WATER POLLUTION CONTROL FACILITIES PERMIT

Department of Environmental Quality
475 NE Bellevue Dr. Suite110, Bend, OR 97701
Telephone: (541) 388-6146

Issued pursuant to ORS 468B.050

ISSUED TO:

City of Bend
62975 Boyd Acres Rd.
Bend, OR 97701

SOURCES COVERED BY THIS PERMIT:

Type of Waste	Outfall	Method of Disposal
Domestic Sewage	001	Evaporation/Seepage Ponds
Recycled Water	002	Land Irrigation Class A
Recycled Water	003	Land Irrigation Class B
Recycled Water	004	Land Irrigation Class C

SYSTEM TYPE AND LOCATION:

Activated Sludge Plant with
Evaporation/Seepage Ponds
McGrath Road
Bend, OR

Treatment System Class: IV
Collection System Class: IV

RIVER BASIN INFORMATION:

Basin: Deschutes
Sub-Basin: Middle Deschutes
LLID: 1209151456389- 165-N
County: Deschutes

Nearest surface stream which would receive waste if it were to discharge: North Unit Main Canal

Issued in response to Application No. 970181 received on May 6, 2010.

This permit is issued based on the land use findings in the permit record.

Eric Nigg, Manager
Bend Water Quality Section
Eastern Region

December 10, 2010
Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

Unless specifically authorized by this permit, by another NPDES or WPCF permit, or by Oregon Administrative Rule, any other direct or indirect discharge of waste is prohibited, including discharge to waters of the state or an underground injection control system.

SCHEDULE A

Waste Disposal Limitations

1. The permittee is allowed to operate and maintain a wastewater collection, treatment, and disposal system which consists of an activated sludge treatment plant followed by four evaporation/percolation ponds and/or Department approved recycled water site(s). This facility shall be operated in accordance with the following conditions:

   a. No discharge to surface waters of the state is permitted. Prior to discharge of treated effluent from the activated sludge plant to Outfall 001 the wastewater shall comply with the following effluent limitations:

Parameter	Average Effluent Concentrations Monthly	Weekly	Monthly* Average lb/day	Weekly* Average lb/day	Daily* Maximum lbs.
BOD_5	20 mg/l	30 mg/l	1000	1500	2000
TSS	20 mg/l	30 mg/l	1000	1500	2000

Parameter	Limitation
E. Coli	*E. Coli* concentrations shall not exceed 126 organisms per 100 ml monthly geometric mean. No single sample shall exceed 406 organisms per 100 ml.

Other Parameters	Limitations
Total Nitrogen	Annual Monthly Average of 10 mg/L
pH	Shall be within the range 5.5 - 9.0

* Based on an average dry weather design flow of 6.0 MGD

2. All wastewater shall be discharged to the non-overflow evaporation/percolation ponds via Outfall No. 001 or be reused in accordance with a Department approved recycled water use plan(s) via Outfall Nos. 002, 003, and 004. All recycled water sites shall be operated in accordance with the following conditions:

   a. All recycled water that is irrigated shall be distributed on land for dissipation by evapo-transpiration and controlled seepage by following sound irrigation practices so as to prevent:

      (1) Prolonged ponding of treated recycled water on the ground surface;

      (2) Surface runoff or subsurface drainage through drainage tile;

      (3) The creation of odors, fly and mosquito breeding or other nuisance conditions;

      (4) The overloading of land with nutrients, organics, or other pollutant parameters; and

      (5) Impairment of existing or potential beneficial uses of groundwater.

   b. For reuse for beneficial purposes requiring Class A treatment as defined in OAR 340-055, prior to land application, the quality of the recycled water (Outfall No. 002) shall not exceed the following effluent limitations:

(1) Total Coliform shall not exceed a 7-day median of 2.2 organisms/100 ml, based on results of the last seven days that analyses have been completed and no single sample to exceed 23 organisms/100 ml.

(2) Turbidity shall not exceed a 24-hour mean of 2 NTU, and shall not exceed 5 NTU for more than 5% of time during a 24-hour period and 10 NTU at any time.

c. For reuse for beneficial purposes requiring Class B treatment as defined in OAR 340-55, prior to land application, the quality of recycled water (Outfall No. 003) shall not exceed the following effluent limitations:

(1) Total Coliform shall not exceed a median of 2.2 total coliform organisms per 100 milliliters, based on results of the last seven days that analyses have been completed, and 23 total coliform organisms per 100 milliliters in any single sample.

d. For reuse for beneficial purposes requiring Class C treatment as defined in OAR 340-55, prior to land application, the quality of recycled water (Outfall No. 004) shall not exceed the following effluent limitations:

(1) Total coliform shall not exceed a 7-day median of 23 organisms/100mls, with no two consecutive samples to exceed 240 organisms/100ml.

3. Irrigation shall conform to the Recycled Water Use Plan approved by the Department.

4. The period for land application will be generally between April 1 and November 1 of each year. Unless otherwise approved by the Department, wastewater shall not be applied to land that is frozen, snow covered or saturated.

