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

Authorization to Discharge Under the National Pollutant Discharge Elimination System

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

City of Sandpoint
Wastewater Treatment Plant
723 South Ella Ave
Sandpoint, ID 83864

is authorized to discharge from the wastewater treatment plant located in Sandpoint, Idaho, at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	Pend Oreille River	48° 15' 40.5"	116° 33' 31"

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

This permit shall become effective December 1, 2017

This permit and the authorization to discharge shall expire at midnight, November 30, 2022.

The permittee shall reapply for a permit reissuance on or before June 3, 2022 if the permittee intends to continue operations and discharges at the facility beyond the term of this permit.

Signed this 5th day of September 2017.

/s/
Michael J. Lidgard, Acting Director
Office of Water and Watersheds

Effluent limitations for total phosphorus were withdrawn on January 9, 2018. Effluent limitations for total phosphorus shall become effective August 1, 2018.

Signed this 8th day of June 2018.

Daniel D. Opalski, Director
Office of Water and Watersheds

Schedule of Submissions

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

Item	Due Date
1. Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be submitted on or before the 20th day of the month following the monitoring month (see III.B).
2. Quality Assurance Plan (QAP)	The permittee must provide EPA and IDEQ with written notification that the Plan has been developed and implemented by May 31, 2018 (see II.C). The Plan must be kept on site and made available to EPA and IDEQ upon request.
3. Operation and Maintenance (O&M) Plan	The permittee must provide EPA and IDEQ with written notification that the Plan has been developed and implemented by May 31, 2018 (see II.B). The Plan must be kept on site and made available to EPA and IDEQ upon request.
4. NPDES Application Renewal	The application must be submitted by June 3, 2022 (see V.B).
5. Surface Water Monitoring Report	The permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to EPA and IDEQ by January 31st of the following year (see I.D).
6. Twenty-Four Hour Notice of Noncompliance Reporting	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances. (See III.G. and I.B.2.)
7. Local Limits Evaluation	By November 30, 2018, the permittee must submit to EPA a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1). (See II.A.5.)
8. Annual Pretreatment Report	The Report must be submitted to the pretreatment coordinator no later than October 1st of each calendar year. (See II.A.9.)
9. Emergency Response and Public Notification Plan	The permittee must develop and implement an overflow emergency response and public notification plan. The permittee must submit written notice to EPA and IDEQ that the plan has been developed and implemented by May 31, 2018 (see II.E).
10. Mercury Minimization Plan	Written notice must be submitted to the EPA and the IDEQ that the plan has been developed and implemented by May 31, 2018 (see I.E.1).
11. Methylmercury Fish Tissue Monitoring Plan	The permittee must develop and submit a Methylmercury Fish Tissue Monitoring Plan to the Director of the Office of Water and Watersheds and the IDEQ for review and approval by November 30, 2018. (See I.E.2).

Table of Contents

I. Limitations and Monitoring Requirements

A. Discharge Authorization

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

B. Effluent Limitations and Monitoring

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

Table 1: Effluent Limitations and Monitoring Requirements

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Sample Location	Sample Frequency	Sample Type
Flow	mgd	Report	—	Report	Effluent	continuous	recording
Temperature	°C	See Notes 10 and 11.			Effluent	continuous	recording
Biochemical Oxygen Demand (BOD_5)	mg/L	30	45	—	Influent and Effluent	3/week	24-hr. comp.
	lb/day	1251	1877	—			calculation
	% removal	85% (minimum)	—	—	% removal	1/month	calculation
Total Suspended Solids (TSS)	mg/L	30	45	—	Influent and Effluent	3/week	24-hr. comp.
	lb/day	1251	1877	—			calculation
	% removal	85% (minimum)	—	—	% removal	1/month	calculation
pH	s.u.	6.5 – 9.0 at all times			Effluent	daily	grab
E. Coli Bacteria[1,2]	#/100 ml	126 (geometric mean)	—	406 (instantaneous max.)	Effluent	10/month	grab
Total Residual Chlorine[2]	mg/L	0.348	—	0.912	Effluent	daily	grab
	lb/day	14.5	—	38.0			calculation
Mercury, Total[2,4]	µg/L	0.56	—	1.1	Effluent	1/month	24-hr. comp.
	lb/day	0.014	—	0.028			calculation
	µg/L	Report	—	Report	Influent	2/year[3]	24-hr. comp.
Phosphorus, Total as P June – September (Interim)	µg/L	Report	Report	—	Effluent	2/week	24-hr. comp.
	lb/day	96	125	—			calculation
Phosphorus, Total as P June – September[9] (Final)	µg/L	Report	Report	—	Effluent	2/week	24-hr. comp.
	lb/day	61	79	—			calculation
Phosphorus, Total as P October – May	µg/L	Report	Report	—	Effluent	2/week	24-hr. comp.
	lb/day	96	125	—			calculation
Ammonia, Total as N	mg/L	Report	—	Report	Effluent	1/month	24-hr. comp.
Nitrate + Nitrite	mg/L	Report	—	Report	Effluent	1/quarter[5]	24-hr. comp.
Total Kjeldahl Nitrogen	mg/L	Report	—	Report	Effluent	1/quarter[5]	24-hr. comp.
Soluble Reactive Phosphorus as P	mg/L	Report	—	Report	Effluent	1/month	24-hr. comp.

