PUBLIC NOTICE

Date posted: 7/16/2024

DEQ Requests Comments on Proposed Water Quality Permit Renewal for City of Nyssa

HOW TO PROVIDE PUBLIC COMMENT

Facility name: City of Nyssa
Permit type: Domestic WPCF Renewal
Comments due by: Tuesday, August 20, 2024 at 5 p.m.

Send written comments to:

By mail: Permit Coordinator, Oregon DEQ
800 SE Emigrant Ave., Ste 330 Pendleton OR 97801

By email: Water.PermitER@deq.oregon.gov

The Oregon Department of Environmental Quality invites the public to provide written comments on City of Nyssa's proposed water quality permit, known officially as a Water Pollution Control Facilities permit.

Summary

This permit allows the City of Nyssa to operate a domestic wastewater treatment facility consisting of treatment lagoons with an effluent disinfection system. The permit also allows land application of recycled water for beneficial use only in accordance with a DEQ approved Recycled Water Use Plan in Malheur County. Part of the review process is an opportunity for public comment, based on the application and other DEQ information. Subject to public review and comment, DEQ plans to renew the permit.

About the facility

The City of Nyssa Wastewater Treatment Plant is a domestic wastewater treatment facility located at 110 E. Fifth St. in the City of Nyssa. DEQ last renewed this permit November 19, 2009. The permit expired on December 31, 2021 and was administratively extended.

The permit does not allow any discharges to waterways. The facility holds no other permits from DEQ.

What types of pollutants does the permit regulate?

The permit does not have effluent limits for wastewater discharge to surface waters because the City does not discharge to surface waters. The permit regulates pollutants typically associated with domestic wastewater. Domestic wastewater contains human pathogens and nitrogen compounds. Although nitrogen is a plant nutrient, nitrogen applied in excess of crop requirements may degrade groundwater. The proposed permit prohibits discharge to waters of the state, requires discharge meet recycled water limits, requires spill reporting and requires the city to have a DEQ-certified operator supervise wastewater treatment and disposal operations.

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

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

No, the facility is allowed to maintain land application in accordance with a DEQ approved Recycled Water Use Plan and is not permitted to discharge to surface waters.

How does 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 to determine permit requirements. This ensures 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 for 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?

DEQ will provide public notice of the proposed action and a minimum of 30 days to submit written comments. DEQ will consider and respond to all comments received and may modify the proposed permit based on comments.

For more information

View information about this proposed permit renewal including the application, permit evaluation report and underlying documents online or by contacting DEQ's Water Quality Permit Coordinator, at water.permiter@deq.oregon.gov or 541-613-1125 to make an appointment to review the documents in person.

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.

State of Oregon Department of Environmental Quality

WATER POLLUTION CONTROL FACILITIES PERMIT

Oregon Department of Environmental Quality
Region – Pendleton Office
800 SE Emigrant, #330
Pendleton, OR 97801
Telephone: 541-276-4063

Issued pursuant to ORS 468B.050

ISSUED TO:	SOURCES COVERED BY THIS PERMIT:		
City of Nyssa 301 Main Street Nyssa, OR 97913	**Type of Waste**	**Outfall Number**	**Location**
	Domestic Wastewater Lagoons	001	Lat/Long in decimal degrees 43.8786, -116.9860
	Recycled Water	002	Specified in Recycled Water Use Plan
	Biosolids	003	Specified in Biosolids Management Plan

FACILITY TYPE AND LOCATION:

Facultative Lagoons and Land Application
110 East 5th Street
Nyssa, OR 97913
County: Malheur

RIVER BASIN INFORMATION:

WRD Basin: Malheur River

USGS Sub-Basin: Middle Snake/Nyssa
Nearest surface water body name: Snake River, RM 387
LLID: 1190296461886

Issued in response to Application No. 952933 received September 27, 2018. This permit is issued based on the land use findings in the permit record.

Draft	Draft	Draft
Mike Hiatt, Water Quality Permitting Manager Eastern Region	Issuance Date	Effective Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify or operate a wastewater collection, treatment, control and disposal system in conformance with the requirements, limits, and conditions set forth in this permit.

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

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SCHEDULE A: WASTE DISCHARGE LIMITS

1. Permitted System

The City of Nyssa is authorized to operate and maintain a domestic wastewater treatment facility consisting of facultative treatment lagoons with an effluent disinfection system and to land apply recycled water for beneficial use in accordance with a DEQ-approved Recycled Water Use Plan (RWUP).

2. Surface Water Protection

Discharge or indirect discharge to navigable waters as defined in OAR Chapter 340, Division 045, Section 0010(14) is prohibited.

3. Groundwater Protection

Any activity that has an adverse effect on existing or potential beneficial uses of groundwater is prohibited. All wastewater and wastewater solids must be managed and disposed in compliance with the Groundwater Quality Protection Rules (OAR 340-040). If warranted, at any time, DEQ may evaluate the need for or require a full assessment of the facility's effect on groundwater quality.

4. Minimum Lagoon Freeboard

The permittee must maintain adequate freeboard to prevent overtopping of the lagoons. Freeboard is the vertical distance between the top of the impounded water and the lowest point on the lagoon or wetland dike. The lagoons must be lowered sufficiently by evaporative losses or approved recycled water irrigation to allow sufficient storage over the winter storage months and to ensure adequate freeboard is maintained to prevent unpermitted discharges.

5. Use of Recycled Water

The permittee is authorized in OAR 340-055-0012 to distribute recycled water if it is:

a. Treated and used according to the criteria listed in Table A1.

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

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

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

e. Irrigated using sound irrigation practices to prevent:

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

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

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

Table A1: Recycled Water Limits

Class	Level of Treatment (after disinfection unless otherwise specified)	Beneficial Uses
D.	Class D recycled water must be oxidized and disinfected. *E. coli* may not exceed: • A 30-day geometric mean of 126 organisms per 100 mL. • 406 organisms per 100 mL in any single sample.	Class D recycled water may be used for: • Nondisinfected uses. • Irrigation of firewood, ornamental nursery stock, Christmas trees, sod, or pasture for animals.

