Oregon
Tina Kotek, Governor

Department of Environmental Quality
Northwest Region Portland Office/Water Quality
700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5696
FAX (503) 229-6124
TTY 711

June 14, 2024

Dean Keranen
Westport Sewer Service District
1100 Olney Ave.
Astoria, OR 97103-5533

Re: NPDES Permit Public Notice Period
Comments Due: July 22, 2024, 5 p.m.
File no. 94225
Permit no. 101520
EPA no. OR0031496
Facility: Westport Sewer Service District STP, 91291 Westport Boat Ramp Rd., Westport
Clatsop County

Enclosed please find the Public Notice drafts for your proposed National Pollutant Discharge Elimination System Permit including a copy of the public notice, permit, and fact sheet. Please be aware that Westport Sewer Service District may provide additional comment on the permit during this time and submit to:

Trinh Hansen, Water Quality Permit Coordinator
DEQ Western Region
4026 Fairview Industrial Way Dr. SE
Salem, OR 97302
trinh.hansen@deq.oregon.gov

Your comments **must be received by 5 p.m. on July 22, 2024**. DEQ will hold a public hearing if DEQ receives written requests for a hearing during the public comment period from at least 10 people, or from an organization representing 10 or more people. DEQ gives equal weight to written and oral comments. When the public participation period has ended, DEQ will take final action on your application.

Please contact me at 503-378-5055 with any questions about permitting processing.

Sincerely,

Trinh Hansen

Trinh Hansen
Water Quality Permit Coordinator
Western Region, Salem Office

ec: Source File, Portland Office, DEQ
Mike Pinney, Portland, DEQ
ORMS

PUBLIC NOTICE

Date posted: 6/14/24

DEQ Requests Comments on Proposed Westport Sewer Service District's Water Quality Permit Renewal

HOW TO PROVIDE PUBLIC COMMENT

Facility name: Westport Sewer Service District
Permit type: Water Quality Minor Domestic
Comments due by: Monday, July 22, 2024 at 5 p.m.

Send written comments to:

By mail: Trinh Hansen, Oregon DEQ
4026 Fairview Industrial Dr. SE, Salem, OR 97302

By email: trinh.hansen@deq.oregon.gov

The Oregon Department of Environmental Quality invites the public to provide written comments on the conditions of Westport Sewer Service District's proposed water quality permit, known officially as a National Pollutant Discharge Elimination System permit.

Summary

Subject to public review and comment, DEQ intends to renew the proposed water quality permit, which allows Westport Sewer Service District Sewage Treatment Plant to discharge wastewater to Westport Slough.

About the facility

The Westport Sewer Service District has applied for a water quality permit renewal for the Westport Sewage Treatment Plant located at 91291 Westport Boat Ramp Road in Clatsop County. DEQ last renewed this permit on Sept. 18, 2019.

The collection system consists of primary treatment that occurs in several septic tanks within the community. Effluent from the septic tanks then flow or are pumped to the treatment plant. The treatment plant has an initial screening vault to capture any materials that may escape from the septic tanks. From there it enters the recirculating textile filter system. A recirculation tank holds the plant influent, which consists of septic tank effluent. A dosing pump vault sends the wastewater to spray over the textile filters. After treatment from the textile filters is complete, effluent is pumped through UV disinfection and out to the Westport Slough outfall about 1,000 feet from the pump station. The regulated pollutants produced by the facility are biological oxygen demand (BOD_5), total suspended solids (TSS), pH, temperature, thermal plume, and *E. coli*.

The facility discharges to Westport Slough near the Westport boat ramp. Westport Slough is not listed as impaired (category 4 or 5) for any pollutants according to the most recent U.S. Environmental Protection Agency-approved integrated report for Oregon. The proposed permit reflects effluent limits established through reasonable potential analysis and best available technology for BOD_5, TSS, pH, and *E. coli*.

The most recent DEQ inspection of the Westport Sewage Treatment Plant was on April 2,2024. DEQ did not identify violations during this inspection. The facility has had five water quality violations in the past permit term. The issues related to these past compliance issues are being addressed and the facility is currently operating in full compliance.

Translation or other formats

Español | 한국어 | 繁體中文 | Русский | Tiếng Việt | العربية
800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

State of Oregon
Department of Environmental Quality

The facility holds no other permits from DEQ.

What types of pollutants does the permit regulate?

This permit sets conditions for how the facility deals with the following pollutants: BOD_5, TSS, pH, temperature, and *E. coli*.

Would the draft permit change the amount of pollution the facility is allowed to release?

No.

How did DEQ determine permit requirements?

DEQ evaluates types and amounts of pollutants and the water quality of the surface water or groundwater where the pollutants are proposed to be discharged and determines permit requirements to ensure the proposed discharges will meet applicable statutes, rules, regulations and effluent guidelines of Oregon and the Clean Water Act.

DEQ relied solely on these documents and made no other discretionary decisions for the permit action.

How does DEQ monitor compliance with the permit requirements?

This permit will require the facility to monitor pollutants discharged using approved monitoring practices and standards. DEQ reviews the facility's discharge monitoring reports to check for compliance with permit limits.

What happens next?

Submit comments by sending an email or using mail service addressed to the permit coordinator listed in the "how to provide public comment" box above.

DEQ will hold a public hearing if it receives written requests for a hearing during the public comment period from at least 10 people or from an organization representing at least 10 people.

DEQ will consider and respond to all comments received and may modify the proposed permit based on comments.

For more information

Find more information by reviewing draft permit documents attached to this notice or contact Trinh Hansen at (503) 378-5055 or trinh.hansen@deq.oregon.gov with questions or to view documents in person at a DEQ office.

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's Civil Rights and Environmental Justice page.

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:

Westport Sewer Service District
1100 Olney Avenue
Astoria, OR 97103

SOURCES COVERED BY THIS PERMIT:

Type of Waste	Outfall Number	Outfall Location
Treated Wastewater	001	Westport Slough Latitude 46.136, Longitude -123.373
Recycled Water Reuse	N/A	
Biosolids	N/A	

FACILITY LOCATION:

Westport Sewer Service District STP
91291 Westport Boat Ramp Road
Westport, OR 97016
County: Clatsop
EPA Permit Type: Minor

RECEIVING STREAM INFORMATION:

Receiving stream/NHD name: Westport Slough
USGS 12-Digit HUC: 170800030801
OWRD Administrative Basin: North Coast
NHD Reach Code & % along reach: 17080003000763 & 30.04%
ODEQ LLID & RM: 1233829461486 & RM 1.1
Integrated Report AU ID: OR_SR_1708000308_05_103693

Issued in response to Application no. 948220 received September 15, 2023. This permit is issued based on the land use findings in the permit record.