Effluent limitations for total phosphorus shall become effective August 1, 2018.

Table 1: Effluent Limitations and Monitoring Requirements

Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Sample Location	Sample Frequency	Sample Type
Arsenic	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Cadmium, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Chromium, Total	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Chromium VI, Dissolved	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Conductivity	µmhos/cm	Report	—	Report	Effluent	1/month[8]	24-hr. comp.
Copper, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Cyanide, weak acid dissociable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	See I.B.10.
Dissolved organic carbon	mg/L	Report	—	Report	Effluent	1/month[8]	24-hr. comp.
Hardness, total	mg/L as $CaCO_3$	Report	—	Report	Effluent	1/month[8]	24-hr. comp.
Lead, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Nickel, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Silver, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Zinc, Total Recoverable	µg/L	Report	—	Report	Influent & effluent	2/year[3]	24-hr. comp.
Polychlorinated Biphenyl (PCB) Congeners[6]	pg/L	Report	—	Report	Influent & effluent	2/year	24-hr. comp.
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)[7]	pg/L	Report	—	Report	Influent & effluent	2/year	24-hr. comp.
Whole Effluent Toxicity, Chronic	TU_c	See I.C.			Effluent	See I.C.	24-hr. comp.
NPDES Application Form 2A Expanded Effluent Testing	—	See I.B.9.			Effluent	3x/5 years	—

Effluent limitations for total phosphorus shall become effective August 1, 2018.

Table 1: Effluent Limitations and Monitoring Requirements							
Parameter	Units	Effluent Limitations			Monitoring Requirements		
		Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Sample Location	Sample Frequency	Sample Type
1. The average monthly E. Coli bacteria counts must not exceed a geometric mean of 126/100 ml based on samples taken every 3-7 days within a calendar month. See Part VI for a definition of geometric mean. 2. Reporting is required within 24 hours of a maximum daily limit or instantaneous maximum limit violation. See Parts I.B.2. and III.G. 3. See I.B.11. 4. The permittee must use an analytical method that can achieve a maximum ML less than or equal to that specified in Appendix A: Minimum Levels. 5. Quarters are defined as January – March, April – June, July – September, and October – December. 6. See I.B.12. 7. See I.B.13. 8. Samples for dissolved organic carbon, pH, hardness, and conductivity must be collected on the same day. 9. These effluent limits are subject to a compliance schedule. See II.F. 10. Temperature data must be recorded using micro-recording temperature devices known as thermistors. Set the recording device to record at one-hour intervals. Report the following temperature monitoring data on the DMR: monthly instantaneous maximum, maximum daily average, seven-day running average of the daily instantaneous maximum. 11. Use the temperature device manufacturer's software to generate (export) an Excel text or electronic ASCII text file. The file must be submitted annually to IDEQ by January 31 for the previous monitoring year along with the placement log. The placement logs should include the following information for both thermistor deployment and retrieval: date, time, temperature device manufacturer ID, location, depth, whether it measured air or water temperature, and any other details that may explain data anomalies.							

2. The permittee must report within 24 hours any violation of the maximum daily limits or instantaneous maximum limits for the following pollutants: E. coli, total residual chlorine, and mercury. Violations of all other effluent limits are to be reported at the time that discharge monitoring reports are submitted (See III.B. and III.H.).

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

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

5. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.

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

   a) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in *Table 1 Effluent Limitations and Monitoring Requirements*.

   b) Parameters that do not have effluent limitations.

Effluent limitations for total phosphorus shall become effective August 1, 2018.

(i) The permittee must use a method that detects and quantifies the level of the pollutant, or

(ii) The permittee must use a method that can achieve a maximum ML less than or equal to those specified in *Appendix A. Minimum Levels.*

c) For parameters that do not have an effluent limit, the permittee may request different MLs. The request must be in writing and must be approved by EPA.

d) See also Part III.D *Monitoring Procedures.*

7. For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the permittee must report "less than {numeric value of the MDL}" and if a value is less than the ML, the permittee must report "less than {numeric value of the ML}."

8. For purposes of calculating monthly and weekly averages, except for E. coli, zero may be assigned for values less than the MDL, and the {numeric value of the MDL} may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the permittee must report "less than {numeric value of the MDL}" and if the average value is less than the ML, the permittee must report "less than {numeric value of the ML}." If a value is equal to or greater than the ML, the permittee must report and use the actual value.

9. The permittee must perform the effluent testing required by Part D of NPDES application Form 2A (EPA Form 3510-2A, revised 1-99). The permittee must submit the results of this testing with its application for renewal of this NPDES permit. To the extent that effluent monitoring required by other conditions of this permit satisfies this requirement, these samples may be used to satisfy the requirements of this paragraph.

10. Influent and effluent sampling for cyanide must be conducted as follows. Eight discrete grab samples must be collected over a 24-hour period. Each grab sample must be at least 100 ml. Prior to compositing, any interferences must be removed or suppressed and the individual grab samples must be preserved as specified in Table II of 40 CFR 136.3. The grab samples can then be composited into a larger container to allow for one analysis for the day. The composited sample must also be preserved as specified in Table II of 40 CFR 136.3.