6. Agronomic rates for Nutrient Loading

Crop and site-specific agronomic loading rates for nutrients will be approved by DEQ only after consideration of agronomic rates published in appropriate, region specific, fertilizer guides and proposed by the Permittee. DEQ may require adjustment to the allowable agronomic rates after review of annual reporting and to ensure adequate protection of public waters, including groundwater. The Recycled Water Use Plan must list the approved agronomic rates for each proposed crop.

7. Biosolids

The permittee may land apply biosolids or provide biosolids for sale or distribution, subject to OAR 340-050 and 40 CFR §503, and the following conditions:

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

b. The permittee must apply biosolids at or below the agronomic rates approved by DEQ in order to minimize potential groundwater degradation. DEQ may require adjustment to the allowable agronomic rate after review of annual reporting and to ensure adequate protection of public waters, including groundwater.

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

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

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

Table A2: Biosolids Limits

Pollutant See note a.	Ceiling concentrations (mg/kg)	Pollutant concentrations (mg/kg)	Cumulative pollutant loading rates (kg/ha)
Arsenic	75	41	41
Cadmium	85	39	39
Copper	4300	1500	1500

Pollutant See note a.	**Ceiling concentrations (mg/kg)**	**Pollutant concentrations (mg/kg)**	**Cumulative pollutant loading rates (kg/ha)**
Lead	840	300	300
Mercury	57	17	17
Molybdenum	75	N/A	N/A
Nickel	420	420	420
Selenium	100	100	100
Zinc	7500	2800	2800

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

8. Hauled Waste Requirements

The Permittee may not accept hauled wastes, including but not limited to wastewater solids from another treatment facility, domestic septage, grease trap wastes, portable and chemical toilet wastes, landfill leachate, groundwater remediation wastewater, and commercial or industrial wastewater at this facility for treatment or processing without a DEQ-approved hauled waste management plan and written approval from DEQ.

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: (See Notes c & d.)
Tables B2 and B3 Influent and Lagoon Monitoring	Monthly	By the 15th of the following month	Specified in Schedule B. Section 2 of this permit	As directed by DEQ
Inflow and Infiltration report (see Schedule D.1)	Annually	February 15	Electronic copy in a DEQ-approved format	As directed by DEQ
Recycled Water Annual Report (see Schedule D.3)	Annually	January 15	Electronic copy in the DEQ-approved format	As directed by DEQ Electronic copy to DEQ Water Reuse Program Coordinator
Wastewater Solids/Biosolids Annual Report (see Schedule D.5)	Annually	February 19	Electronic copy in the DEQ-approved format	As directed by DEQ Electronic copy to DEQ Biosolids Program Coordinator
Hauled Waste Annual Report (see Schedule D.8)	Annually	January 15	Electronic copy in the DEQ-approved format	As directed by DEQ
Recycled Water Use Plan (see Schedule D.3)	One Time	Submit by 01/15/2025	Electronic copy in a DEQ-approved format	As directed by DEQ Electronic copy to DEQ Water Reuse Program Coordinator
Biosolids Management Plan (see Schedule D.6)	One Time	60 days prior to removal of biosolids	Electronic copy in a DEQ-approved format	DEQ Biosolids Program Coordinator
Hauled Waste Control Plan (see Schedule D.8)	One time	Submit by 09/15/2024	Electronic copy in a DEQ-approved format	As directed by DEQ
Sludge Depth Survey Report (See Schedule D.9)	One Time	Submit by 06/15/2027	Electronic copy in a DEQ-approved format	As directed by DEQ
Lagoon Leak Test (See Schedule D.10)	One Time	Submit by 06/15/3033	Electronic copy in a DEQ-approved format	As directed by DEQ

Reporting Requirement	Frequency	Due Date (See Note a.)	Report Form (See Note b.)	Submit To: (See Notes c & d.)
Industrial User Survey (See schedule D.12)	One Time	Submit by 06/15/2027	Electronic copy in a DEQ-approved format	DEQ Pretreatment Program Coordinator

Notes:
a. For submittals that are provided to DEQ by mail, the postmarked date must not be later than the due date.
b. All reporting requirements are to be submitted in a DEQ approved format, unless otherwise specified in writing.
c. Electronic reporting information is provided on DEQ's web page (https://www.oregon.gov/deq/wq/wqpermits/Pages/NPDES-E-Reporting.aspx).
d. Email address for biosolids and recycled water coordinator are provided on DEQ's biosolids web page (https://www.oregon.gov/deq/wq/programs/Pages/Biosolids.aspx).

2. Monitoring and Reporting Protocols

a. **Paper Submissions**

When submitting paper copies as required by table B1, the permittee must submit to DEQ the results of the monitoring in a paper format as specified below.

i. Until directed by DEQ, all discharge monitoring reports (DMRs) must be submitted in an approved paper format:

(A) The reporting period is the calendar month.

(B) 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.

ii. Until directed by DEQ, the permittee must submit any required Pretreatment Program Reports, Wastewater Solids and Biosolids Annual Report, Recycled Water Annual Report, Sanitary Sewer Overflow/Bypass Event Reports, and other required information to DEQ.

iii. The permittee must sign and certify submittals of DMRs, reports, and other information in accordance with the requirements of Schedule F, Section D8 of this permit.

b. **Electronic Submissions**

When submitting electronic copies as required by table B1, the permittee must submit to DEQ the results of monitoring in an electronic format as specified below.

i. When directed by DEQ, the permittee must submit monitoring results required by this permit via DEQ-approved web-based Electronic Discharge Monitoring Report (DMR) forms.