DRAFT	DRAFT	DRAFT
Tiffany Yelton-Bram, Water Quality Program Manager Northwestern Region	Issuance Date	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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Note: Schedule C (Compliance) and E (Pretreatment Activities) are not part of this permit.

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SCHEDULE A: WASTE DISCHARGE LIMITS

1. Outfall 001 – Permit Limits

During the term of this permit, the permittee must comply with the limits in the following table:

Table A1: Permit Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD_5 (April 1 to October 31)	mg/L	20	30	-
	lb/day	9	14	18
	% removal	85	-	-
TSS (April 1 to October 31)	mg/L	20	30	-
	lb/day	9	14	18
	% removal	60	-	-
BOD_5 (November 1 to March 31)	mg/L	30	45	-
	lb/day	14	21	28
	% removal	85	-	-
TSS (November 1 to March 31)	mg/L	30	45	-
	lb/day	14	21	28
	% removal	60	-	-
pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0		
E. coli (See note a.)	#/100 mL	Must not exceed a monthly geometric mean of 126, no single sample may exceed 406		

Note:

a. 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.

2. Regulatory Mixing Zone

The regulatory mixing zone is that portion of the Westport Slough within 25 feet of the outfall. The zone of initial dilution is that portion of Westport Slough within 3 feet of the outfall.

3. Chlorine Usage

The permittee is prohibited from using chlorine or chlorine compounds for effluent disinfection purposes. Chlorine residual in effluent resulting from chlorine or chlorine-containing chemicals used for maintenance or other purposes is also prohibited.

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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:
Tables B2, B3, and B4 Influent Monitoring, Effluent Monitoring, and Receiving Stream Monitoring	Monthly	By the 15th of the following month	Specified in Schedule B. Section 2 of this permit	Electronic reporting as directed by DEQ
Inflow and infiltration report (see Schedule D)	Annually	February 15	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Mixing Zone Study (see Schedule D)	One time	Submit by XX/15/2028	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Wastewater solids annual report (see Schedule D)	Annually	By February 19 of the following year	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ Electronic copy to DEQ Biosolids Program Coordinator
Industrial User Survey (see Schedule D)	Once per permit cycle	Submit by no later than 24 months after permit effective date	1 electronic copy and 1 hard copy in a DEQ approved format	• 1 Hard copy to DEQ Pretreatment Coordinator • 1 Electronic copy to Compliance Officer
Outfall Inspection Report (see Schedule D)	Once per permit cycle	Submit by XX/15/2028 In the 4th year of the permit.	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ

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.

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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 136 and 40 CFR 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 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.

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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. If these method criteria are not met for BOD_5, the permittee must: 1) report the daily BOD_5 values with data qualifiers; 2) include these BOD_5 values in the summary statistic calculations (e.g., weekly averages, monthly averages, % removal); and 3) report the BOD_5 summary statistics with data qualifiers.

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. (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.

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iv. (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).

3. Monitoring and Reporting Requirements

a. The permittee must monitor influent at the influent manhole located near the plant entrance and report results in accordance with Table B1 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.)
BOD_5 (00310)	mg/L	Year-round	2/Month	24-hour composite	Monthly Average
TSS (00530)	mg/L	Year-round	2/Month	24-hour composite	Monthly Average
pH (00400)	SU	Year-round	3/Week	Grab	1. Monthly Maximum 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.

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b. The permittee must monitor effluent for Outfall 001 at the effluent line downstream of the UV disinfection system and report results in accordance with Table B1 and the table below:

Table B3: Effluent 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 2. Daily Maximum
BOD_5 (00310)	mg/L	Year-round	2/Month	24-hour composite	1. Monthly Average 2. Maximum Weekly Average
BOD_5 (00310)	lb/day	Year-round	2/Month	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average
BOD_5 percent removal (81010) (See note c.)	%	Year-round	Monthly	Calculation based on monthly average BOD_5 concentration values	Monthly Average
TSS (00530)	mg/L	Year-round	2/Month	24-hour composite	1. Monthly Average 2. Maximum Weekly Average
TSS (00530)	lb/day	Year-round	2/Month	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average
TSS percent removal (81011) (See note c.)	%	Year-round	Monthly	Calculation based on monthly average TSS concentration values	Monthly Average
pH (00400)	SU	Year-round	3/Week	Grab	1. Daily Maximum 2. Daily Minimum
Temperature (00010)	ºC	Year-round	3/Week	Grab (See note d.)	1. Daily Maximum 2. Monthly Average 3. 7-day Rolling Average of Daily Maximum
E. coli (51040)	#/100 mL	Year-round	2/Month	Grab	1. Daily Maximum 2. Monthly Geometric Mean
Alkalinity as $CaCO_3$ (00410)	mg/L	Year-round	Quarterly	24-hour composite	Quarterly Maximum
UV intensity	mW/cm^2	Year-round	Daily	Continuous	Maintain records on-site
UV dose	mJ/cm^2	Year-round	Daily	Calculation	Maintain records on-site

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Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
Dissolved Oxygen (00300)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite (See note e.)	Quarterly 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. 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.

b. 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.

c. 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.

d. Effluent Concentration = Corresponding Monthly average effluent concentration based on the analytical results of the reporting period. The permittee must perform temperature grab measurements daily between 8AM and 5 PM. Alert DEQ when an auto temperature reader has been installed at the treatment plant. Once continuous monitoring has commenced, the following instructions apply: When determining the daily maximum temperature, the permittee may report the hourly average maximum temperature if continuous monitoring of temperature is performed at less than hourly intervals.

e. 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.

Public Notice

c. The permittee must monitor Westport Slough on an outgoing to tide and report the results in accordance with Table B1 and the table below. The permittee must collect samples such that the effluent does not impact the samples.