11. Sampling frequency for metals, selenium and cyanide:

a) For arsenic, cadmium, chromium, copper, cyanide, lead, nickel, selenium, silver and zinc, influent and effluent sampling must be conducted twice per year, once during the month of May and once during the month of November. For mercury, influent sampling must be conducted twice per year, once during the month of May and once during the month of November, and effluent sampling must be conducted as specified in Table 1. For each twice-per-year sampling event, the permittee must collect three 24-hour composite samples within a calendar week. The permittee must report the results of sampling for these parameters on the DMRs for the months when sampling is performed and in the pretreatment annual report required by Part II.A.9 of this permit.

b) Sludge: Sludge sampling must be conducted as described in Table 4 in Part II.A of this permit.

12. The permittee must use EPA Method 1668 Revision C (1668C) for analysis of PCB congeners. The permittee must target MDLs no greater than the MDLs listed in Table 2 of EPA Method 1668C (EPA-820-R-10-005) and must analyze for each of the 209 individual congeners. The permittee must report the results on the DMR for the last month of the monitoring period as total PCBs. The total PCB concentration must be calculated as the sum of the concentrations of all PCB congeners measured at concentrations greater than three times the concentration in the associated blank. The permittee must analyze a split of each influent and effluent PCB sample for total suspended solids (TSS). When the timing of sample collection coincides with that of the TSS sampling required in Table 1, analysis of the split sample will fulfill the TSS monitoring requirements of Table 1 as well. The permittee must submit the laboratory results of the PCB congener and TSS analyses as attachments to the DMRs.

13. The permittee must analyze influent and effluent samples for 2,3,7,8 TCDD and report the results as specified below.

    a) For analysis of influent and effluent samples for 2,3,7,8 TCDD, the permittee must use EPA Method 1613B and must target an ML no greater than 10 picograms per liter.

    b) The permittee must analyze a split of each influent and effluent 2,3,7,8 TCDD sample for TSS. When the timing of sample collection coincides with that of the TSS sampling required in Table 1, analysis of the split sample will fulfill the requirements of Table 1 as well.

    c) The permittee may discontinue influent and effluent sampling for 2,3,7,8 TCDD after the first three samples if no quantifiable 2,3,7,8 TCDD is measured in the influent or effluent in the first three samples. 2,3,7,8 TCDD is considered less than quantifiable if the concentration is less than the minimum level.

C. Whole Effluent Toxicity Testing Requirements

The permittee must conduct chronic toxicity tests on effluent samples from outfall 001. Testing must be conducted in accordance with subsections 1 through 7, below.

1. Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters required in Part I.B, above, with a required sampling frequency of once per quarter or more frequently, using the sample type required in Part I.B. For parameters for which grab samples are required in Part I.B, grab samples must be taken during the same 24-hour period as the 24-hour composite sample used for the toxicity tests. When the timing of sample collection coincides with that of the sampling required in Part I.B, analysis of the split sample will fulfill the requirements of Part I.B as well.

2. Chronic Test Species and Methods

a) For Outfall 001, chronic WET testing must be conducted annually while the permit remains in effect. WET testing must begin during the 1st quarter of the first full calendar year (January 1 – December 31) after the effective date of the permit. To account for any seasonal variability in effluent quality, annual testing shall be conducted on a rotating quarterly schedule, so that each annual test is conducted during a different quarter than the previous year's test. After four years of testing (one test per year, each during a different quarter), the cycle is repeated. For the purposes of WET testing, the annual testing schedule is defined as follows:

(i) First full calendar year: 1st Quarter (January 1—March 31);

(ii) Second calendar year: 2nd Quarter (April 1—June 30);

(iii) Third calendar year: 3rd Quarter (July 1—September 30);

(iv) Fourth calendar year: 4th Quarter (October 1—December 31)

(v) Fifth calendar year, and thereafter: repeat rotating quarterly schedule, starting with monitoring during 1st Quarter.

b) The permittee must conduct the following two chronic toxicity tests on each sample, using the species and protocols in Table 2:

Table 2: Toxicity Test Species and Protocols

Freshwater Acute Toxicity Tests	Species	Method
Fathead minnow larval survival and growth test (method 1000.0)	*Pimephales promelas*	EPA-821-R-02-013
Daphnid survival and reproduction test (method 1002.0)	*Ceriodaphnia dubia*	EPA-821-R-02-013

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

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

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

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

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

(iv) NOEC means "no observed effect concentration." The NOEC is the highest concentration of toxicant, expressed in percent effluent, to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable

adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

3. Quality Assurance

   a) The toxicity testing on each organism must include a series of six test dilutions and a control. The dilution series must include 100%, 50%, 25%, 12.5%, 6.25%, and 1% effluent.

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

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

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

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

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

4. Reporting

   a) The permittee must submit the results of the toxicity testing with the December DMR. All WET test results must be resubmitted with the next permit application.

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

for parameters with a required monitoring frequency of once per quarter or more frequently.

5. Preparation of initial investigation toxicity reduction evaluation (TRE) workplan: Prior to initiation of the toxicity testing required by this permit, the permittee must submit to EPA a copy of the permittee's initial investigation TRE workplan. This plan shall describe the steps the permittee intends to follow in the event that chronic toxicity is detected above 100 TU_c, and must include at a minimum:

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

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

   c) If a toxicity identification evaluation (TIE) is necessary, who will conduct it (i.e., in-house or other).