5. All wastewater and process related residuals shall be managed and disposed of in a manner that will prevent a violation of the Department's Groundwater Quality Protection Rules (OAR 340-040).

SCHEDULE B

1. Minimum Monitoring and Reporting Requirements.

The permittee shall monitor the parameters as specified below at the locations indicated. The laboratory used by the permittee to analyze samples shall have a quality assurance/quality control (QA/QC) program to verify the accuracy of sample analysis. If QA/QC requirements are not met for any analysis, the results shall be included in the report, but not used in calculations required by this permit. When possible, the permittee shall re-sample in a timely manner for parameters failing the QA/QC requirements, analyze the samples, and report the results.

a. Influent

Item or Parameter	Minimum Frequency	Type of Sample
Total Flow (MGD)	Daily	Measurement
Flow Meter Calibration	Annually	Verification
BOD_5	3/Week	Composite
TSS	3/Week	Composite
pH	Daily	Grab
Toxics: Metals (Ag, As, Cd, Cr, Cu, Hg, Mo, Ni, Pb, Se, Zn) & Cyanide, measured as total in mg/L **(See Note 1)**	On 3 consecutive days between Monday and Friday, twice per year	24-hour composite **(See Note 2)**

b. Outfall Number 001 (To Evaporation/Seepage Ponds)

Item or Parameter	Minimum Frequency	Type of Sample
Total Flow (MGD)	Daily	Measurement
BOD_5	3/Week	Composite
TSS	3/Week	Composite
Total Dissolved Solids **(See Note 3)**	Monthly	Grab
Conductivity	Monthly	Grab
Nutrients (TKN, NO_2+NO_3-N, & NH_3)	Monthly	Grab
Total Nitrogen	Monthly	Calculation
pH	Daily	Grab
Total Chlorine Residual	Daily	Grab
E. Coli	3/week	Grab
Seepage Rate	Monthly **(See Note 4)**	Measurement and Calculation
Annual Seepage Rate	Annually **(See Note 4)**	Calculation
Toxics: Metals (Ag, As, Cd, Cr, Cu, Hg, Mo, Ni, Pb, Se, Zn) & Cyanide, measured as total in mg/L **(See Note 1)**	On 3 consecutive days between Monday and Friday, twice per year	24-hour composite **(See Note 2)**

c. Outfall Number 002 Recycled Water (Only required when recycled water is released for Class A beneficial purposes.)

Item or Parameter	Minimum Frequency	Type of Sample
Quantity Irrigated (inches/acre)	Daily	Measurement
Flow Meter Calibration	Annual	Verification
pH	2/Week	Grab
Total Chlorine Residual	Daily	Grab
Amount Chlorine Used (Weight)	Daily	Measurement
Nutrients (TKN,NO_2+NO_3-N,NH_3)	Monthly	Grab
Total Coliform	Daily	Grab
Nitrogen Application Rate (#/acre)	Annually	Calculation
Turbidity	Continuous	Reading
Total Flow (MGD)	Daily	Measurement

d. Outfall Numbers 003 Recycled Water (Only required when recycled water is released for Class B beneficial purposes.)

Item or Parameter	Minimum Frequency	Type of Sample
Quantity Irrigated (inches/acre)	Daily	Measurement
Flow Meter Calibration	Annual	Verification
pH	2/Week	Grab
Total Chlorine Residual	Daily	Grab
Amount Chlorine Used (Weight)	Daily	Measurement
Nutrients (TKN,NO_2+NO_3-N,NH_3)	Monthly	Grab
Total Coliform	3/Week	Grab
Nitrogen Application Rate (#/acre)	Annually	Calculation
Total Flow (MGD)	Daily	Measurement

e. Outfall Numbers 004 Recycled Water (Only required when recycled water is released for Class C beneficial purposes.)

Item or Parameter	Minimum Frequency	Type of Sample
Quantity Irrigated (inches/acre)	Daily	Measurement
Flow Meter Calibration	Annual	Verification
pH	2/Week	Grab
Total Chlorine Residual	Daily	Grab
Amount Chlorine Used (Weight)	Daily	Measurement
Nutrients (TKN,NO_2+NO_3-N,NH_3)	Monthly	Grab
Total Coliform	Weekly	Grab
Nitrogen Application Rate (#/acre)	Annually	Calculation
Total Flow (MGD)	Daily	Measurement

f. Groundwater Monitoring Wells (M5D, M17D, M19D, STP well)

