	Report	Report	N/A	15	Grab
Total Suspended Solids	00530	Report	Report	30	45	Grab
Turbidity, NTU (*3)	00070	NA	NA	NA	50 NTU	Grab

2. Outfall 003 & 005- Final Effluent Limits

During the period beginning on the effective date of the permit and lasting until the expiration date, the permittee is authorized to discharge hydrostatic wastewater from Outfall 005 to the Red River in waterbody identification number, OK410700000010. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS	
	Standard Units	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
STORET CODE 00400		6.5	9.0	Daily (*1)	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	lbs/day, unless noted	DAY MAX	MON AVG	mg/l, unless noted	MEASUREMENT FREQUENCY	SAMPLE TYPE
STORET CODE	MON AVG	DAY MAX	MON AVG	DAY MAX	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD (*2)	N/A	N/A	Daily (*1)	Estimate (*2)
Oil & Grease	Report	Report	N/A	15	Daily (*1)	Grab
Total Suspended Solids, Intake from Stream (*4, *5)	N/A	N/A	Report	Report	Daily (*1)	Grab
Total Suspended Solids, Effluent Net Value (*6)	Report	Report	30 (*6)	45 (*6)	Daily (*1)	Grab

## Footnotes:

- \*1 When discharging.
- \*2 The discharge flow rate shall be controlled to prevent the erosion of soils, to minimize the disturbance and re-suspension of bottom sediments and to avoid adverse impact to any wetlands or other materials and the consequent addition of suspended solids to the discharge. In particular, contact with unvegetated or disturbed ground surfaces shall be avoided.  
"Estimate" flow measurements shall not be subject to the accuracy provisions established at Part III.C.6. Flow may be estimated using best engineering judgment.
- \*3 Outfalls 001 and 002 shall be limited for end-of-pipe turbidity limit of 50 NTU since the receiving streams for these Outfalls are listed for turbidity in the 2010 Oklahoma's 303(d) list of impaired waters.
- \*4 Applicable if an intake credit is being used. Discharge shall be into the same stream segment as the source of the intake water. The intake credit is not authorized if any part of the test water source is from municipal or industrial water sources, groundwater and/or well water or any other waters not from the same water segment as the direct point of discharge. Intake Credits are also not authorized in impaired waters.
- \*5 Total suspended solids of the intake water. The sample for the intake water shall be taken when the volume of the structure/pipeline being tested is approximately fifty (50) percent full.
- \*6 The effluent net value is the discharge concentration less the concentration of the stream intake reported as (\*5). The sample shall be taken within the first thirty (30) minutes of discharge.

## FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

The discharge shall not cause oil, grease, or related residue which produces a visible film or globules of grease on the surface or coat the banks or bottoms of the watercourse; or toxicity to man, aquatic life, or terrestrial life.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

## SAMPLING LOCATION(S)

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge point prior to the receiving stream.

## OTHER REQUIREMENTS

All hydrostatic test water shall be free from any kind of welding scrap or other foreign material before being discharged into the receiving waters.

The discharge shall not contain chemical, physical, or biological substances in concentrations that are irritating to skin or sense organs or are toxic or cause illness upon ingestion by humans.

## B. SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

NONE

### C. MONITORING AND REPORTING (MINOR DISCHARGERS)

1. Monitoring results must be reported to EPA on either the electronic or paper Discharge Monitoring Report (DMR) approved formats. Monitoring results can be submitted electronically in lieu of the paper DMR Form. To submit electronically, access the NetDMR website at [www.epa.gov/netdmr](http://www.epa.gov/netdmr) and contact the [R6NetDMR@epa.gov](mailto:R6NetDMR@epa.gov) in-box for further instructions. Until you are approved for Net DMR, you must report on the Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. No additional copies are needed if reporting electronically, however when submitting paper form EPA No. 3320-1, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and other agencies as required. (See Part III.D.IV of the permit.)

Discharge Monitoring Report Form(s) shall be submitted quarterly. Each quarterly submittal shall include separate forms for each month of the reporting period.

2. Reporting periods shall end on the last day of the months March, June, September, and December.

3. The first Discharge Monitoring Report(s) shall represent facility operations from the effective date of the permit through the last day of the current reporting period.

