Permit No.: ID-002285-3

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

AUTHORIZATION TO DISCHARGE AND COMPOST SEWAGE SLUDGE (BIOSOLIDS) 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 "CWA",

City of Coeur d'Alene Wastewater Facility
710 Mullan Avenue
Coeur d'Alene, Idaho 83814

is authorized to discharge from a wastewater treatment facility located in the City of Coeur d'Alene to receiving waters named the Spokane River at latitude 47^{O} 40' 56", longitude 116^{O} 47' 47", in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein, and is authorized to transfer sewage sludge to a compost facility, in accordance with the specific limitations, monitoring requirements, management practices, and other conditions set forth herein.

This permit shall become effective November 2, 1999.

This permit and the authorization to discharge and compost biosolids shall expire at midnight, November 2, 2004.

Signed this 30 day of September 1999.

/s/ Randall F. Smith
Director, Office of Water Region 10
U.S. Environmental Protection Agency

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I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Outfall 001 Effluent Limitations and Monitoring Requirements

1. The permittee is authorized to discharge from outfall 001, subject to the restrictions set forth herein. This permit does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility as disclosed in the permit application, or any pollutants that are not ordinarily present in such waste streams. Effluent limitations are maximum values unless otherwise noted.

Table 1: Limitations and Monitoring Requirements for Outfall 001

Parameter	Effluent Limitations			Monitoring Requirements	
	Average Monthly	Average Weekly	Maximum Daily	Sample Frequency	Sample Type
Carbonaceous Biochemical Oxygen Demand (CBOD)[1]				3/Week	24-hr Composite
mg/l	25	40	---		
lb/day	1,250	2,000	---		
Percent Removal	85[2]	---	---		
Total Suspended Solids (TSS)[1]				3/Week	24-hr Composite
mg/l	30	45	---		
lb/day	1,500	2,250	---		
Percent Removal	85[2]	---	---		
Total Ammonia (as N)[3] July 1 - September 30				2/Week	24-hr Composite
Effluent Flow ≤ 4.2 mgd					
mg/l	10[4]	---	29[4]		
lb/day	350	—	1,000		
Effluent Flow > 4.2 mgd					
mg/l	7.4[4]		21[4]		
lb/day	370		1,100		
Total Ammonia (as N)[3] October 1 - June 30 mg/l, lb/day	---	---	---	Weekly	24-hour Composite
Fecal Coliform, #/100ml[3]				4/Week	Grab
May 1-September 30[5]	50[6]	200[6]	500[4]		
October 1-April 30[7]	—	200[6]	800[4]		

Table 1: Limitations and Monitoring Requirements for Outfall 001					
Parameter	**Effluent Limitations**			**Monitoring Requirements**	
	Average Monthly	Average Weekly	Maximum Daily	Sample Frequency	Sample Type
Total Residual Chlorine[3] July 1 - September 30 Fg/l lb/day	 39[8] 2.0	 --- ---	 102 5.1	3/Day	Grab
Total Residual Chlorine[3], October 1 - June 30 Fg/l lb/day	 150 7.5	 — ---	 390 20	3/Day	Grab
Phosphorus, Percent Removal[1] March 1 - October 31	See Part I.A.2	---	---	3/Week	24-hr Composite
Copper, Total Recoverable[3] July 1 - September 30 Effluent Flow $\leq$ 4.2 mgd Fg/l lb/day Effluent Flow > 4.2 mgd Fg/l lb/day	 20[4] 0.70[4] 18[4] 0.90[4]	 --- --- --- ---	 37[4] 1.3[4] 33[4] 1.7[4]	Monthly	24-hr Composite
Lead, Total Recoverable[3] Fg/L lb/day	 2.5[4] 0.13[4]	 --- ---	 5.8[4] 0.29[4]	Monthly	24-hr Composite
Silver, Total Recoverable[3] July 1 - September 30 Effluent Flow $\leq$ 4.2 mgd Fg/l lb/day Effluent Flow > 4.2 mgd Fg/l lb/day	 1.2[4] 0.042[4] 1.3[4] 0.065[4]	 --- --- --- —	 2.7[4] 0.094[4] 3.0[4] 0.15[4]	Monthly	24-hr Composite