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.

iv. When directed by DEQ, the permittee must submit electronic reports for any required Pretreatment Program Reports, Wastewater Solids and Biosolids Annual Report, Recycled Water Annual Report, Sewer Overflow/Bypass Event Reports, and other required information to DEQ via designated web-based reporting process.

c. **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.

d. **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. This plan should include any equipment calibration and maintenance, analytical methods, quality control activities and laboratory data handling and reporting if the permittee conducts any of their own analytical work. The QA/QC program must conform to the requirements of 40 CFR §136.7.

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

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

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

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

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

e. **Reporting Sample Results**

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

3. Monitoring and Reporting Requirements

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

Table B2: Influent Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action See note a.	Report Statistic
Flow (50050)	MGD	Year-round	5/week	Metered	Monthly Average Daily Maximum
BOD_5 (00310)	mg/L	Year-round	Monthly	24-hour composite	Monthly Average
TSS (00530)	mg/L	Year-round	Monthly	24-hour composite	Monthly Average
pH (00400)	Standard Units SU	Year-round	2/week	Grab	Monthly Maximum Monthly Minimum

Notes:
a. In the event of equipment failure or loss, the permittee must notify DEQ and repair or replace effected equipment to minimize interruption of data collection. If the equipment cannot be immediately repaired or replaced, the permittee must perform grab measurements daily.

b. The permittee must monitor the lagoons (Outfall 001) and report results in accordance with Table B1 and the table below:

Table B3: Lagoon Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Report Statistic
Lagoon Freeboard (each lagoon)	Gauge Units (feet or inches)	Year-round	Weekly	Measurement	Weekly Maximum Monthly Maximum
Perimeter Inspection	N/A	Year-round	5/week	Observation	Record Observations

c. The permittee must monitor supplemental (Snake River) water at the irrigation building, when being used for irrigation, and report results in accordance with Table B1 and the table below:

Table B4: Supplemental (Snake River) Water Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note a.	Report Statistic
Total Flow (50050)	MGD	Year-round	Daily, when irrigating	Metered	Daily Value Monthly Total

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note a.	Report Statistic
Total Kjeldahl Nitrogen (TKN)	mg/L	Year-round	Annually	Grab	Annual Value
Nitrate-Nitrogen (NO_3-N)	mg/L	Year-round	Annually	Grab	Annual Value
Ammonia Nitrogen (NH_3-N)	mg/L	Year-round	Annually	Grab	Annual Value
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.					

4. Recycled Water Monitoring Requirements: Outfall 002

The permittee must monitor recycled water for Outfall (002) after chlorination and at the irrigation building as listed below only when distributing recycled water. The samples must be representative of the recycled water delivered for beneficial reuse at a location identified in the Recycled Water Use Plan.

Table B5: Recycled Water Monitoring

Item or Parameter	Minimum Frequency	Sample Type/ Required Action	Report
Total Flow (MGD)	Daily	Metered	Annual Report and monthly
Quantity Irrigated (inches/acre)	Daily	Calculation	Annual Report and monthly per field
Chlorine, Total Residual (mg/L)	Daily	Grab	Annual Report and monthly
pH	2/Week	Grab	Annual Report and monthly
E. coli	Weekly (Class D)	Grab	Annual Report and monthly
Total Nitrogen Loading Rate (lbs/acre-year)	Annually	Calculation	Annual Report
Supplemental Fertilizer Applied	As applied	Record Amounts	Annual Report
Total Kjeldahl Nitrogen (TKN)	Quarterly	Grab	Annual Report
NO2+NO3-N	Quarterly	Grab	Annual Report
Total Ammonia (as N)	Quarterly	Grab	Annual Report
Total Phosphorus (P)	Quarterly	Grab	Annual Report

5. Biosolids Monitoring Requirements: Outfall 003

The permittee must monitor biosolids land applied or produced for sale or distribution as listed below. The samples must be representative of the quality and quantity of biosolids generated and undergo the same treatment process used to prepare the biosolids.

Table B6: Biosolids Monitoring

Item or Parameter	Minimum Frequency	Sample Type
Nutrient and conventional parameters (% dry weight unless otherwise specified): Total Kjeldahl Nitrogen (TKN) Nitrate-Nitrogen (NO_3-N) Total Ammonium Nitrogen (NH4) Total Phosphorus (P) Potassium (K) pH (S.U.) Total Solids Volatile Solids	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B7.	As described in the DEQ-approved Biosolids Management Plan
Pollutants: As, Cd, Cu, Hg, Pb, Mo, Ni, Se, Zn, mg/kg dry weight	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B7.	As described in the DEQ-approved Biosolids Management Plan
Pathogen reduction	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B7.	As described in the DEQ-approved Biosolids Management Plan
Vector attraction reduction	As described in the DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B7.	As described in the DEQ-approved Biosolids Management Plan
Record of biosolids land application: date, quantity, location.	Each event	Record the date, quantity, and location of biosolids land applied on site location map or equivalent electronic system, such as GIS.

Table B7: Biosolids Minimum Monitoring Frequency

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

SCHEDULE C: COMPLIANCE SCHEDULE

There is no compliance schedule in this permit.

SCHEDULE D: SPECIAL CONDITIONS

1. Inflow and Infiltration

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

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

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

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

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

2. Emergency Response and Public Notification Plan

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

3. Recycled Water Use Plan

The permittee must update and maintain a DEQ-approved Recycled Water Use Plan meeting the requirements in OAR 340-055-0025 and submit by the date listed in Table B.1. The permittee must submit this plan or any significant modifications to DEQ for review and approval with sufficient time to clear DEQ review and a public notice period prior to implementing changes to the recycled water program. The permittee must keep the plan updated. All plan revisions require written authorization from DEQ and are effective upon permittee's receipt of DEQ written approval. No significant modifications can be made to a plan for an administratively extended permit (after the permit expiration date). Conditions in the plan are enforceable requirements under this permit. DEQ will provide an opportunity for public review and comment on any significant plan modifications prior to approving or denying. Public review is not required for minor modifications, changes to utilization dates or changes in use within the recycled water class.