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

      US EPA Region 10
      Attn: NPDES WET Coordinator
      1200 Sixth Avenue
      Suite 900 OWW-191
      Seattle, WA 98101-3140

6. Accelerated testing: If chronic toxicity is detected above 100 TU_c, the permittee must comply with the following:

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

   b) The permittee must conduct six more bi-weekly (every two weeks) chronic toxicity tests, over a 12-week period. This accelerated testing shall be initiated within 10 calendar days of receipt of the test results indicating the initial exceedance.

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

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

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

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

d) If implementation of the initial investigation workplan clearly identifies the source of toxicity to the satisfaction of EPA (e.g., a temporary plant upset), and none of the six accelerated chronic toxicity tests required under Part I.C.6.b are above 100 TUc, the permittee may return to the regular chronic toxicity testing cycle specified in Part I.C.2.a.

7. Toxicity Reduction Evaluation (TRE)

a) If implementation of the initial investigation workplan does not clearly identify the source of toxicity to the satisfaction of EPA, or any of the six accelerated chronic toxicity tests indicate toxicity above 100 TUc, then the permittee must begin implementation of the toxicity reduction evaluation (TRE) requirements below. Implementation of the TRE requirements shall begin within 10 calendar days of receipt of the accelerated chronic toxicity testing results demonstrating the exceedance.

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

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

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

(iii) A schedule for these actions.

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

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

D. Surface Water Monitoring

The permittee must conduct surface water monitoring. The program must meet the following requirements:

1. A monitoring station must be established in the Pend Oreille River upstream of the City of Sandpoint outfall.
2. The permittee must seek approval of the surface water monitoring station from IDEQ.
3. A failure to obtain IDEQ approval of surface water monitoring station does not relieve the permittee of the surface water monitoring requirements of this permit.
4. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.
5. Mercury must be analyzed as total recoverable.

6. Samples must be analyzed for the parameters listed in Table 3.
7. Quality assurance/quality control plans for all the monitoring must be documented in the Quality Assurance Plan required under Part II.B., "Quality Assurance Plan".
8. Submission of SW Monitoring
   a) Surface water monitoring results must be reported on DMRs. Results for parameters monitored quarterly must be reported on the DMRs for the last month of each quarter. Results for PCBs must be reported on the June and December DMRs.
   b) The permittee must submit all surface water monitoring results for the previous calendar year for all parameters in an annual report to EPA and IDEQ by January 31st of the following year and with the application (see Part V.B of this permit, *Duty to Reapply*). The file must be in the format of one analytical result per row and include the following information: name and contact information of laboratory, sample identification number, sample location in latitude and longitude (decimal degrees format), or other real-world coordinate system (e.g., State Plane), method of location determination (i.e., GPS, survey etc.), date and time of sample collection, water quality parameter (or characteristic being measured), analysis result, result units, detection limit and definition (i.e., MDL etc.), analytical method, date completed, and any applicable notes.
9. For all surface water monitoring, the permittee must use sufficiently sensitive analytical methods which meet the following:
   a) The method must detect and quantify the level of the pollutant, or
   b) The permittee must use a method that can achieve MLs less than or equal to those specified in *Appendix A: Minimum Levels*. The permittee may request different MLs. The request must be in writing and must be approved by EPA.
10. Surface water monitoring for PCBs must be conducted twice per year. The first sample must be taken no later than June 30, 2018. The permittee may discontinue receiving water sampling for PCB congeners after the first year if no quantifiable PCB congeners are measured during the first year. PCB congeners are considered less than quantifiable if:
    a) The concentrations of all PCB congeners are less than the minimum level, or
    b) Both of the following conditions are true:
       (i) The concentrations of all detected PCB congeners are less than three times the associated blank concentrations, and
       (ii) The concentration of total PCBs in the associated blank is less than 300 pg/L.
11. Sample frequency for total mercury, conductivity, dissolved copper, dissolved organic carbon, dissolved lead, total ammonia as N, temperature, pH, and total hardness:

a) River samples for the above parameters must be collected at least quarterly during calendar years 2019, 2020, and 2021. Quarters are defined as January – March, April – June, July – September, and October – December.

b) River sampling for total mercury, conductivity, dissolved copper, dissolved organic carbon, dissolved lead, total ammonia as N, temperature, pH, and total hardness may be discontinued after collecting at least 12 samples spaced at least 1 month apart.

Table 3: Receiving Water Monitoring Requirements

Parameter and Units	Locations	Sample Frequency	Sample Type
Total Mercury (ng/L)[3]	Upstream[3]	See notes 1 and 3	See note 8
Methylmercury in Fish Tissue (mg/kg)	See I.E.2.		
Conductivity (µmhos/cm)	Upstream	See notes 1 and 4	See note 7
Dissolved Copper (µg/L)	Upstream	See notes 1 and 4	See note 6
Dissolved Organic Carbon (mg/L)	Upstream	See notes 1 and 4	See note 6
Dissolved Lead (µg/L)	Upstream	See note 1	See note 6
Total Ammonia as N (µg/L)	Upstream	See note 1	See note 6
Temperature (°C)	Upstream	See note 1	See note 7
pH (s.u.)	Upstream	See notes 1 and 4	See note 7
Total Hardness (mg/L as $CaCO_3$)	Upstream	See notes 1 and 4	See note 6
PCB Congeners[2]	Upstream	2/year[5]	See note 8

