# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT

Oregon Department of Environmental Quality
Northwest Region – Portland Office
700 NE Multnomah St., Suite 600
Portland, OR 97232
Telephone: 503-229-5263

Issued pursuant to ORS 468B.050 and the federal Clean Water Act.

**ISSUED TO:**

Water Environment Services
150 Beavercreek Road
Suite 430
Oregon City, OR 97045

**SOURCES COVERED BY THIS PERMIT:**

| Type of Waste | Outfall Number | Outfall Location |
|---|---|---|
| Treated Wastewater | 001 | 45.3704/-122.6050 |
| | 002 | 45.3659/-122.6036 (approx.) |
| Recycled Water Reuse | 003 | Specified in Recycled Water Use Plan (when prepared) |
| Biosolids | N/A | Specified in Biosolids Management/Land Application Plan |

**FACILITY LOCATION:**

Tri-City Water Resources Recovery Facility
15941 S Agnes Avenue
Oregon City, OR 97045
County: Clackamas
EPA Permit Type: Major

**RECEIVING STREAM INFORMATION:**

Receiving Stream/NHD name: Willamette
USGS 12-Digit HUC: 170900070405
ORWD Administrative Basin: Willamette
NHD Reach Code & % along reach: 17090007000034-37% and 95.5%
ODEQ LLID & RM: 1227618456580-RM 25.0 and 25.3
Integrated Report Assessment Unit ID: OR_SR_170900704_88_104020

Issued in response to Application No. 957864 received October 19, 2015. This permit is issued based on the land use findings in the permit record.

| Tiffany Yelton-Bram, WQ Manager<br>Northwest Region | May 2, 2024<br>Issuance Date | June 1, 2024<br>Effective Date |
|---|---|---|

## PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to: 1) operate a wastewater collection, treatment, control and disposal system; and 2) discharge treated wastewater to waters of the state only from the authorized discharge point or points in Schedule A in conformance with the requirements, limits, and conditions set forth in this permit.

Unless specifically authorized by this permit, by another NPDES or Water Pollution Control Facility permit, or by Oregon statute or administrative rule, any other direct or indirect discharge of pollutants to waters of the state is prohibited.

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# SCHEDULE A: WASTE DISCHARGE LIMITS

## 1. Outfalls 001 and 002 – Combined Permit Limits

During the term of this permit, the combined discharges from Outfalls 001 and 002 must comply with the limits in the following table:

**Table A1: Outfalls 001 and 002 Combined Permit Limits**

| Parameter | Units | Average Monthly (See note a.) | Average Weekly (See note a.) | Daily Maximum (See note a.) |
|---|---|---|---|---|
| $CBOD_5$ (May 1 – October 31) | mg/L | 10 | 15 | - |
| | lb/day | 1500 | 2300 | 3000 |
| | % removal | 85 | - | - |
| TSS (May 1 – October 31) | mg/L | 10 | 15 | - |
| | lb/day | 1500 | 2300 | 3000 |
| | % removal | 85 | - | - |
| $CBOD_5$ (November 1 – April 30) | mg/L | 25 | 40 | - |
| | lb/day | 5600 | 8400 | 11,000 |
| | % removal | 85 | - | - |
| TSS (November 1 – April 30) | mg/L | 30 | 45 | - |
| | lb/day | 5600 | 8400 | 11,000 |
| | % removal | 85 | - | - |
| pH | SU | Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0 | | |
| *E. coli* (See note b.) | #/100 mL | Must not exceed a monthly geometric mean of 126, no single sample may exceed 406 | | |
| Excess Thermal Load Limit (ETLL) (June 1 – September 30) (See note c.) | Mkcal/day | Option A: 156 as a 7-day rolling average | | |
| | | Option B: (0.00611 x $Q_r$) + 111 as a 7-day rolling average | | |

Notes:

a. Maximum loadings and concentrations allowed when one or both outfalls are discharging.

b. If a single sample exceeds 406 organisms/100 mL, the permittee may take at least 5 consecutive re-samples at 4-hour intervals beginning within 28 hours after the original sample was taken. A geometric mean of the 5 re-samples that is less than or equal to 126 *E. coli* organisms/100 mL demonstrates compliance with the limit.

c. The permittee must select either Option A or Option B as the applicable 7-day rolling average Excess Thermal Load Limit (ETLL). If the permittee selects Option B, the permittee must calculate the daily ETLL using the above equation. The permittee must then calculate the 7-day rolling average ETLL using the appropriate equation for each day the Option B limit is selected. $Q_r$ = Daily average Willamette River flow (cfs). The permittee must use river flow data from the USGS stream flow gage number 14211720 (Willamette River at Portland) or another DEQ-approved data source. The minimum river flow value to be used is 5440 cfs, the 7Q10 low flow used in the TMDL.

## 2. Outfall 001 – Permit Limits

During the term of this permit, the discharge from Outfall 001 must comply with the limits in the following table:

**Table A2: Outfall 001 Permit Limits**

| Parameter (See note a.) | Units | Average Monthly | Average Weekly | Daily Maximum |
|---|---|---|---|---|
| Chlorine, Total Residual (Year-round) (See note b.) | mg/L | 0.02 | - | 0.04 |
| Ammonia (Final) (May 1 – October 31) (See note c.) | mg/L | 10.3 | - | 17.5 |

Notes:

a. Limits for listed parameter apply only to Outfall 001 when discharging within the time frames listed for each parameter. These limits do not apply to discharges through Outfall 002.

b. DEQ has established a Quantitation Limit of 0.05 mg/L for Total Residual Chlorine. Any analysis done for Total Residual Chlorine must have a quantitation limit that is either equal to or less than 0.05 mg/L. In cases where the average monthly or maximum daily limit for Total Residual Chlorine is lower than the Quantitation Limit, DEQ will use the reported Quantitation Limit as the compliance evaluation level.

c. Limits for ammonia become effective after completion of the compliance schedule in Schedule C.

## 3. Regulatory Mixing Zone

Pursuant to OAR 340-041-0053, the permittee is granted a regulatory mixing zone for Outfall 001 as described below:

*The regulatory mixing zone is that portion of the Willamette River which extends 300 feet downstream of the point of discharge. The zone of initial dilution shall include that portion of the Willamette River which extends 30 feet downstream of the point of discharge.*

Pursuant to OAR 340-041-0053, the permittee is granted a regulatory mixing zone for Outfall 002 as described below:

*The regulatory mixing zone is that portion of the Willamette River which extends 300 feet downstream and 100 feet upstream of the diffuser section of the outfall. The zone of initial dilution is that portion of the Willamette River which extends 30 feet in all directions from the diffuser section of the outfall.*

## 4. Use of Recycled Water

The permittee is authorized to distribute recycled water if it is:

a. Treated and used according to the criteria listed in Table A3.

b. Managed in accordance with its DEQ-approved Recycled Water Use Plan unless exempt as provided in Schedule D.

c. Used in a manner and applied at a rate that does not adversely affect groundwater quality.

d. Applied at a rate and in accordance with site management practices that ensure continued agricultural, horticultural, or silvicultural production and does not reduce the productivity of the site.

e. Irrigated using sound irrigation practices to prevent:

i. Offsite surface runoff or subsurface drainage through drainage tile;

ii. Creation of odors, fly and mosquito breeding, or other nuisance conditions; and

iii. Overloading of land with nutrients, organics, or other pollutants.

**Table A3: Recycled Water Limits**

| Class | Level of Treatment (after disinfection unless otherwise specified) | Beneficial Uses |
|---|---|---|
| **A** | Class A recycled water must be oxidized, filtered, and disinfected.<br>Before disinfection, turbidity may not exceed:<br>• An average of 2 NTUs within a 24-hour period.<br>• 5 NTUs more than five percent of the time within a 24-hour period.<br>• 10 NTUs at any time.<br><br>After disinfection, total coliform may not exceed:<br>• A median of 2.2 organisms per 100 mL based on daily sampling over the last 7 days that analyses have been completed.<br>• 23 organisms per 100 mL in any single sample. | Class A recycled water may be used for:<br>• Class B, Class C, Class D, and non-disinfected uses.<br>• Irrigation for any agricultural or horticultural use.<br>• Landscape irrigation of parks, playgrounds, school yards, residential landscapes, or other landscapes accessible to the public.<br>• Commercial car washing or fountains when the water is not intended for human consumption.<br>• Water supply source for non-restricted recreational impoundments. |
| **B** | Class B recycled water must be oxidized and disinfected. Total coliform may not exceed:<br>• A median of 2.2 organisms per 100 mL, based on the last 7 days that analyses have been completed.<br>• 23 total coliform organisms per 100 mL in any single sample. | Class B recycled water may be used for:<br>• Class C, Class D, and non-disinfected uses.<br>• Stand-alone fire suppression systems in commercial and residential building, non-residential toilet or urinal flushing, or floor drain trap priming.<br>• Water supply source for restricted recreational impoundments. |

| Class | Level of Treatment (after disinfection unless otherwise specified) | Beneficial Uses |
|---|---|---|
| **C** | Class C recycled water must be oxidized and disinfected. Total coliform may not exceed:<br>• A median of 23 total coliform organisms per 100 mL, based on results of the last 7 days that analyses have been completed.<br>• 240 total coliform organisms per 100 mL in any two consecutive samples. | Class C recycled water may be used for:<br>• Class D and non-disinfected uses.<br>• Irrigation of processed food crops; irrigation of orchards or vineyards if an irrigation method is used to apply recycled water directly to the soil.<br>• Landscape irrigation of golf courses, cemeteries, highway medians, or industrial or business campuses.<br>• Industrial, commercial, or construction uses limited to: industrial cooling, rock crushing, aggregate washing, mixing concrete, dust control, nonstructural firefighting using aircraft, street sweeping, or sanitary sewer flushing. |
| **D** | Class D recycled water must be oxidized and disinfected. *E. coli* may not exceed:<br>• A 30-day geometric mean of 126 organisms per 100 mL.<br>• 406 organisms per 100 mL in any single sample. | Class D recycled water may be used for:<br>• Non-disinfected uses.<br>• Irrigation of firewood, ornamental nursery stock, Christmas trees, sod, or pasture for animals. |
| **Non-disinfected** | Non-disinfected recycled water must be oxidized. | Non-disinfected water may be used for:<br>• Irrigation for growing commercial timber, fodder, fiber, or seed crops not intended for human ingestion. |

## 5. Biosolids

The permittee may land apply biosolids or provide biosolids for sale or distribution, subject to the following conditions:

a. The permittee must manage biosolids in accordance with its DEQ-approved Biosolids Management Plan and Land Application Plan.

b. The permittee must apply biosolids at or below the agronomic rates approved by DEQ in order to minimize potential groundwater degradation.

c. The permittee must obtain written site authorization from DEQ for each land application site prior to land application (see Schedule D) and follow the site-specific management conditions in DEQ-issued site authorization letter.

d. Prior to application, the permittee must ensure that biosolids meet one of the pathogen reduction standards under 40 CFR 503.32 and one of the vector attraction reduction standards under 40 CFR 503.33.

e. The permittee must not apply biosolids containing pollutants in excess of the ceiling concentrations shown in the table below. The permittee may apply biosolids containing pollutants in excess of the pollutant concentrations, but below the ceiling concentrations, however, the total quantity of biosolids applied cannot exceed the cumulative pollutant loading rates in the following table.

