



WATER POLLUTION CONTROL FACILITIES PERMIT

Oregon Department of Environmental Quality
 Eastern 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:		
Kronospan La Grande LLC 1 Kronospan Way Eastaboga, Alabama 36260	Type of Waste	Outfall Number	Location
	Industrial Wastewater Effluent and Stormwater (Infiltration/ Evaporation)	001	45.3474423, - 118.026555
	Industrial Wastewater Effluent and Stormwater (Land Application)	002	Specified in a DEQ-approved OM&M Plan

FACILITY TYPE AND LOCATION:

Particleboard Manufacturing
 Lagoon(s) and Land Application System
 62621 Hwy 82
 Island City, Oregon 97850
 County: Union

RIVER BASIN INFORMATION:

WRD Basin: Grande Ronde

 USGS Sub-Basin: Upper Grande Ronde
 Nearest surface water body name:
 Grande Ronde River, R.M. 150
 LLID: 1169845460718

Issued in response to Application No. 948442 received September 23, 2022. This permit is issued based on the land use findings in the permit record.

Mike Hiatt, Water Quality Permitting
 Manager
 Eastern Region

8-1-2024

Issuance Date

8-1-2024

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 the requirements of Oregon Administrative Rules – Chapter 340, Division 040, 041, 045 and 052, as well as the limitations, and conditions set forth in the attached schedules.

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

- a. The Permittee is authorized to dispose of stormwater and industrial wastewater effluent consisting of non-contact cooling water, boiler blowdown, and fire system flush water in the Retention Overflow and Discharge (ROD) Pond, Process Water Pond (PWP), constructed wetland, and Cooling Pond in accordance with the conditions of this permit.
- b. Upon DEQ-approval of an Operations, Monitoring and Management (OM&M) Plan, the permittee is approved to dispose of stormwater and industrial wastewater effluent from the Process Water Pond (PWP) at land application sites authorized in accordance with conditions of this permit.
- c. In accordance with the terms and conditions of this permit, the Permittee is authorized to collect, store, treat and land apply industrial wastewater effluent and waste solids only from sources listed in this permit and/or the DEQ approved Operations, Monitoring and Management (OM&M) Plan.

2. Surface Water Protection

Direct 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 a manner that will prevent a violation of the Groundwater Quality Protection Rules (OAR Chapter 340, Division 40). 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. Effluent Limits (Outfall 001)

ROD Pond, Cooling Pond and PWP limitations not to be exceeded:

Table A1: Pond Effluent Limits

Parameter	Limitation
Minimum Freeboard	1 foot
pH (Cooling Pond only)	Must be within the range of 6.5 to 8.5 SU for effluent discharged into the pond

5. Industrial Wastewater Effluent and Stormwater Land Application (Outfall 002)

The permittee is authorized to distribute industrial wastewater effluent commingled with stormwater for land application between April 1st and October 31st provided that the water is:

- a. Managed in accordance with the DEQ-approved Operation, Monitoring and Management (OM&M) Plan.
- b. Used in a manner and applied at a rate that does not adversely affect groundwater quality.
- c. Applied at a rate and in accordance with site management practices that ensure continued agricultural, horticultural, or silvicultural production and does not adversely affect the productivity of the site.
- d. 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. Be distributed as evenly as practicable within the land application area.
 - iv. Be conducted in a manner that prevents soil erosion, prolonged ponding on the ground surface (ponding that lasts up to 24 hours after irrigation has stopped will be allowed only if adverse or nuisance conditions do not occur as a result), or runoff from the site.
- e. Not be conducted on non-crop or fallow land, except within 60 days prior to planting a crop.
- f. Be limited to those lands described in the Land Use Compatibility Statements issued to the Permittee by Union County.
- g. More monitoring may be recommended and approved in the OM&M Plan, in addition to the minimum monitoring requirements.
- h. Prior to the application of any irrigation water at any wastewater land application site the Permittee must establish the water holding capacity (in/ft) for each of the top five feet of the soil column.
 - i. The water holding capacity (field capacity) must be determined by a scientific method standard to the agricultural industry and approved by the Department. The method of determination must be described in the OM&M Plan.
 - ii. The soil column water holding capacity for each approved application site must be listed in the Department approved Operation, Monitoring and Management (OM&M) plan.
 - iii. Once approved by the Department, the water holding capacity for each of the top 5 feet of the soil column at each approved application site must not be changed or modified without the Department's written approval.