Notes:
1. See I.D.11.
2. The permittee must use EPA Method 1668C for analysis of receiving water samples for PCBs, must target MDLs no greater than the MDLs listed in Table 2 of EPA Method 1668C (EPA-820-R-10-005), and must analyze for each of the 209 individual congeners.
3. See also Part I.E.2.d.
4. Samples for dissolved organic carbon, pH, hardness, conductivity and copper must be collected on the same day.
5. See Part I.D.10.
6. The permittee must analyze a discharge-weighted composite of at least four samples taken across the width of the river. Increments must be chosen using the equal discharge increment method described in Section 4.1.3 of the USGS *National Field Manual for the Collection of Water Quality Data*. Samples need not be isokinetic. If the permittee demonstrates and documents that the cross-section is well-mixed, one sample may be taken at the centroid of flow. Only one analysis is required.
7. A minimum of four in-situ measurements must be taken across the width of the river. Increments must be chosen using the equal discharge increment method described in Section 4.1.3 of the USGS *National Field Manual for the Collection of Water Quality Data*. If the permittee demonstrates and documents that the cross-section is well-mixed, one in-situ measurement may be taken at the centroid of flow. In-situ measurements must be taken consistent with the procedures in Section 3.3.4 of the Idaho Department of Environmental Quality's *Beneficial Use Reconnaissance Program Field Manual for Streams*.
8. At least one grab sample must be taken at the centroid of flow. Samples need not be isokinetic or depth-integrated.

E. Methylmercury Requirements

1. Mercury Minimization Plan

The permittee must develop and implement a mercury minimization plan that identifies potential sources of mercury and the measures to reduce or eliminate mercury loading. Written notice must be submitted to the EPA and the IDEQ that the plan has been developed and implemented by May 31, 2018. Any existing mercury minimization plan may be modified for compliance with this section. The mercury minimization plan must include the following:

a) A Program Plan which includes the City's commitments for:

   (i) Identification of potential sources of mercury that contribute to discharge concentrations;

   (ii) Reasonable, cost-effective activities to reduce or eliminate mercury loadings from identified sources;

   (iii) Tracking mercury source reduction implementation and mercury source monitoring;

   (iv) Monthly monitoring of POTW effluent;

   (v) Twice per year monitoring of POTW influent;

   (vi) Resources and staffing.

b) Implementation of cost-effective control measures for direct and indirect contributors, and

c) An annual status report submitted to the US EPA, which includes:

   (i) A list of potential mercury sources;

   (ii) A summary of actions taken to reduce or eliminate mercury discharges to progress toward meeting water quality standards;

   (iii) Mercury source reduction implementation, source monitoring results, influent and effluent, and results for the previous year;

   (iv) Proposed adjustments to the Program Plan based on findings from the previous year.

2. Fish Tissue Sampling

   a) Objective: The objective of the Methylmercury Fish Tissue Monitoring program is to collect reliable methylmercury fish tissue data, within a specific geographic area, to determine if fish tissue concentrations of methylmercury are compliant with Idaho's methylmercury fish tissue criterion of 0.3 mg/kg. The monitoring program may also be used to advise the public on safe levels of fish consumption.

   b) Requirements: The permittee must develop and submit a Methylmercury Fish Tissue Monitoring Plan to the Director of the Office of Water and Watersheds and the IDEQ for review and approval by November 30, 2018. A failure to obtain approval of the Methylmercury Fish Tissue Monitoring Plan from the IDEQ or the Director of the Office of Water and Watersheds does not relieve the permittee of the fish tissue monitoring requirements of this permit. At a minimum the plan must include the following elements:

(i) Monitoring stations where fish tissue samples will be collected: At least one monitoring station must be located in the Pend Oreille River downstream from the discharge.

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

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

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

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

c) Sample Frequency:

(i) Fish tissue sampling is required at least once during calendar years in which both of the following conditions are true:

(a) The maximum monthly average effluent concentration of total mercury during the prior calendar year was greater than 0.027 µg/L, and

(b) The permittee did not perform fish tissue sampling during the prior calendar year.

d) Water Column Mercury Sampling: At each sample location where fish are collected a surface water sample must be collected and analyzed for total mercury using an analytical method which achieves a method detection limit of 1.8 ng/L or lower. This water column mercury sampling is required in addition to the receiving water mercury monitoring required in Part I.D of this permit.

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

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

II. Special Conditions

A. Pretreatment Requirements

1. Implementation

The permittee must implement its pretreatment program in accordance with the legal authorities, policies, procedures, staffing levels and financial provisions described in its original approved pretreatment program submission entitled *Industrial Pretreatment Program for the City of Sandpoint, Idaho*, dated January 6, 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 must carry out the following activities:

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

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

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

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

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

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

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

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

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

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

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

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

2. Spill Prevention and Slug Discharges

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

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

   b) SIUs must be evaluated for the need for a plan or other action to control slug discharges within 1 year of being designated an SIU.

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

3. Enforcement Requirement

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

4. Modification of the Pretreatment Program

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

5. Local Limits Evaluation

   By November 30, 2018, the permittee must submit to EPA a complete local limits evaluation pursuant to 40 CFR 403.5(c)(1). The study must take into account water quality in the receiving stream, inhibition levels for biological processes in the treatment plant, and sludge quality goals. The study must address at least the following pollutants: arsenic, 5-day biochemical oxygen demand, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, total suspended solids, and zinc and any other pollutants of concern. The permittee must address total ammonia as N and total phosphorus as P if the POTW accepts indirect discharges of those pollutants. Submitted results of the study must include proposed local limits, maximum allowable headworks loadings, all supporting calculations, and all assumptions.