Table B4: Receiving Stream Monitoring (Westport Slough)

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action (See note a.)	Report Statistic (See note b.)
pH (00400)	SU	Year-round	1/month	Grab	Monthly Maximum
Temperature (00010)	ºC	Year-round	1/month	Grab	Monthly Maximum
Alkalinity as $CaCO_3$ (00410)	mg/L	Year-round	1/month	Grab	Monthly Maximum

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. 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.

b. 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.

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SCHEDULE C: COMPLIANCE SCHEDULE

A compliance schedule is not part of this permit.

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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. Mixing Zone Study

By no later than the date in Table B1, permittee must submit a level 1 mixing zone study. (Level 1 mixing zone study requirements are described in DEQ's Mixing Zone Internal Management Directive). If the permittee plans to move the outfall after this date, the permittee must submit a schedule to DEQ for moving the outfall by the date in Table B1. The schedule must include dates for submitting plans and specification for the new outfall and a mixing zone study.

3. 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.

4. Wastewater Solids Annual Report

The permittee must submit a Wastewater Solids Annual Report by February 19 each year documenting removal of wastewater solids from the facility during the previous calendar year. The permittee must use DEQ-approved wastewater solids annual report form. This report must include the volume of material removed and the name of the permitted facility that received the solids.

5. 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 or biosolids annual report identified in Schedule B.

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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.

6. 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 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 on a part-time or full-time basis by one or more operators who hold a valid certificate for the type of wastewater treatment or wastewater collection system the operator is supervising 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.

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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.

7. Industrial User Survey

Industrial User Survey

a. By the date listed in Table B1, the permittee must conduct an industrial user survey as described in 40CFR 403.8(f)(2)(i-iii) to determine the presence of any industrial users discharging wastewaters subject to pretreatment and submit a report on the findings to DEQ. The purpose of the survey is to identify whether there are any industrial users discharging to the POTW and ensure regulatory oversight of these discharges to state waters.

b. Should DEQ determine that a pretreatment program is required, the permit must be reopened and modified in accordance with 40 CFR 403.8(e)(1) to incorporate a compliance schedule for development of a pretreatment program. The compliance schedule must be developed in accordance with the provisions of 40 CFR 403.12(k), and must not exceed twelve (12) months.

8. Outfall Inspection

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 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.

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SCHEDULE E: PRETREATMENT ACTIVITIES

A pretreatment program is not part of this permit.

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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.

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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.

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(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 include 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

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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

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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.

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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.

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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.

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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;

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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.

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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.

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National Pollutant Discharge Elimination System
Permit Fact Sheet
Westport Sewer Service District

State of Oregon
Department of
Environmental
Quality

Permittee	Westport Sewer Service District Westport Sewer Service District STP 91291 Westport Boat Ramp Road Westport, OR 97016
Existing Permit Information	File Number: 94225 Permit Number: 101520 EPA Reference Number: OR0031496 Category: Domestic Class: Minor Expiration Date: 8/31/2024
Permittee Contact	Colin Phillips Plant Operator 503-319-8208 1100 Olney Avenue Astoria, OR 97103
Receiving Water Information	Receiving stream/NHD name: NHD Reach Code & % along reach: 17080003000763 & 30.04% USGS 12-digit HUC: 170800030801 OWRD Administrative Basin: North Coast ODEQ LLID & River Mile: 1233829461486 & RM 1.1 Assessment Unit ID: OR_SR_1708000308_05_103693
Proposed Action	Permit Renewal Application Number: 948220 Date Application Received: 9/15/2023
Permit Writer	Helen Sanders 541-241-0152 Date Prepared: 6/13/2024

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NPDES Permit Fact Sheet
Westport Sewer Service District

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NPDES Permit Renewal Fact Sheet
Westport Sewer Service District

1. Introduction

As required by Oregon Administrative Rule 340-045-0035, this fact sheet describes the basis and methodology used in developing the permit. The permit is divided into several sections:

Schedule A – Waste discharge limitations
Schedule B – Minimum monitoring and report requirements
Schedule C – Compliance conditions and schedules
Schedule D – Special conditions
Schedule E – Pretreatment conditions
Schedule F – General conditions

A summary of the major changes to the permit are listed below:

- The influent BOD_5 and TSS concentrations will no longer be assumed as 200 mg/L for calculation of the percent removal efficiency. Instead, the percent removal efficiency for TSS will be reduced to 60%.
- Effluent monitoring requirements for temperature in Schedule B will decrease from daily to 3/week.
- Effluent monitoring requirements for alkalinity in Schedule B will increase to quarterly on an annual basis.
- Excess Thermal load, UV Intensity, and UV Transmittance will be included in the effluent monitoring requirements.
- Receiving stream monitoring requirements in Westport Slough for pH, temperature, and Alkalinity will be added to Schedule B of the permit.

2. Facility Description

2.1 Wastewater Facility

The Westport sewer service district (WSSD) operates a wastewater treatment plant at 91291 Westport Boat Ramp Road and serves a population of approximately 330. Outfall 001 discharges into the Westport Slough, which is a tributary of the Columbia River.

The Westport wastewater treatment facility was originally placed into operation in 1985. In early 2007, the facility completed a plant upgrade on most of the treatment plant components but did not incorporate changes to the collection system. The treatment plant upgrade involved installing an Orenco Systems® Advantex® system. This treatment facility can be described as having three components. Primary treatment occurs in several septic tanks within the community. The effluent is either pumped from these tanks or flows by gravity through a collection system to the treatment plant.

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The treatment plant has an initial screening vault to capture any materials that may escape from the septic tanks. From there it enters the recirculating textile filter system. A recirculation tank holds the plant influent (septic tank effluent). A dosing pump vault sends the wastewater to spray over the textile filters. This plant has 24 separate pods containing the textile filter media. This filter material grows a biological film breaking down the waste materials carried to the plant in the wastewater. This media also acts as a physical filter capturing particulates in the waste stream. The filtrate from the pods enters a flow splitting manhole where a portion is sent to the discharge pump station and the remaining water is returned back to the recirculation tank. The plant is designed so that 80% of the flow leaving the textile filter pods is recirculated. The other 20% of the flow is chemically treated with sodium bicarbonate and then enters the effluent pump station manhole which pumps the final effluent through UV disinfection and out to the Westport Slough outfall about 1000 feet from the pump station.