Table 1: Limitations and Monitoring Requirements for Outfall 001

Parameter	Effluent Limitations			Monitoring Requirements	
	Average Monthly	Average Weekly	Maximum Daily	Sample Frequency	Sample Type
Silver, Total Recoverable[3] October 1 - June 30				Monthly	24-hr Composite
Effluent Flow ≤ 4.2 mgd Fg/l lb/day	 1.7[4] 0.060[4]	 --- ---	 3.9[4] 0.14[4]		
Effluent Flow > 4.2 mgd Fg/l lb/day	 1.2[4] 0.060[4]	 --- ---	 2.8[4] 0.14[4]		
Zinc, Total Recoverable[3] Fg/L lb/day	 99[4] 5.0[4]	 --- ---	 150[4] 7.5[4]	Monthly	24-hr Composite
pH, standard units			See Part I.A.3.	Daily	Grab
Cadmium, Total Recoverable, Fg/L	---	---	---	Monthly	24-hr Composite
Flow, mgd	---	---	---	Continuous	Recording
Temperature, EC	---	---	---	3/Week	Grab
Spokane River Flow, cfs	---	---	---	Daily	See Footnote 9
E. coli, #/100 ml	---	---	---	4/Week[10]	Grab

Footnotes:

1 The sample location shall be influent and effluent for these parameters. The permittee shall collect influent and effluent samples over the same 24 hour period.
2 This value represents a minimum percent removal.
3 Reporting is required within 24 hours of a maximum daily limit violation. See Part IV.H.
4 Compliance with this limit shall be achieved no later than two years from the effective date of the permit. See Part I.D.
5 No more than 10% of the effluent samples in any 30-day period may exceed 200/100 ml.
6 Monthly and weekly averages shall be measured as a geometric mean.
7 No more than 10% of the effluent samples in any 30-day period may exceed 400/100 ml.
8 This limitation is not quantifiable using EPA approved analytical methods. If the calculated concentration is less than 100 Fg/l, the permittee will be considered in compliance with this limit. See Part I.B.
9 USGS or Avista Corp. record.
10 Monitoring for E. coli is required only during the 4th year of the permit term.

2. Phosphorus Removal Requirements

   a. During the critical time period each year as specified in paragraph I.A.2.b, the average monthly effluent phosphorus loading (measured as total P) shall not exceed 15 percent of the average monthly influent loading (measured as total P) or 1 mg/l, whichever is greater.

   b. The critical time period for phosphorus removal shall be the same as the period used by other dischargers that remove phosphorus and are covered under the Spokane River Phosphorus Management Plan. This critical period shall be determined by a methodology such as described in Mires and Soltero, 1983, or as amended by the Technical Advisory Committee.

   c. If the critical period is not in effect from March 1 through October 31 in any year, the permittee shall submit written documentation to EPA and the Idaho Division of Environmental Quality (IDEQ) stating that the critical time period is not in effect. Documentation shall be submitted when phosphorus removal is initiated. If phosphorus removal is terminated before October 31, the permittee shall inform EPA and IDEQ in writing of the date that the critical time period ends.

3. The pH range shall be between 6.3 - 9.0 standard units. The permittee shall report the number and duration of excursions during the month with the discharge monitoring report (DMR) for each month.

4. There shall be no discharge of floating, suspended or submerged matter such that it causes a nuisance or objectionable condition or impairs designated beneficial uses.

B. Method Detection Limits. For all monitoring, the permittee shall use methods that can achieve a method detection level (MDL) equal to 0.1 times the effluent limitation or the most sensitive EPA approved method, whichever is greater. If the analytical result for any sample is below the MDL, the permittee shall report “less than {numeric MDL}” on the DMR. For purposes of averaging results, the permittee shall use actual values for all values above the MDL and zero for values below the MDL.

C. Whole Effluent Toxicity Testing

The permittee shall conduct semi-annual chronic toxicity tests on 24-hour composite effluent samples from outfall 001 for five years after the effective

date of the permit. Testing shall be conducted in accordance with subsections 1 through 5, below.

1. Test Species and Methods

   a. The permittee shall conduct short-term tests with the water flea, *Ceriodaphnia dubia* (survival and reproduction test) and the fathead minnow, *Pimephales promelas* (larval survival and growth test) for the first year of testing. After this screening, monitoring shall be conducted using the most sensitive species. The most sensitive species shall be defined as the one with the lowest no observed effect concentration (NOEC).

   b. One test per year shall be conducted during summer (July 1 through September 30) and one test shall be conducted during winter (October 1 through June 30).

   c. Each test shall be a static-renewal test, conducted on three 24-hour composite samples of effluent (collected on days one, three, and five). In addition, a split of the first sample collected for each test shall be analyzed for the chemical and physical parameters required in Part I.A above. When the timing of sample collection coincides with that of the sampling required in Part I.A, analysis of the split sample will fulfill the requirements of Part I.A. as well.

   d. The presence of toxicity shall be estimated as specified in *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Third Edition, EPA/600-4-91-002, July 1994.

   e. Results shall be calculated in chronic toxic units (TU_c), where TU_c=100/NOEC. If in the calculation of an NOEC, two tested concentrations cause statistically significant effects but an intermediate concentration does not, the permittee must either repeat the test or use the lowest concentration to calculate the NOEC.