6. Control of Undesirable Pollutants

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

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

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

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

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

e) Heat in amounts which inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 °C (104 °F) unless the Regional Administrator, upon request of the POTW, approves alternate temperature limits;

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

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

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

i) Water containing PCBs in excess of 3 µg/L or in excess of any applicable pretreatment local limit established by the POTW.

7. Requirements for Industrial users

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

8. Sampling Requirements

a) Parameters: The permittee must sample influent and effluent from the POTW for arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, and zinc. Metals must be analyzed and reported as total metals. If the POTW accepts ammonia from industrial sources, the permittee must also sample the POTW influent and effluent for ammonia. The permittee must sample sludge for arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, percent solids, selenium and zinc.

b) Sampling Locations, Frequency and Sample Type: The permittee must sample as described in Table 4.

Table 4: Pretreatment Monitoring - Sample Types and Frequency		
Wastestream	**Frequency**	**Sample Type**
Influent and Effluent	As specified in Part I.B of this permit.	As specified in Part I.B of this permit.
Sludge	Once during the same time period that twice-yearly influent metals samples are taken	Grab

c) Analytical Methods: For influent and effluent pretreatment sampling, the permittee must use EPA-approved analytical methods that achieve the minimum level (ML) in Appendix A.

d) Sludge Sampling: Sludge samples must be taken as the sludge leaves the dewatering device or digesters.

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

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

9. Pretreatment Report

a) The permittee must submit an annual report pursuant to 40 CFR 403.12(i) that describes the permittee's program activities over the report year, which runs from September 1st through August 31st. This report must be submitted to the following address no later than October 1st of each year:

Pretreatment Coordinator
U.S. Environmental Protection Agency
Region 10, OWW-191
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

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

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

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

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

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

(v) Status of program implementation, including:

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

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

(i) Date & time of the incident

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

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

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

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

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

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

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

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

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

(vi) Status of enforcement activities including:

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

(i) Summary of the violation(s).

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

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

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

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

B. Operation and Maintenance Plan

In addition to the requirements specified in Section IV.E. of this permit (Proper Operation and Maintenance), by May 31, 2018, the permittee must provide written notice to EPA and IDEQ that an Operation and Maintenance plan for the current wastewater treatment facility has been developed and implemented by May 31, 2018. The plan shall be retained on site and made available on request to EPA and IDEQ. Any changes occurring in the operation of the plant shall be reflected within the Operation and Maintenance plan.

C. Quality Assurance Plan (QAP)

The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit. The permittee must submit written notice to EPA and IDEQ that the Plan has been developed and implemented by May 31, 2018. Any existing QAPs may be modified for compliance with this section.

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

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

D. Facility Planning Requirement

1. Design Criteria. The maximum design flows and waste loads for the permitted facility are:

Table 5. Facility Planning Values

Facility Design Criteria	Value	Units
Maximum Monthly Flow	5.0	mgd
Maximum Monthly Influent BOD_5 Loading	8340	lbs/day
Maximum Monthly Influent TSS Loading	8340	lbs/day
Maximum monthly flow means the largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average. Maximum monthly loading means the largest loading anticipated to occur during a continuous 30-day period, expressed as a daily average (for BOD_5 or TSS).		

2. Plan for maintaining adequate capacity
   a) Condition to trigger plan development
      (i) Each month, the Permittee must record the average daily flow and BOD_5 and TSS loading entering the facility for that month.
      (ii) When the actual flow or waste loads for any two months during a 12-month period exceed any of the facility planning values listed in Table 5, the permittee must develop a new or updated plan and schedule for continuing to maintain capacity and maintain compliance with effluent limits.
   b) Submittal. The plan must be submitted to IDEQ for approval within 18 months of exceeding the trigger.
   c) Plan and schedule content. The plan and schedule must identify the actions necessary to maintain adequate capacity and to meet the limits and requirements of the permit. The Permittee must consider the following topics and actions in its plan:
      (i) Analysis of the present design and proposed process modifications
      (ii) Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system
      (iii) Limits on future sewer extensions or connections or additional waste loads
      (iv) Modification or expansion of facilities
      (v) Reduction of industrial or commercial flows or waste loads

E. Emergency Response and Public Notification Plan

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

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

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

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

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

   e) Provide emergency operations.

2. The permittee must submit written notice to EPA and IDEQ that the plan has been developed and implemented by May 31, 2018. Any existing emergency response and public notification plan may be modified for compliance with this section.

F. Schedules of Compliance

1. The permittee must comply with all effluent limitations and monitoring requirements in Parts I.B, I.C, and I.D beginning on the effective date of the permit, except those for which a compliance schedule is specified in Part II.F.2, below.

2. A schedule of compliance is authorized for the effluent limitations for total phosphorus in effect from June – September.

3. The permittee must achieve compliance with the applicable final effluent limitations as set forth in Part I.B (Table 1) of the permit no later than:

   a) November 30, 2022 for Option 1, or

   b) November 30, 2027 permit for Option 2.

4. While the schedules of compliance specified in Part II.F of the permit are in effect, the permittee must complete interim requirements and meet interim effluent limits and monitoring requirements as specified in Parts I.B, I.C, I.D and I.E of the permit.