The design peak flow for the facility is 0.054 MGD. Treated wastewater is discharged to the Westport Slough at about river mile 1.1. The only outfall (Outfall 001) is at approximately latitude 46.136, longitude -123.373. It is about 30 feet downstream from the Westport Boat Ramp.

Biosolids accumulations from the Westport SSWD treatment system are regularly pumped out and transported to a landfill for further treatment and beneficial use as biosolids. The permittee reports the volume of materials removed from the septic tank and the digester tank on the monthly monitoring report and in an annual report. The facility does not store sewage sludge outside of the treatment system and does not land apply biosolids, nor intends to do so during the permit period. The permittee does not currently operate a recycled water program and does not intend to do so during the term of this permit.

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Figure 2-1: Westport WWTP Location and Outfall

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Figure 2-2: Westport WWTP Schematic

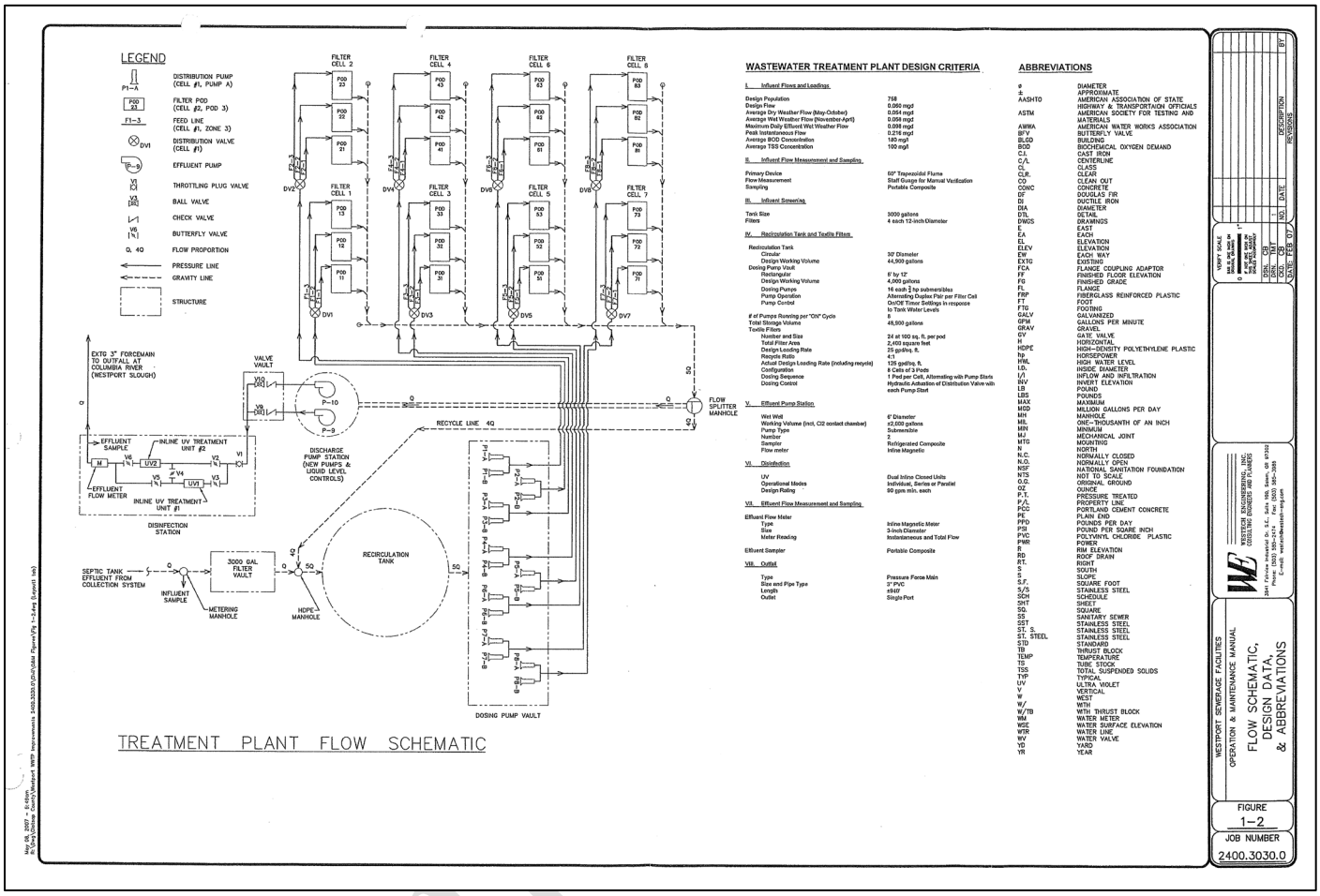

Table 2-1: List of Outfalls

Outfall Number	Type of Waste	Lat/Long	Design Flow[1] (mgd)	Existing Flow[2] (mgd)
001	Treated Wastewater	46.136, -123.373	0.054	0.022

1. Design Flow = design average dry weather flow
2. Existing Flow = existing average monthly dry weather flow

2.2 Compliance History

During this permit period, DEQ issued a Warning Letter (WL-6386) on June 24, 2021 for an exceedance of *E. coli*. DEQ issued a second Warning Letter (WL-6582) on September 29, 2021 for multiple occurrences of BOD_5 and TSS mass load limit exceedances. On December 29, 2021, DEQ sent the permittee a Pre-Enforcement Notice (PEN-6760) for multiple exceedances of permit limits for fecal coliform, *E. coli* and pH in 2021. A second Pre-Enforcement Notice (PEN-7910) was sent to the permittee on December 15, 2022, for multiple exceedances of BOD_5 mass load and *E. coli* limits in 2022.

On September 21, 2023, DEQ issued a Notice of Civil Penalty Assessment and Order (CASE NO. WQ/M-NWR-2023-018) and Mutual Agreement and Orders (MAO) regarding the multiple permit limit exceedances mentioned above.

2.3 Stormwater

Stormwater is not addressed in this permit. General NPDES permits for stormwater are not required for facilities with a design flow of less than 1 MGD.