4. Thereafter, the permittee is required to submit regular quarterly reports as described above and shall submit those reports postmarked no later than the 28<sup>th</sup> day of the month following each reporting period.

5. NO DISCHARGE REPORTING - If there is no discharge from any outfall during the sampling month, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report.

6. If any daily maximum or monthly average value exceeds the effluent limitations specified in Part I. A, the permittee shall report the excursion in accordance with the requirements of Part III. D.

7. Any daily maximum or monthly average value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I. A shall constitute evidence of violation of such effluent limitation and of this permit.

8. All reports shall be sent both to EPA and the Oklahoma Department of Environmental Quality at the addresses shown in Part III of the permit.

## PART II - OTHER CONDITIONS

## A. GENERAL

1. In accordance with 40 CFR 122.62, the permit may be reopened and modified during the life of the permit if relevant portions of Oklahoma Water Quality Standards and/or Implementation of the State WQS via Permitting are revised, new water quality standards are established and/or remanded and any other policy, or if procedures and implementation guidelines are adopted by the State that change applicable water quality standards and permit implementation.
2. In accordance with 40 CFR Part 122.62, the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance.
3. Sanitary waste is not authorized in this permit.
4. The use of any chemicals in the hydrostatic test waters, such as but not limited to, corrosion inhibitors and/or oxygen scavengers is prohibited in this permit. A permit modification is required if the permittee decides to use any chemicals in the hydrostatic test waters.
5. If a new or revised TMDL is determined for any of the receiving streams for the Outfalls listed on the Permit Outfall Table above, the permit may be reopened, and new limitations based on the TMDL may be incorporated into the permit.
6. Unless otherwise specified in this permit, monitoring shall be conducted according to the analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 in effect on the effective date of this permit. Appendices A, B, and C to 40 CFR Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated after the effective date of this permit shall supersede these requirements as applicable.

## B. INTAKE CREDIT PROVISION

When the source of the intake water used for the hydrostatic test is taken from the same State waterbody segment as the outfall of the HTW, an intake credit is authorized to account for in-situ waterbody conditions for TSS. To qualify for this intake credit, for each separate test, the permittee shall be required to sample the intake water prior to hydrostatic testing.

The intake credit is not authorized if any part of the test water source is from municipal or industrial water sources, groundwater and/or well water or any other waters not from the same water segment as the direct point of discharge. The sample for the intake water shall be taken when the volume of the structure/pipeline being tested is approximately fifty (50) percent full. The effluent net value is the discharge concentration less the concentration of the stream intake.

In the event of a "net difference" value equal to or less than zero (0), meaning that the discharge concentration is either equal to or less than the intake water concentration, the permittee shall report a zero (0) on the DMR form. The discharge sample shall be taken within the first thirty (30) minutes of discharge.

TSS intake credit shall not apply to Outfalls 001,002 and 004 because the respective receiving streams for these Outfalls are impaired for turbidity.

**APPENDIX A of PART II**

The following Minimum Quantification Levels (MQL's) are to be used for reporting pollutant data for NPDES permit applications and/or compliance reporting.