5. By November 30, 2019, the permittee must notify EPA and DEQ in writing that a preferred compliance schedule option has been selected and demonstrate that funding for the preferred option is secured for Option 1 or has a City of Sandpoint approved strategy for obtaining funding for Option 2.
6. Option 1: Existing plant upgrades
   a) This option applies if the City of Sandpoint decides to upgrade their existing treatment plant to meet final effluent limits.
   b) By November 30, 2020, the permittee must provide for DEQ approval, a preliminary engineering report (PER) that examines how to improve effluent quality and meet effluent limits associated with phosphorus. This report must include details on how the proposed improvements will meet final effluent limits. The report shall include materials, costs, and a schedule for completion of the work.
   c) By November 30, 2021, final plans and specifications for the modifications proposed in the PER shall be submitted to DEQ for approval.
   d) By November 30, 2022, the permittee must have completed the plant upgrade and achieved compliance with final effluent limits and WQS as shown in Table 1 (Part I.B).
7. Option 2: New treatment plant
   a) This option applies if the City of Sandpoint decides to construct a new treatment plant that will meet final effluent limits.
   b) By November 30, 2020, a facility plan shall be submitted to DEQ for review and approval. The facility plan shall include outlining estimated costs and schedules for construction of a new wastewater treatment plant and implementation of technologies to achieve final effluent limitations. This schedule must include a timeline for pilot testing.
   c) By November 30, 2021, the permittee must provide EPA and DEQ with a progress report on funding for the new facility. Copy of notice of bond approval or notice of judicial confirmation is acceptable.
   d) By November 30, 2022, the permittee must provide EPA and DEQ with written notice that design has been completed and approved by DEQ.
   e) By November 30, 2023, the permittee must provide EPA and DEQ with a notice that bids for construction have been awarded to achieve final effluent limitations.
   f) By November 30, 2024 and 2025, the permittee must provide EPA and DEQ with brief progress reports of construction as they relate to meeting the compliance schedule timeline and final effluent limits.
   g) By November 30, 2026, the permittee must provide EPA and DEQ with written notice that construction has been substantively completed on the facilities to achieve final effluent limitations.

h) By November 30, 2027, the permittee must provide EPA and DEQ with a written report providing details of a completed start up and optimization phase of the new treatment system and must achieve compliance with the final effluent limitations of Part I.B.

III. Monitoring, Recording and Reporting Requirements

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

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

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The permittee must analyze the additional samples for those parameters limited in Part I.B of this permit that are likely to be affected by the discharge.

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

B. Reporting of Monitoring Results

The permittee must submit monitoring data and other reports electronically using NetDMR.

1. Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period. All reports required under this permit must be submitted to EPA as a legible electronic attachment to the DMR.
2. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E, of this permit, Signatory Requirements.
3. The permittee must submit copies of the DMRs and other reports to IDEQ at the following address:

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

4. Submittal of Reports as NetDMR Attachments. Unless otherwise specified in this permit, the permittee may submit all reports to EPA and IDEQ as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_ID0020842_Report Type Name_Identifying Code, where YYYY_MM_DD is the date that the permittee submits the attachment.

5. The permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR is accessed from: https://netdmr.epa.gov/

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

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

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

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling or measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

F. Retention of Records

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

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances:
   a) any noncompliance that may endanger health or the environment;
   b) any unanticipated bypass that exceeds any effluent limitation in the permit (See Part IV.F., "Bypass of Treatment Facilities");

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

d) any violation of a maximum daily discharge limitation for applicable pollutants identified by Part I.B.2.

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

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

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

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

a) a description of the noncompliance and its cause;

b) the period of noncompliance, including exact dates and times;

c) the estimated time noncompliance is expected to continue if it has not been corrected; and

d) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

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

(i) The location of the overflow;

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

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

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

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

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

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

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

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

3. The Director of the Office of Compliance and Enforcement may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington, by telephone, (206) 553-1846.
4. Reports must be submitted to the addresses in Part III.B ("Reporting of Monitoring Results").

H. Other Noncompliance Reporting

The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part III.B ("Reporting of Monitoring Results") are submitted. The reports must contain the information listed in Part III.G.2 of this permit ("Twenty-four Hour Notice of Noncompliance Reporting").

I. Public Notification

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

J. Notice of New Introduction of Toxic Pollutants

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

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Act if it were directly discharging those pollutants; and
2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
3. For the purposes of this section, adequate notice must include information on:
   a) The quality and quantity of effluent to be introduced into the POTW, and
   b) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
4. The permittee must notify the Director of the Office of Water and Watersheds at the following address:

US EPA Region 10
Attn: NPDES Permits Unit Manager
1200 Sixth Avenue, Suite 900
OWW-191
Seattle, WA 98101-3140

IV. Compliance Responsibilities

A. Duty to Comply

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

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $52,414 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $20,965 per violation, with the maximum amount of any Class I penalty assessed not to exceed $52,414). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $20,965 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $262,066).