6. Land Application Site Authorization

The Permittee must obtain written site authorization from DEQ prior to application of industrial wastewater effluent at any beneficial reuse site or disposal site and follow the site-specific management conditions in the DEQ-issued site authorization.

7. 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 Operations, Monitoring and Management Plan must list the approved agronomic rates for each proposed crop.

8. Domestic (Sanitary) Wastes

This permit does not authorize treatment and disposal of sanitary wastes. Permittee is prohibited from mixing and/or blending sanitary waste with any authorized wastewater or waste solids.

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 – B10: ROD Pond, Cooling Pond, Process Water Pond, Industrial Wastewater Effluent, Supplemental Water, Soil Characterization, Soil Moisture, Crop, and Groundwater Monitoring - Operation, Monitoring & Management Plan Annual Report (See Schedule D)	Annually	March 1	Specified in Schedule B. Section 2 of this permit	As directed by DEQ Electronic copy to DEQ Pendleton Office
Operation, Monitoring & Management Plan for industrial wastewater effluent land application (See Schedules A & D)	One time	At least 90 days prior to land application of industrial wastewater effluent	One electronic copy in DEQ-approved format	Attached digital copy 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.				

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 year.
 - (B) The permittee must submit monitoring data and other information required by this permit for all compliance points by the date provided in Table B1 or as specified in writing by DEQ.
- ii. Until directed by DEQ, the permittee must submit any required, Sanitary Sewer Overflow/Bypass Event Reports and other required information to DEQ.

- iii. The permittee must sign and certify submittals of Discharge Monitoring Reports (DMRs), annual required reports, and other information in accordance with the requirements of Section D3 within Schedule F 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 year.
- iii. The permittee must submit monitoring data and other information required by this permit for all compliance points by the date provided in Table B1 or as specified in writing by DEQ.
- iv. When directed by DEQ, the permittee must submit electronic reports to DEQ via designated web-based reporting process.

c. **Implementation**

The Laboratory QLs (adjusted for any dilutions) for analyses performed to demonstrate compliance with permit limits or as part of effluent characterization, must be at or below the QLs specified in the permit unless one of the conditions below is met.

- i. The monitoring result shows a detect above the laboratory reported QL.
- ii. The monitoring result indicates non-detect at a DL which is less than the QL.
- iii. Matrix effects are present that prevent the attainment of QLs and these matrix effects are demonstrated according to procedures described in EPA's "Solutions to Analytical Chemistry Problems with Clean Water Act Methods", March 2007. If using alternative methods and taking appropriate steps to eliminate matrix effects does not eliminate the matrix problems, DEQ may authorize in writing re-sampling or allow a higher QL to be reported. In the case of effluent characterization monitoring.

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

The Permittee must monitor the operation and efficiency of all treatment and disposal facilities in accordance with this permit and the Department-approved OM&M Plan, and any amendments to the plan approved in writing by the Department. Minimum monitoring must include the following items unless otherwise approved by DEQ in writing:

- a. The permittee must monitor wastewater discharge into the ROD Pond in accordance with the following table:

Table B2: ROD Pond Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action See note b.	Report Statistic See note a.
Inspect pond dike and freeboard	n/a	Year-round	Weekly	Record	Record Observation
pH	Standard Units (SU)	Year-round	Monthly	Grab	Daily Value Monthly Maximum Monthly Minimum
Total Dissolved Solids (see note c.)	mg/L	Year-round	Monthly	Grab	Monthly Average
Manganese (Mn)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Sodium, (Na)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Solids removed	lbs	Upon Removal	Each occurrence	Estimate	Total volume removed

Notes:

- a. When submitting DMRs electronically, all data used to determine summary statistics shall be submitted in a DEQ approved format unless otherwise directed by DEQ. If submitting paper DMRs, all data collected shall be reported on each DMR.
- b. 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.
- c. Electrical conductivity (EC) may be substituted for total dissolved solids (TDS), if the permittee submits a correlation between TDS and EC with actual pond data and it is approved in writing by the Department.