2.4 Wastewater Classification

OAR 340-049 requires all permitted municipal wastewater collection and treatment facilities receive a classification based on the size and complexity of the systems. DEQ evaluated the classifications for the treatment and collection system, which are publicly available at: https://www.deq.state.or.us/wq/opcert/Docs/OpcertReport.pdf.

3. Schedule A: Effluent Limit Development

Effluent limits serve as the primary mechanism in NPDES permits for controlling discharges of pollutants to receiving waters. Effluent limitations can be based on either the technology available to control the pollutants or limits that are protecting the water quality standards for the receiving water. DEQ refers to these two types of permit limits as technology-based effluent limitations (TBELs) and water quality-based effluent limits (WQBELs) respectively. When a TBEL is not restrictive enough to protect the receiving stream, DEQ must include a WQBEL in the permit.

3.1 Existing Effluent Limits

The table below show the limits contained in the existing permit.

Table 3-1: Existing Effluent Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD_5 (April 1 to October 31)	mg/L	20	30	
	lb/day	9	14	18
	% removal (See note a.)	85	-	-
TSS (April 1 to October 31)	mg/L	20	30	
	lb/day	9	14	18
	% removal (See note a.)	85	-	-

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Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD_5 (November 1 to March 30)	mg/L	30	45	
	lb/day	14	21	28
	% removal (See note a.)	85	-	-
TSS (November 1 – March 30)	mg/L	30	45	
	lb/day	14	21	28
	% removal (See note a.)	85	-	-
pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0		
E. coli	#/100 mL	Must not exceed a monthly geometric mean of 126, no single sample may exceed 406		

Note:

a. Due to preliminary treatment that occurs within the septic tanks, the influent BOD_5 and TSS concentrations are assumed to be 200 mg/L for calculation of the percent removal efficiency.

3.2 Technology-Based Effluent Limit Development

40 CFR 122.44(a)(1) requires publicly owned treatment works (POTW) to meet technology-based effluent limits, for five-day biochemical oxygen demand (BOD_5), total suspended solids (TSS) and pH (i.e., federal secondary treatment standards). Substitution of 5-day carbonaceous oxygen demand ($CBOD_5$) for BOD_5 is allowed. The numeric standards for these pollutants are contained in 40 CFR 133.102. In addition, DEQ has developed minimum design criteria for BOD_5 and TSS that apply to specific watershed basins in Oregon. These are listed in the basin-specific criteria sections under OAR 340-041-0101 to 0350. During the summer low flow months as defined by OAR, these design criteria are more stringent than the federal secondary treatment standards. The basin-specific criteria are not effluent limits but are implemented as design criteria for new or expanded wastewater treatment plants. The table below shows a comparison of the federal secondary treatment standards and the basin-specific design criteria for the North Coast basin.

Table 3-2: Comparison of TBELs for Federal Secondary Treatment Standards and Oregon Basin-Specific Design Criteria

Parameter	Federal Secondary Treatment Standards		North Coast Basin-Specific Design Criteria (OAR 340-041-0235)
	30-Day Average	7-Day Average	Monthly Average
BOD_5 (mg/L)	30	45	20 mg/L during April 1 – October 31
TSS (mg/L)	30	45	20 mg/L during April 1 – October 31

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Parameter	Federal Secondary Treatment Standards		North Coast Basin-Specific Design Criteria (OAR 340-041-0235)
	30-Day Average	7-Day Average	Monthly Average
pH (S.U.)	6.0 – 9.0. (instantaneous)		Not applicable
BOD_5 and TSS % Removal	85%	Not applicable	Not applicable

Adjustments to Percent Removal Requirements

Federal regulations (40 CFR 133.103(d)) include special considerations for less concentrated influent wastewater from separate sewers. The rule allows substitution of either a lower percent removal requirement or a mass loading limit for the percent removal requirements provided that the permittee satisfactorily demonstrates that:

- The treatment works is consistently meeting, or will consistently meet, its permit effluent concentration limits, but its percent removal requirements cannot be met due to less concentrated influent wastewater;
- To meet the percent removal requirements, the treatment works would have to achieve significantly more stringent limits (defined as at least 5 mg/l more stringent than the otherwise applicable concentration-based limits) than would otherwise be required by the concentration-based standards; and,
- The less concentrated influent wastewater is not the result of excessive infiltration and inflow (I/I).

DEQ has determined the facility meets all three conditions above since there is primary treatment via the septic tank prior to the flow entering the wastewater treatment facility. Therefore, DEQ is proposing TSS percent removal limits of 60%. The removal limit was calculated based on average monthly influent and effluent data from 2019 - 2023. The percent removal for each month was calculated from the reported monthly average influent and effluent. This shows the actual performance of the facility over the last five years. The lowest percent removal during that time period was 61%. The lowest percent removal for BOD_5 was 86% as such, the 85% percent removal limit will remain. The following calculation was used to determine the TSS percent removal limit of 60%:

$$\text{Percent Removal} = \frac{\text{Monthly Avg Influent Concentration} - \text{Monthly Avg Effluent Concentration}}{\text{Monthly Avg Influent Concentration}} \times 100$$

The new percent removal limit is replacing the previous permit removal limit to be consistent with federal regulation (40 CFR 133.103(d)), which specifically applies to an adjustment of the % removal efficiency, but not the influent concentration. The primary treatment from the septic tank results in a dilute influent entering the wastewater treatment facility. The new percent removal limits are effectively equivalent to the existing limits and are not considered a relaxation of limits. Therefore, an anti-backsliding analysis (CWA 402(o)) is not required.

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The limits for BOD_5 and TSS shown in the table above are concentration-based limits. Mass-based limits are required in addition to the concentration-based limits per OAR 340-041-0061(9). For any new facility or any facility that has expanded its dry weather treatment capacity after June 30, 1992, OAR 340-041-0061(9)(b) requires that the mass load limits be calculated based on the proposed treatment facility capabilities and the highest and best practicable treatment to minimize the discharge of pollutants. The permittee's facility has been engineered to achieve BOD_5 and TSS monthly average concentrations of 20 mg/L during the dry weather season and 30 mg/L during the wet weather season. DEQ uses the maximum monthly design flow to calculate the mass load limits as shown below for the dry and wet weather seasons.