4. Exempt Wastewater Reuse at the Treatment System

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

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

b. The recycled water is used at the wastewater treatment system site where it is generated or at an auxiliary wastewater or sludge treatment facility that is subject to the same NPDES or WPCF permit as the wastewater treatment system.

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

d. Public access to the site is restricted.

5. Wastewater Solids and Biosolids Annual Report

The permittee must submit a Wastewater Solids and Biosolids Annual Report each year documenting removal of wastewater solids from the facility during the previous calendar year. The permittee must use the DEQ approved wastewater solids and biosolids annual report form. This report must include the volume of material removed and the name and location of the permitted facility or land application areas that received the solids.

6. Biosolids Management Plan

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

a. Site Authorization

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

b. Public Participation

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

ii. No DEQ-initiated public notice is required for continued use of sites identified in the DEQ-approved biosolids management plan.

iii. For new sites that fail to meet the site selection criteria in the biosolids management plan or that are deemed by DEQ to be sensitive with respect to residential housing, runoff potential, or threat to groundwater, DEQ will provide an opportunity for public comment as directed by OAR 340-050-0015(10).

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

c. Exceptional Quality Biosolids

The permittee is exempt from the requirements in condition D.6(b) above, if:

i. Pollutant concentrations of biosolids are less than the pollutant concentration limits in Schedule A, Table A2;
ii. Biosolids meet one of the Class A pathogen reduction alternatives in 40 CFR §503.32(a); and
iii. Biosolids meet one of the vector attraction reduction options in 40 CFR §503.33(b)(1) through (8).

7. Wastewater Solids Transfers

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

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

8. Hauled Waste Control Plan

The permittee may accept hauled wastes at discharge points designated by the POTW. The permittee must submit a written Hauled Waste Control Plan by the date listed in Table B1. Within 60 days of receiving DEQ comments, the permittee must submit hauled waste control plan revised to be consistent with DEQ's comments. Hauled wastes may include wastewater solids from another wastewater treatment facility, septage, grease trap wastes, portable and chemical toilet wastes, landfill leachate, groundwater remediation wastewaters and commercial/industrial wastewaters. The permittee must keep the plan updated and submit substantial modifications to an existing plan to DEQ for approval at least 60 days prior to making the proposed changes. Plan modifications are effective upon receipt of written DEQ approval.

9. Hauled Waste Annual Report

If the permittee has a Hauled Waste Control Plan, or otherwise accepts hauled waste, the permittee must submit an annual report of hauled waste received by the POTW. This report, if required, must be submitted as described in Table B1. This report must include the date, time, type, and amount received each time the POTW accepts hauled waste. Hauled waste must be described in the permittee's Hauled Waste Control Plan.

10. Lagoon Solids

By the date listed in Table B1, the permittee must submit to DEQ a sludge depth survey report. The report must include a comparison of the design sludge depth to the actual sludge depth. If the actual sludge depth exceeds the design sludge depth, the permittee must submit a plan to reduce or remove the sludge. Prior to the removal of accumulated solids from the lagoon, the permittee must submit to DEQ a biosolids management plan as required in conditions D.6. The permittee must follow the conditions in the approved plan.

11. Lagoon Leak Test

The permittee must submit a Lagoon Leak Test report one-time during the permit cycle as specified in Schedule B for each lagoon. Leak testing must be completed using *DEQ's Guidelines for Estimating Leakage from Existing Sewage Lagoons* which is applicable to certain domestic operations with low

strength wastewater. The report must include description of the test in line with the DEQ guidance, and a summary of results with estimated leak rate of each cell.

12. 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 340-049, "Regulations Pertaining to Certification of Wastewater System Operator Personnel" and designate a supervisor whose certification corresponds with the classification of the collection and/or treatment system as specified in the DEQ Supervisory Wastewater Operator Status Report. DEQ may revise the permittee's classification in writing at any time to reflect changes in the collection or treatment system. This reclassification is not considered a permit modification and may be made after the permit expiration date provided the permit has been administratively extended by DEQ. If a facility is re-classified, a certified letter will be mailed to the system owner from the DEQ Operator Certification Program. Current system classifications are publicized on the DEQ Supervisory Wastewater Operator Status Report found on the DEQ Wastewater Operator Certification Homepage.

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

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

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 along with the Delegated Authority form?). The most recent version of this form may be found on the 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.

h. When compliance with item (e) of 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.

13. Industrial User Survey

a. By the date listed in Table B1, the permittee must conduct an industrial user survey as described in 40 CFR §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 the 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.

SCHEDULE F

WPCF General Conditions for Domestic Facilities

SECTION A. STANDARD CONDITIONS

1. Duty to Comply with Permit

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

2. Property Rights and Other Legal Requirements

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

3. Liability

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

4. Permit Actions

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

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

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

5. Transfer of Permit

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

6. Permit Fees

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

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

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

2. Standard Operation and Maintenance

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

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

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

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

3. Noncompliance and Notification Procedures

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

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

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

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

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

4. Wastewater System Personnel

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

5. Public Notification of Effluent Violation or Overflow

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

6. Emergency Response and Public Notification Plan

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

a. Ensure that the permittee is aware (to the greatest extent possible) of such events;
b. Ensure notification of appropriate personnel and ensure that they are immediately dispatched for investigation and response;
c. Ensure immediate notification to the public, health agencies, and other affected public entities (including public water systems). The overflow response plan must identify the public health and other officials who will receive immediate notification;
d. Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained;
e. Provide emergency operations; and
f. Ensure that DEQ is notified of the public notification steps taken.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry

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

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

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

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

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

2. Averaging of Measurements

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

3. Monitoring Procedures

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

4. Retention of Records

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

SECTION D. REPORTING REQUIREMENTS

1. Plan Submittal

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

2. Change in Discharge

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

3. Signatory Requirements

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

4. Twenty-Four Hour Reporting

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

a. Overflows.