2. Quality Assurance

   a. The toxicity testing on each organism shall include a series of five test dilutions and a control. The series shall include one dilution equal to the instream waste concentration (IWC), two dilutions above the IWC, and two dilutions below the IWC. The IWC is 10 percent for summer (July 1 through September 30) and 3.4 percent for winter (October 1 through June 30).

b. All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests shall be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Third Edition, EPA/600-4-91-002, July 1994, and individual test protocols.

c. In addition to those quality assurance measures specified in the methodology, the following quality assurance procedures shall be followed:

i) To the extent practicable, control and dilution water should be receiving water. If the dilution water used is different from the culture water, a second control, using culture water shall also be used. For purposes of this paragraph, "receiving water" means water collected from the Spokane River upstream from the permittee's discharge. In no case shall water that has not met test acceptability criteria be used as dilution water.

ii) If organisms are not cultured in-house, concurrent testing with reference toxicants shall also be conducted. Where organisms are cultured in-house, quarterly reference toxicant testing is sufficient. Reference toxicant tests shall be conducted using the same test conditions as the effluent toxicity tests (same test duration, etc).

iii) If either the reference toxicant test or the effluent test do not meet all test acceptablility criteria as specified in the manual, the permittee must re-sample and re-test as soon as possible.

3. Reporting

a. The permittee shall submit the full report for each toxicity test with the September and March DMRs.

b. Toxicity test results shall be reported in TU_c.

c. Test results for chronic tests shall include all relevant information in Section 10, Report Preparation, of *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Third Edition, EPA/600-4-91-002, July 1994.

d. The full report shall consist of:

i) chronic toxicity test results;
ii) dates of sample collection and initiation of each test;
iii) flow rate at the time of sample collection; and
iv) results of the monitoring required in Part I.A. of the permit.

4. Preparation of Initial Investigation TRE Workplan

a. The permittee shall develop and submit to EPA an initial investigation Toxicity Reduction Evaluation (TRE) workplan within 90 days of the effective date of this permit. This plan shall describe the steps the permittee intends to follow if toxicity is detected, and should include, at a minimum:

i) A description of the investigation and evaluation techniques that would be used to identify potential causes/sources of toxicity, effluent variability, and treatment system efficiency.
ii) A description of the facility's methods of maximizing in-house treatment efficiency, good housekeeping practices, and a list of all chemicals used at the facility.
iii) A determination of whether any necessary toxicity identification evaluation (TIE) will it be conducted in-house or sent out to contractors.

5. Accelerated Testing

a. If chronic toxicity is detected at effluent concentrations below the ICW, the permittee shall conduct six more biweekly tests over a twelve-week period. Accelerated testing must be initiated within two weeks of receipt of the test results which indicate an exceedence.

b. If the permittee is able to adequately demonstrate through an evaluation of facility operations that the cause of the exceedence(s) is known and corrective actions have been immediately implemented, or in cases where additional test quality assurance/quality control is necessary, only one additional test is necessary. If toxicity is detected in this test, Part 5.a. shall apply.

c. If chronic toxicity is detected at effluent concentrations below the ICW during accelerated testing, the permittee must initiate a

toxicity reduction evaluation as outlined in paragraph 6, below, within fifteen days of the exceedence.

d. If none of the six tests indicates toxicity, the permittee may return to the normal testing frequency.

5. Toxicity Reduction Evaluation (TRE) and Toxicity Identification Evaluation (TIE).

a. If chronic toxicity occurs at effluent concentrations below the IWC in any of the six biweekly tests, the permittee shall initiate a TRE in accordance with *Toxicity Reduction Evaluation Protocol for Municipal Wastewater Treatment Plants* (EPA/600/2-88/062).

b. The permittee will develop a more detailed TRE workplan as expeditiously as possible. At a minimum, the workplan will include:

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 triggered prior to completion of the accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TIE.