**Table A4: Biosolids Limits**

| **Pollutant** (See note a.) | **Ceiling concentrations (mg/kg)** | **Pollutant concentrations (mg/kg)** | **Cumulative pollutant loading rates (kg/ha)** |
|---|---|---|---|
| Arsenic | 75 | 41 | 41 |
| Cadmium | 85 | 39 | 39 |
| Copper | 4300 | 1500 | 1500 |
| Lead | 840 | 300 | 300 |
| Mercury | 57 | 17 | 17 |
| Molybdenum | 75 | – | – |
| Nickel | 420 | 420 | 420 |
| Selenium | 100 | 100 | 100 |
| Zinc | 7500 | 2800 | 2800 |

Note:

a. Biosolids pollutant limits are described in 40 CFR 503.13, which uses the terms *ceiling concentrations*, *pollutant concentrations*, and *cumulative pollutant loading rates*.

## 6. Mercury Minimization Plan

a. By the date listed in Table B1, the permittee must submit an MMP (Mercury Minimization Plan) to DEQ for review and approval.

b. The permittee must use DEQ MMP template or other approved template for final plans and modifications unless authorized in writing by DEQ to use an alternative.

c. If DEQ comments on the MMP, the permittee must respond to DEQ's comments in writing within 30 calendar days by submitting an updated MMP.

d. After resolving comments (if any) on the plan, DEQ will post the MMP to solicit public comment for a minimum of 35 days.

e. The permittee must begin implementation of the plan within 90 calendar days after being notified in writing that the public comment period has ended and DEQ has approved the plan.

f. The MMP must include:

   i. Facility name and permit number.

   ii. Name and signature of party responsible for developing or reviewing the plan.

   iii. Plan submittal date.

   iv. Identification and evaluation of current and potential mercury sources, including industrial, commercial, and residential sources.

   v. An implementation plan that includes specific methods for reducing mercury.

g. If DEQ determines that the MMP is not effective at reducing mercury concentrations, DEQ may require further changes to the MMP and may reopen the permit to modify the permit conditions.

# SCHEDULE B: MINIMUM MONITORING AND REPORTING REQUIREMENTS

## 1. Reporting Requirements

The permittee must submit to DEQ monitoring results and reports as listed below.

**Table B1: Reporting Requirements and Due Dates**

| Reporting Requirement | Frequency | Due Date (See note a.) | Report Form (See note b.) | Submit To: |
|---|---|---|---|---|
| Mercury Minimization Plan (see Schedule A6) | One time | Submit by 6/15/2026 The 15th day 24 months after permit effective date. | One electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Tables B2 and B3 Influent Monitoring and Effluent Monitoring | Monthly | By the 15th of the following month | Specified in Schedule B. Section 2 of this permit | Electronic reporting as directed by DEQ |
| Table B4: Copper Biotic Ligand Model and Aluminum Sampling Requirements | Monthly for 6 months starting January 2027 | By the 15th of the following month | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Tables B5 – B8: Effluent Toxics Characterization | Quarterly for three years starting with the second quarter of 2026 (See note c.) | By the 15th of the month following each quarter | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Table B9: WET Test Monitoring | Minimum of four times during permit cycle starting in second quarter of 2026 (See notes c and d.) | Submit test results with the first DMR following 30 days after receipt of test results | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Inflow and Infiltration Report (see Schedule D1) | Annually | By February 15 of the following year | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Recycled Water Annual Report (see Schedule D3) – only required if the permittee distributes recycled water under a recycled water use plan | Annually | By January 15 of the following year | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ<br><br>Electronic copy to DEQ Water Reuse Program Coordinator |

| Reporting Requirement | Frequency | Due Date (See note a.) | Report Form (See note b.) | Submit To: |
|---|---|---|---|---|
| Biosolids Annual Report (see Schedule D5) | Annually | By February 19 of the following year | Electronic copy in a DEQ-approved form<br><br>Class I facilities only: EPA NeT CDX web-based reporting tool | Attached via electronic reporting as directed by DEQ<br><br>DEQ Biosolids Program Coordinator<br><br>For Class I facilities only: Via electronic reporting as directed by DEQ |
| Outfall Inspection Report for Outfall 001 & Outfall 002 As-Builts (see Schedule D9) | Once per permit cycle | Submit by 12/15/2028 In the 4th year of the permit | Electronic copy in a DEQ-approved format | Attached via electronic reporting as directed by DEQ |
| Local Limits Review (see Schedule E5) | Once per permit cycle | Submit within 18 months of permit effective date | Electronic copy and 1 hard copy in a DEQ-approved format | 1 hard copy to DEQ Pretreatment Coordinator |
| Pretreatment Report (see Schedule E13) | Annually | March 31 | 1 electronic copy and 1 hard copy in a DEQ-approved format | • 1 hard copy to DEQ Pretreatment Coordinator<br>• 1 electronic copy to Compliance Officer |

Notes:

a. For submittals that are provided to DEQ by mail, the postmarked date must not be later than the due date.

b. All reporting requirements are to be submitted in a DEQ-approved format, unless otherwise specified in writing.

c. Quarters are defined as: Q1: Jan – Mar; Q2: Apr – June; Q3: July – Sept; Q4: Oct – Dec. Sampling must begin in the second full quarter of 2026 until 12 sets of samples have been collected for toxics. Sampling is expected to begin in second quarter of 2026 when Outfall 002 is operational.

d. Conduct WET testing concurrent with Effluent Toxics Characterization Monitoring beginning in the second quarter of 2026 after Outfall 002 begins discharging in February 2026 until at least 4 sets of samples have been collected. WET test and toxics characterization sampling must be collected on the same day. WET tests must include samples from wet and dry season discharges.

## 2. Monitoring and Reporting Protocols

a. **Electronic Submissions**

The permittee must submit to DEQ the results of monitoring indicated in Schedule B in an electronic format as specified below.

i. The permittee must submit monitoring results required by this permit via DEQ-approved web-based Discharge Monitoring Report (DMR) forms to DEQ via electronic reporting. Any data used to calculate summary statistics must be submitted as a separate attachment approved by DEQ via electronic reporting.

ii. The reporting period is the calendar month.

iii. The permittee must submit monitoring data and other information required by this permit for all compliance points by the 15th day of the month following the reporting period unless specified otherwise in this permit or as specified in writing by DEQ.

b. **Test Methods**

The permittee must conduct monitoring according to test procedures in 40 CFR part 136 and 40 CFR part 503 for biosolids or other approved procedures as per Schedule F.

c. **Detection and Quantitation Limits**

i. Detection Level (DL) – The DL is defined as the minimum measured concentration of a substance that can be distinguished from method blank results with 99% confidence. The DL is derived using the procedure in 40 CFR part 136 Appendix B and evaluated for reasonableness relative to method blank concentrations to ensure results reported above the DL are not a result of routine background contamination. The DL is also known as the Method Detection Limit (MDL) or Limit of Detection (LOD).

ii. Quantitation Limits (QLs) – The QL is the minimum level, concentration or quantity of a target analyte that can be reported with a specified degree of confidence. It is the lowest level at which the entire analytical system gives a recognizable signal and acceptable calibration for the analyte. It is normally equivalent to the concentration of the lowest calibration standard adjusted for sample weights, volumes, preparation, and cleanup procedures employed. The QL as reported by a laboratory is also sometimes referred to as the Method Reporting Limit (MRL) or Limit of Quantitation (LOQ).

d. **Sufficient Sensitivity of Quantitation Limits**

i. The laboratory QLs (adjusted for any dilutions) for analyses performed to demonstrate compliance with permit limits or as part of effluent characterization, must meet at least one of the requirements below:

(A) The QL is at or below the level of the water quality criterion for the measured parameter.

(B) The QL is above the water quality criterion but the amount of the pollutant in a facility's discharge is high enough that the method detects and quantifies the level of the parameter in the discharge.

(C) The QL has the lowest sensitivity of the analytical methods procedure specified in 40 CFR 136.

(D) The QL is at or below those defined in Oregon DEQ list of quantitation limits posted online at DEQ permitting website.

e. **Quality Assurance and Quality Control**

i. Quality Assurance Plan – The permittee must develop and implement a written Quality Assurance Plan that details the facility sampling procedures, equipment calibration and maintenance, analytical methods, quality control activities and laboratory data handling and reporting. The QA/QC program must conform to the requirements of 40 CFR 136.7.

ii. If QA/QC requirements are not met for any analysis, the permittee must re-analyze the sample. If the sample cannot be re-analyzed, the permittee must re-sample and analyze at the earliest opportunity. If the permittee is unable to collect a sample that meets QA/QC requirements, then the permittee must include the result in the discharge monitoring report (DMR) along with a notation (data qualifier). In addition, the permittee must explain how the sample does not meet QA/QC requirements. The permittee may not use the result that failed the QA/QC requirements in any calculation required by the permit unless authorized in writing by DEQ.

iii. Flow measurement, field measurement, and continuous monitoring devices - The permittee must:

(A) Establish verification and calibration frequency for each device or instrument in the quality assurance plan that conforms to the frequencies recommended by the manufacturer.

(B) Verify at least once per year that flow-monitoring devices are functioning properly according to manufacturer's recommendation. Calibrate as needed according to manufacturer's recommendations.