Monthly Avg Mass Load = Design Flow* x Monthly Concentration Limit x Unit Conversion factor

Weekly Average Mass Load = 1.5 x Monthly Average Mass Load Limit

Daily Maximum Mass Load = 2 x Monthly Average Mass Load Limit

* Design flow is the design maximum monthly dry weather flow (DMMDWF)

The following table lists the effluent flows and concentration limits used for the calculations.

Table 3-3: Design Flows and Concentrations Limits

Season	Design Flow (mgd)	Monthly TSS Concentration Limit (mg/L)	Monthly BOD_5 Concentration Limit (mg/L)
Dry Weather	0.054	20	20
Wet Weather	0.054	30	30
Design flow comments: Design flow based on daily average dry weather design flow.			

Dry Weather Mass Load Calculations:

Monthly Average: 0.054[design flow] mgd x 20 [concentration] mg/L x 8.34 = 9.0 lbs/day

Weekly Average: 9 lbs/day monthly average x 1.5 = 14 lbs/day

Daily Maximum: 9 lbs/day monthly average x 2 = 18 lbs/day

Wet Weather Mass Load Calculations:

Monthly Average: 0.054[design flow] mgd x 30 [concentration] mg/L x 8.34 = 13.5 lbs/day (Two significant figures) = 14

Weekly Average: 14 lbs/day monthly average x 1.5 = 21 lbs/day

Daily Maximum: 14 lbs/day monthly average x 2 = 28 lbs/day

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The proposed BOD_5 and TSS limits are listed in the following table.

Table 3-4: BOD_5 and TSS Technology Based Effluent Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD_5 (April 1- October 31)	mg/L	20	30	
	lbs/day	9	14	18
	% removal	85		
TSS (April 1- October 31)	mg/L	20	30	
	lbs/day	9	14	18
	% removal	60		
BOD_5 (November 1 – March 31)	mg/L	30	45	
	lbs/day	14	21	28
	% removal	85		
TSS (November 1 – March 31)	mg/L	30	45	
	lbs/day	14	21	28
	% removal	60		

3.3 Water Quality-Based Effluent Limit Development

40 CFR 122.44(d) requires that permits include limitations more stringent than technology-based requirements where necessary to meet water quality standards. Water quality-based effluent limits may be in the form of a wasteload allocation required as part of a Total Maximum Daily Load (TMDL). They may also be required if a site specific analysis indicates the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality criterion. DEQ establishes effluent limits for pollutants that have a reasonable potential to exceed a criterion. The analyses are discussed below.

3.3.1 Designated Beneficial Uses

NPDES permits issued by DEQ must protect the following designated beneficial uses of the Westport Slough. These uses are listed in OAR-340-041-0230 for North Coast basin.

- Public and private domestic water supply
- Industrial water supply
- Irrigation and livestock watering
- Fish and aquatic life (including salmonid rearing, migration, and spawning)
- Wildlife and hunting
- Fishing
- Boating

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- Water contact recreation
- Aesthetic quality

3.3.2 303(d) Listed Parameters and Total Maximum Daily Loads

The following table lists the parameters that are on the 2022 303(d) list (Category 5) within the discharge's stream reach. If a parameter is listed under Category 5, the data in the assessment unit (or nearby assessment unit) indicates a designated use is not supported or a water quality standard is not attained and a TMDL is needed. The table also lists any parameters with an approved TMDL for the discharge's stream reach (Category 4A). If a parameter is listed under Category 4A, TMDLs that will result in attainment of water quality standards and beneficial use support have been approved.

Table 3-5: Category 5 and Category 4A Parameters

Water Quality Limited Parameters (Category 5)	
AU ID:	OR_SR_1708000308_05_103693
AU Name:	Westport Slough
AU Status:	Insufficient data
Year Listed	N/A
Year Last Assessed	2018
Category 5 Parameters	N/A
Category 4A Parameters	
N/A	

3.3.3 TMDL Wasteload Allocations

DEQ issued a TMDL for the North Coast basin. There was insufficient data to determine whether the Westport Slough would require a WLA and is not featured in the basin's TMDL.

3.3.4 Pollutants of Concern

To ensure that a permit is protecting water quality, DEQ must identify pollutants of concern. These are pollutants that are expected to be present in the effluent at concentrations that could adversely impact water quality. DEQ uses the following information to identify pollutants of concern:

- Effluent monitoring data.
- Knowledge about the permittee's processes.
- Knowledge about the receiving stream water quality.
- Pollutants identified by applicable federal effluent limitation guidelines.

DEQ identified the following pollutants of concern for this facility listed in the following table.

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Table 3-6: Pollutants of Concern

Pollutant	How was pollutant identified?
pH	Effluent Monitoring
Temperature	Effluent Monitoring
E. coli	Effluent Monitoring

The sections below discuss the analyses that were conducted for the pollutants of concern to determine if water quality based effluent limits are needed to meet water quality standards.

3.3.5 Regulatory Mixing Zone

The proposed permit contains a mixing zone as allowed per OAR 340-041-0053. The regulatory mixing zone from the existing permit is described as:

> *The regulatory mixing zone is that portion of the Westport Slough within 25 feet of the outfall. The zone of initial dilution is that portion of Westport Slough within 3 feet of the outfall.*

This mixing zone description will be retained in the renewed permit and is shown in the figure below.