D. Compliance Schedules

1. Ammonia

a. The permittee shall comply with the ammonia concentration limitations in Table 1 no later than 2 years from the effective date of the permit.

b. The permittee shall design and implement an influent/effluent ammonia monitoring program that satisfies the following objectives:

i) evaluate trends in ammonia concentration,
ii) evaluate long-term nitrification needs,
iii) determine an appropriate treatment option, and
iv) determine an appropriate flow-tiered implementation schedule (including milestones) for design, construction, and startup of treatment process modifications.

Within one year of the effective date of this permit, the permittee shall submit a report discussing the results of the monitoring program with respect to the objectives for IDEQ's approval. The report shall also be submitted to EPA.

2. Metals

a. The permittee shall comply with the metals limitations in Table 1 no later than 2 years from the effective date of the permit.

b. Within 3 months of the effective date of the permit, the permittee shall submit for IDEQ's approval a metals monitoring plan that meets the following objectives:

i) determine compliance with the effluent limitations in Table 1,
ii) provide recommendations for development of water effects ratios and/or translators, and
iii) if necessary, provide a schedule (including milestones) for design, construction, and startup of treatment process modifications.

The monitoring plan shall also be submitted to EPA.

3. Fecal Coliform bacteria

a. The permittee shall comply with the maximum daily fecal coliform limitations in Table 1 no later than 2 years from the effective date of the permit.

b. Within 6 months of the effective date of the permit, the permittee shall submit to IDEQ a facility plan addressing disinfection system modifications. The plan shall include a schedule (including milestones) for design, construction, and startup of treatment process modifications. Upon approval by IDEQ, the plan shall be submitted to EPA, no later than one year from the effective date of the permit.

II. PRETREATMENT REQUIREMENTS

A. The permittee shall 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 *City of Coeur d'Alene Industrial Pretreatment Program* (July 31, 1984), any program amendments submitted thereafter and approved by EPA, and the General Pretreatment Regulations (40 CFR 403) and any amendments thereof. At a minimum, the permittee shall undertake the following pretreatment implementation:

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

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

3. 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 shall notify these users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii).

4. 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 shall contain, at a minimum, conditions identified in 40 CFR 403.8(f)(1)(iii). The permittee shall follow the methods described in its implementation procedures for issuance of individual permits.

5. 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 shall retain all records relating to its pretreatment program activities for a minimum of three years and shall make such records available to EPA upon request. The permittee shall also provide public access to information considered effluent data under 40 CFR Part 2.

6. Establish, where necessary, contracts or legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements by non-domestic users within these jurisdictions. These contracts or agreements shall identify the agency responsible for the various implementation and enforcement activities in the contributing jurisdiction. In addition, the permittee may be required to develop a Memorandum of Understanding that outlines the specific roles, responsibilities and pretreatment activities of each jurisdiction.

7. Carry out inspections, surveillance, and monitoring of non-domestic users to determine compliance with applicable pretreatment standards and requirements. A thorough inspection of SIUs shall be conducted at least annually.

8. Require SIUs to conduct wastewater sampling as specified in 40 CFR 403.12(e)(1). Frequency of wastewater sampling for the SIUs shall be commensurate with the character and volume of the wastewater, but shall not be less than twice per year. Sample collection and analysis shall be performed in accordance with 40 CFR 403.12 (b)(5)(ii) through (v) and 40 CFR Part 136. If the permittee elects to conduct all the non-domestic user monitoring for any SIU in lieu of requiring self-monitoring the permittee shall conduct sampling in accordance with the requirements of this paragraph.

9. Enforce and obtain remedies for any industrial user’s non-compliance with applicable pretreatment standards and requirements. This shall include timely and appropriate reviews of industrial reports to identify all violations of the user's permit or the permittee's local ordinance. Once violations have been uncovered, the permittee shall take timely and appropriate action to address the noncompliance. The permittee's enforcement actions shall track its approved enforcement response procedures.

10. Publish, at least annually in the largest daily newspaper in the permittee's service area, a list of all non-domestic users which, at any time in the previous 12 months, were in Significant Non-Compliance as defined in 40 CFR 403.8 (f)(2)(vii).

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

12. Conduct an analysis to determine whether influent pollutant loading are approaching the maximum allowable headworks loading in the permittee’s local limits calculations. Any local limits found to be inadequate by this analysis shall be revised. The permittee may be

required to revise existing local limits or develop new limits if deemed necessary by EPA.

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

C. Whenever, on the basis of information provided to EPA, it is determined that any source contributes pollutants to the permittee's facility in violation of subsection (b), (c), or (d) of Section 307 of the Act, notification shall be provided to the permittee. Failure by the permittee to commence an appropriate enforcement action within 30 days of this notification may result in appropriate enforcement action by the EPA against the source and permittee.