(C) Verify at least weekly that the continuous monitoring instruments are functioning properly according to manufacturer's recommendation unless the permittee demonstrates a longer period is sufficient and such longer period is approved by DEQ in writing.

iv. The permittee must develop a receiving water sampling and analysis plan that incorporates QA/QC prior to sampling. This plan must be kept at the facility and made available to DEQ upon request.

f. **Reporting Sample Results**

i. The permittee must report the laboratory DL and QL as defined above for each analyte, with the following exceptions: pH, temperature, BOD, CBOD, TSS, Oil & Grease, hardness, alkalinity, bacteria, and nitrate-nitrite. For temperature and pH, neither the QL nor the DL need to be reported. For the other parameters listed above, the permittee is only required to report the QL and only when the result is ND.

ii. The permittee must report the same number of significant digits as the permit limit for a given parameter.

iii. Chemical Abstracts Service (CAS) Numbers. CAS numbers (where available) must be reported along with monitoring results.

iv. (For Discharge Monitoring Reports) If a sample result is above the DL but below the QL, the permittee must report the result as the DL preceded by DEQ's data code "E". For example, if the DL is 1.0 µg/l, the QL is 3.0 µg/L and the result is estimated to be between the DL and QL, the permittee must report "E1.0 µg/L" on the DMR. This requirement does not apply in the case of parameters for which the DL does not have to be reported.

v. (For Discharge Monitoring Reports) If the sample result is below the DL, the permittee must report the result as less than the specified DL. For example, if the DL is 1.0 µg/L and the result is ND, report "<1.0" on the discharge monitoring report (DMR). This requirement does not apply in the case of parameters for which the DL does not have to be reported.

g. **Calculating and Reporting Mass Loads**

The permittee must calculate mass loads on each day the parameter is monitored using the following equation:

Example calculation: Flow (in MGD) X Concentration (in mg/L) X 8.34 = Pounds per day

i. Mass load limits all have two significant figures unless otherwise noted.

ii. When concentration data are below the DL: To calculate the mass load from this result, use the DL. Report the mass load as less than the calculated mass load. For example, if flow is 2 MGD and the reported sample result is <1.0 µg/L, report "<0.017 lb/day" for mass load on the DMR (1.0 µg/L x 2 MGD x conversion factor = 0.017 lb/day).

iii. When concentration data are above the DL, but below the QL: To calculate the mass load from this result, use the DL. Report the mass load as the calculated mass load preceded by "e". For example, if flow is 2 MGD, the DL is 1.0 µg/L, the QL is 5 µg/L and the reported sample result is e3.5 µg/L, report "e0.17 lb/day" for mass load on the DMR (1.0 µg/L x 2 MGD x conversion factor = 0.017 lb/day).

## 3. Monitoring and Reporting Requirements

a. The permittee must monitor influent at the headworks and report results in accordance with the table below:

**Table B2: Influent Monitoring Requirements**

| Item or Parameter | Units | Time Period | Minimum Frequency | Sample Type / Required Action (See note a.) | Report Statistic (See note b.) |
|---|---|---|---|---|---|
| Flow (50050) | MGD | Year-round | Daily | Metered | 1. Monthly Average<br>2. Daily Maximum |
| $CBOD_5$ (80082) | mg/L | Year-round | 3/week | 24-hour composite | Monthly Average |
| TSS (00530) | mg/L | Year-round | 3/week | 24-hour composite | Monthly Average |
| pH (00400) | SU | Year-round | Daily | Grab | 1. Monthly Maximum<br>2. Monthly Minimum |

Notes:

a. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, the permittee must perform grab measurements.

b. When submitting DMRs electronically, the permittee must submit all data used to determine summary statistics in a DEQ-approved format as a spreadsheet via electronic reporting unless otherwise directed by DEQ.

b. The permittee must monitor effluent after disinfection and prior to discharge from Outfalls 001 and 002. The permittee must report results in accordance with Table B1 and the table below:

**Table B3: Effluent Monitoring Requirements for Outfalls 001 and 002**

| Item or Parameter | Units | Time Period (See note a.) | Minimum Frequency | Sample Type/ Required Action (See note b.) | Report Statistic (See note c.) |
|---|---|---|---|---|---|
| Flow (50050) | MGD | Year-round | Daily | Metered | 1. Monthly Average<br>2. Daily Maximum |
| Duration of Discharge (50037)<br>(Outfall 001 Only after February 1, 2026)<br>(See note d.) | Hours per day | Nov 1 – April 30 | Daily | Measurement | Monthly Maximum |
| $CBOD_5$ (80082)<br>(See note e.) | mg/L | Year-round | 3/week | 24-hour composite | 1. Monthly Average<br>2. Maximum Weekly Average |
| $CBOD_5$ (80082)<br>(See note e.) | lb/day | Year-round | 3/week | Calculation | 1. Daily Maximum<br>2. Monthly Average<br>3. Maximum Weekly Average |
| $CBOD_5$ Percent Removal (81383)<br>(See notes e and f.) | % | Year-round | Monthly | Calculation based on monthly average $CBOD_5$ concentration values | Monthly Average |

| **Item or Parameter** | **Units** | **Time Period** (See note a.) | **Minimum Frequency** | **Sample Type/ Required Action** (See note b.) | **Report Statistic** (See note c.) |
|---|---|---|---|---|---|
| TSS (00530) (See note e.) | mg/L | Year-round | 3/week | 24-hour composite | 1. Monthly Average<br>2. Maximum Weekly Average |
| TSS (00530) (See note e.) | lb/day | Year-round | 3/week | Calculation | 1. Daily Maximum<br>2. Monthly Average<br>3. Maximum Weekly Average |
| TSS Percent Removal (81011) (See notes e and f.) | % | Year-round | Monthly | Calculation based on monthly average TSS concentration values | Monthly Average |
| pH (00400) | SU | Year-round | Daily | Grab | 1. Daily Maximum<br>2. Daily Minimum |
| Chlorine, Total Residual (50060) | mg/L | Year-round | Daily | Grab | 1. Daily Maximum<br>2. Monthly Average |
| Temperature (00010) | ºC | Year round | Daily | Continuous (See note g.) | 1. Daily Maximum<br>2. Monthly Average<br>3. 7-day Rolling Average of Daily Maximum |
| Excess Thermal Load (51405) | Mkcal/day | June 7 - Sept. 30 | Daily | Calculation (See note h.) | Maximum 7-day Rolling Average (See note h.) |
| Excess Thermal Load Limit | Mkcal/day | June 7 - Sept. 30 | Daily | Calculation (See note i.) | Maximum 7-day Rolling Average |

| Item or Parameter | Units | Time Period (See note a.) | Minimum Frequency | Sample Type/ Required Action (See note b.) | Report Statistic (See note c.) |
|---|---|---|---|---|---|
| *E. coli* (51040) | #/100 mL | Year-round | 3/week | Grab | 1. Daily Maximum<br>2. Monthly Geometric Mean |
| Total Ammonia (as N) (00610) (Outfall 001 Only) | mg/L | May 1-Oct 31 (when discharging) | 2/week | 24-hour composite | Monthly Maximum |
| Total Ammonia (as N) (00610) (Outfall 001 Only) | mg/L | Nov 1-Apr 30 (when discharging) | Monthly | 24-hour composite | Monthly Maximum |
| Total Ammonia (as N) (00610) (Outfall 002 Only) | mg/L | Year-round | Monthly | 24-hour composite | Monthly Maximum |
| UV dose (See note j.) | $mJ/cm^2$ | Year-round | Daily | Daily Average Calculation | Maintain records on-site |
| Dissolved Oxygen (00300) | mg/L | Third year of permit cycle [2027] | Quarterly | 24-hour composite (See note k.) | Quarterly Minimum |
| Total Kjeldahl Nitrogen (TKN) (00625) | mg/L | Third year of permit cycle [2027] | Quarterly | Grab | Quarterly Maximum |
| Nitrite Plus Nitrate Nitrogen ($NO_2$+$NO_3$) (00630) | mg/L | Third year of permit cycle [2027] | Quarterly | Grab | Quarterly Maximum |
| Oil and Grease (00556) | mg/L | Third year of permit cycle [2027] | Quarterly | Grab | Quarterly Maximum |
| Total Phosphorus (00665) | mg/L | Third year of permit cycle [2027] | Quarterly | Grab | Quarterly Maximum |
| Total Dissolved Solids (70295) | mg/L | Third year of permit cycle [2027] | Quarterly | Grab | Quarterly Maximum |

Notes:

a. Monitoring is required when one or both outfalls are discharging. When either Outfalls 001 or 002 are in use, effluent monitoring at the Tri-City WRRF is representative of the effluent quality and discharge conditions at each outfall. When both outfalls are discharging, the permittee must report the duration of discharge from Outfall 001.

b. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, the permittee must perform grab measurements. If the failure or loss is for continuous temperature monitoring equipment, the permittee must perform grab measurements daily between 12 PM and 5 PM until continuous monitoring equipment is redeployed.

c. When submitting DMRs electronically, all data used to determine summary statistics must be submitted in a DEQ-approved format as a spreadsheet via electronic reporting unless otherwise directed by DEQ.

d. Report duration of discharges through Outfall 001 only after Outfall 002 becomes operational and becomes the primary outfall for the facility.

e. Once Outfall 002 becomes operational, Outfall 001 would be used only during peak flow condition or in an emergency. When both outfalls are used, effluent monitoring at the Tri-City WRRF would be indicative of the combined discharge from both outfalls. Flow weighted averaging is not necessary to define effluent quality and compliance with permit limits. As specified in Table B3, WES will report the duration that Outfall 001 is used during these conditions.

f. Percent Removal must be calculated on a monthly basis using the following formula:

$$Percent\ Removal = \frac{[Influent\ Concentration] - [Effluent\ Concentration]}{[Influent\ Concentration]} \times 100$$

Where:

Influent Concentration = Corresponding monthly average influent concentration based on the analytical results of the reporting period.

Effluent Concentration = Corresponding monthly average effluent concentration based on the analytical results of the reporting period.

g. The permittee may report the hourly average maximum temperature if continuous monitoring of temperature is performed more frequently than hourly intervals (i.e., multiple measurements taken during an hour).

h. The daily excess thermal load (ETL) discharged must be calculated using the daily maximum effluent temperature and the corresponding daily average effluent flow using the formula below. The 7-day rolling average is then calculated from the daily ETLs.

The daily ETL is calculated as follows: ETL= 3.785 * Qe *ΔT

Where:

ETL = Excess Thermal Load (Mkcal/day)

$Q_e$ = Daily Average Effluent flow (MGD)

ΔT = Daily Maximum Effluent temperature (°C) minus ambient criterion (20°C)

i. If the permittee selects Excess Thermal Load Limit (ETLL) Option B from Table A1, then the permittee must calculate the ETLL (Mkcal/day) each day the permittee uses this option. The permittee must use the equation and procedure noted in Table A1.

j. The UV dose is monitored at the dosing point in the UV disinfection process, which is upstream of the established effluent monitoring location.

| Item or Parameter | Units | Time Period (See note a.) | Minimum Frequency | Sample Type/ Required Action (See note b.) | Report Statistic (See note c.) |
|---|---|---|---|---|---|
| k. For Dissolved Oxygen, the permittee must collect and analyze at least four discrete grab samples over the operating day with samples collected no less than one hour apart. The analytical results for all samples in a day must be averaged for reporting purposes. | | | | | |

## 4. Copper Biotic Ligand Model and Aluminum Parameters

The permittee must monitor the Willamette River upstream of Outfall 002 and the effluent for Outfall 002 for copper biotic ligand model and aluminum parameters per Table B4 below. Samples must be collected monthly for a period of 6 months beginning in January 2027. Effluent and ambient monitoring must be conducted concurrently.