(1) Oral Reporting within 24 hours.

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

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

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

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

(2) Written reporting within 5 days.

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

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

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

b. Other instances of noncompliance.

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

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

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

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

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

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

SECTION E. DEFINITIONS

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

State of Oregon
Department of
Environmental
Quality

Water Pollution Control Facilities
Permit Renewal Fact Sheet
City of Nyssa

Permittee	City of Nyssa 301 Main Street Nyssa, OR 97913-3845
Existing Permit Information	File Number: 118971 Permit Number: 102989 Expiration Date: TBD
Permittee Contact	Duane Petty Public Works Foreman (541) 823-2736 301 Main Street Nyssa, OR 97913-3845
Facility Name & Location	Facility Name: City of Nyssa Wastewater Treatment Plant Address: 110 E 5th Street Nyssa, OR 97913-3845 Lat/Long: 43.8786, -116.9860 County: Malheur
LLID:	LLID: 1190296461886, RM 387
Receiving Stream/Basin:	Nearest stream: Snake River Sub Basin Name: Middle Snake/Nyssa WRD Basin Name: Malheur River
Proposed Action:	Permit Renewal Application Number: 952933 Date Application Received: September 27, 2018
Source Category:	Domestic
Sources Covered:	Domestic Wastewater and Recycled Water
Permit Type:	WPCF-Dom-E
Permit Writer	Anna Morgan-Hayes (541) 246-4562 Date Prepared: 7-9-2024

WPCF Permit Renewal Fact Sheet
City of Nyssa

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WPCF Permit Renewal Fact Sheet
City of Nyssa

1. Introduction

As required by Oregon Administrative Rule 340-045-0037, 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 F – General conditions

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

The required monitoring, reporting and frequency for many of the parameters are based on DEQ's monitoring and reporting matrix guidelines, permit writer judgment, reporting requirements for similar facilities of this type and size and to ensure the needed data is available for the next permit renewal. Changes to monitoring frequencies include:

- Influent BOD_5 and TSS monitoring has been reduced from twice per month to monthly.
- Weekly lagoon freeboard monitoring has been added to Schedule B, Table B.2 and lagoon depth monitoring (monthly) has been removed.
- Lagoon perimeter monitoring has been increased to five times per week from weekly.
- Recycled water monitoring for nutrients (TKN, NO2+NO3-N, Total Ammonia (as N), Total Phosphorus) has been increased to quarterly from annually.

2. Facility Description

2.1 Wastewater Facility

The wastewater facility is described in the City of Nyssa Master Plan, June 2022 (HECO Engineering), as follows:

Most of the City of Nyssa's collection system was constructed at the same time as the original treatment plant in the late 1930s. The collection system includes approximately 67,300 lineal feet of pipe and 200 manholes. Collection pipe diameters range from 8 to 18 inches and the pressure sewer lines are either 8 or 10-inch in diameter.

Influent from the City flows to a headworks facility through a manually cleaned screening vault via an 18-inch gravity line. It then enters a wet well where two 1,175 gallons per minute (gpm) self-priming pumps direct the influent through a 10-inch pressure sewer to control structure 1. A headworks (mechanical screen and wet well/influent pump station [Main Lift Station]), emergency standby generator, maintenance shed, an operations/maintenance building, and a recreational vehicle (RV) the dumpsite is located on the site of the old treatment plant. All controls for the headworks are located in the influent pump station building and adjacent to the mechanical screen vault.

An operations/maintenance building is located on the headworks/operations grounds northeast of the screening structure and Main Lift Station. The operations/maintenance building houses the office and room for the operations and maintenance staff, SCADA observation, lab area, and maintenance shop. Samples from the various processes and the final discharge are prepared in the lab area and tested regularly.

Control structures and piping distribute the effluent between the ponds. Control Structure 1 consists of an underground vault with two valves that direct the influent from the headworks treatment screens into Treatment Cell A, the primary pond, or Cell A can be bypassed where it flows into Control Structure 2. From Control Structure 2 the flow can be diverted either directly into Cell C, or directly into the effluent pump station.

Once the influent enters primary treatment Cell A it settles for a design average of 45 days at the design average flowrate where it then flows into secondary treatment Cell B. There are three valves between ponds A and B that allow Cell B to be bypassed and allow the influent to go directly into the storage Cell C. The preliminary effluent (PE) that enters Cell B is retained for an additional design average of 30 days. It then enters Control Structure 2, and then into storage Cell C, or directly to the effluent pump station. Control Structure 2 contains a weir gate that controls the levels in treatment ponds A and B. Cell C is used to store the effluent for spray irrigation reuse. From Cell C, the effluent then flows into the effluent pump station.

The effluent pump station pumps from the storage cell via a 14-inch pipe into a 48-inch diameter, 19-foot deep, wet well. There is also a 12-inch inflow pipe that will allow inflow from a bypass directly from treatment Cell B. An 8-inch vertical turbine pump then directs the effluent into the chlorine contact basin.

In between the effluent pump and the chlorine basin, there is an 8-inch drain that allows the effluent to be redirected back into storage Cell C. Under normal operation, a hypochlorite solution is injected into the effluent as it is pumped to the contact basin to avoid short-circuiting, provide initial mixing, and maximize contact time. The contact basin consists of alternating baffles in a serpentine arrangement that direct the effluent through 5 chambers that provide a serpentine flow to allow for a designed 1-hour minimum contact time for appropriate disinfection. The floor of the contact basin slopes toward a sump near the head end that contains a mud valve to allow for drainage for cleaning. The basin outlets to a 10-inch pipe that leads to the irrigation pump station, or it can be used as a bypass back to Cell C to facilitate chlorine residual adjustments at the basin.