D. If the permittee elects to modify any components of its pretreatment program, it shall 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 EPA.

E. Under no circumstances shall the permittee allow introduction of the following wastes into the waste treatment system:

1. Wastes which will create a fire or explosion hazard in the treatment works;

2. Wastes which will cause corrosive structural damage to the treatment works, but in no case, wastes with a pH lower than 5.0, unless the works is designed to accommodate such wastes;

3. Solid or viscous substances in amounts which cause obstructions to the flow in sewers, or interference with the proper operation of the treatment works;

4. Wastewaters at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;

5. Any pollutant, including oxygen demanding pollutants (BOD_5, etc.) released in a discharge of such volume or strength as to cause interference in the treatment works.

6. Heat in amounts which inhibit biological activity in the treatment works resulting in interference;

7. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

8. Wastes which result in the presences of toxic gases, vapors, or fumes within the treatment works in quantity that may cause acute worker health and safety problems; and

9. Any trucked or hauled pollutants, except at discharge points designated by the treatment works.

F. The permittee shall require any industrial user of its treatment works to comply with any applicable requirements of Sections 204(b), 307, and 308 of the Act, including any requirements established under 40 CFR Part 403.

G. Pretreatment Program Sampling Requirements.

1. The permittee shall sample influent, effluent, and sludge from its facility for the following parameters: percent solids (sludge only) arsenic, cadmium, chromium, copper, cyanide, lead, mercury, nickel, silver, and zinc. Metals must be analyzed and reported as total metals.

2. Sampling shall be conducted twice per year: once during the wet season and once during the dry season, approximately 6 months apart.

3. The permittee shall sample as described in Table 2.

Table 2: Pretreatment Monitoring - Sample Types and Frequency

Wastestream	Sample Type	Frequency
Influent	24-hour Composite	3 days within a week (Mon - Fri)
Effluent	24-hour Composite	3 days within a week (Mon - Fri)
Sludge	Grab	Once, during the same time period that influent and effluent samples are being taken

To the extent that effluent sampling corresponds to sampling required for whole effluent toxicity testing under paragraph I.C.1, those results will satisfy the requirements of this paragraph.

4. Sludge samples shall be taken as the sludge leaves the dewatering device or digesters.

5. Metals concentrations in sludge shall be reported in mg/kg, dry weight.

6. Daily composite samples shall be analyzed and reported separately. Sample results shall be submitted with the pretreatment annual report required in paragraph I., below.

H. Pretreatment Report

1. The permittee shall submit an annual report that describes the permittee's program activities over the previous twelve months. This report shall be submitted to the following address no later than November 1 of each year:

   Pretreatment Coordinator
   U.S. Environmental Protection Agency Region 10
   1200 Sixth Avenue, OW-130
   Seattle, WA 98101

2. The pretreatment report shall be compiled following the *Region 10 Annual Report Guidance*. At a minimum, the report shall include:

   a. An updated non-domestic user inventory, including new businesses appropriately categorized and characterized. The permittee shall also list those facilities that have been dropped from the inventory, along with the reason they are no longer discharging.

   b. Results of wastewater sampling at the treatment plant as specified in Part I.A.

   c. Calculations of removal rates for each pollutant for each day of sampling.

   d. 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.

   e. Status of program implementation, including:

      1) Any planned modifications to the pretreatment program originally approved by EPA, including staffing and funding updates.

2) Any interference, upset, or NPDES permit violations experienced at the facility directly or indirectly attributable to non-domestic users.

3) Listing of non-domestic users inspected and/or monitored during the previous year with a summary of compliance status.

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

5) Listing of non-domestic users whose permits have been issued, reissued, or modified.

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

7) 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.

f. Status of enforcement activities including:

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

a. Summary of the violation(s).

b. Enforcement action taken or planned by the permittee.

c. Present compliance status as of the date of preparation of the pretreatment report.

2) Listing of those users in Significant Non-Compliance and a copy of the newspaper publication of those users names.

EPA may require more frequent reporting on those users who attain a level of Significant Non-Compliance.

III. SLUDGE (BIOSOLIDS) MANAGEMENT REQUIREMENTS

A. Biosolids from the permittee's facility may be transferred to any Class A processing facility for the purpose of composting prior to land application in accordance with all applicable federal and state laws and regulations, including the requirements of 40 CFR 503 Subparts A, B and D and the provisions of this permit.