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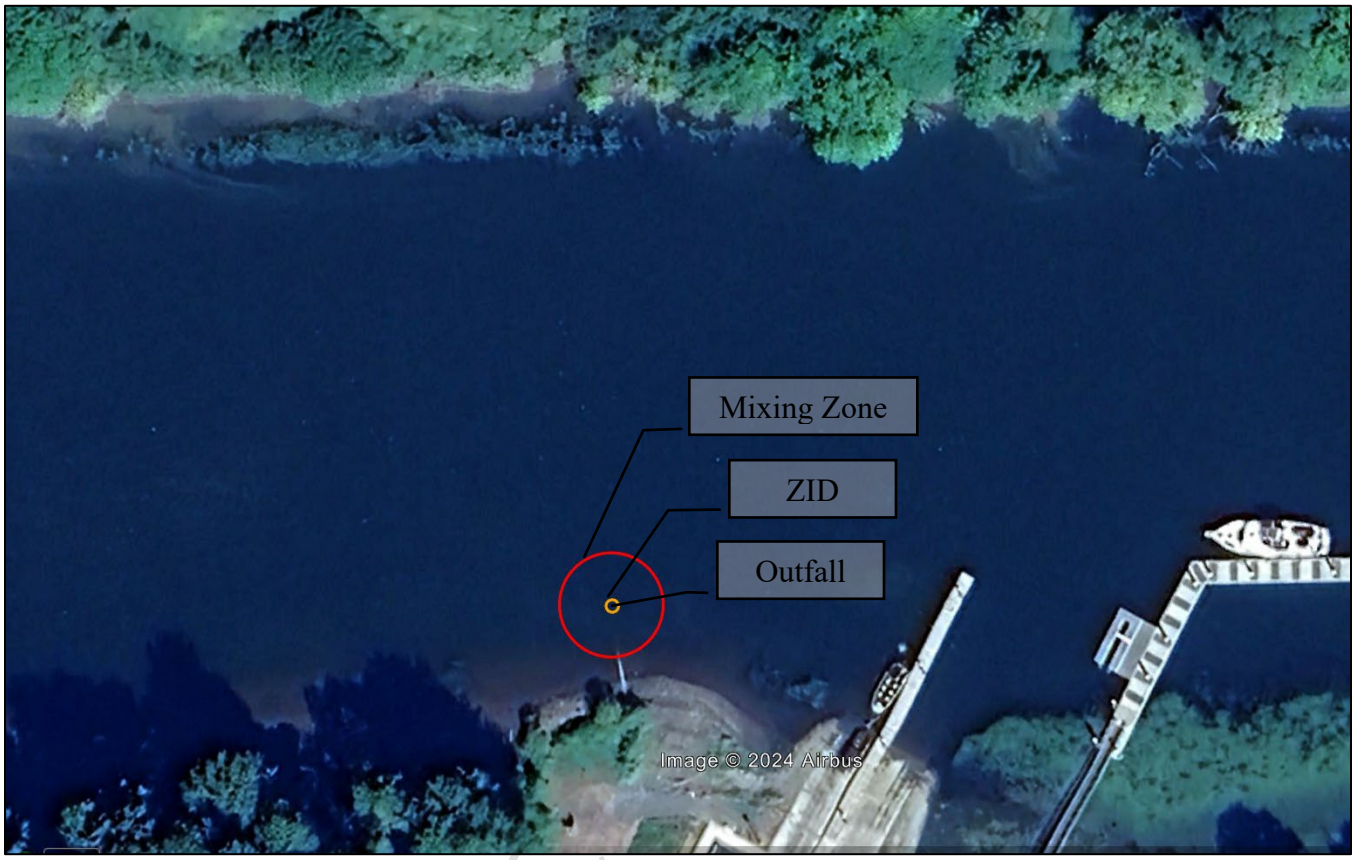
Figure 3-1: Outfall Location with ZID and Mixing Zone Identified



WSSD discharges to Westport Slough at 46.136959, -123.373134 via a 3-inch diameter pipe that extends about 20 feet into the slough at low water conditions. DEQ performed a mixing zone analysis based on information from a 2003 and a 2011 mixing zone study. This information was used to estimate the hydraulic geometry data of Westport Slough. CORMIX v12.0 was used to simulate the discharge into the slough. Effluent flows were based on the past 3 years of effluent flow data.

The dilution factors at the edge of the Regulatory Mixing Zone and Zone of Initial Dilution are shown in Table 3-7. These dilutions are based on a 2024 mixing zone analysis conducted by DEQ. The mixing zone memo documenting this analysis is in a March 2024 Mixing Zone Memo which is part of the administrative record.

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Table 3-7: Mixing Zone Dilutions

Dilution Summary – Year round						
Water Quality Standard	Velocity (ft/s)		Effluent Flow (mgd)		Dilution Factor	Location
	Statistic	Velocity	Statistic	Flow		
Aquatic Life, Acute	10th%	0.05	☐ ADWDF x PF ☒ Max Daily Avg ☐ Other	0.03	5.5	ZID
Aquatic Life, Chronic	50th%	0.2	☐ ADWDF ☒ Max Monthly Avg ☐ Other	0.02	59	RMZ
Human Health, Non-Carcinogen	50th%	0.2	☐ ADWDF ☒ Max Monthly Avg ☐ Other	0.02	59	RMZ
ADWDF = Average dry weather design flow *PF = Peaking factor (1.5)*						
Comments: Westport slough is tidally influenced. Velocity values are conservatively estimated based on best professional judgment.						

3.3.6 pH

The pH criterion for this basin is 6.5 – 8.5 per OAR 340-041-0235. The current permit pH limits are 6.0 to 9.0. DEQ determined there is no reasonable potential for the discharge to exceed the pH criterion at the edge of the mixing zone. The proposed limits are a lower limit of 6.0 and an upper limit of 9.0, both of which are TBELs. The following provides a summary of the data used for the analysis.

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Table 3-8: pH Reasonable Potential Analysis

INPUT	Lower pH Criteria	Upper pH Criteria
1. Dilution at mixing zone boundary	59.0	59.0
2. Upstream characteristics		
a. Temperature (deg C)	20.2	7.5
b. pH	7.2	7.8
c. Alkalinity (mg CaCO3/L)	12.6	12.6
3. Effluent characteristics		
a. Temperature (°C)	24.7	10.2
b. pH (S.U.)	6.0	9.0
c. Alkalinity (mg CaCO3/L)	134.6	134.6
4. Applicable pH criteria	6.5	8.5
pH at mixing zone boundary	6.7	7.8
Is there reasonable potential?	No	No
Proposed effluent limits	6.0	9.0
Effluent data source: ICIS Summary Data 2019-2023		
Ambient data source: September 2022- December 2023 Westport Slough Ambient DMRs. Data collected by permittee.		

3.3.7 Temperature

3.3.7.1 Temperature Criteria OAR 340-041-0028

The following table summarizes the temperature criteria that apply at the discharge location along with whether the receiving stream is water quality-limited for temperature and whether a TMDL wasteload allocation has been assigned. Using this information, DEQ performed several analyses to determine if effluent limits were needed to comply with the temperature criteria.