The irrigation pump station contains two (2) pumps. The disinfected effluent is pumped from the irrigation building to three separate linear move and one Wheel Line irrigation systems that can also be supplied with surface water from a 10-inch inflow pipe that brings water from the Snake River to supplement the reuse water for irrigation. The supplemental river water is pumped into the irrigation pump station by a 10 HP 750 gpm vertical mounted shaft-driven centrifugal pump drawing water from the Snake River. The effluent pump controls are located inside the irrigation pump station in the same room as the irrigation pumps. The effluent pump motor speed is VFD controlled using a programmable logic controller (PLC) to maintain a constant water level in the chlorine contact basin. The operator can remotely monitor the effluent pump operation through the SCADA system at the operations/maintenance building.

The disinfected effluent leaves the irrigation pump and is forced through a self-cleaning inline screen before being delivered via pressure irrigation lines to three (3) irrigation risers that feed the three (3) linear move irrigation machines. The linear irrigation system land applies the effluent to three fields, totaling approximately 90 acres of land application and the wheel line system applies effluent to an additional 5-acre parcel, for a total of 95 acres of land irrigation. The larger east pump is for operating any combination of 2 or all 3 of the linear move irrigation system and the wheel line irrigation systems, and the smaller west pump runs when only one of the irrigation systems is operated.

Figure 2-1: City of Nyssa Wastewater Treatment Plant, Lagoons, and Land Application Site Map

Figure 2-2: City of Nyssa, Treatment Process Flow Schematic, City of Nyssa, Master Plan, June 2022 (HECO, Project: NY21-0346)

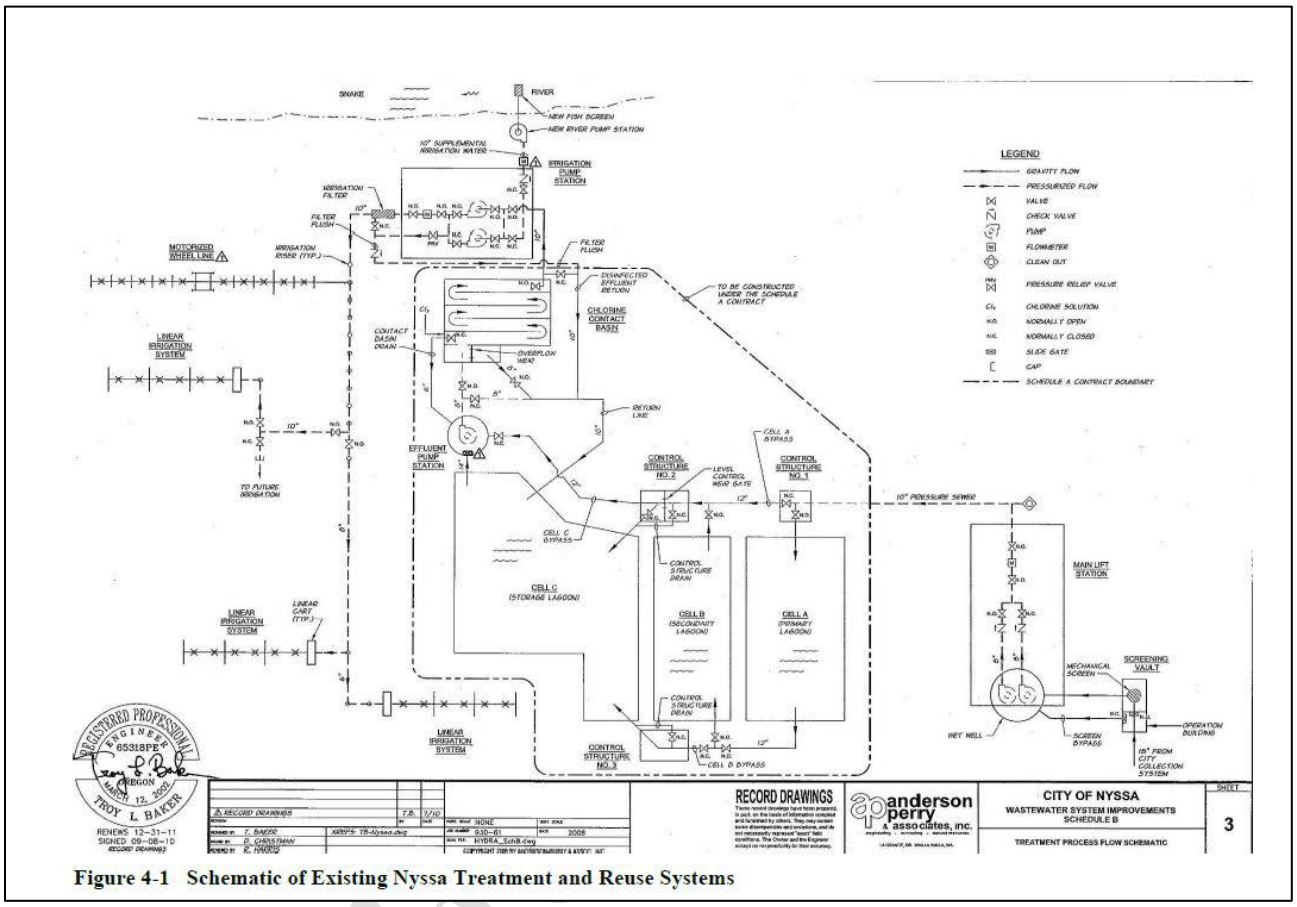

Figure 4-1 Schematic of Existing Nyssa Treatment and Reuse Systems

Table 2-1: List of Outfalls

Outfall Number	Type of Waste	Lat/Long	Design Flow[1] (mgd)	Existing Flow[2] (mgd)
001	Facultative Lagoons	43.8786, -116.9860	0.415	0.252
002	Land Application of Recycled Water	As specified in the Recycled Water Use Plan		
003	Biosolids	As specified in the Biosolids Management Plan		

1. Design Flow = average annual design flow (City of Nyssa Master Plan, June 2022, HECO Engineering).
2. Existing Flow = existing maximum monthly dry weather flow (City of Nyssa Master Plan, June 2022, HECO Engineering, Table 5-2).