3. Criminal Penalties:

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

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

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

d) False Statements. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need to Halt or Reduce Activity not a Defense

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

D. Duty to Mitigate

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

E. Proper Operation and Maintenance

The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

F. Bypass of Treatment Facilities

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

2. Notice.

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

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

3. Prohibition of bypass.

   a) Bypass is prohibited, and the Director of the Office of Compliance and Enforcement may take enforcement action against the permittee for a bypass, unless:

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

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

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

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

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   a) An upset occurred and that the permittee can identify the cause(s) of the upset;
   b) The permitted facility was at the time being properly operated;
   c) The permittee submitted notice of the upset as required under Part III.G, "Twenty-four Hour Notice of Noncompliance Reporting;" and
   d) The permittee complied with any remedial measures required under Part IV.D, "Duty to Mitigate."
3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

H. Toxic Pollutants

The permittee must comply with effluent standards or prohibitions established under Section 307(a) and with standards for sewage sludge use or disposal established under section 405(d) of the Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

I. Planned Changes

The permittee must give written notice to the Director of the Office of Water and Watersheds as specified in Part III.J.4 and IDEQ as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR 122.29(b); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this permit.
3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application site.

J. Anticipated Noncompliance

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

K. Reopener

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

V. General Provisions

A. Permit Actions

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

B. Duty to Reapply

If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. In accordance with 40 CFR 122.21(d), and unless permission for the application to be submitted at a later date has been granted by the Regional Administrator, the permittee must submit a new application by June 3, 2022.

C. Duty to Provide Information

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

D. Other Information

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

E. Signatory Requirements

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

1. All permit applications must be signed as follows:
    a) For a corporation: by a responsible corporate officer.

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

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

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

   a) The authorization is made in writing by a person described above;

   b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and

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

3. Changes to authorization. If an authorization under Part V.E.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.E.2. must be submitted to the Director of the Office of Compliance and Enforcement and IDEQ prior to or together with any reports, information, or applications to be signed by an authorized representative.

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

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

F. Availability of Reports

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

Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

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

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

H. Property Rights

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

I. Transfers

This permit is not transferable to any person except after written notice to the Director of the Office of Water and Watersheds as specified in Part III.J.4. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. State Laws

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

VI. Definitions

1. "Act" means the Clean Water Act.
2. "Administrator" means the Administrator of the EPA, or an authorized representative.

3. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
4. "Average weekly discharge limitation" means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.
5. "Best Management Practices" (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.
6. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
7. "Chronic toxic unit" ("TUc") is a measure of chronic toxicity. TUc is the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/"NOEC").
8. "Composite" - see "24-hour composite".
9. "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.
10. "Director of the Office of Compliance and Enforcement" means the Director of the Office of Compliance and Enforcement, EPA Region 10, or an authorized representative.
11. "Director of the Office of Water and Watersheds" means the Director of the Office of Water and Watersheds, EPA Region 10, or an authorized representative.
12. "DMR" means discharge monitoring report.
13. "EPA" means the United States Environmental Protection Agency.
14. "Geometric Mean" means the n^{th} root of a product of n factors, or the antilogarithm of the arithmetic mean of the logarithms of the individual sample values.
15. "Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.
16. "IDEQ" means the Idaho Department of Environmental Quality.

17. "Inhibition concentration", IC, is a point estimate of the toxicant concentration that causes a given percent reduction (p) in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (e.g., Interpolation Method).

18. "Indirect Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.

19. "Interference" is defined in 40 CFR 403.3.

20. "LC50" means the concentration of toxicant (e.g., effluent) which is lethal to 50 percent of the test organisms exposed in the time period prescribed by the test.

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

22. "Method Detection Limit (MDL)" means the minimum concentration of a substance (analyte) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

23. "Minimum Level (ML)" means either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.

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

25. "NPDES" means National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits . . . under sections 307, 402, 318, and 405 of the CWA.

26. "Pass Through" means a Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

27. "QA/QC" means quality assurance/quality control.

28. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.

29. "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.

30. "Significant Industrial User" means all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority as defined in 40 CFR 403.12(a) on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6)). Upon a finding that an industrial user meeting above the criteria has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority (as defined in 40 CFR 403.12(a)) may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.
31. "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.
32. "24-hour composite" sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquots may be collected manually or automatically. For GC/MS Volatile Organic Analysis (VOA), aliquots must be combined in the laboratory immediately before analysis. Four (4) (rather than eight) aliquots or grab samples should be collected for VOA. These four samples should be collected during actual hours of discharge over a 24-hour period and need not be flow proportioned. Only one analysis is required.

Appendix A
Minimum Levels

The Table below lists the maximum Minimum Level (ML) for pollutants that may have monitoring requirements in the permit. The permittee may request different MLs. The request must be in writing and must be approved by EPA. If the Permittee is unable to obtain the required ML in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a ML to EPA with appropriate laboratory documentation.

Conventional Parameters

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

Nonconventional Parameters

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

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Sulfide (as mg/L S)	0.2 mg/L
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

Priority Pollutants

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.1
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.16
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36
Zinc, Total (7440-66-6)	2.5

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Cyanide, Total (57-12-5)	10
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10
Phenols, Total	50
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6
Dichlorobromomethane (75-27-4)	2.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
1,1-Dichloroethane (75-34-3)	2.0
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0
Benzo(a)pyrene (50-32-8)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0
Isophorone (78-59-1)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
3-Methyl cholanthrene (56-49-5)	8.0
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	See Part I.B.13.
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4'-DDT (50-29-3)	0.05
4,4'-DDE (72-55-9)	0.05
4,4' DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05
PCB Congeners	See Part I.B.12.

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Toxaphene (8001-35-2)	0.5