- b. The permittee must monitor wastewater at discharge into the Cooling Pond and visually inspect the pond in accordance with the following table:

Table B3: Cooling Water Pond Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note b.	Report Statistic See note a.
Inspect pond dike and freeboard	n/a	Year-round	Weekly	Record	Record Observation
pH (See note c.)	Standard Units (SU)	May 1 – October 31	2/week	Grab	Daily Value Monthly Maximum Monthly Minimum
		November 1 – April 30	2/month	Grab	Daily Value Monthly Maximum Monthly Minimum
Total Dissolved Solids (TDS)	mg/L	Year-round	Monthly	Grab	Monthly Average
Total Kjeldahl Nitrogen (TKN)	mg/L	Year-round when irrigating	Monthly	Grab	Monthly Average
Nitrate (NO ₃) Plus Nitrite (NO ₂) NO ₃ +NO ₂ -N Nitrogen	mg/L	Year-round when irrigating	Monthly	Grab	Monthly Average
Calcium (Ca)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Iron (Fe)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Magnesium (Mg)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Total Phosphorus (P)	mg/L	Year-round	Quarterly	Grab	Quarterly Average
Solids removed	cubic yards of dry weight volume	Upon removal	Each occurrence	Estimate	Record date Estimated volume removed Final destination of solids

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action See note b.	Report Statistic See note a.
Notes:					
a. When submitting DMRs electronically, all data used to determine summary statistics shall be submitted in a DEQ approved format as an attachment unless otherwise directed by DEQ. If submitting paper DMRs, all data collected shall be reported on each DMR.					
b. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, the permittee must perform grab measurements. If the failure or loss is for continuous temperature monitoring equipment, the permittee must perform grab measurements daily between 2 PM and 4 PM until continuous monitoring equipment is redeployed.					
c. After such time that the permittee has completed two full years of monitoring and met the effluent limits for pH specified in Schedule A, the permittee can submit a request for a reduction in monitoring in writing for DEQ consideration.					

- c. The permittee must monitor wastewater at discharge into the Process Water Pond and visually inspect the pond in accordance with the following table:

Table B4: Process Water Pond Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Report Statistic See note a.
Inspect pond dike and freeboard	n/a	Year-round	Weekly	Record	Record Observation
pH (See note b.)	Standard Units (SU)	May 1 – October 31	2/week	Grab	Daily Value Monthly Maximum Monthly Minimum
		November 1 – April 30	2/month	Grab	Daily Value Monthly Maximum Monthly Minimum
Total Dissolved Solids (TDS)	mg/L	Year-round	Monthly when irrigating	Grab	Monthly Average
Total Kjeldahl Nitrogen (TKN)	mg/L	Year-round when irrigating	Monthly when irrigating	Grab	Monthly Average
Nitrate (NO3) Plus Nitrite (NO2) NO ₃ +NO ₂ -N Nitrogen	mg/L	Year-round when irrigating	Monthly when irrigating	Grab	Monthly Average

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Report Statistic See note a.
Solids removed	cubic yards of dry weight volume	Upon Removal	Each occurrence	Estimate	Total volume removed

Notes:

- When submitting DMRs electronically, all data used to determine summary statistics shall be submitted in a DEQ approved format as an attachment unless otherwise directed by DEQ. If submitting paper DMRs, all data collected shall be reported on each DMR.
- After such time that the permittee has completed two full years of monitoring and met effluent limits for pH specified in Schedule A, the permittee can submit a request for a reduction in monitoring in writing for DEQ consideration.