Item or Parameter	Minimum Frequency	Type of Sample
NO_2 + NO_3 - N	Quarterly	Grab
Total Dissolved Solids**(See Note 3)**	Quarterly	Field Measurement
Conductivity	Quarterly	Field Measurement
Sulfate	Quarterly	Grab
Chloride	Quarterly	Grab
Temperature	Quarterly	Field Measurement
pH	Quarterly	Field Measurement
Water Level	Quarterly	Field Measurement
Toxics: Metals (Ag, As, Cd, Cr, Cu, Hg, Mo, Ni, Pb, Se, Zn) measured as total in mg/L	Twice per year	Grab

g. Biosolids Minimum Monitoring and Reporting Requirements

Item or Parameter	Minimum Frequency	Type of Sample
Sludge analysis including: Total Solids (% dry wt.) Volatile solids (% dry wt.) Biosolids nitrogen for: NH_3-N; NO_3-N; & TKN (% dry wt.) Phosphorus (% dry wt.) Potassium (% dry wt.) pH (standard units) Sludge metals content for: Ag, As, Cd, Cr, Cu, Hg, Mo, Ni, Pb, Se, & Zn, measured as total in mg/kg	Quarterly	Composite sample to be representative of the product to be land applied **(See Note 5)**
Record of locations where biosolids are applied on each DEQ approved site. (Site location maps to be maintained at treatment facility for review upon request by DEQ)	Each Occurrence	Date, volume & locations where sludges were applied recorded on site location map.
Record of % volatile solids reduction accomplished through stabilization	Monthly	Calculation **(See Note 6)**
Record of digestion days (mean cell residence time)	Monthly	Calculation **(See Note 7)**
Daily Minimum Sludge Temperature	Daily	Record

2. **Reporting Procedures**

a. Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to the Department's Eastern Region Bend office by the 15th day of the following month.

b. State monitoring reports shall identify the name, certificate classification and grade level of each principal operator designated by the permittee as responsible for supervising the wastewater collection and treatment systems during the reporting period. Monitoring reports shall also identify each system classification as found on page one of this permit.

c. Monitoring reports shall also include a record of the quantity and method of use of all sludge removed from the treatment facility and a record of all applicable equipment breakdowns and bypassing.

3. **Report Submittals**

a. For any year in which biosolids are land applied, a report shall be submitted to the Department by February 19th of the following year that describes solids handling activities for the previous year and includes, but is not limited to, the required information outlined in OAR 340-50-035(6)(a)-(e).

b. By no later than January 15th of each year, the permittee shall submit to the Department an annual report describing the effectiveness of the recycled water system to comply with approved recycled water use plan, the rules of Division 55, and the limitations and conditions of this permit applicable to reuse of recycled water.

c. Groundwater Reporting Requirements

(1) Quarterly Reporting: Analytical results of groundwater monitoring shall be reported quarterly in a Department approved format. At a minimum, the report shall contain the quarterly reporting information identified in the approved monitoring plan. Reports are due to the Department by the 30th day of the first full month following the sampling event.

(2) Annual Data Analysis and Reporting: An annual data analysis report shall be submitted to the Department by March 31st following each year of monitoring. The annual report shall contain the annual data analysis and reporting information identified in the approved monitoring plan.

d. Groundwater Monitoring Resampling Requirements

(1) If monitoring indicates a significant increase (increase or decrease for pH) in the value of a parameter monitored, the permittee shall immediately resample. A significant change will be deemed to have occurred for any parameter if the change is not within three standard deviations of the running average for that parameter. If the resampling confirms the change in water quality, the permittee shall:

(a) Report the results to the Department within 10 days of receipt of the laboratory data; and

(b) Prepare and submit to the Department within 30 days a plan for developing a preliminary assessment unless another time schedule is approved by the Department.

4. The Department may reopen the permit, if necessary, to include new or revised monitoring items or parameters, minimum frequency, or type of sample, or reporting procedures.

5. Should monitoring data indicate that the permittee's discharge poses a significant threat to groundwater quality, the Department may reopen this permit, if necessary, to include corrective action and/or additional monitoring requirements.

NOTES:

1. For influent and effluent cyanide samples, at least six (6) discrete grab samples shall be collected over the operating day. Each aliquot shall not be less than 100 mL and shall be collected and composited into a larger container, which has been preserved with sodium hydroxide for cyanide samples to insure sample integrity.

2. Daily 24-hour composite samples shall be analyzed and reported separately. Toxic monitoring results and toxics removal efficiency calculations shall be tabulated and submitted with the Pretreatment Program Annual Report as required in Schedule E. Submittal of toxic monitoring results with the monthly Discharge Monitoring Report is not required.

3. **Based on 20th Ed. Standard Methods: SM2510 Conductivity 2.a.**
Total Dissolved Solids (mg/L) of a sample is determined automatically using a conductivity meter (the conductivity measurement is multiplied by a predetermined, empirical factor). The value of this factor is determined simply by dividing the gravimetrically derived TDS by the temperature normalized conductivity from sampled well monitoring sites (A = TDS ÷ µS/cm). Factor A has been calculated for all monitoring wells (M5D, M17D, M19D and STP) using data beginning 9/13/1999 through 3/11/2005. This value, A = 0.77, falls between Standard Methods recommendations.