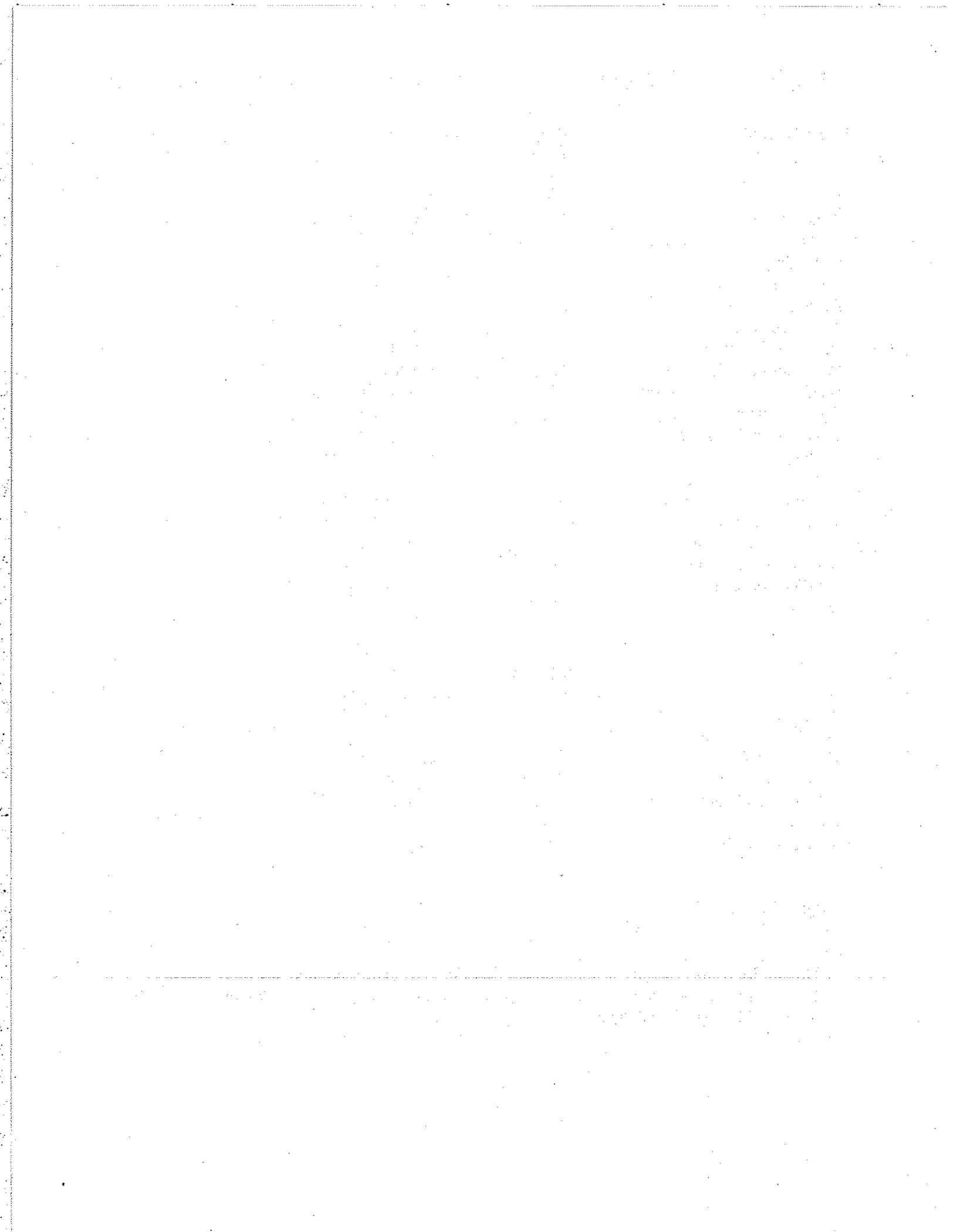
<b>POLLUTANTS</b>	<b>MQL µg/l</b>	<b>POLLUTANTS</b>	<b>MQL µg/l</b>
<b>METALS, RADIOACTIVITY, CYANIDE and CHLORINE</b>			
Aluminum	2.5	Molybdenum	10
Antimony	60	Nickel	0.5
Arsenic	0.5	Selenium	5
Barium	100	Silver	0.5
Beryllium	0.5	Thallium	0.5
Boron	100	Uranium	0.1
Cadmium	1	Vanadium	50
Chromium	10	Zinc	20
Cobalt	50	Cyanide	10
Copper	0.5	Cyanide, weak acid dissociable	10
Lead	0.5	Total Residual Chlorine	33
Mercury *1	0.0005		
	0.005		
<b>DIOXIN</b>			
2,3,7,8-TCDD	0.00001		
<b>VOLATILE COMPOUNDS</b>			
Acrolein	50	1,3-Dichloropropylene	10
Acrylonitrile	20	Ethylbenzene	10
Benzene	10	Methyl Bromide	50
Bromoform	10	Methylene Chloride	20
Carbon Tetrachloride	2	1,1,2,2-Tetrachloroethane	10
Chlorobenzene	10	Tetrachloroethylene	10
Clorodibromomethane	10	Toluene	10
Chloroform	50	1,2-trans-Dichloroethylene	10
Dichlorobromomethane	10	1,1,2-Trichloroethane	10
1,2-Dichloroethane	10	Trichloroethylene	10
1,1-Dichloroethylene	10	Vinyl Chloride	10
1,2-Dichloropropane	10		
<b>ACID COMPOUNDS</b>			
2-Chlorophenol	10	2,4-Dinitrophenol	50
2,4-Dichlorophenol	10	Pentachlorophenol	5
2,4-Dimethylphenol	10	Phenol	10
4,6-Dinitro-o-Cresol	50	2,4,6-Trichlorophenol	10