4. Land Application Monitoring Requirements: Outfall 002

- The permittee must monitor industrial wastewater effluent at the land application site (Outfall 002) as listed below. The samples must be representative of the industrial wastewater effluent discharged at any location identified in the DEQ-approved Operation, Monitoring and Management Plan (OM&M Plan).

Table B5: Industrial Wastewater Effluent Land Application System Water Monitoring

Item or Parameter	Time Period	Minimum Frequency	Sample Type/ Required Action	Report
Effluent flow (MGD) from each pond	When irrigating	Daily	Measurement and calculation	Annual Report
Quantity irrigated (inches/acre)	When irrigating	Daily	Calculation	Annual Report
Total nitrogen (See note a) loading rate from industrial wastewater effluent water (lb/acre-year)	When irrigating	Monthly	Calculation	Annual Report
Total dissolved solids (mg/L)	When irrigating	Monthly	Grab	Annual report
BOD loading (lbs/acre/day)	When irrigating	Monthly	Grab/calculation	Annual report
Sodium adsorption ratio	When irrigating	Monthly	Grab/calculation	Annual report

Note:

- Total nitrogen = sum of TKN plus NO₂-N plus NO₃-N from each pond used for irrigation.

- The permittee must monitor land applied supplemental use water for Outfall 002 as listed below.

Table B6: Supplemental Water Land Application System Monitoring

Item or Parameter	Time Period	Minimum Frequency	Sample Type/ Required Action	Report
Total flow supplemental irrigation water (MGD)	When irrigating	Daily	Measurement	Annual Report
Quantity supplemental water irrigated (inches/acre)	When irrigating	Daily	Calculation	Annual Report
Total nitrogen loading rate (lb/acre) (See note a.)	When irrigating	Monthly	Calculation	Annual Report
Total Kjeldahl Nitrogen (TKN) (mg/L)	When irrigating	Monthly	Grab	Annual Report
Total nitrogen loading rate from supplemental fertilizer sources (lb/acre) (See note a.)	Year round	Monthly	Calculation	Annual Report
Total dissolved solids (mg/L)	When irrigating	Monthly	Grab	Annual Report
BOD loading (lbs/acre/day)	When irrigating	Monthly	Grab/calculation	Annual Report
Sodium adsorption ratio (SAR)	When irrigating	Monthly	Grab/calculation	Annual Report
Note: a. Total nitrogen = sum of TKN plus NO ₂ -N plus NO ₃ -N.				

5. Soil Characterization Monitoring

- a. When land applying industrial wastewater effluent, at each approved application site the Permittee must collect representative soil samples from each foot increment of the rooting depth identified in the DEQ-approved OM&M Plan of the soil column and analyze each, by accepted laboratory methods, for the following parameters:

Table B7: Soil Characterization

Item or Parameter Units	Minimum Frequency (See note b.)	Sample Type/Action
Nitrate-Nitrogen (lbs./ac)	2/year	In Accordance with OM&M Plan
Ammonium-Nitrogen (lbs./ac)	2/year	In Accordance with OM&M Plan
EC of saturated extract (uS/cm)	2/year	In Accordance with OM&M Plan
pH (SU) (see note a.)	2/year	In Accordance with OM&M Plan
Notes: a. pH is required in the top foot of soil at each site only.		

Item or Parameter Units	Minimum Frequency (See note b.)	Sample Type/Action
b. Twice per year -- once in spring (prior to irrigation or addition of fertilizer) and once at the end of the growing season in accordance with sampling procedures in the OM&M plan.		

- b. The Permittee must monitor soil moisture at each land application site by an accepted soil moisture monitoring method as defined in the approved OM&M Plan when land applying industrial wastewater effluent. The permittee must review soil moisture data monthly and submit collected data with the annual report.

Table B8: Soil Moisture Monitoring

Item or Parameter, Units	Minimum Frequency	Sample Type/Action
Water Holding Capacity, inches of water/ft	Annually (see note a.)	Record value
Soil Moisture, inches of water/ft	Weekly	Record amounts, Totalize monthly
Notes: a. See Schedule A, Condition 5(h).		