4. The monthly seepage rate for each pond shall be calculated and reported only for those months when the evaporation/percolation ponds are not frozen. The seepage rate data shall also include pan evaporation rates except during those months when weather conditions prevent measurements due to freezing. The annual seepage rate shall be reported as part of the annual groundwater monitoring report which is due by March 31 of each year.

5. If liquid biosolids are being land applied, composite samples from the digester withdrawal line shall consist of at least 4 aliquots of equal volume collected over an 8 hour period and combined. When dry biosolids are being land applied from the drying beds samples shall be taken from the drying beds four times per year. Alternatively, four separate samples can be analyzed at one time, each a composite from four separate zones of the drying beds.

   Inorganic pollutant monitoring must be conducted according to Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Second Edition (1982) with Updates I and II and third Edition (1986) with Revision I.

6. Calculation of the % volatile solids reduction is to be based on comparison of a representative grab sample of total and volatile solids entering each digester (a weighted blend of the primary and secondary clarifier solids) and a representative composite sample of solids exiting each digester withdrawal line (as defined in note 5 above).

7. The days of digestion shall be calculated by dividing the effective digester volume by the average daily volume of sludge production.

SCHEDULE D

Special Conditions

1. All biosolids shall be managed in accordance with the current, DEQ approved biosolids management plan, and the site authorization letters issued by the DEQ. Any changes in solids management activities that significantly differ from operations specified under the approved plan require the prior written approval of the DEQ.

   All new biosolids application sites shall meet the site selection criteria set forth in OAR 340-50-0070 and must be located within Deschutes County. All currently approved sites are located in Deschutes and Crook County. No new public notice is required for the continued use of these currently approved sites. Property owners adjacent to any newly approved application sites shall be notified, in writing or by any method approved by DEQ, of the proposed activity prior to the start of application. For proposed new application sites that are deemed by the DEQ to be sensitive with respect to residential housing, runoff potential or threat to groundwater, an opportunity for public comment shall be provided in accordance with OAR 340-50-0030.

2. This permit may be modified to incorporate any applicable standard for biosolids use or disposal promulgated under section 405(d) of the Clean Water Act, if the standard for biosolids use or disposal is more stringent than any requirements for biosolids use or disposal in the permit, or controls a pollutant or practice not limited in this permit.

3. The permittee shall meet the requirements for use of recycled water under Division 55, including the following:

   (a) No recycled water shall be released by the permittee until a Recycled Water Use Plan is approved by the Department.
   (b) All recycled water shall be managed in accordance with the approved Recycled Water Use Plan. No substantial changes shall be made in the approved plan without written approval of the Department.
   (c) Any person having control over the treatment or distribution or both of recycled water may distribute recycled water only for the beneficial purposes identified in this permit and the associated Recycled Water Use Plan. Moreover, all reasonable steps must be taken to ensure that the recycled water is used only in accordance with the standards and requirements of the rules of Division 55, the conditions of this permit, and the Recycled Water Use Plan.
   (d) The permittee shall notify the Department within 24 hours if it is determined that the treated effluent is being used in a manner not in compliance with OAR 340-055. When the Department offices are not open, the permittee shall report the incident of noncompliance to the Oregon Emergency Response System (telephone number: 800.452.0311)
   (e) No recycled water shall be made available to a person proposing to use recycled water unless that person certifies in writing that they have read and understand the provisions in these rules. This written certification shall be kept on file by the sewage treatment system owner and be made available to the Department for inspection.

   All recycled water used at the treatment plant site (or satellite facility operating under the same permit) for landscape irrigation or in plant processes is exempt from the Division 55 rules if:

   (a) The recycled water is an oxidized and disinfected wastewater
   (b) The recycled water is used at the site where is it generated or at an auxiliary wastewater or sludge treatment facility that is subject to the same NPDES or WPCF permit as the wastewater treatment system. Contiguous property to the parcel of land upon which the treatment system is located is considered the wastewater treatment system site if under the same ownership;
   (c) Spray or drift or both from the use does not occur off the site; and

(d) Public access to the site is restricted.

4. The permittee shall comply with Oregon Administrative Rules (OAR), Chapter 340, Division 49, "Regulations Pertaining To Certification of Wastewater System Operator Personnel" and accordingly:

   a. The permittee shall have its wastewater system supervised by one or more operators who are certified in a classification and grade level (equal to or greater) that corresponds with the classification (collection and /or treatment) of the system to be supervised as specified on page one of this permit.