2.2 Compliance History

Monitoring reports were reviewed for the period since last permit issuance date. Based on that review, and prior enforcement actions, the following enforcements letters were sent out during the term of the WPCF permit:

January 22, 2015: Warning Letter, 2015-WL-507 – Exceedance of bacteria limits for Class D recycled water, while discharging to the land application area. This violation was reported to DEQ and the facility immediately ceased discharge.

February 8, 2016: Warning Letter, 2016-WL-1354 – Failed to collect monitoring data required by Schedule B of the permit. This violation was reported to DEQ and immediately corrected.

2.3 Biosolids

The term wastewater solids includes sewage sludge and biosolids. Sewage sludge refers to solids from primary, secondary, or advanced treatment of domestic wastewater that have not been treated or determined to be suitable for land application as fertilizer or soil amendment. The term biosolids refers to domestic wastewater treatment facility solids that have undergone adequate treatment and are suitable for application to the land as a fertilizer or soil amendment. Land application of biosolids must be performed in accordance with a DEQ-approved biosolids management plan (BSMP) and site authorization letter. Alternatively, a BSMP and site authorization are not required for disposal of wastewater solids in a landfill.

2.4 Groundwater

The route of contamination for nitrate-nitrogen to groundwater is through land application. The permit incorporates additional monitoring for Recycled Water application to ensure application of nitrogen at agronomic rates, therefore limiting potential groundwater contamination. Additionally, the lagoons are lined with 60-mil HDPE to prevent leakage and the permit requires a lagoon leak test be conducted during the permit term.

2.5 Recycled Water

Land application of recycled water is not permitted under this permit without a DEQ-approved recycled water use plan. If the permit holder chooses to develop a recycled water program, a comprehensive recycled water use plan meeting the requirements in OAR 340-055 must be submitted to DEQ for review and approval; appropriate actions must also be made to OHA and WRD.

2.6 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

No discharge to state waters is permitted. All wastewater is treated in facultative lagoons and must be irrigated only on DEQ-approved land application sites in accordance with a recycled water use plan. Prior to land application, recycled water must be treated by disinfection to at least Class D standards for beneficial use as defined in OAR 340-055.

All activities concerning recycled water must conform to a recycled water use plan approved by DEQ. Specific crops, application rates and buffers are included in the required recycled water use plan. All recycled water must be distributed on land, for dissipation by evapotranspiration and controlled seepage by following sound irrigation practices so as to prevent:

i. Prolonged ponding of treated recycled water on the ground surface;
ii. Surface runoff or subsurface drainage through drainage tile;
iii. The creation of odors, fly and mosquito breeding, or other nuisance conditions;
iv. The overloading of land with nutrients, organics, or other pollutant parameters; and
v. Until otherwise approved by DEQ via a revised recycled water use plan, treated effluent must only be reused as Class D for beneficial uses.
vi. Treated effluent must only be applied at site and crop specific agronomic loading rates.

3.1 Groundwater

DEQ may evaluate the need for a full assessment of the facility's impact on groundwater quality if there is any evidence of an adverse impact resulting from the facilities operation or the facility fails to operate in accordance with permit conditions. Schedule A of the proposed permit includes a condition prohibiting adverse impacts to groundwater.

3.2 Recycled Water

Schedule A of the permit requires the permittee to apply recycled water according to a recycled water use plan. Schedule A also restricts the application of recycled water to prevent the following:

- Irrigating above agronomic rates,
- Adverse impact to groundwater,
- Offsite surface runoff or subsurface drainage through drainage tile,
- Creation of odors, fly and mosquito breeding, or other nuisance conditions.

3.3 Biosolids

Schedule A of the permit requires the facility to apply biosolids according to their biosolids management plan. In addition, Schedule A requires the following:

- Apply at or below agronomic rates

- The permittee must have written site authorization for each location from DEQ before land applying and abide by the restrictions for each site.
- Prior to application, the permittee must ensure that biosolids meet one of the pathogen reduction standards under 40 CFR 503.32.
- The permittee must not apply biosolids containing pollutants in excess of the ceiling concentrations for the nine metals shown in Schedule A of the permit.

4. Schedule B: Monitoring and Reporting Requirements

Schedule B of the permit describes the minimum monitoring and reporting necessary to demonstrate compliance with the proposed effluent limits. Detailed monitoring frequency and reporting requirements are in Schedule B of the proposed permit. The required monitoring, reporting and frequency for many of the parameters are based on DEQ's monitoring and reporting matrix guidelines, permit writer judgment, reporting requirements for similar facilities of this type and size and to ensure the needed data is available for the next permit renewal.

The monitoring data provide DEQ with information to evaluate the performance of the wastewater treatment facility for influent, the lagoons, and effluent. The authority to require periodic reporting by permittees is found at ORS 468.065(5).

Monitoring requirements for influent pH, BOD_5 (biochemical oxygen demand) and total suspended solids (TSS) sampling are included in the permit for the City of Nyssa to track influent loading to the system and as monitoring for performance of the treatment system. Lagoon freeboard and perimeter monitoring are required to ensure the structure and integrity of the lagoon is adequate.

Effluent parameters are required when irrigating with recycled water at an approved land application site. Requirements for flow monitoring, irrigation volume, bacteria, total chlorine residual, and nutrient monitoring are included in Table B4. Nutrients must be evaluated and reported on by the permittee to ensure overloading of the field above agronomic uptake rate for the planted crops does not occur. The permittee must track and report any supplemental fertilizer, supplemental irrigation water, and additional nutrient loading applied to the site.

The permit requires the permittee to evaluate and update the Recycled Water Use Plan and submit to DEQ for approval by the date provided.