6. Crop Monitoring

The Permittee must monitor and record crop information, for each authorized application site, when land applying industrial wastewater effluent, as follows:

Table B9: Crop Monitoring

Item or Parameter	Minimum Frequency	Sample Type/Action
Crops grown	When planted and harvested	Record dates
Crop Tissue Total Nitrogen (%) (see note a.)	At harvest	Calculation/Record amounts
Crop Nitrogen removal (see note a.)	At harvest	Calculation
Crop Yield (lb/ac or tons/ac) (see note a.)	At harvest	Record amounts
Note: a. Crop Nitrogen removal is to be calculated based on % Total N from crop tissue sampling and recorded crop yield. Tissue testing, nitrogen removal, and yield reporting is not required for cover crops that are tilled-under. The associated contribution of nitrogen mineralization for cover crops or crop residues being tilled under after soil testing must be accounted for in the nutrient loading for the next crop as described in the OM&M Plan.		

7. Groundwater Monitoring

Groundwater monitoring must be performed in accordance with the Department-approved Groundwater Monitoring Plan. The Groundwater Monitoring Plan may be attached to the OM&M Plan.

a. Groundwater Action Requirements

- i. If groundwater monitoring data indicate a significant increase (increase or decrease for pH) in the value of a parameter monitored, the Permittee must immediately resample and notify the Department within fifteen (15) days. A significant increase occurs when the value exceeds the upper tolerance limit (UTL) for the well. The UTL is calculated based on the distribution of the data as outlined in *Statistical Analysis of Ground-Water Monitoring Data*

at RCRA Facilities, *Interim Final Guidance* (EPA 1989) and *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Addendum to Interim Final Guidance* (EPA 1992). Immediately means as soon as practicable,

- ii. If the re-sampling confirms a significant increase (increase or decrease for pH) in the value of a parameter monitored, the Permittee must:
 - i. Report the results to the Department within ten (10) days of receipt of the laboratory data, but in no case longer than sixty (60) days from the date of resampling; and,
 - ii. Prepare and submit to the Department within thirty (30) days a plan for developing a preliminary assessment, unless another time schedule is approved in writing by the Department; or,
 - iii. Follow an alternative plan that has been approved in writing by the Department.
- b. The Permittee must monitor groundwater in accordance with the approved Groundwater Monitoring Plan and any amendments to the plan approved by the Department in writing. Minimum groundwater monitoring must include the following parameters:

Table B10: Groundwater Monitoring

Item or Parameter	Minimum Frequency	Type of Sample
pH (field measurement)	Quarterly	Grab
Nitrate Nitrogen	Quarterly	Grab
Chloride	Quarterly	Grab
Sulfate	Quarterly	Grab
TDS	Quarterly	Grab
Specific Conductivity	Quarterly	Grab
Temperature	Quarterly	Grab
Static Water Level	Quarterly	Measurement

SCHEDULE C: COMPLIANCE SCHEDULE

1. Compliance Schedule for Final Groundwater Concentration Limits

- a. The permittee must submit a Water Quality Analysis Report (WQAR) on or before 12 months after the effective date of this permit. The WQAR must include:
 - i. A conceptual model for revised groundwater conditions at the site including groundwater flow, fate, and transport of all discharges at the site.
 - ii. Evaluate all contaminants of concern.
 - iii. Propose concentration limits for appropriate contaminants of concern at the facility.
 - iv. The WQAR must be signed and sealed by an Oregon registered hydrogeologist.
- b. Upon DEQ approval of the WQAR, the permit will be modified to incorporate final groundwater concentration limits to Schedule A.

2. Responsibility to Meet Compliance Dates

The permittee is expected to meet the compliance dates which have been established in this schedule. Either prior to or no later than 14 days following any lapsed compliance date, the permittee must submit to DEQ a notice of compliance or noncompliance with the established schedule. The Director or an authorized representative may revise a schedule of compliance if determined good and valid cause resulting from events over which the permittee has little or no control.