      Note: A "supervisor" is defined as the person exercising authority for establishing and executing the specific practice and procedures of operating the system in accordance with the policies of the permittee and requirements of the waste discharge permit. "Supervise" means responsible for the technical operation of a system, which may affect its performance or the quality of the effluent produced. Supervisors are not required to be on-site at all times.

   b. The permittee's wastewater system may not be without supervision (as required by Special Condition 4.a. above) for more than thirty (30) days. During this period, the system owner must ensure an operator is certified for the type of system at no more than one grade lower than the system classification, and is available to the system owner and to any other operator. This operator must also be delegated authority by the system owner to supervise the operation of the system.

   c. The permittee is responsible for ensuring the wastewater system has a properly certified supervisor available at all times to respond on-site at the request of the permittee and to any other operator.

   d. The permittee shall notify the Department of Environmental Quality in writing within thirty (30) days of replacement or redesignation of certified operators responsible for supervising wastewater system operation. The notice shall be filed with the Water Quality Division, Operator Certification Program at 811 S.W. Sixth Avenue, Portland, Oregon 97204. This requirement is in addition to the reporting requirements contained under Schedule B of this permit.

   e. Upon written request, the Department may grant the permittee reasonable time, not to exceed 120 days, to obtain the services of a qualified person to supervise the wastewater system and meet the requirements in OAR 340-049-0015(10).

5. Management and Maintenance of Groundwater Monitoring Wells

   a. The permittee shall protect and maintain each groundwater monitoring well so that samples collected are representative of actual conditions.

   b. All monitoring well abandonments, replacements, repairs, and installations must be conducted in accordance with the Water Resources Department Oregon Administrative Rules, Chapter 690, Division 240, and with the Department's guidance "Groundwater Monitoring Well Drilling, Construction, and Decommissioning", dated August 22, 1992. All monitoring well abandonments, replacements repairs, and installations must be documented in a report prepared by an Oregon registered geologist.

   c. If a monitoring well becomes damaged or inoperable, the permittee shall notify the Department in writing within 14 days of when the permittee becomes aware of the circumstances. The written report shall describe: what problem has occurred, remedial measures that have been or will be taken to correct the problem, and the measures taken to prevent recurrence of damage or in operation. The Department may require the replacement of inoperable monitoring wells.

d. Prior to installation of new or replacement monitoring wells, the placement or design be approved in writing by the Department. Well logs and a well completion report shall be submitted to the Department within 30 days of installation of the well. The report shall include a survey drawing showing the location of all monitoring wells, disposal sites, and water bodies.

e. Prior to abandonment of existing wells deemed unsuitable for groundwater monitoring, an abandonment plan must be submitted to the Department for review and approval.

6. The permittee shall notify the DEQ Bend Eastern Region office (541) 388-6146, in accordance with the response times noted in the General Conditions of this permit, of any malfunction so corrective action can be coordinated between the permittee and the Department.

7. The permittee is allowed to collect chlorine analyzer wastewater at the City of Bend's Tumalo chlorine contact facility and store it in a holding tank. The holding tank shall be pumped as needed and discharged into the City's sanitary sewer system for treatment at the City's sewage treatment plant. Discharge of chlorine analyzer wastewater from the holding tank to waters of the State is prohibited.

SCHEDULE E

Pretreatment Activities

The permittee shall implement the following pretreatment activities:

1. Program Administration

   The permittee shall conduct and enforce its Pretreatment Program, as approved by the Department, and comply with the General Pretreatment Regulations (40 CFR Part 403). The permittee shall secure and maintain sufficient resources and qualified personnel to carry out the program implementation procedures described in this permit as required by 40 CFR § 403.8(f)(3).

2. Legal Authorities

   The permittee shall adopt all legal authority necessary to fully implement its approved pretreatment program and to comply with all applicable State and Federal pretreatment regulations. The permittee must also establish, where necessary, contracts or agreements with contributing jurisdictions to ensure compliance with pretreatment requirements by industrial users within these jurisdictions. These contracts or agreements shall identify the agency responsible for all implementation and enforcement activities to be performed in the contributing jurisdictions. Regardless of jurisdictional situation, the permittee is responsible for ensuring that all aspects of the pretreatment program are fully implemented and enforced.

3. Industrial Waste Survey

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

4. National Pretreatment Standards

   The permittee shall enforce categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Act, prohibited discharge standards as set forth in 40 CFR § 403.5(a) and (b), or local limitations developed by the permittee in accordance with 40 CFR § 403.5(c), whichever are more stringent, or are applicable to any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.

5. Local Limits

   The permittee shall perform a technical evaluation of the need to revise local limits within 18 months after permit re-issuance unless the Department authorizes or requires, in writing, an alternate time frame. Locally derived discharge limitations shall be defined as pretreatment standards under Section 307(d) of the Act and must conform to 40 CFR §403.5(c), §403.8(f)(4). Technically based local limits shall be developed in accordance with the procedures established by the Department, and the USEPA's Local Limits Guidance.

6. Control Mechanisms

   The permittee shall issue an individual control mechanism to all Significant Industrial Users except where the permittee may, at its discretion, issue a general control mechanism as defined by 40 CFR §403.8(f)(1)(iii); or certification in lieu of a control mechanism for Non-Significant Categorical Industrial Users (NSCIUs) as defined by § 403.3(v)(2), and Non-Discharging Categorical Industrial Users (NDCIUs). All individual and general control mechanisms must be enforceable and contain, at a minimum, the requirements identified in 40 CFR § 403.8(f)(1)(iii)(B); and, may contain equivalent concentration and

mass based effluent limitations where appropriate under § 403.6(c)(5) and (6). Unless a more stringent definition has been adopted by the permittee, the definition of Significant Industrial User shall be as stated in 40 CFR § 403.3(v).