B. To the extent practicable, the permittee shall ensure that the requirements of 40 CFR 503, Subparts A, B, and D are met when the biosolids are used or disposed. The permittee shall maintain a record of its efforts to comply with this paragraph.

C. The permittee shall handle and dispose of biosolids so the public health and the environment are protected from any reasonably anticipated adverse effects due to any toxic pollutants that may be present.

D. The permittee shall ensure pollutants from biosolids do not reach surface waters of the United States.

E. Sludge may not be transferred to any receiving facility that is not in compliance with the applicable requirements of 40 CFR Part 503 and the provisions of its permit.

F. Sludge from this facility may not be mixed with sewage or other waste water prior to treatment and discharge, or mixed with effluent prior to discharge.

G. The permittee may not receive sludge mixed with sewage from other facilities.

H. The permittee shall provide the receiving facility with any information necessary to comply with 40 CFR 503, subparts A, B, and D.

I. The sludge quality and method of delivery must comply with any restrictions on receipt of biosolids at the receiving facility.

J. Concentrations of pollutants in biosolids transferred to the composting facility shall not exceed the levels in Tables 1 and 3 of 40 CFR 503.13. If the receiving facility has established specific levels of pollutants for sludge as part of a feedstock control plan, these levels may be used instead of the levels in 40 CFR 503.13.

K. The permittee shall collect and analyze biosolids samples as follows:

1. Biosolids shall be analyzed twice per year for the parameters specified in Table 1 of 40 CFR 503.13.

2. The samples shall be representative of the variability in biosolids quality considering location, season, processing, and handling.

3. Sampling protocol shall follow procedures outlined in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,* EPA Publication SW-846, 2nd Edition (1982) with Updates I (April 1984) and II (April 1985) and 3rd Edition (November 1986) with Revision I (December 1987).

4. Analytical protocols shall be in accordance with 40 CFR 503.8.

L. The permittee shall submit a report to EPA by February 19 of each year that includes the following information:

1. Results of any sampling and analysis required under paragraph K, above, including the number of samples collected during the monitoring period, sample collection techniques, analytical methods, and the number of excursions during the monitoring period;

2. Identification of the receiving facility and the company that transfers the biosolids to the receiving facility.

3. A report of any times that the biosolids were stockpiled (no use or disposal), or disposed of in a manner other than that authorized in this permit.

M. The permittee shall maintain all information required under paragraph L. for a period of 5 years. This period may be extended by request of the Director or IDEQ.

N. The permittee shall prepare a contingency plan within 12 months of the effective date of this permit. The contingency plan shall include:

1. An estimate of the maximum duration of any period when the receiving facility may be unavailable for biosolids disposal.

2. Options for biosolid storage or alternate disposal sufficient to cover the maximum estimated duration of any period when the receiving facility may be unavailable. These options must be in accordance with the provisions of 40 CFR Part 503.

3. Any implementation measures necessary for paragraph 2, above shall be fully implemented within 36 months of the effective date of this

permit. The dates of plan completion and implementation shall be reported on the appropriate DMR.

IV. MONITORING, RECORDING, AND REPORTING REQUIREMENTS

A. Quality Assurance Plan

1. The permittee shall develop a Quality Assurance Plan (QAP) for all monitoring requirements identified in the permit. The plan shall be implemented within 120 days of the effective date of the permit.

2. At a minimum, the plan shall include the following:

   a. Protocols for sampling techniques (field blanks, replicates, duplicates, control samples, etc.),
   b. Sample preservation methods,
   c. Sample shipment procedures,
   d. Instrument calibration procedures and preventive maintenance (frequency, standard, spare parts),
   e. Qualification and training of personnel, and
   f. Analytical test methods that achieve the method detection limits in Section II.B including quality control checks, quantification/detection levels.

3. Throughout all sample collection and analysis activities, the permittee shall use the EPA approved quality assurance, quality control, and chain-of-custody procedures described in: *Requirements for Quality Assurance Project Plans*, EPA QA/R-5 and Guidance on *Quality Assurance Project Plans*, EPA QA/G-5.

4. The permittee shall 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 shall be kept on site and made available to EPA and/or IDEQ upon request.

B. Representative Sampling. The permittee shall collect all effluent samples from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall 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 shall collect additional samples whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The permittee shall analyze the

additional samples for those parameters limited in Part I.A. of this permit that are likely to be affected by the discharge.

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

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.