POLLUTANTS	MQL µg/l	POLLUTANTS	MQL µg/l
<b>BASE/NEUTRAL</b>			
Acenaphthene	10	Dimethyl Phthalate	10
Anthracene	10	Di-n-Butyl Phthalate	10
Benzidine	50	2,4-Dinitrotoluene	10
Benzo(a)anthracene	5	1,2-Diphenylhydrazine	20
Benzo(a)pyrene	5	Fluoranthene	10
3,4-Benzofluoranthene	10	Fluorene	10
Benzo(k)fluoranthene	5	Hexachlorobenzene	5
Bis(2-chloroethyl)Ether	10	Hexachlorobutadiene	10
Bis(2-chloroisopropyl)Ether	10	Hexachlorocyclopentadiene	10
Bis(2-ethylhexyl)Phthalate	10	Hexachloroethane	20
Butyl Benzyl Phthalate	10	Indeno(1,2,3-cd)Pyrene	5
2-Chloronaphthalene	10	Isophorone	10
Chrysene	5	Nitrobenzene	10
Dibenzo(a,h)anthracene	5	n-Nitrosodimethylamine	50
1,2-Dichlorobenzene	10	n-Nitrosodi-n-Propylamine	20
1,3-Dichlorobenzene	10	n-Nitrosodiphenylamine	20
1,4-Dichlorobenzene	10	Pyrene	10
3,3'-Dichlorobenzidine	5	1,2,4-Trichlorobenzene	10
Diethyl Phthalate	10		
<b>PESTICIDES AND PCBS</b>			
Aldrin	0.01	Beta-Endosulfan	0.02
Alpha-BHC	0.05	Endosulfan sulfate	0.02
Beta-BHC	0.05	Endrin	0.02
Gamma-BHC	0.05	Endrin Aldehyde	0.1
Chlordane	0.2	Heptachlor	0.01
4,4'-DDT and derivatives	0.02	Heptachlor Epoxide	0.01
Dieldrin	0.02	PCBs	0.2
Alpha-Endosulfan	0.01	Toxaphene	0.3

(MQL's Revised November 1, 2007)

Footnotes:

\*1 Default MQL for Mercury is 0.005 unless Part I of your permit requires the more sensitive Method 1631 (Oxidation / Purge and Trap / Cold vapor Atomic Fluorescence Spectrometry), then the MQL shall be 0.0005



## PART III - STANDARD CONDITIONS FOR NPDES PERMITS

### A. GENERAL CONDITIONS

#### 1. INTRODUCTION

In accordance with the provisions of 40 CFR Part 122.41, et. seq., this permit incorporates by reference ALL conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as ALL applicable regulations.

#### 2. 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.

#### 3. TOXIC POLLUTANTS

- a. Notwithstanding Part III.A.5, if any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.
- b. The permittee shall 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 established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

#### 4. DUTY TO REAPPLY

If the permittee wishes 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. The application shall be submitted at least 180 days before the expiration date of this permit. The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date. Continuation of expiring permits shall be governed by regulations promulgated at 40 CFR Part 122.6 and any subsequent amendments.

#### 5. PERMIT FLEXIBILITY

This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

#### 6. PROPERTY RIGHTS

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

#### 7. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

#### 8. CRIMINAL AND CIVIL LIABILITY

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.

#### 9. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

#### 10. 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.

11. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

B. PROPER OPERATION AND MAINTENANCE

1. NEED TO HALT OR REDUCE NOT A DEFENSE

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.

2. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

3. PROPER OPERATION AND MAINTENANCE

- a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permittee as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants and will 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 backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.
- b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

4. BYPASS OF TREATMENT FACILITIES

a. BYPASS NOT EXCEEDING LIMITATIONS

The permittee may allow any bypass to occur which 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 Parts III.B.4.b. and 4.c.

b. NOTICE

(1) ANTICIPATED BYPASS

If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) UNANTICIPATED BYPASS

The permittee shall, within 24 hours, submit notice of an unanticipated bypass as required in Part III.D.7.

c. PROHIBITION OF BYPASS

- (1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

- (b) 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 which occurred during normal periods of equipment downtime or preventive maintenance; and,
  - (c) The permittee submitted notices as required by Part III.B.4.b.
- (2) The Director may allow an anticipated bypass after considering its adverse effects, if the Director determines that it will meet the three conditions listed at Part III.B.4.c(1).

#### 5. UPSET CONDITIONS

##### a. 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 requirements of Part III.B.5.b. are met. 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.

##### b. CONDITIONS NECESSARY FOR A DEMONSTRATION OF UPSET

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
- (2) The permitted facility was at the time being properly operated;
- (3) The permittee submitted notice of the upset as required by Part III.D.7; and,
- (4) The permittee complied with any remedial measures required by Part III.B.2.

##### c. BURDEN OF PROOF

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

#### 6. REMOVED SUBSTANCES

Unless otherwise authorized, solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

#### 7. PERCENT REMOVAL (PUBLICLY OWNED TREATMENT WORKS)

For publicly owned treatment works, the 30-day average (or Monthly Average) percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent unless otherwise authorized by the permitting authority in accordance with 40 CFR 133.103.

### C. MONITORING AND RECORDS

#### 1. INSPECTION AND ENTRY

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by the law to:

- a. 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;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

- d. 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.
2. REPRESENTATIVE SAMPLING  
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
3. RETENTION OF RECORDS  
The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director at any time.
4. RECORD CONTENTS  
Records of monitoring information shall include:
- The date, exact place, and time of sampling or measurements;
  - The individual(s) who performed the sampling or measurements;
  - The date(s) and time(s) analyses were performed;
  - The individual(s) who performed the analyses;
  - The analytical techniques or methods used; and
  - The results of such analyses.
5. MONITORING PROCEDURES
- Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.
  - The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
  - An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.
6. FLOW MEASUREMENTS  
Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.
- D. REPORTING REQUIREMENTS
1. PLANNED CHANGES
- INDUSTRIAL PERMITS  
The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
- The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,
  - The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements listed at Part III.D.10.a.
- MUNICIPAL PERMITS

Any change in the facility discharge (including the introduction of any new source or significant discharge or significant changes in the quantity or quality of existing discharges of pollutants) must be reported to the permitting authority. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. ANTICIPATED NONCOMPLIANCE

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. TRANSFERS

This permit is not transferable to any person except after notice to the Director. 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.

4. DISCHARGE MONITORING REPORTS AND OTHER REPORTS

Monitoring results must be reported on Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. The permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA at the address below. Duplicate copies of DMR's and all other reports shall be submitted to the appropriate State agency(ies) at the following address(es):

EPA:

Compliance Assurance and Enforcement Division  
Water Enforcement Branch (6EN-W)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

Oklahoma:

Roshini Nambiar, Env. Program Specialist  
Water Quality Division  
Oklahoma DEQ  
707 N Robinson Ave, P. O. Box 1677  
Oklahoma City, OK-73101-1677

5. ADDITIONAL MONITORING BY THE PERMITTEE

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR Part 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased monitoring frequency shall also be indicated on the DMR.

6. AVERAGING OF MEASUREMENTS

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

7. TWENTY-FOUR HOUR REPORTING

- a. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain the following information:
- (1) A description of the noncompliance and its cause;
  - (2) The period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and,
  - (3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.
- b. The following shall be included as information which must be reported within 24 hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
    - (2) Any upset which exceeds any effluent limitation in the permit; and,
    - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in Part II (industrial permits only) of the permit to be reported within 24 hours.
  - c. The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
8. OTHER NONCOMPLIANCE  
The permittee shall report all instances of noncompliance not reported under Parts III.D.4 and D.7 and Part I.B (for industrial permits only) at the time monitoring reports are submitted. The reports shall contain the information listed at Part III.D.7.
9. OTHER INFORMATION  
Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
10. CHANGES IN DISCHARGES OF TOXIC SUBSTANCES  
All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Director as soon as it knows or has reason to believe:
- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) One hundred micrograms per liter (100 µg/L);
    - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Director.
  - b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
    - (1) Five hundred micrograms per liter (500 µg/L);
    - (2) One milligram per liter (1 mg/L) for antimony;
    - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
    - (4) The level established by the Director.
11. SIGNATORY REQUIREMENTS  
All applications, reports, or information submitted to the Director shall be signed and certified.
- a. ALL PERMIT APPLICATIONS shall be signed as follows:
    - (1) FOR A CORPORATION - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
      - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