7. Compliance Monitoring:

Industrial User Sampling and Inspection

The permittee shall randomly sample and analyze the effluent from Industrial Users at a frequency commensurate with the character, consistency, and volume of the discharge and conduct surveillance activities in order to identify, independent of information supplied by Industrial Users, occasional and continuing noncompliance with Pretreatment Standards. The permittee shall conduct a complete facility inspection; and, sample the effluent from each Significant Industrial User at least once a year at a minimum, unless otherwise specified below:

(a) Where the permittee has authorized the Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard in accordance with §403.12(e)(2), the permittee must sample for the waived pollutant(s) at least once during the term of the Categorical Industrial User's control mechanism. In the event that the permittee subsequently determines that a waived pollutant is present or is expected to be present in the Industrial User's wastewater based on changes that occur in the User's operations, the permittee must immediately begin at least annual effluent monitoring of the User's Discharge and inspection.

(b) Where the permittee has determined that an Industrial User meets the criteria for classification as a Non-Significant Categorical Industrial User, the permittee must evaluate, at least once per year, whether an Industrial User continues to meet the criteria in §403.3(v)(2).

(c) In the case of Industrial Users subject to reduced reporting requirements under §403.12(e)(3), the permittee must randomly sample and analyze the effluent from Industrial Users and conduct inspections at least once every two years. If the Industrial User no longer meets the conditions for reduced reporting in §403.12(e)(3), the permittee must immediately begin sampling and inspecting the Industrial User at least once a year.

Industrial User Self Monitoring and Other Reports

The permittee shall receive and analyze self-monitoring and other reports submitted by industrial users as required by §403.8(f)(2)(iv) and §403.12(b),(d),(e),(g) and (h). Significant Industrial User reports must include Best Management Practice (BMP) compliance information per §403.12(b), (e), (h), where appropriate.

Industrial User Monitoring in Lieu of Self-Monitoring

Where the permittee elects to conduct monitoring of an industrial user in lieu of requiring self-monitoring, the permittee shall gather all information which would otherwise have been submitted by the user. The permittee shall also perform the sampling and analyses in accordance with the protocols established for the user; and, must follow the requirements in 40 CFR §403.12(g)(2) if repeat sampling is required as the result of any sampling violation(s).

Sample Collection and Analysis

Sample collection and analysis, and the gathering of other compliance data, shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions. Unless

specified otherwise by the Director in writing, all sampling and analyses shall be performed in accordance with 40 CFR §136, or 40 CFR §503 for biosolids analytes.

8. Slug Control Plans

The permittee is required to evaluate whether each Significant Industrial User needs a slug control plan or other action to control Slug Discharges. Industrial Users identified as significant after October 14, 2005, must be evaluated within 1 year of being designated a Significant Industrial User. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the permittee's regulations, local limits or conditions of this Permit. The results of such activities shall be available to the Approval Authority upon request. The permittee shall require Significant Industrial Users to immediately notify the permittee of any changes at its facility affecting potential for a Slug Discharge. If the permittee determines that a slug control plan is needed, the requirements to control Slug Discharges shall be incorporated into the significant industrial user's control mechanism, and the plan shall contain, at a minimum, the following elements:

(a) Description of discharge practices, including non-routine batch Discharges;
(b) Description of stored chemicals;
(c) Procedures for immediately notifying the permittee of Slug Discharges, including any Discharge that would violate a prohibition under §403.5(b) with procedures for follow-up written notification within five days; and,
(d) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response;

9. Enforcement

The permittee shall identify all violations of the industrial user's permit or local ordinance. The permittee shall investigate all such instances of industrial user noncompliance and shall take all necessary steps to return users to compliance. The permittee's enforcement actions shall follow its approved Legal Authorities (i.e. Ordinance, etc.) and Enforcement Response Plan developed in accordance with 40 CFR § 403.8(f)(5).

10. Public Participation (significant noncompliance)

The permittee shall publish annual notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the permittee of industrial users which, at any time during the previous 12 months, were in significant noncompliance with applicable Pretreatment requirements. For the purposes of this requirement, an industrial user is in significant noncompliance if it meets one or more of the criteria listed in 40 CFR 403.8(f)(2)(viii).

11. Data and Information Management

The permittee must develop and maintain a data management system designed to track the status of the industrial user inventory, discharge characteristics, and compliance. In accordance with 40 CFR § 403.12(o), the delegated program shall retain all records relating to pretreatment program activities for a minimum of three years, and shall make such records available to the Department and USEPA upon request. The permittee shall also provide public access to information considered effluent data under 40 CFR Part 2.