D. Reporting of Monitoring Results. Monitoring results shall be summarized each month on the DMR form (EPA No. 3320-1). The reports shall be submitted monthly and are to be postmarked by the 10th day of the following month. Legible copies of these, and all other reports, shall be signed and certified in accordance with the requirements of Part VI.E. (Signatory Requirements) and submitted to the Director, Office of Water and the State agency at the following addresses:

original to: United States Environmental Protection Agency Region 10
1200 Sixth Avenue, OW-133
Seattle, Washington 98101

copy to: Idaho Division of Environmental Quality
2110 Ironwood Pkwy
Coeur d'Alene, Idaho 83814

E. 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 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 DMR. Such increased frequency shall also be indicated and an explanation of why such additional monitoring was performed.

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

F. Records Contents. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;

2. The individual(s) who performed the sampling or measurements;

3. The date(s) analyses were performed;

4. The individual(s) who performed the analyses;

5. The analytical techniques or methods used; and

6. The results of such analyses.

G. Retention of Records. Except as specified in paragraph III.I., the permittee shall retain records of all monitoring information, including but not limited to all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Director or IDEQ at any time. A copy of this NPDES permit must be maintained on-site for the duration of activity at the permitted location.

H. Twenty-four Hour Notice of Noncompliance Reporting.

1. The following occurrences of noncompliance shall be reported by telephone within 24 hours from the time the permittee becomes aware of the circumstances:

   a. Any unanticipated bypass which exceeds any effluent limitation in the permit (See Part V.G, Bypass of Treatment Facilities);

   b. Any upset which exceeds any effluent limitation in the permit (See Part V.H, Upset Conditions); or

   c. Any violation of a maximum daily discharge limitation for any of the pollutants in Table 1 of Section I.A of the permit requiring 24-hour reporting.

2. The following shall be reported by telephone by the first workday (8:00am - 4:30pm PST) following the day the permittee became aware of the circumstances:

   a. Violation of any limits of 40 CFR 503.13, Table 1 (maximum individual sample) or Table 3 (monthly average);

   b. Receipt of a written request from any appropriate authority to the permittee or the receiving facility to suspend or cease any activity associated with sludge management. For purposes of this paragraph, “appropriate authority” includes any federal, state, or local agency with regulatory authority over sludge management at either the permittee’s facility or the receiving facility.

3. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall 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 reoccurrence of the noncompliance.

4. The Director 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 Unit in Seattle, Washington, by phone, (206) 553-1846.

5. Reports shall be submitted to the addresses in Part IV.D (Reporting of Monitoring Results).

I. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for Part IV.H (Reporting of Monitoring Results) are submitted. The report shall contain the information listed in Part IV.H.4 (Twenty-four Hour Notice of Noncompliance Reporting).

J. Notice of New Introduction of Pollutants. The permittee shall provide adequate notice to the Director, Office of Water of:

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

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

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

    a. The quality and quantity of effluent to be introduced into such treatment works; and

b. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from such publicly owned treatment works.

V. COMPLIANCE RESPONSIBILITIES

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

B. Penalties for Violations of Permit Conditions. Except as provided in permit conditions in Part V.G (Bypass of Treatment Facilities) and Part V.H (Upset Conditions), nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

1. Civil and Administrative Penalties. Any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall be subject to a civil or administrative penalty, not to exceed the maximum amounts authorized by Sections 309(d) and 309(g) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note).

2. Criminal Penalties:

a. Negligent Violations. Any person who negligently violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(1) of the CWA.

b. Knowing Violations. Any person who knowingly violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(2) of the CWA.

c. Knowing Endangerment. Any person who knowingly violates a permit condition implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the CWA, 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

and/or imprisonment as specified in Section 309(c)(3) of the CWA.

d. False Statements. 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 this CWA or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this CWA, shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(4) of the CWA.

C. Need to Halt or Reduce Activity 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.

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

E. Operation and Maintenance.

1. 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 the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance (O & M) 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 a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Within 180 days of the effective date of the permit, the permittee shall review its operation and maintenance plan and ensure that it includes appropriate best management practices (BMPs). The O&M plan shall include measures which prevent or minimize the potential for the release of pollutants to the Spokane River. The Plan shall be retained on site and made available to EPA and IDEQ upon request.

3. The permittee shall develop a description of pollution prevention measures and controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in the O & M Plan shall reflect identified potential sources of pollutants at the facility.

The description of BMPs shall address, to the extent practicable, the following minimum components:

a. Spill prevention and control;

b. Optimization of chlorine and other chemical use;

c. Research, development and implemention of a public information and education program to control the introduction of household hazardous materials to the sewer system; and

d. Water conservation.