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Table 3-9: Temperature Criteria Information

Applicable Temperature Criterion	Rearing/Migration 18ºC (OAR 340-041-0028(4)(c)
Applicable dates: Year-round	
Salmon/Steelhead Spawning 13 °C? OAR 340-041-0028(4)(a)	☐Yes ☒No
Applicable dates: N/A	
WQ-limited?	☐Yes ☒No
TMDL wasteload allocation assigned?	☐Yes ☒No
Applicable dates: N/A	
TMDL based on natural conditions criterion?	☐Yes ☒No
Cold water summer protection criterion applies?	☐Yes ☒No
Cold water spawning protection applies?	☐Yes ☒No
Comments:	

DEQ conducted a temperature reasonable potential analysis for the rearing and migration criteria which applies year – round. The applicable temperature criterion is 18 ºC. Since there was insufficient data to determine whether the Westport Slough is impaired for temperature, this analysis is based on the portion of Oregon's temperature rule for analysis situations where the criterion is met or undetermined in this circumstance. The applicable criteria in the analysis is 18 ºC for rearing and migration. The effluent temperature value used in this analysis is 26.3 °C and represents the maximum 7-day average of the daily maximum effluent temperatures for rearing and migration. The result of this analysis indicates that there is no potential for the facility's discharge to exceed the temperature standard (see Appendix A).

Based on this analysis, no temperature limit associated with the applicable temperature criteria is included in the proposed permit.

Final effluent limits are listed in the following table.

Table 3-10: Temperature Criterion Effluent Limits

Effluent limit needed? ☐Yes ☒No
TMDL WLA Limit: N/A
Applicable time period: Dates ☒NA
Temperature Criterion Limit: N/A
Applicable time period: Dates ☒NA
Comments:

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3.3.7.2 Thermal Plume OAR 340-041-0053(2)(d)

In addition to compliance with the temperature criteria, OAR 340-041-0053(2)(d) contains thermal plume limitation provisions designed to prevent or minimize adverse effects to salmonids that may result from thermal plumes. The discharge was evaluated for compliance with these provisions as follows:

- OAR 340-041-0053(2)(d)(A): Impairment of an active salmonid spawning area where spawning redds are located or likely to be located. This adverse effect is prevented or minimized by limiting potential fish exposure to temperatures of 13ºC or more for salmon and steelhead, and 9ºC or more for bull trout.

  Westport STP: Spawning is not a designated beneficial use in the segment of the river; therefore, this is not applicable.

- OAR 340-041-0053(2)(d)(B): Acute impairment or instantaneous lethality is prevented or minimized by limiting potential fish exposure to temperatures of 32ºC or more to less than 2 seconds.

  Westport STP: The daily maximum-recorded temperature of the discharge to the Westport Slough for the 2019 to Dec. 2023 period was 26.3 ºC, well below the 32 ºC criterion. Therefore, the discharge does not have the potential to cause acute impairment or instantaneous lethality due to the thermal plume.

- OAR 340-041-0053(2)(d)(C): Thermal shock caused by a sudden increase in water temperature is prevented or minimized by limiting potential fish exposure to temperatures of 25ºC or more to less than 5% of the cross-section of 100% of the 7Q10 flow of the water body.

  Westport STP: The maximum daily recorded temperature of the discharge for the 2019 to 2023 period was 26.3 ºC, slightly above the 25 ºC criterion. With the effluent temperature at this value, the calculated temperature at 5% of the cross section is 20.9 ºC and as such, the effluent discharge does not have the potential to result in thermal shock within the Westport Slough. See Appendix B.

- OAR 340-041-0053(2)(d)(D): Unless ambient temperature is 21ºC or greater, migration blockage is prevented or minimized by limiting potential fish exposure to temperatures of 21ºC or more to less than 25% of the cross-section of 100% of the 7Q10 flow of the water body.

  Westport STP: The maximum 7-day average recorded temperature of the discharge for the 2019 to 2023 period was 23.6 ºC, slightly above the 21 ºC criterion. With the effluent temperature at this value, the calculated temperature at 25% of the cross section is 20.8 ºC and as such, the effluent discharge does not have the potential to result in migration blockage within the Westport Slough. See Appendix B.

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Table 3-11: Thermal Plume Effluent Limit

Effluent limit needed? ☐Yes ☒No
Calculated limit: N/A
Applicable timeframe: N/A
Comments:

3.3.8 Bacteria

OAR 340-041-0009(6)(b) requires discharges of bacteria into freshwaters meet a monthly geometric mean of 126 *E. coli* per 100 mL, with no single sample exceeding 406 *E. coli* per 100 mL. If a single sample exceeds 406 *E. coli* per 100 mL, then the permittee may take five consecutive re-samples. If the geometric mean of the five re-samples is less than or equal to 126, a violation is not triggered. The re-sampling must be taken at four-hour intervals beginning within 28 hours after the original sample was taken. The following table includes the proposed permit limits and apply year-round.

Table 3-12: Proposed *E. coli* Limits

***E. coli* (#/100 ml)**	**Geometric Mean**	**Maximum**
Existing Limit	126	406
Proposed Limit	126	406

3.4 Antibacksliding

The proposed permit complies with the antibacksliding provisions of CWA sections 402(o) and 303(d)(4) and 40 CFR 122.44(l). Compliance with the antibacksliding provisions related to the BOD_5 and TSS percent reduction limits are discussed below. The other proposed limits are the same or more stringent than those in the existing permit, so the antibacksliding provisions are satisfied for those limits.

The percent removal efficiency limit for TSS have been reduced from 85% to 60% and the previous permit's provision that influent concentrations are assumed as 200 mg/L has been removed. These changes were made to ensure the proposed permit is consistent with Federal regulations (40 CFR 133.103(d)). As noted in Section 3.2, above, these new effluent limits are considered to be effectively equivalent to the existing limits and are therefore not considered a relaxation of limits that would be subject to an anti-backsliding analysis.

3.5 Antidegradation

DEQ must ensure the permit complies with Oregon's antidegradation policy found in OAR 340-041-0004. This policy is designed to protect water quality by limiting unnecessary degradation from new or increased sources of pollution.

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