Ambient samples must be taken upstream of Outfall 002 in a location outside of the influence of the effluent using appropriate sampling techniques and procedures. It is the responsibility of the permittee to ensure safe and practical sampling techniques and procedures are used. DEQ recommends that these procedures be included in a sample and analysis plan that can be reviewed by DEQ when necessary or by request.

**Table B4: Copper Biotic Ligand Model and Aluminum Sampling Requirements**

| **Parameter** (See note a.) | **CAS** (See note b.) | **Units** | **Sampling Frequency** (See note c.) | **Sampling Location** (See note d.) |
|---|---|---|---|---|
| Copper, Total and Dissolved | 7440508 | µg/L | 1/month | Upstream and Effluent |
| Aluminum, Total | 7429905 | µg/L | 1/month | Upstream and Effluent |
| Hardness (as $CaCO_3$) | N/A | mg/L | 1/month | Upstream and Effluent |
| Dissolved Organic Carbon | N/A | mg/L | 1/month | Upstream and Effluent |
| pH | N/A | S.U. | 1/month | Upstream and Effluent |
| Temperature | N/A | °C | 1/month | Upstream and Effluent |
| Calcium, dissolved | 7440702 | mg/L | 1/month | Upstream and Effluent |
| Magnesium, dissolved | 7439954 | mg/L | 1/month | Upstream and Effluent |
| Sodium, dissolved | 7440235 | mg/L | 1/month | Upstream and Effluent |
| Potassium, dissolved | 7440097 | mg/L | 1/month | Upstream and Effluent |
| Sulfate, dissolved | 14808798 | mg/L | 1/month | Upstream and Effluent |
| Chloride, dissolved | 16887006 | mg/L | 1/month | Upstream and Effluent |
| Alkalinity, dissolved | N/A | mg/L | 1/month | Upstream and Effluent |

Notes:

a. All effluent samples must be 24-hr composite samples except grab samples must be collected for pH, alkalinity, and temperature. All receiving stream samples must be grab samples.

b. Chemical Abstract Service

c. Samples must be collected monthly for a period of 6 months beginning in January 2027.

d. Samples must be collected upstream (outside the influence of the effluent) and from the effluent on the same day.

## 5. Effluent Toxics Characterization Monitoring (Tier 1 Monitoring)

The permittee must collect and analyze effluent samples for the parameters listed in the tables below. The permittee must collect effluent samples after disinfection and prior to discharge on the dates in Table B1.

Samples must be 24-hour composites, except as noted in the table below for volatile organic compounds. Sample results must be reported in µg/L unless otherwise specified and submitted to DEQ using approved electronic format.

**Table B5: Metals, Cyanide, and Hardness**

| **Pollutant** (See note a.) | **CAS** (See note b.) | **Pollutant** (See note a.) | **CAS** (See note b.) |
|---|---|---|---|
| Antimony, total | 7440360 | Nickel, dissolved | 7440020 |
| Arsenic, total inorganic | 7440382 | Selenium, dissolved | 7782492 |
| Arsenic, total inorganic dissolved | 7440382 | Silver, dissolved | 7440224 |
| Beryllium, total | 7440417 | Thallium, total | 7440280 |
| Cadmium, dissolved | 7440439 | Zinc, dissolved | 7440666 |
| Chromium III, total and dissolved (See note c.) | 16065831 | Cyanide (Free) (See notes d and e.) | 57125 |
| Chromium VI, dissolved | 18540299 | Hardness (Total as CaCO3) | |
| Lead, dissolved | 7439921 | Iron, total | 7439896 |

Notes:

a. The term "total" used in reference to metals is intended to cover all EPA-accepted standard digestion methods and is considered to be equivalent to the term "total recoverable."

b. Chemical Abstract Service

c. There is not analytical method to test for Chromium III, results are obtained by subtracting Chromium VI from Chromium.

d. There are multiple approved methods for testing for free cyanide. For more information, refer to DEQ's analytical memo on the subject of cyanide monitoring at: https://www.oregon.gov/deq/FilterDocs/sToxicscyanide.pdf

e. Cyanide (Free) must be collected as a grab sample according to 40 CFR 122. Twenty-four-hour composite samples are not required for this analyte.

**Table B6: Volatile Organic Compounds**

| Pollutant (See note a.) | CAS | Pollutant (See note a.) | CAS |
|---|---|---|---|
| Acrolein (See note b.) | 107028 | 1,2-trans-dichloroethylene (See note e.) | 156605 |
| Acrylonitrile (See note b.) | 107131 | 1,1-dichloroethylene (See note f.) | 75354 |
| Benzene | 71432 | 1,2-dichloropropane | 78875 |
| Bromoform | 75252 | 1,3-dichloropropylene (See note g.) | 542756 |
| Carbon Tetrachloride | 56235 | Ethylbenzene | 100414 |
| Chlorobenzene | 108907 | Methyl Bromide (See note h.) | 74839 |
| Chlorodibromomethane (See note c.) | 124481 | Methyl Chloride (See note i.) | 74873 |
| Chloroethane | 75003 | Methylene Chloride | 75092 |
| 2-Chloroethylvinyl Ether (See note b.) | 110758 | 1,1,2,2-tetrachloroethane | 79345 |
| Chloroform | 67663 | Tetrachloroethylene (See note j.) | 127184 |
| Dichlorobromomethane (See note d.) | 75274 | Toluene | 108883 |
| 1,2-Dichlorobenzene (o) | 95501 | 1,1,1-trichloroethane | 71556 |
| 1,3-Dichlorobenzene (m) | 541731 | 1,1,2-trichloroethane | 79005 |
| 1,4-Dichlorobenzene (p) | 106467 | Trichloroethylene (See note k.) | 79016 |
| 1,1-dichloroethane | 75343 | Vinyl Chloride | 75014 |
| 1,2-dichloroethane | 107062 | | |

Notes:

a. VOC's must be collected as a grab sample according to 40 CFR 122. Twenty-four hour composite samples are not required for these analytes.

b. Acrolein, Acrylonitrile, and 2-Chloroethylvinyl ether must be tested from an unacidified sample.

c. Chlorodibromomethane is identified as Dibromochloromethane in 40 CFR § 136.3, Table 1C.

d. Dichlorobromomethane is identified as Bromodichloromethane in 40 CFR § 136.3, Table 1C.

e. 1,2-trans-dichloroethylene is identified as Trans-1,2-dichloroethene in 40 CFR § 136.3, Table 1C.

f. 1,1-dichloroethylene is identified as 1,1-dichloroethene in 40 CFR§ 136.3, Table 1C.

g. 1,3-dichloropropylene consists of both cis-1,3-dichloropropene and Trans-1,3-dichloropropene. Both must be reported individually.

h. Methyl bromide is identified as Bromomethane in 40 CFR § 136.3, Table 1C.

i. Methyl chloride is identified as Chloromethane in 40 CFR 136.§ 3, Table 1C.

j. Tetrachloroethylene is identified as Tetrachloroethene in 40 CFR § 136.3, Table 1C.

k. Trichloroethylene is identified as Trichloroethene in 40 CFR § 136.3, Table 1C.

**Table B7: Acid-Extractable Compounds**

| Pollutant | CAS | Pollutant | CAS |
|---|---|---|---|
| p-chloro-m-cresol (See note a.) | 59507 | 2-nitrophenol | 88755 |
| 2-chlorophenol | 95578 | 4-nitrophenol | 100027 |
| 2,4-dichlorophenol | 120832 | Pentachlorophenol | 87865 |
| 2,4-dimethylphenol | 105679 | Phenol | 108952 |
| 4,6-dinitro-o-cresol (See note b.) | 534521 | 2,4,5-trichlorophenol (See note c.) | 95954 |
| 2,4-dinitrophenol | 51285 | 2,4,6-trichlorophenol | 88062 |

Notes:
a. p-chloro-m-cresol is identified as 4-Chloro-3-methylphenol in 40 CFR 136.3, Table 1C.
b. 4,6-dinitro-o-cresol is identified as 2-Methyl-4,6-dinitrophenol in 40 CFR 136.3, Table 1C.
c. To monitor for 2,4,5-trichlorophenol, use EPA Method 625.1.

**Table B8: Base-Neutral Compounds**

| Pollutant | CAS | Pollutant | CAS |
|---|---|---|---|
| Acenaphthene | 83329 | Dimethyl phthalate | 131113 |
| Acenaphthylene | 208968 | 2,4-dinitrotoluene | 121142 |
| Anthracene | 120127 | 2,6-dinitrotoluene | 606202 |
| Benzidine | 92875 | 1,2-diphenylhydrazine (See note c.) | 122667 |
| Benzo(a)anthracene | 56553 | Fluoranthene | 206440 |
| Benzo(a)pyrene | 50328 | Fluorene | 86737 |
| 3,4-benzofluoranthene (See note a.) | 205992 | Hexachlorobenzene | 118741 |
| Benzo(ghi)perylene | 191242 | Hexachlorobutadiene | 87683 |
| Benzo(k)fluoranthene | 207089 | Hexachlorocyclopentadiene | 77474 |
| Bis(2-chloroethoxy)methane | 111911 | Hexachloroethane | 67721 |
| Bis(2-chloroethyl)ether | 111444 | Indeno(1,2,3-cd)pyrene | 193395 |
| Bis(2-chloroisopropyl)ether (See note b.) | 108601 | Isophorone | 78591 |
| Bis (2-ethylhexyl)phthalate | 117817 | Napthalene | 91203 |
| 4-bromophenyl phenyl ether | 101553 | Nitrobenzene | 98953 |
| Butylbenzyl phthalate | 85687 | N-nitrosodi-n-propylamine | 621647 |
| 2-chloronaphthalene | 91587 | N-nitrosodimethylamine | 62759 |
| 4-chlorophenyl phenyl ether | 7005723 | N-nitrosodiphenylamine | 86306 |
| Chrysene | 218019 | Pentachlorobenzene (See note d.) | 608935 |
| Di-n-butyl phthalate | 84742 | Phenanthrene | 85018 |
| Di-n-octyl phthalate | 117840 | Pyrene | 129000 |
| Dibenzo(a,h)anthracene | 53703 | 1,2,4-trichlorobenzene | 120821 |
| 3,3-Dichlorobenzidine | 91941 | Tetrachlorobenzene,1,2,4,5 (See note d.) | 95943 |
| Diethyl phthalate | 84662 | | |

Notes:

a. 3,4-benzofluoranthene is listed as Benzo(b)fluoranthene in 40 CFR part 136.

b. Also known as Chloroisopropyl Ether bis 2, and 2,2'-oxybis(2-chloro-propane). Bis(2-chloroisopropyl)ether is listed as 2,2'-oxybis(1-chloropropane) in 40 CFR 136.

c. 1,2-diphenylhydrazine is difficult to analyze given its rapid decomposition rate in water. Azobenzene (a decomposition product of 1,2-diphenylhydrazine) must be analyzed as an estimate of this chemical.

d. To analyze for Pentachlorobenzene and Tetrachlorobenzene 1,2,4,5, use EPA 625.1.