4. The design criterion for the permitted facility is an annual average flow of 6.0 mgd. Each month, the permittee shall compute an annual average value for flow entering the facility based on the previous twelve months data. If the average annual value exceeds 85% of the design criterion value, the permittee shall develop a facility plan and schedule within one year from the date of the first exceedence. The plan must include the permittees' strategy for continuing to maintain compliance with effluent limits and will be made available to the Director or authorized representative upon request.

F. Removed Substances. Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

G. Bypass of Treatment Facilities.

1. 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 paragraphs 2 and 3 of this section.

2. Notice.

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

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required under Part IV.H (Twenty-four Hour Notice of Noncompliance Reporting).

3. Prohibition of bypass.

   a. Bypass is prohibited and the Director may take enforcement action against a 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 which occurred during normal periods of equipment downtime or preventive maintenance; and

      iii) The permittee submitted notices as required under paragraph 2 of this section.

   b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determine that it will meet the three conditions listed above in paragraph 3.a. of this section.

H. 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 requirements of paragraph 2 of this section 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.

2. 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:

   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 IV.H ("Twenty-four Hour Notice of Noncompliance Reporting"); and

d. The permittee complied with any remedial measures required under Part V.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.

I. Toxic Pollutants. 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 establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

J. Planned Changes. 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:

1. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged (This notification applies to pollutants which are not subject to effluent limitations in the permit or notification requirements under 122.42(a)(1)); or

2. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to the land application plan approved in this permit.

K. 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.

VI. GENERAL PROVISIONS

A. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

B. 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 must be submitted at least 180 days

before the expiration date of this permit unless the Administrator grants permission to submit the application at a later date.

C. 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.

D. Other Information. When 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 any report to the Director, it shall promptly submit such facts or information.

E. Signatory Requirements. All applications, reports or information submitted to the Director shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer or ranking elected official.

2. 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:

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

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

3. Changes to authorization. If an authorization under paragraph VI.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 paragraph VI.E.2. must be submitted to the Director 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 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."

F. Availability of Reports. Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Director. As required by the CWA, permit applications, permits and effluent data shall not be considered confidential.

G. Inspection and Entry. The permittee shall allow the Director 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 CWA, any substances or parameters at any location.

H. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA.

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

J. 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.

K. Transfers. This permit may be automatically transferred to a new permittee if:

1. The current permittee notifies the Director at least 30 days in advance of the proposed transfer date;

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph 2 above.

L. 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 Clean Water Act.

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

VII. DEFINITIONS

1. “Administrator” means the Administrator of the EPA, or an authorized representative.

2. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month. For pollutants other than fecal coliform bacteria, the average monthly discharge shall be calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. For fecal coliform bacteria, the average monthly discharge shall be calculated as a geometric mean.

3. "Average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week. For pollutant other than fecal coliform bacteria, the average weekly discharge shall be calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. For fecal coliform bacteria, the average weekly discharge shall be calculated as a geometric mean.

4. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

5. “Chronic toxic unit” (“TU_c”) is a measure of chronic toxicity. The number of chronic toxic units in the effluent is calculated as 100/NOEC, where the NOEC is measured in percent effluent.

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 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.

7. “Director” means the Director of the Office of Water, EPA, or an authorized representative.

8. “DMR” means discharge monitoring report.

9. “EPA” means the United States Environmental Protection Agency.

10. "Grab" sample is a single sample or measurement taken at a specific time or over as short a period of time as is feasible.

11. "Maximum daily discharge limitation" means the highest allowable "daily discharge."

12. “Method Detection Limit (MDL)” means the minimum concentration of an analyte that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero as determined by a specific laboratory method.

13. “Minimum Level (ML)” means the concentration at which the entire analytical system gives recognizable signals and an acceptable calibration point.

14. “No observed effect concentration (NOEC)” is the highest tested concentration of an effluent at adverse effects are observed on the test organisms at the specific time of observation.

15. “Regional Administrator” means the EPA Region 10 Regional Administrator, or an authorized representative.

16. "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.

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. “Waste stream” means any non-de minimus stream of pollutants within the permittee's facility that enters any permitted outfall or navigable waters. This includes spills and other unintentional, non-routine or unanticipated discharges.

19. A "24-hour composite" sample shall mean a flow-proportioned mixture of not less than 8 discrete aliquots. Each aliquot shall be a grab sample of not less than 100 ml and shall be collected and stored in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.