- (b) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP - by a general partner or the proprietor, respectively.
- (3) FOR A MUNICIPALITY, STATE, FEDERAL, OR OTHER PUBLIC AGENCY - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
- (a) The chief executive officer of the agency, or
- (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
- b. ALL REPORTS required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described above;
- (2) 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, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
- (3) The written authorization is submitted to the Director.
- c. CERTIFICATION  
Any person signing a document under this section shall make the following certification:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly 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."

## 12. AVAILABILITY OF REPORTS

Except for applications, effluent data, permits, and other data specified in 40 CFR 122.7, any information submitted pursuant to this permit may be claimed as confidential by the submitter. If no claim is made at the time of submission, information may be made available to the public without further notice.

## E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

### 1. CRIMINAL

#### a. NEGLIGENT VIOLATIONS

The Act provides that any person who negligently violates permit conditions implementing Section 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

#### b. KNOWING VIOLATIONS

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

c. KNOWING ENDANGERMENT

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both.

d. FALSE STATEMENTS

The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309.c.4 of the Clean Water Act)

2. CIVIL PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed \$27,500 per day for each violation.

3. ADMINISTRATIVE PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

a. CLASS I PENALTY

Not to exceed \$16,000 per violation nor shall the maximum amount exceed \$37,500.

b. CLASS II PENALTY

Not to exceed \$16,000 per day for each day during which the violation continues nor shall the maximum amount exceed \$177,500.

F. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. ACT means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.
2. ADMINISTRATOR means the Administrator of the U.S. Environmental Protection Agency.
3. APPLICABLE EFFLUENT STANDARDS AND LIMITATIONS means all state and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards or performance, toxic effluent standards and prohibitions, and pretreatment standards.
4. APPLICABLE WATER QUALITY STANDARDS means all water quality standards to which a discharge is subject under the Act.
5. BYPASS means the intentional diversion of waste streams from any portion of a treatment facility.
6. 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 terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling 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 sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected

during that sampling day.

7. DAILY MAXIMUM discharge limitation means the highest allowable "daily discharge" during the calendar month.
8. DIRECTOR means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.
9. ENVIRONMENTAL PROTECTION AGENCY means the U.S. Environmental Protection Agency.
10. GRAB SAMPLE means an individual sample collected in less than 15 minutes.
11. INDUSTRIAL USER means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
12. MONTHLY AVERAGE (also known as DAILY AVERAGE) discharge limitations means the highest allowable average of "daily discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily concentration, F = daily flow, and n = number of daily samples; daily average discharge =
 
$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$
13. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Act.
14. 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.
15. SEWAGE SLUDGE means the solids, residues, and precipitates separated from or created in sewage by the unit processes of a publicly owned treatment works. Sewage as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff that are discharged to or otherwise enter a publicly owned treatment works.
16. TREATMENT WORKS means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof.
17. 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.
18. FOR FECAL COLIFORM BACTERIA, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
19. The term "MGD" shall mean million gallons per day.
20. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).
21. The term "µg/L" shall mean micrograms per liter or parts per billion (ppb).

22. MUNICIPAL TERMS

- a. 7-DAY AVERAGE or WEEKLY AVERAGE, other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during 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. The 7-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- b. 30-DAY AVERAGE or MONTHLY AVERAGE, other than for fecal coliform bacteria, is the arithmetic mean of the daily values for all effluent samples collected during 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. The 30-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.
- c. 24-HOUR COMPOSITE SAMPLE consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample collected at frequent intervals proportional to flow over the 24-hour period.
- d. 12-HOUR COMPOSITE SAMPLE consists of 12 effluent portions collected no closer together than one hour and composited according to flow. The daily sampling intervals shall include the highest flow periods.
- e. 6-HOUR COMPOSITE SAMPLE consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.
- f. 3-HOUR COMPOSITE SAMPLE consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) and composited according to flow.