## 6. Additional Receiving Stream and Effluent Characterization Monitoring (Tier 2 Monitoring)

If additional ambient or effluent monitoring is needed, DEQ will notify the permittee through a request for supplemental information/data. The need for additional monitoring will be determined after DEQ's evaluation of the effluent toxics characterization (Tier 1 monitoring in Schedule B5) results.

## 7. Whole Effluent Toxicity (WET) Requirements

The permittee must monitor final effluent for whole effluent toxicity as described in the table below using the testing protocols specified in Schedule D, Whole Effluent Toxicity Testing for Freshwater. Permittee is to initiate sampling for whole effluent toxicity beginning in the second quarter of 2026 after Outfall 002 begins discharging in early 2026. Samples must be collected at the location specified below.

**Table B9: WET Test Monitoring**

| Parameter | Sample Type/Location | Minimum Frequency | Report |
|---|---|---|---|
| Acute toxicity | For acute toxicity: 24-hour composite samples taken after disinfection and before outfall discharge. | See Table B1 | Report must include test results and backup information such as bench sheets sufficient to demonstrate compliance with permit requirements.<br><br>Report must include a statement certifying that the results do or do not show toxicity. |
| Chronic toxicity | For chronic toxicity: 24-hr composite, taken after disinfection and before outfall discharge. | | |

## 8. Biosolids Monitoring Requirements

The permittee must monitor biosolids land applied or produced for sale or distribution as listed below. The samples must be representative of the quality and quantity of biosolids generated and undergo the same treatment process used to prepare the biosolids. Results must be reported as required in the biosolids management plan described in Schedule D.

**Table B10: Biosolids Monitoring**

| Item or Parameter | Minimum Frequency | Sample Type |
|---|---|---|
| Nutrient and conventional parameters (% dry weight unless otherwise specified):<br>Total Kjeldahl Nitrogen (TKN)<br>Nitrate-Nitrogen ($NO_3$-N)<br>Total Ammoniacal Nitrogen ($NH_3$-N)<br>Total Phosphorus (P)<br>Potassium (K)<br>pH (S.U.)<br>Total Solids<br>Volatile Solids | As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B11. | As described in DEQ-approved Biosolids Management Plan |

| Item or Parameter | Minimum Frequency | Sample Type |
|---|---|---|
| Pollutants: As, Cd, Cu, Hg, Pb, Mo, Ni, Se, Zn, mg/kg dry weight | As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B11. | As described in DEQ-approved Biosolids Management Plan |
| Pathogen reduction | As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B11. | As described in DEQ-approved Biosolids Management Plan |
| Vector attraction reduction | As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B11. | As described in DEQ-approved Biosolids Management Plan |
| Record of biosolids land application: date, quantity, location. | Each event | Record the date, quantity, and location of biosolids land applied on site location map or equivalent electronic system, such as GIS. |

**Table B11: Biosolids Minimum Monitoring Frequency**

| Quantity of biosolids land applied or produced for sale or distribution per calendar year | | Minimum Sampling Frequency |
|---|---|---|
| (dry metric tons) | (dry U.S. tons) | |
| Less than 290 | Less than 320 | Once per year |
| 290 to 1,500 | 320 to 1,653 | Once per quarter (4x/year) |
| 1500 to 15,000 | 1,653 to 16,535 | Once per 60 days (6x/year) |
| 15,000 or more | 16,535 or more | Once per month (12x/year) |

## 9. Recycled Water Monitoring Requirements: Outfall 003

Upon commencement of the distribution of recycled water beyond that used for facility irrigation, the permittee must monitor recycled water for Outfall 003 as listed below. The samples must be representative of the recycled water delivered for beneficial reuse at a location identified in the Recycled Water Use Plan. Monitoring results must be reported in accordance with Table B1.

**Table B12: Recycled Water Monitoring**

| Item or Parameter | Units | Time Period | Minimum Frequency | Sample Type/ Required Action | Report (See note a.) |
|---|---|---|---|---|---|
| Total flow (50050) | MGD | Year-round | Daily | Measure | Monthly Total |
| pH (00400) | SU | Year-round | 2/Week | Grab | 1. Monthly Minimum<br>2. Monthly Maximum |
| Turbidity (00070) | NTU | Year-round | Hourly (Class A) | Measure | 1. Daily Average<br>2. Daily Maximum |
| Turbidity, time above limit (61736) | % | Year-round | Daily (Class A) | Calculate | Daily Maximum |
| Total coliform (74056) | #/100 mL | Year-round | Daily (Class A)<br>3/Week (Class B)<br>Weekly (Class C) | Grab<br>(See note b.) | 1. 7-Day Median<br>2. Maximum Single Sample |
| *E. coli* (51040) | #/100 mL | Year-round | Weekly (Class D) | Grab | 1. Monthly Geometric Mean<br>2. Maximum Single Sample |
| Total Kjeldahl, Nitrogen (00625) | mg/L | Year-round | Quarterly | Grab | Value |
| Nitrite + Nitrate ($NO_2$+$NO_3$) (00630) | mg/L | Year-round | Quarterly | Grab | Value |
| Total Ammonia [as N] (00610) | mg/L | Year-round | Quarterly | Grab | Value |
| Total Phosphorus (00665) | mg/L | Year-round | Quarterly | Grab | Value |
| Nitrogen Loading Rate (See notes c and d.) | lb/acre-year | Year-round | Annually | Calculate | Value for each field |

Notes:

a. All data collected should be included in the Recycled Water Annual Report in addition to monthly and quarterly reporting as indicated.

b. Calculations of the median total coliform levels in Classes A–C are based on the results of the last seven days that analyses have been completed.

c. Nitrogen Loading Rate (lb/acre-year) = Total Gallons Applied (million gallons [MG]/year) x 8.34 lbs./gal x Recycle Water Total-Nitrogen (mg/L) divided by Size of Each Field (acres).

d. Recycle Water Total-Nitrogen = Total Kjeldahl Nitrogen (mg/L) + Nitrite-Nitrogen (mg/L) + Nitrate-Nitrogen (mg/L)

## 10. Pretreatment Monitoring

The permittee must monitor influent, effluent, and biosolids according to the table below and report the results as specified in Schedules E-8.a and 14.

**Table B13: Pretreatment Monitoring**

| **Pollutant** (See notes a and b.) | **CAS** (See note c.) | **Minimum Frequency** | **Sample Type** | **Report** |
|---|---|---|---|---|
| Arsenic | 7440382 | Quarterly, on 3 consecutive days between Monday and Friday, inclusive. | 24-hour composite for influent and effluent samples (See note d.) | Daily values |
| Cadmium | 7440439 | | | |
| Chromium | 7440473 | | | |
| Copper | 7440508 | | | |
| Lead | 7439921 | | | |
| Mercury | 7439976 | | | |
| Molybdenum | 7439987 | | | |
| Nickel | 7440020 | | | |
| Selenium | 7782492 | | | |
| Silver | 7440224 | | | |
| Zinc | 7440666 | | | |
| Cyanide (Total) | 57125 | | | |
| Biosolids (See notes d and e.) | N/A | Quarterly | Grab | Daily Values |

Notes:

a. The permittee must analyze all metals for total concentration unless otherwise specified by DEQ in writing.

b. Total cyanide must be collected as a grab sample according to 40 CFR 122. Twenty-four composite samples are not required for this analyte.

c. Chemical Abstract Service.

d. Permittee must sample effluent after disinfection and dechlorination, and prior to discharge to receiving waters. Biosolids sampling must occur after dewatering and be representative of the facility's biosolids that are delivered to customers.

e. Biosolids sampling and analysis must be performed per 40 CFR part 503.

# SCHEDULE C: COMPLIANCE SCHEDULE

## 1. Compliance Schedule to Meet Final Effluent Limits

The permittee must comply with the following schedule:

**Table C1: Compliance Schedule for Ammonia**

| Compliance Date: | Requirement: |
|---|---|
| **Optimization Study** | |
| By June 30, 2024<br>Within 1 month of permit effective date. | The permittee must submit to DEQ a draft Optimization Study that outlines feasible operation changes that can be made to the facility's current treatment processes to minimize effluent ammonia concentrations during dry season discharges (May 1 through October 31) through Outfall 001. |
| By August 31, 2024<br>Within 3 months of permit effective date. | The permittee must submit a revised Optimization Study that addresses DEQ comments provided on the draft Optimization Study. If DEQ does not comment on the draft Optimization Study within 30 days of DEQ receipt, submittal of a revised Optimization Study is not necessary, and the draft Optimization Study is deemed approved. |
| By September 30, 2024<br>Within 4 months of permit effective date. | The permittee must implement the operational changes and strategies identified in the approved Optimization Study until proposed Outfall 002 is operational. This is expected to include the 2024 and 2025 dry seasons (May 1 through October 31). |
| By March 31, 2025<br>Within 10 months of permit effective date. | The permittee must submit an Optimization Progress Report describing the operational changes that were implemented for the 2024 dry season discharges as part of the approved Optimization Study. The Progress Report must also document how effective the operational changes were at reducing effluent ammonia concentrations during the 2024 dry season and provide monitoring results. The Progress Report must also describe any further operational changes that may be employed during the 2025 dry season to reduce ammonia concentrations based upon the results of the 2024 dry season monitoring and lessons learned. |
| By 1/15/2026<br>Within 20 months of permit effective date. | The permittee must submit a final Optimization Progress Report describing the operational changes that were implemented for the 2025 dry season discharges as part of the 2024 Optimization Progress Report or approved Optimization Study. The Progress Report must document how effective the operational changes were at reducing effluent ammonia concentrations during the 2025 dry season and provide monitoring results. |
| **Outfall 002 Construction** | |
| By July 31,2024<br>Within 2 months of permit effective date. | The permittee must submit to DEQ the final construction plans, specifications, and Engineer's report (if appropriate) for the proposed construction of Outfall 002. Permittee must revise construction documents in accordance with DEQ comments within 60 days of receiving DEQ comments. |
| By September 30,2024<br>Within 4 months of permit effective date. | The permittee must begin construction of Outfall 002 and its supporting infrastructure in order to be operational by the end of 2025. |

| | |
|---|---|
| By September 30, 2025<br>Within 16 months of permit effective date. | The permittee must submit to DEQ a Construction Progress Report summarizing the progress made in the construction of Outfall 002 and achieving operational status by the end of 2025. |
| By October 31, 2025 | The permittee must submit to DEQ a brief letter report documenting that in-water construction of Outfall 002 is complete. The letter must provide a brief summary schedule regarding the start-up and testing of the outfall discharges and the expected date of full operation for the outfall. |
| February 1, 2026 | The permittee must initiate full operation of Outfall 002 and provide notification to DEQ. |
| February 1, 2026 | The permittee must achieve compliance with ammonia limits listed in Table A2 for all future dry season discharges through Outfall 001. |

## 2. Responsibility to Meet Compliance Dates

No later than 14 days following each compliance date listed in the table above, the permittee must notify DEQ in writing of its compliance or noncompliance with the requirements. Any reports of noncompliance must include the cause of noncompliance, any remedial actions taken, and a discussion of the likelihood of meeting the next scheduled requirement(s).