SCHEDULE D: SPECIAL CONDITIONS

1. Operation, Monitoring and Management Plan (OM&M)

Prior to land application with industrial wastewater effluent, the permittee must have a DEQ-approved Operations, Monitoring and Management (OM&M) Plan that describes the operation and management of the land application system, including satisfactorily addressing all DEQ-comments on the plan. At a minimum the plan must include the following:

- a. Statement that the current plan supersedes all previous plans;
- b. Name and contact information of the person(s) whose primary responsibilities are to ensure the continuous performance of the collection, storage/treatment, and land application and/or disposal system(s) in accordance with the conditions of the WPCF permit.
- c. Treatment system, including flow diagram, description, and expected waste characteristics:
 - i. Treatment system maintenance plan.
 - ii. How the facility will address aging infrastructure and a preventative maintenance schedule and tracking program to prevent leaks and unauthorized discharges.
- d. Identify all proposed beneficial and disposal uses of industrial wastewater effluent and estimated volumes for each use.
 - i. Identify the industrial wastewater effluent characteristics, quality, and total volume produced.
- e. Identify all proposed beneficial and disposal of wastewater solids and waste process solids and estimated quantities for each.
 - i. Waste solids management plan is to include storage, waste characteristics, testing, transport, and site management activities.
- f. Land application site(s) description including:
 - i. Map and list of all land application sites and associate acreage, legal description, zoned land use, and site ownership.
 - ii. Site map detailing setbacks, and distances to wells, surface water and the nearest developed property from all boundaries of the irrigation site.
 - iii. Up-to-date system capacity assessment (to include nutrient balance and hydraulic capacity assessments).
 - iv. Description and diagram of the irrigation system, application methods and rates, location, and type of flow monitoring devices for each field and shut off procedures.
 1. Irrigation system maintenance plan.
 2. Site management practices including the timing of irrigation, methods used to mitigate potential aerosol drift.
 3. Public access control and how the public and personnel will be notified of industrial wastewater effluent irrigation.
- g. Characterization of the soils and crops or vegetation grown at the land application site including agronomic rates for water and nutrient uptake.
 - i. List of all crops to be grown on the land application management units along with their agronomic rate and associated management practices (including cover crop and forage crop management practices), yield expectations and crude protein goals – with identification of the scientific sources used for their determination. Crops are to be identified as annual, overwinter, cover, multi-season or last year multi-season. Yield expectations are to be clearly identified; for example, but not limited to mechanical harvest with stubble remaining; seed production with hay removal, etc.
 - ii. How agronomic rates are to be proposed and calculated.
 - iii. Description of how agronomic rates and/or management practices will be adjusted for environmental protection based on collected data results (soil test and harvest data, monitoring well results).

- iv. A statistical review of past crop performance and nitrogen removal to support current agronomic rates, adjusting as necessary.
- v. Crop irrigation requirements and scheduling/management practices to prevent irrigated waters from leaving the rooting zone – along with Maximum Allowed Deficit (MAD) parameters and irrigation efficiency for hydraulic and nutrient loading.
- vi. Soil moisture monitoring methodology/protocols along with statistical evaluation and validation supporting the number of soil moisture monitoring points being used per field and to ensure that data accurately represents field conditions.
- vii. Biomass sampling plan.
- viii. Monitoring, sampling, and reporting procedures, QA/QC, and sampling location points used to demonstrate compliance with the permit.
- h. Completed Land Use Compatibility Statement (LUCS).
- i. Completed Oregon Water Resources industrial water reuse registration form.
- j. Contingency procedures and public notification, including spill prevention and response.
- k. A list of safety data sheets for any chemical additives which would enter the effluent or waste solids beneficial use or disposal land application stream.