5. Schedule C: Compliance Schedule

The permittee is expected to meet all effluent limits and therefore a compliance schedule is not needed.

6. Schedule D: Special Conditions

The proposed permit contains the following special conditions. The conditions include the following:

6.1 Inflow and Infiltration

A requirement to submit an annual report detailing inflow and infiltration and to address potential for groundwater and stormwater from entering the collection system.

6.2 Emergency Response and Public Notification Plan

A requirement to develop and submit an emergency and spill response plan or ensure the current one is current per General Condition B.6 in Schedule F.

6.3 Recycled Water Use Plan

A condition requiring the permit holder to update and maintain a recycled water use plan that meet the requirements in OAR 340-055-0025 by the date provided. The plan must also include location-specific information describing where and how recycled water is managed to protect public health and the environment.

6.4 Exempt Wastewater Reuse at the Treatment System

A condition that exempts the permit holder from the recycled water requirements in OAR 340-055, when recycled water is used for landscape irrigation at the treatment facility or for in-plant processes, such as in plant maintenance activities.

6.5 Wastewater Solids and Biosolids Annual Report

This condition requires the permittee to submit a Wastewater Solids and Biosolids Annual Report each year documenting removal of wastewater solids from the facility during the previous calendar year.

6.6 Biosolids Management Plan

A requirement to manage all biosolids in accordance with a DEQ-approved biosolids management plan and land application plan. The biosolids management plan and the land application plan must meet the requirements in OAR 340-050-0031 and describe where and how the land application of biosolids is managed to protect public health and the environment.

6.7 Wastewater Solids Transfers

A condition that allows the facility to transfer treated or untreated wastewater solids to other in-state or out-of-state facilities that are permitted to accept the wastewater solids.

6.8 Hauled Waste Control Plan

A condition that allows the acceptance of hauled waste after a hauled waste plan is submitted and approved by DEQ. The hauled waste plan ensures waste is not accepted that could negatively impact the treatment capabilities of the facility.

6.9 Hauled Waste Annual Report

A condition requiring submittal of an annual hauled waste report that summarizes hauled waste accepted at the facility during the previous year.

6.10 Lagoon Solids

A condition requiring the permittee to submit a sludge depth survey report to ensure lagoon solids are maintained within design standards and accumulations do not negatively affect treatment capabilities.

6.11 Lagoon Leak Test

By no later than the date provided in Schedule B of this permit, the permittee must conduct and submit the results of a lagoon leak test to DEQ for each cell of the wastewater lagoon system. Guidelines for estimating lagoon leakage are available from DEQ. Use of the guidelines is required to provide sufficient information on estimation of lagoon leakage.

6.12 Operator Certification

The permit holder is required to have a certified operator consistent with the size and type of treatment plant covered by the permit per OAR 340-049-0005. This special condition describes the requirements relating to operator certification.

6.13 Industrial User Survey

This condition requires the permittee to conduct an industrial user survey. The purpose of the survey is to identify whether there are any categorical industrial users discharging to the POTW and ensure regulatory oversight of these discharges.

7. Schedule F: WPCF General Conditions

This schedule includes conditions and definitions that are applicable to all WPCF permits in Oregon of this type.

8. Next Steps

The City of Nyssa has submitted a complete WPCF permit renewal application. DEQ provided the draft permit documents to the applicant for review and comment and is proceeding with a Category II permitting action for public notification as per OAR 340-045-0027.

DEQ will respond to comments received during the comment period. All those providing comment will receive a copy of DEQ's response. Interested parties may also request a copy of DEQ's response. Once comments are received and evaluated, DEQ will decide whether to issue the permit as proposed, to make changes to the permit, or to deny the permit. DEQ will notify the permittee of DEQ's decision. If substantive changes are made to the permit, then an additional public notice period may occur. DEQ may also revise this fact sheet or update the fact sheet through memorandum.

DEQ response to applicant review comments

WPCF Permit: City of Nyssa

File number: 118971
Permit number: 102989

July 9, 2024

Overview

DEQ accepted applicant review comments on the newly proposed permit from June 11, 2024 through June 25, 2024. This document provides a summary of each comment and a response from DEQ. A record of these responses to comment are delivered to the commenter upon "notice of delivery" of the permit and stored in the administrative record.

The following individuals or entities submitted written comments by email during the applicant review period:

List of commenters		
#	Commenter	Affiliation
1	Carl Makepeace	DEQ

Applicant review comments received by the close of the applicant review period are organized by commenter or by topic if more than one comment was made about the same topic. DEQ's response follows the summary comment. Original comments are on file with DEQ.

Comment #1-Permit:
Due to the last revision date of the Recycled Water Use Plan, the City of Nyssa should reevaluate the plan, revise to update, and resubmit to DEQ.

DEQ Response to Comment #1-Permit:
The following requirement has been provided in Schedule B, Table B1 of the permit:

Recycled Water Use Plan (see Schedule D.3)	One Time	Submit by 01/15/2025	Electronic copy in a DEQ-approved format	As directed by DEQ Electronic copy to DEQ Water Reuse Program Coordinator

The following language has been added to Schedule D.3 of the permit:

3. Recycled Water Use Plan

The permittee must update and maintain a DEQ-approved Recycled Water Use Plan meeting the requirements in OAR 340-055-0025 and submit by the date listed in Table B.1. The permittee must submit this plan or any significant modifications to DEQ for review and approval with sufficient time to clear DEQ review and a public notice period prior to implementing changes to the recycled water program. The permittee must keep the plan updated. All plan revisions require written authorization from DEQ and are effective upon permittee's receipt of DEQ written approval. No significant modifications can be made to a plan for an administratively extended permit (after the permit expiration date). Conditions in the plan are enforceable requirements under this permit. DEQ will provide an opportunity for public review and comment on any significant plan modifications prior to approving or denying. Public review is not required for minor modifications, changes to utilization dates or changes in use within the recycled water class.

Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.