12. Annual Pretreatment Program Report

The permittee shall submit a complete report to the Department on or before March 31 that describes the pretreatment program activities during the previous calendar year pursuant to 40 CFR §403.12(i). The content and format of this report shall be as established by the Department. Reports submitted to the DEQ by the permittee must be signed by a principal executive officer, ranking elected official or other duly authorized employee. The duly authorized employee must be an individual or position having responsibility for the overall operation of the facility or the Pretreatment Program. This authorization must be made in writing by the principal executive officer or ranking elected official, and submitted to the Approval Authority prior to or together with the report being submitted.

13. Pretreatment Program Modifications

The permittee shall submit in writing to the Department a statement of the basis for any proposed modification of its approved program and a description of the proposed modification in accordance with 40 CFR § 403.18. No substantial program modifications may be implemented by the delegated program prior to receiving written authorization from the Department. This Schedule incorporates, by reference, all substantial and non-substantial pretreatment program modifications approved by the Department prior to NPDES permit re-issuance.

14. Implementation of 2005 EPA Streamlining Amendments to 40CFR403

The permittee shall complete implementation of the required portions of the 2005 EPA streamlining amendments within twelve months after the permit reissuance unless the Department authorizes or requires in writing an alternate time frame.

SCHEDULE F

WPCF GENERAL CONDITIONS – DOMESTIC FACILITIES

SECTION A. STANDARD CONDITIONS

1. Duty to Comply with Permit

The permittee must comply with all conditions of this permit. Failure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and grounds for an enforcement action. Failure to comply is also grounds for the Department to modify, revoke, or deny renewal of a permit.

2. Property Rights and Other Legal Requirements

Issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other rights, or any infringement of federal, tribal, state, or local laws or regulations.

3. Liability

The Department of Environmental Quality or its officers, agents, or employees may not sustain any liability on account of the issuance of this permit or on account of the construction or maintenance of facilities or systems because of this permit.

4. Permit Actions

After notice by the Department, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to the following:

a. Violation of any term or condition of this permit, any applicable rule or statute, or any order of the Commission;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

5. Transfer of Permit

This permit may not be transferred to a third party without prior written approval from the Department. The Department may approve transfers where the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of this permit and the rules of the Commission. A transfer application and filing fee must be submitted to the Department.

6. Permit Fees

The permittee must pay the fees required by Oregon Administrative Rules.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

At all times the permittee must maintain in good working order and properly operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to comply with the terms and conditions of this permit.

2. Standard Operation and Maintenance

All waste collection, control, treatment, and disposal facilities or systems must be operated in a manner consistent with the following:

a. At all times, all facilities or systems must be operated as efficiently as possible in a manner that will prevent discharges, health hazards, and nuisance conditions.

b. All screenings, grit, and sludge must be disposed of in a manner approved by the Department to prevent any pollutant from the materials from reaching waters of the state, creating a public health hazard, or causing a nuisance condition.

c. Bypassing untreated waste is generally prohibited. Bypassing may not occur without prior written permission from the Department except where unavoidable to prevent loss of life, personal injury, or severe property damage.

3. Noncompliance and Notification Procedures

If the permittee is unable to comply with conditions of this permit because of surfacing sewage; a breakdown of equipment, facilities or systems; an accident caused by human error or negligence; or any other cause such as an act of nature, the permittee must:

a. Immediately take action to stop, contain, and clean up the unauthorized discharges and correct the problem.

b. Immediately notify the Department's Regional office so that an investigation can be made to evaluate the impact and the corrective actions taken, and to determine any additional action that must be taken.

c. Within 5 days of the time the permittee becomes aware of the circumstances, the permittee must submit to the Department a detailed written report describing the breakdown, the actual quantity and quality of waste discharged, corrective action taken, steps taken to prevent a recurrence, and any other pertinent information.

Compliance with these requirements does not relieve the permittee from responsibility to maintain continuous compliance with the conditions of this permit or liability for failure to comply.

4. Wastewater System Personnel

The permittee must provide an adequate operating staff that is duly qualified to carry out the operation, maintenance, and monitoring requirements to assure continuous compliance with the conditions of this permit.

5. Public Notification of Effluent Violation or Overflow

If effluent limitations specified in this permit are exceeded or an overflow occurs that threatens public health, the permittee must take such steps as are necessary to alert the public, health agencies and other affected entities (e.g., public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed under General Condition B.6. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

6. Emergency Response and Public Notification Plan

The permittee must develop and implement an emergency response and public notification plan that identifies measures to protect public health from overflows, bypasses or upsets that may endanger public health. At a minimum the plan must include mechanisms to:

a. Ensure that the permittee is aware (to the greatest extent possible) of such events;
b. Ensure notification of appropriate personnel and ensure that they are immediately dispatched 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;
e. Provide emergency operations; and
f. Ensure that DEQ is notified of the public notification steps taken.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry

The permittee must at all reasonable times allow authorized representatives of the Department to:

a. Enter upon the permittee's premises where a waste source or disposal system is located or where any records are required to be kept under the terms and conditions of this permit;

b. Have access to and copy any records required by this permit;

c. Inspect any treatment or disposal system, practices, operations, monitoring equipment, or monitoring method regulated or required by this permit; or

d. Sample or monitor any substances or permit parameters at any location at reasonable times for the purpose of assuring permit compliance or as otherwise authorized by state law...