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. Groundwater

a. Groundwater Monitoring Plan

- i. The permittee must prepare and submit an updated groundwater monitoring plan to the Department that is specific to the permittee’s site before any modifications are incorporated. The permittee must implement all conditions of the final DEQ approved groundwater monitoring plan.
- ii. The Groundwater Monitoring Plan will include but not be limited to: Sampling and reporting frequency, sampling method, criteria for determining sample is representative of target aquifer, target analytes and analytical method, field parameters and instrument calibration, sample collection quality assurance and quality control, purge water management, well construction, well development, and well placement.

b. Groundwater Well Management

- i. The permittee must protect and maintain each groundwater monitoring well such that representative samples of the targeted aquifer can be collected.
- ii. All monitoring well abandonment, replacement, and installation must be conducted in compliance with the Oregon Water Resources Department Rules OAR Chapter 690, Division 240 and with the Department’s Guidelines for Groundwater Monitoring Well Drilling, Construction, and Decommissioning. All monitoring well repair, abandonment, replacement, and installation must be documented in a report prepared by a State of Oregon registered geologist.
- iii. If a monitoring well becomes damaged or inoperable, the permittee shall notify the Department in writing within 14 days of discovery. The written report shall describe what has occurred, the remedial measures that have been or will be taken to correct the

- problem, and the measures taken to prevent its recurrence. The Department may require the replacement of inoperable monitoring wells.
- iv. New or replacement monitoring well placement or design must be approved by the Department prior to installation. Well logs and a well completion report must be submitted to the Department within 30 days of installation of the well. The report must include a survey drawing showing the location of all monitoring wells, adjacent structures, and water bodies.
 - v. An abandonment plan for existing wells deemed unsuitable for groundwater monitoring must be submitted for Department approval prior to abandonment.

SCHEDULE F: WPCF GENERAL CONDITIONS

SCHEDULE F

WPCF GENERAL CONDITIONS – INDUSTRIAL FACILITIES

SECTION A. STANDARD CONDITIONS

Duty to Comply with Permit

1. 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.

Property Rights and Other Legal Requirements

2. 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.

Liability

3. 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.

Permit Actions

4. 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.

Transfer of Permit

5. 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.

Permit Fees

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

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

Proper Operation and Maintenance

1. 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.

Standard Operation and Maintenance

2. 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.

Noncompliance and Notification Procedures

3. 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.

Wastewater System Personnel

4. 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.

Public Notification of Effluent Violation

5. 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 in accordance with 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.

Emergency Response and Public Notification Plan

6. The permittee must develop and implement an emergency response and public notification plan that identifies measures to protect public health from 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 entities (including public water systems). The 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

Inspection and Entry

1. 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.

Averaging of Measurements

2. 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.

Monitoring Procedures

3. 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.

Retention of Records

4. 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

Plan Submittal

1. 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.

Change in Discharge

2. 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.

Signatory Requirements

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

Twenty-Four Hour Reporting

4. The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) within 24 hours from the time the permittee becomes aware of the circumstances, unless a shorter time is specified in the permit. 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).

The following must be included as information that must be reported within 24 hours under this paragraph:

- a. Any unanticipated bypass that exceeds any effluent limitation in this permit;
- b. Any upset that exceeds any effluent limitation in this permit;
- c. Violation of maximum daily discharge limitation for any of the pollutants listed by the Department in this permit; and
- d. Any noncompliance that may endanger human health or the environment.

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

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

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* or *BOD₅* means five-day biochemical oxygen demand.
2. *CBOD* or *CBOD₅* means five-day carbonaceous biochemical oxygen demand.
3. *TSS* means total suspended solids.
4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
5. *FC* means fecal coliform bacteria.
6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
7. *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.
8. *mg/l* means milligrams per liter.
9. *µg/l* means microgram per liter.
10. *kg* means kilograms.
11. *m³/d* means cubic meters per day.
12. *MGD* means million gallons per day.
13. *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.
14. *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.

15. *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.
16. *24-hour composite sample* means a combination of at least six discrete sample aliquots of at least 100 milliliters, collected at periodic intervals from the same location, during the operating hours of the facility over a 24-hour period. Four (rather than six) aliquots should be collected for volatile organics analyses. The composite must be flow or time proportional, whichever is more appropriate. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.
17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
18. *Quarter* means January through March, April through June, July through September, or October through December.
19. *Month* means calendar month.
20. *Week* means a calendar week of Sunday through Saturday.