# SCHEDULE D: SPECIAL CONDITIONS

## 1. Inflow and Infiltration

The permittee must submit to DEQ an annual inflow and infiltration report on a DEQ-approved form as directed in Table B1. The report must include the following:

a. An assessment of the facility's I/I issues based on a comparison of summer and winter flows to the plant.

b. Details of activities performed in the previous year to identify and reduce inflow and infiltration.

c. Details of activities planned for the following year to identify and reduce inflow and infiltration.

d. A summary of sanitary sewer overflows that occurred during the previous year. This should include the following: date of the SSO, location, estimated volume, cause, follow-up actions, and if performed, the results of receiving stream monitoring.

## 2. Emergency Response and Public Notification Plan

The permittee must develop an Emergency Response and Public Notification Plan ("plan"), or ensure the facility's existing plan is current and accurate, per Schedule F, Section B, and Condition 8 within 6 months of permit effective date. The permittee must update the plan annually to ensure all information contained in the plan, including telephone and email contact information for applicable public agencies, is current and accurate. An updated copy of the plan must be kept on file at the facility for DEQ review. The latest plan revision date must be listed on the plan cover along with the reviewer's initials or signature.

## 3. Recycled Water Use Plan

In order to distribute recycled water, the permittee must develop and maintain a DEQ-approved Recycled Water Use Plan meeting the requirements in OAR 340-055-0025. The permittee must submit this plan or any significant modifications to DEQ for review and approval with sufficient time to clear DEQ review and a public notice period prior to distribution of recycled water. The permittee is prohibited from distributing recycled water prior to receipt of written approval of its Recycled Water Use Plan from DEQ. The permittee must keep the plan updated. All plan revisions require written authorization from DEQ and are effective upon permittee's receipt of DEQ written approval. No significant modifications can be made to a plan for an administratively extended permit (after the permit expiration date). Conditions in the plan are enforceable requirements under this permit. DEQ will provide an opportunity for public review and comment on any significant plan modifications prior to approving or denying. Public review is not required for minor modifications, changes to utilization dates or changes in use within the recycled water class.

a. Recycled Water Annual Report – If the permittee distributes recycled water under a recycled water use plan, the permittee must submit a recycled water annual report by the date specified in Table B1: Reporting Requirements and Due Dates. The permittee must use DEQ-approved recycled water annual report form. This report must include the monitoring data and analytical laboratory reports for the previous year's monitoring required under Schedule B.

## 4. Exempt Wastewater Reuse at the Treatment System

Recycled water used for landscape irrigation within the property boundary or in-plant processes at the wastewater treatment system is exempt from the requirements of OAR 340-055 if all of the following conditions are met:

a. The recycled water is an oxidized and disinfected wastewater.

b. The recycled water is used at the wastewater treatment system site where it is 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.

c. Spray and/or drift from the use does not migrate off the site.

d. Public access to the site is restricted.

## 5. Biosolids Management Plan

The permittee must maintain a Biosolids Management Plan and Land Application Plan meeting the requirements in OAR 340-050-0031. The permittee must submit any significant modification of these plans to DEQ for review and approval with sufficient time to clear DEQ review and a public notice period prior to implementing any significant changes to the biosolids program. The permittee must keep the plans updated. All plan revisions require written authorization from DEQ and are effective upon permittee's receipt of DEQ written approval. No significant modifications can be made to a plan for an administratively extended permit (after the permit expiration date). Conditions in the plans are enforceable requirements under this permit.

a. Annual Report

The permittee must submit a Biosolids Annual Report by February 19 of each year documenting biosolids management activities of the previous calendar year as described in OAR 340-050-0035(6). The permittee must use DEQ-approved Biosolids Annual report form. This report must include the monitoring data and analytical laboratory reports for the previous year's monitoring specified under Schedule B.

b. Site Authorization

The permittee must obtain written authorization from DEQ for each land application site prior to its use. Conditions in site authorizations are enforceable requirements under this permit. The permittee is prohibited from land applying biosolids to a DEQ-approved site except in accordance with the site authorization, while this permit is effective and with the written approval of the property owner. DEQ may modify or revoke a site authorization following the procedures for a permit modification described in OAR 340-045-0055.

c. Public Participation

i. DEQ will provide an opportunity for public review and comment on any significant plan modifications prior to approving or denying. Public review is not required for minor modifications or changes to utilization dates.

ii. No DEQ-initiated public notice is required for continued use of sites identified in DEQ-approved Biosolids Management Plan.

iii. For new sites that fail to meet the site selection criteria in the Biosolids Management Plan or that are deemed by DEQ to be sensitive with respect to residential housing, runoff potential, or threat to groundwater, DEQ will provide an opportunity for public comment as directed by OAR 340-050-0030(2).

iv. For all other new sites, the permittee must provide for public participation following procedures in its DEQ-approved land application plan.

## 6. Wastewater Solids Transfers

a. *Within state.* The permittee may transfer wastewater solids including Class A and Class B biosolids, to another facility permitted to process or dispose of wastewater solids, including but not limited to: another wastewater treatment facility, landfill, or incinerator. The permittee must satisfy the requirements of the receiving facility. The permittee must report the name of the receiving facility and the quantity of material transferred in the wastewater solids annual report identified in Schedule B.

b. *Out of state.* If wastewater solids, including Class A and Class B biosolids, are transferred out of state for use or disposal, the permittee must obtain written authorization from DEQ, meet Oregon requirements for the use or disposal of wastewater solids, notify in writing the receiving state of the proposed use or disposal of wastewater solids, and satisfy the requirements of the receiving state.

## 7. Whole Effluent Toxicity Testing for Freshwater

a. The permittee must conduct whole effluent toxicity (WET) tests as specified here and in Schedule B of this permit.

b. Acute Toxicity Testing - Organisms and Protocols

i. The permittee must conduct 48-hour static renewal tests with *Ceriodaphnia dubia* (water flea) and 96-hour static renewal tests with *Pimephales promelas* (fathead minnow).

ii. All test methods and procedures must be in accordance with *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA-821-R-02-012, October 2002*, or the most recent version of this publication if such edition is available. If the permittee wants to deviate from the bioassay procedures outlined in this method, the permittee must submit a written request to DEQ for review and approval prior to use.

iii. Treatments to the final effluent samples (for example, dechlorination, ammonia removal), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ in writing prior to analysis.

iv. WET acute testing must be conducted using a dilution series based upon the effluent percentage at the ZID (EPZID) in the following manner: 100%; 53.1%; 6.25; 3.1% and a control (0% effluent).

v. An acute WET test shows toxicity if there is a statistically significant difference in survival between the control and 6.25% effluent reported as the NOEC < 6.25% effluent.

c. Chronic Toxicity Testing - Organisms and Protocols

i. The permittee must conduct tests with *Ceriodaphnia dubia* (water flea) for reproduction and survival test endpoint, *Pimephales promelas* (fathead minnow) for growth and survival test endpoint, and *Raphidocelis subcapitata* (green alga formerly known as *Selanastrum capricornutum*) for growth test endpoint.

ii. All test methods and procedures 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*, or the most recent version of this publication if such edition is available. If the permittee wants to deviate from the bioassay procedures outlined in the applicable method, the permittee must submit a written request to DEQ for review and approval prior to use.

iii. Treatments to the final effluent samples (for example, dechlorination, ammonia removal), except those included as part of the methodology, may not be performed by the laboratory unless approved by DEQ in writing prior to analysis.

iv. WET chronic testing must be conducted using a dilution series based upon the effluent percentage at the RMZ (EPRMZ) in the following manner: 100% effluent; 50.6%; 1.2%; 0.6%; and 0.3% and a control (0% effluent).

v. A chronic WET test shows toxicity if the IC25 (25% inhibition concentration) occurs at dilutions equal to or less than the dilution that is known to occur at the edge of the mixing zone, that is, IC25 ≤ 1.2%.

d. Dual End-Point Tests

i. WET tests may be dual end-point tests in which both acute and chronic end-points can be determined from the results of a single chronic test. The acute end-point will be based on 48-hours for the *Ceriodaphnia dubia* (water flea) and 96-hours for the *Pimephales promelas* (fathead minnow).

ii. All test methods and procedures 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*, or the most recent version of this publication if such edition is available. If the permittee wants to deviate from the bioassay procedures outlined in this method, the permittee must submit a written request to DEQ for review and approval prior to use.

iii. Tests run as dual end-point tests must be conducted on a control (0%) and the following dilution series: 0.6%, 1.2%, 6.25%, 53.1%, and 100% effluent.

iv. Toxicity determinations for dual end-point tests must correspond to the acute and chronic tests described in conditions 7.b.v and 7.c.v above.

e. Sampling Requirements

At the time of WET sampling, the permittee must collect and analyze effluent samples for the toxics sampling outlined in Schedule B, Condition 5 of this permit.

f. Evaluation of Causes and Exceedances

i. If any test exhibits toxicity as described in conditions 7.b.v. and 7.c.v. above, the permittee must conduct another toxicity test using the same species and DEQ-approved methodology within two weeks unless an extension is granted by DEQ in writing. Effluent Toxics Characterization Testing must be conducted on the same day.

ii. If two consecutive WET test results indicate acute or chronic toxicity as described in conditions 7.b.v. and 7.c.v. above, the permittee must immediately notify DEQ of the results. DEQ will work with the permittee to determine the appropriate course of action to evaluate and address the toxicity.

g. Quality Assurance and Reporting

i. Quality assurance criteria, statistical analyses, and data reporting for the WET tests must be in accordance with the EPA documents stated in this condition.

ii. For each test, the permittee must provide a bioassay laboratory report according to the EPA method documents referenced in this Schedule. The report must include all QA/QC documentation, statistical analysis for each test performed, standard reference toxicant test (SRT) conducted on each species required for the toxicity tests and completed Chain of Custody forms for the samples including time of sample collection and receipt. The permittee must submit reports to DEQ within 60 days of test completion.

iii. The report must include all endpoints measured in the test: NOEC (No Observed Effects Concentration), LOEC (Lowest Observed Effects Concentration), and $IC_{25}$ (chronic effect 25% inhibition concentration).

iv. The permittee must make available to DEQ upon request the written standard operating procedures they, or the laboratory performing the WET tests, use for all toxicity tests required by DEQ.

h. Reopener

DEQ may reopen and modify this permit to include new limits, monitoring requirements, and/or conditions as determined by DEQ to be appropriate, and in accordance with procedures outlined in OAR Chapter 340, Division 45 if:

i. WET testing data indicate acute and/or chronic toxicity.

ii. The facility undergoes any process changes.

iii. Discharge monitoring data indicate a change in the reasonable potential to cause or contribute to an exceedance of a water quality standard.

i. Circumstances not addressed in this section, or that require deviation from the requirements of this section, must be approved in writing by DEQ before changes are implemented.