2. Averaging of Measurements

Calculations of averages of measurements required for all parameters except bacteria must use an arithmetic mean; bacteria must be averaged as specified in the permit.

3. Monitoring Procedures

Monitoring must be conducted according to test procedures specified in the most recent edition of **Standard Methods for the Examination of Water and Wastewater**, unless other test procedures have been approved in writing by the Department and specified in this permit.

4. Retention of Records

The permittee must retain records of all monitoring and maintenance information, including all calibrations, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. The Department may extend this period at any time.

SECTION D. REPORTING REQUIREMENTS

1. Plan Submittal

Pursuant to Oregon Revised Statute 468B.055, unless specifically exempted by rule, construction, installation, or modification of disposal systems, treatment works, or sewerage systems may not commence until plans and specifications are submitted to and approved in writing by the Department. All construction, installation, or modification shall be in strict conformance with the Department's written approval of the plans.

2. Change in Discharge

Whenever a facility expansion, production increase, or process modification is expected to result in a change in the character of pollutants to be discharged or in a new or increased discharge that will exceed the conditions of this permit, a new application must be submitted together with the necessary reports, plans, and specifications for the proposed changes. A change may not be made until plans have been approved and a new permit or permit modification has been issued.

3. Signatory Requirements

All applications, reports, or information submitted to the Department must be signed and certified by the official applicant of record (owner) or authorized designee.

4. Twenty-Four Hour Reporting

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) to DEQ or to the Oregon Emergency Response System (1-800-452-0311) as specified below within 24 hours from the time the permittee becomes aware of the circumstances.

a. Overflows.

(1) Oral Reporting within 24 hours.

i. For overflows other than basement backups, the following information must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311. For basement backups, this information should be reported directly to DEQ.

a) The location of the overflow;
b) The receiving water (if there is one);
c) An estimate of the volume of the overflow;
d) A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe); and
e) The estimated date and time when the overflow began and stopped or will be stopped.

ii. The following information must be reported to the Department's Regional office within 24 hours, or during normal business hours, whichever is first:

a) The OERS incident number (if applicable) along with a brief description of the event.

(2) Written reporting within 5 days.

i. The following information must be provided in writing to the Department's Regional office within 5 days of the time the permittee becomes aware of the overflow:

a) The OERS incident number (if applicable);
b) The cause or suspected cause of the overflow;
c) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
d) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps; and
e) (for storm-related overflows) The rainfall intensity (inches/hour) and duration of the storm associated with the overflow.

The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

b. Other instances of noncompliance.

(1) The following instances of noncompliance must be reported:

i. Any unanticipated bypass that exceeds any effluent limitation in this permit;
ii. Any upset that exceeds any effluent limitation in this permit;
iii. Violation of maximum daily discharge limitation for any of the pollutants listed by the Department in this permit; and
iv. Any noncompliance that may endanger human health or the environment.

(2) During normal business hours, the Department's Regional office must be called. Outside of normal business hours, the Department must be contacted at 1-800-452-0311 (Oregon Emergency Response System).

(3) A written submission must be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:

i. A description of the noncompliance and its cause;
ii. The period of noncompliance, including exact dates and times;
iii. The estimated time noncompliance is expected to continue if it has not been corrected;
iv. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
v. Public notification steps taken, pursuant to General Condition B.6.

(4) The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

SECTION E. DEFINITIONS

1. *BOD_5* means five-day biochemical oxygen demand.
2. *TSS* means total suspended solids.
3. *FC* means fecal coliform bacteria.
4. *NH_3-N* means Ammonia Nitrogen.
5. *NO_3-N* means Nitrate Nitrogen.
6. *NO_2-N* means Nitrite Nitrogen.
7. *TKN* means Total Kjeldahl Nitrogen.
8. *Cl* means Chloride.
9. *TN* means Total Nitrogen.
10. "*Bacteria*" includes but is not limited to fecal coliform bacteria, total coliform bacteria, and E. coli bacteria.
11. *Total residual chlorine* means combined chlorine forms plus free residual chlorine.
12. *mg/l* means milligrams per liter.
13. *ug/l* means micrograms per liter.
14. *kg* means kilograms.
15. *GPD* means gallons per day.
16. *MGD* means million gallons per day.
17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
18. *Composite sample* means a combination of samples collected, generally at equal intervals over a 24-hour period, and based on either time or flow.
19. *Week* means a calendar week of Sunday through Saturday.
20. *Month* means a calendar month.
21. *Quarter* means January through March, April through June, July through September, or October through December.