## 8. Operator Certification

a. Definitions

i. “Supervise” means to have full and active responsibility for the daily on-site technical operation of a wastewater treatment system or wastewater collection system.

ii. “Supervisor” or “designated operator”, means the operator delegated authority by the permittee for establishing and executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system in accordance with the policies of the owner of the system and any permit requirements.

iii. “Shift Supervisor” means the operator delegated authority by the permittee for executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system when the system is operated on more than one daily shift.

iv. "System" includes both the collection system and the treatment systems.

b. The permittee must comply with OAR Chapter 340, Division 49, "Regulations Pertaining to Certification of Wastewater System Operator Personnel" and designate a supervisor whose certification corresponds with the classification of the collection and/or treatment system as specified in the DEQ Supervisory Wastewater Operator Status Report. DEQ may revise the permittee's classification in writing at any time to reflect changes in the collection or treatment system. This reclassification is not considered a permit modification and may be made after the permit expiration date provided the permit has been administratively extended by DEQ. If a facility is re-classified, a certified letter will be mailed to the system owner from DEQ Operator Certification Program. Current system classifications are publicized on DEQ Supervisory Wastewater Operator Status Report found on DEQ Wastewater Operator Certification Homepage.

c. The permittee must have its system supervised full-time by one or more operators who hold a valid certificate for the type of wastewater treatment or wastewater collection system, and at a grade equal to or greater than the wastewater system's classification.

d. The permittee's wastewater system may be without the designated supervisor for up to 30 consecutive days if another person supervises the system, who is certified at no more than one grade lower than the classification of the wastewater system. The permittee must delegate authority to this operator to supervise the operation of the system.

When compliance with this section is not possible or practicable because the system supervisor is not available or the position is vacated unexpectedly, and another certified operator is not qualified to assume supervisory responsibility, the Director may grant a time extension for compliance with the requirements in response to a written request from the system owner. The Director will not grant an extension longer than 120 days unless the system owner documents the existence of extraordinary circumstances.

e. If the wastewater system has more than one daily shift, the permittee must have another properly certified operator available to supervise operation of the system. Each shift supervisor must be certified at no more than one grade lower than the system classification.

f. The permittee is not required to have a supervisor on site at all times; however, the supervisor must be available to the permittee and operator at all times.

g. The permittee must notify DEQ in writing of the name of the system supervisor by completing and submitting the Supervisory Wastewater System Operator Designation Form. The most recent version of this form may be found on DEQ Wastewater Operator Certification homepage *NOTE: This form is different from the Delegated Authority form. The permittee may replace or re-designate the system supervisor with another properly certified operator at any time and must notify DEQ in writing within 30 days of replacement or re-designation of the operator in charge. As of this writing, the notice of replacement or re-designation must be sent to Water Quality Division, Operator Certification Program, 700 NE Multnomah St, Suite 600, Portland, OR 97232-4100. This address may be updated in writing by DEQ during the term of this permit.

## 9. Outfall Inspection for Outfall 001 and Outfall 002 As-Builts

By the date shown in Table B1, the permittee must inspect Outfall 001 including the submerged portion of the outfall line and diffuser to document its integrity and to determine whether it is functioning as designed. The inspection must determine whether diffuser ports (if constructed) are intact, clear, and fully functional. The inspection must verify the latitude and longitude of the diffuser. The permittee must submit a written report to DEQ regarding the results of the outfall inspection by the date in Table B1. The report must include a description of the outfall as originally constructed, the condition of the current outfall and identify any repairs needed to return the outfall to satisfactory condition.

Additionally, by the date shown in Table B1, the permittee must submit As-Built drawings of Outfall 002, which documents any changes made to the design of the outfall during construction.

# SCHEDULE E: PRETREATMENT ACTIVITIES

## 1. Program Administration

The permittee must conduct and enforce its Pretreatment Program, as approved by DEQ, and comply with the most current General Pretreatment Regulations (40 CFR part 403). The permittee must 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 must 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 must 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 User Survey

The permittee must regularly update its inventory of industrial users at a frequency and diligence adequate to ensure proper identification of industrial users subject to the POTW pretreatment program, but no less than once per calendar year. The permittee must notify these industrial users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii). Survey update procedures must ensure that Industrial Users potentially subject to pretreatment are identified and issued a control mechanism, if required, on a timely basis but no later than 6 months after receipt of information indicating the IU is subject to pretreatment.

## 4. National Pretreatment Standards

The permittee must enforce categorical pretreatment standards promulgated pursuant to section 307(b) and (c) of the federal Clean Water Act, prohibited discharge standards as set forth in 40 CFR 403.5(a) and (b), or local limits 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, in consultation with DEQ, must perform a technical evaluation of the local limits and update these local limits if necessary. The permittee must submit those findings as a report to DEQ within 18 months after the permit effective date unless DEQ authorizes or requires, in writing, an alternate time frame. Locally derived discharge limits must be defined as pretreatment standards under section 307(d) of the Act and must conform to 40 CFR 403.5(c) and 403.8(f)(4). Technically based local limits must be developed in accordance with the procedures established by DEQ and the EPA's Local Limits Guidance.

## 6. Control Mechanisms

The permittee must 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 40 CFR 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 limits where appropriate under 40 CFR 403.6(c)(5) and (6). Unless a more stringent definition has been adopted by the permittee, the definition of Significant Industrial User must be as stated in 40 CFR 403.3(v).

## 7. Hauled Waste Control Plan

The permittee may accept hauled wastes at discharge points designated by the POTW after receiving written DEQ approval of a Hauled Waste Control Plan. Hauled wastes may include wastewater solids from another wastewater treatment facility, septage, grease trap wastes, portable and chemical toilet wastes, landfill leachate, groundwater remediation wastewaters and commercial/industrial wastewaters.

## 8. Pretreatment Monitoring

a. **POTW's Treatment Plant Monitoring**

POTW Monitoring requirements (Schedule B - Table B13): The permittee must monitor its influent, effluent, and biosolids for pollutants expected from non-domestic sources. Influent, effluent, and sludge samples must be tested for the priority pollutant metals on quarterly basis throughout the term of this permit as specified in Schedule B of the permit.

The permittee must sample POTW influent and effluent on a day when industrial discharges are occurring at normal to maximum levels. All reported test data for metals must represent the total amount of the constituent present. The permittee must include a summary of monitoring results in the Annual Pretreatment Report. The monitoring data collected in this manner must be used for re-evaluation of the POTWs local limits when sufficient data becomes available.

b. **Industrial User Sampling and Inspection**

The permittee must 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 must 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:

i. 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 40 CFR 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.

ii. 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 40 CFR 403.3(v)(2).

iii. In the case of Industrial Users subject to reduced reporting requirements under 40 CFR 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 40 CFR 403.12(e)(3), the permittee must immediately begin sampling and inspecting the Industrial User at least once a year.

c. **Industrial User Self Monitoring and Other Reports**

The permittee must receive and analyze self-monitoring and other reports submitted by industrial users as required by 40 CFR 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 40 CFR 403.12(b), (e), (h), where appropriate.

d. **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 must gather all information which would otherwise have been submitted by the user. The permittee must 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).

e. **Sample Collection and Analysis**

Sample collection and analysis, and the gathering of other compliance data, must 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 must be performed in accordance with 40 CFR part 136 or 40 CFR part 503 for biosolids analytes.

## 9. Slug Control Plans

The permittee must 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 that 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. Per 40 CFR 403:8(f)(2)(vi), the permittee is required to track and document any slug discharge by Significant Industrial Users and make it available to DEQ upon request. The permittee must 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 must be incorporated into the Significant Industrial User's control mechanism and the slug plan must 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 40 CFR 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.

## 10. Enforcement

The permittee must identify all violations of the industrial user's permit or local ordinance. The permittee must investigate all such instances of industrial user noncompliance and take all necessary steps to return users to compliance. The permittee's enforcement actions must follow its approved legal authorities (for example, ordinances) and Enforcement Response Plan developed in accordance with 40 CFR 403.8(f)(5).

## 11. Public Notice of Significant Noncompliance

The permittee must publish annual notification in a newspaper(s) of general circulation or by other means 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).

## 12. 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 permittee must retain all records relating to pretreatment program activities for a minimum of 3 years and make such records available to DEQ and EPA upon request. The permittee must also provide public access to information considered effluent data under 40 CFR part 2.

## 13. Annual Pretreatment Program Report

The permittee must submit a complete report to DEQ on or before March 31 that describes the pretreatment program activities during the previous calendar year pursuant to 40 CFR 403.12(i) . For guidance on the content and format of this report, contact DEQ's pretreatment coordinator. Reports submitted to DEQ regarding pretreatment must be signed by a principal executive officer, ranking elected official or other duly authorized employee if such employee is responsible for overall operation of the POTW.

## 14. Pretreatment Program Modifications

The permittee must submit in writing to DEQ 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 DEQ.

# SCHEDULE F: NPDES GENERAL CONDITIONS

**DOMESTIC FACILITIES**
**October 1, 2015 Version**

## SECTION A. STANDARD CONDITIONS

A1. 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 the federal Clean Water Act and is grounds for an enforcement action. Failure to comply is also grounds for DEQ to terminate, modify and reissue, revoke, or deny renewal of a permit.

A2. Penalties for Water Pollution and Permit Condition Violations

The permit is enforceable by DEQ or EPA, and in some circumstances also by third-parties under the citizen suit provisions of 33 USC § 1365. DEQ enforcement is generally based on provisions of state statutes and Environmental Quality Commission (EQC) rules, and EPA enforcement is generally based on provisions of federal statutes and EPA regulations.

ORS 468.140 allows DEQ to impose civil penalties up to $25,000 per day for violation of a term, condition, or requirement of a permit.

Under ORS 468.943, unlawful water pollution in the second degree, is a Class A misdemeanor and is punishable by a fine of up to $25,000, imprisonment for not more than one year, or both. Each day on which a violation occurs or continues is a separately punishable offense.

Under ORS 468.946, unlawful water pollution in the first degree is a Class B felony and is punishable by a fine of up to $250,000, imprisonment for not more than 10 years, or both.

The Clean Water Act provides that any person who violates permit condition, 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 $25,000 per day for each violation.

The Clean Water Act provides that any person who negligently violates any condition, 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.

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.

Any person who knowingly violates section any permit condition, 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 CWA, 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.

Any person may be assessed an administrative penalty by the Administrator for violating any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act.

Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000.

Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.

A3. Duty to Mitigate

The permittee must take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit. In addition, upon request of DEQ, the permittee must correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

A4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and have the permit renewed. The application must be submitted at least 180 days before the expiration date of this permit.

DEQ may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

A5. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

a. Violation of any term, condition, or requirement of this permit, a rule, or a statute.
b. Obtaining this permit by misrepresentation or failure to disclose fully all material facts.
c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
d. The permittee is identified as a Designated Management Agency or allocated a wasteload under a total maximum daily load (TMDL).
e. New information or regulations.
f. Modification of compliance schedules.
g. Requirements of permit reopener conditions
h. Correction of technical mistakes made in determining permit conditions.
i. Determination that the permitted activity endangers human health or the environment.
j. Other causes as specified in 40 CFR §§ 122.62, 122.64, and 124.5.
k. For communities with combined sewer overflows (CSOs):
   (1) To comply with any state or federal law regulation for CSOs that is adopted or promulgated subsequent to the effective date of this permit.

(2) If new information that was not available at the time of permit issuance indicates that CSO controls imposed under this permit have failed to ensure attainment of water quality standards, including protection of designated uses.
(3) Resulting from implementation of the permittee's long-term control plan and/or permit conditions related to CSOs.

The filing of a request by the permittee for a permit modification, revocation or reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

A6. Toxic Pollutants
The permittee must comply with any applicable effluent standards or prohibitions established under Oregon Administrative Rule (OAR) 340-041-0033 and section 307(a) of the federal Clean Water Act for toxic pollutants, and with standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, 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.

A7. Property Rights and Other Legal Requirements
The 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 private rights, or any infringement of federal, tribal, state, or local laws or regulations.

A8. Permit References
Except for effluent standards or prohibitions established under section 307(a) of the federal Clean Water Act and OAR 340-041-0033 for toxic pollutants, and standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, all rules and statutes referred to in this permit are those in effect on the date this permit is issued.

A9. Permit Fees
The permittee must pay the fees required by OAR.

**SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS**

B1. 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) that 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 that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

B2. Need to Halt or Reduce Activity Not a Defense
For industrial or commercial facilities, upon reduction, loss, or failure of the treatment facility, the permittee must, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B3. Bypass of Treatment Facilities

a. Definitions
   (1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs b and c of this section.
   (2) "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 that 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.

b. Prohibition of bypass.
   (1) Bypass is prohibited and DEQ may take enforcement action against a permittee for bypass unless:
      i. 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 backup 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 preventative maintenance; and
      iii. The permittee submitted notices and requests as required under General Condition B3.c.
   (2) DEQ may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, if DEQ determines that it will meet the three conditions listed above in General Condition B3.b.(1).

c. Notice and request for bypass.
   (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, a written notice must be submitted to DEQ at least ten days before the date of the bypass.
   (2) Unanticipated bypass. The permittee must submit notice of an unanticipated bypass as required in General Condition D5.

B4. Upset

a. Definition. "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 operation error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of General Condition B4.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   (1) An upset occurred and that the permittee can identify the causes(s) of the upset;
   (2) The permitted facility was at the time being properly operated;
   (3) The permittee submitted notice of the upset as required in General Condition D5, hereof (24-hour notice); and
   (4) The permittee complied with any remedial measures required under General Condition A3 hereof.

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

B5. Treatment of Single Operational Upset

For purposes of this permit, a single operational upset that leads to simultaneous violations of more than one pollutant parameter will be treated as a single violation. A single operational upset is an exceptional incident that causes simultaneous, unintentional, unknowing (not the result of a knowing act or omission), temporary noncompliance with more than one federal Clean Water Act effluent discharge pollutant parameter. A single operational upset does not include federal Clean Water Act violations involving discharge without a NPDES permit or noncompliance to the extent caused by improperly designed or inadequate treatment facilities. Each day of a single operational upset is a violation.

B6. Overflows from Wastewater Conveyance Systems and Associated Pump Stations

a. Definition. "Overflow" means any spill, release or diversion of sewage including:
   (1) An overflow that results in a discharge to waters of the United States; and
   (2) 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), even if that overflow does not reach waters of the United States.

b. Reporting required. All overflows must be reported orally to DEQ within 24 hours from the time the permittee becomes aware of the overflow. Reporting procedures are described in more detail in General Condition D5.

B7. 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 (for example, public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed under General Condition B8. 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.

B8. 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.

B9. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must be disposed of in such a manner as to prevent any pollutant from such materials from entering waters of the state, causing nuisance conditions, or creating a public health hazard.

**SECTION C. MONITORING AND RECORDS**

C1. Representative Sampling

Sampling and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit, and must be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points must not be changed without notification to and the approval of DEQ. Samples must be collected in accordance with requirements in 40 CFR part 122.21 and 40 CFR part 403 Appendix E.

C2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices must be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices must be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected must be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes.

C3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR part 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR part 503 unless other test procedures have been specified in this permit.

For monitoring of recycled water with no discharge to waters of the state, monitoring must be conducted according to test procedures approved under 40 CFR part 136 or as specified in the most recent edition of Standard Methods for the Examination of Water and Wastewater unless other test procedures have been specified in this permit or approved in writing by DEQ.

C4. Penalties for Tampering

The federal Clean Water 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 may, upon conviction, be punished by a fine of not more than $10,000 per violation, imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both.

C5. Reporting of Monitoring Results

Monitoring results must be summarized each month on a discharge monitoring report form approved by DEQ. The reports must be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

C6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR part 136 or, in the case of sludge (biosolids) use and disposal, approved under 40 CFR part 503, or as specified in this permit, the results of this monitoring must be included in the calculation and reporting of the data submitted in the discharge monitoring report. Such increased frequency must also be indicated. For a pollutant parameter that may be sampled more than once per day (for example, total residual chlorine), only the average daily value must be recorded unless otherwise specified in this permit.

C7. Averaging of Measurements

Calculations for all limitations that require averaging of measurements must utilize an arithmetic mean, except for bacteria which must be averaged as specified in this permit.

C8. Retention of Records

Records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities must be retained for a period of at least 5 years (or longer as required by 40 CFR part 503). Records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit must be retained for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of DEQ at any time.

C9. Records Contents

Records of monitoring information must include:

a. The date, exact place, time, and methods of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The individual(s) who performed the analyses;
e. The analytical techniques or methods used; and
f. The results of such analyses.

C10. Inspection and Entry

The permittee must allow DEQ or EPA upon the presentation of credentials to:

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

C11. Confidentiality of Information

Any information relating to this permit that is submitted to or obtained by DEQ is available to the public unless classified as confidential by the Director of DEQ under ORS 468.095. The permittee may request that information be classified as confidential if it is a trade secret as defined by that statute. The name and address of the permittee, permit applications, permits, effluent data, and information required by NPDES application forms under 40 CFR § 122.21 are not classified as confidential [40 CFR § 122.7(b)].

## SECTION D. REPORTING REQUIREMENTS

D1. Planned Changes

The permittee must comply with OAR 340-052, "Review of Plans and Specifications" and 40 CFR § 122.41(l)(1). Except where exempted under OAR 340-052, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers may be commenced until the plans and specifications are submitted to and approved by DEQ. The permittee must give notice to DEQ as soon as possible of any planned physical alternations or additions to the permitted facility.

D2. Anticipated Noncompliance

The permittee must give advance notice to DEQ of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

D3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and EQC rules. No permit may be transferred to a third party without prior written approval from DEQ. DEQ may require modification, revocation, and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under 40 CFR § 122.61. The permittee must notify DEQ when a transfer of property interest takes place.

D4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date. Any reports of noncompliance must include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

D5. 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 the DEQ regional office or 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 the DEQ regional office.
         *(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 (for example, 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 DEQ regional office within 24 hours, or during normal business hours, whichever is earlier:
         *(a)* The OERS incident number (if applicable); and
         *(b)* A brief description of the event.
   (2) Written reporting postmarked within 5 days.
      i. The following information must be provided in writing to the DEQ 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.

      DEQ 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 DEQ in this permit; and
      iv. Any noncompliance that may endanger human health or the environment.
   (2) During normal business hours, the DEQ regional office must be called. Outside of normal business hours, DEQ 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**7.**
   (4) DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

D6. Other Noncompliance
The permittee must report all instances of noncompliance not reported under General Condition D4 or D5 at the time monitoring reports are submitted. The reports 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 reoccurrence of the noncompliance.

D7. Duty to Provide Information
The permittee must furnish to DEQ within a reasonable time any information that DEQ may request to determine compliance with the permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee must also furnish to DEQ, upon request, copies of records required to be kept by this permit.

Other Information: When the permittee becomes aware that it has failed to submit any relevant facts or has submitted incorrect information in a permit application or any report to DEQ, it must promptly submit such facts or information.

D8. Signatory Requirements
All applications, reports or information submitted to DEQ must be signed and certified in accordance with 40 CFR § 122.22.

D9. Falsification of Information
Under ORS 468.953, 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 noncompliance, is subject to a Class C felony punishable by a fine not to exceed $125,000 per violation and up to 5 years in prison per ORS chapter 161. Additionally, according to 40 CFR § 122.41(k)(2), 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 will, upon conviction, be

punished by a federal civil penalty not to exceed $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

D10. Changes to Indirect Dischargers

The permittee must provide adequate notice to DEQ of the following:

a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the federal Clean Water Act if it were directly discharging those pollutants and;
b. 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.
c. For the purposes of this paragraph, adequate notice must include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

**SECTION E. DEFINITIONS**

E1. *BOD* or $BOD_5$ means five-day biochemical oxygen demand.
E2. *CBOD* or $CBOD_5$ means five-day carbonaceous biochemical oxygen demand.
E3. *TSS* means total suspended solids.
E4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
E5. *FC* means fecal coliform bacteria.
E6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
E7. *Technology based permit effluent limitations* means technology-based treatment requirements as defined in 40 CFR § 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-041.
E8. *mg/l* means milligrams per liter.
E9. *µg/l* means microgram per liter.
E10. *kg* means kilograms.
E11. $m^3/d$ means cubic meters per day.
E12. *MGD* means million gallons per day.
E13. *Average monthly effluent limitation* as defined at 40 CFR § 122.2 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.
E14. *Average weekly effluent limitation* as defined at 40 CFR § 122.2 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.
E15. *Daily discharge* as defined at 40 CFR § 122.2 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 must be 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 must be calculated as the average measurement of the pollutant over the day.
E16. *24-hour composite sample* means a sample formed by collecting and mixing discrete samples taken periodically and based on time or flow.
E17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
E18. *Quarter* means January through March, April through June, July through September, or October through December.
E19. *Month* means calendar month.
E20. *Week* means a calendar week of Sunday through Saturday.
E21. *POTW* means a publicly-owned treatment works.