NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT

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

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

ISSUED TO:

City of Seaside
989 Broadway Street
Seaside, OR 97138

SOURCES COVERED BY THIS PERMIT:

Type of Waste	Outfall Number	Outfall Location
Treated Wastewater	001A	46.0042/-123.9211
Recycled Water Reuse	002	Specified in Recycled Water Use Plan
Biosolids	N/A	Specified in Biosolids Management/Land Application Plan

FACILITY LOCATION:

City of Seaside Wastewater Treatment Plant
1821 N. Franklin Street
Seaside, Oregon 97138
County: Clatsop

EPA Permit Type: Major

RECEIVING STREAM INFORMATION:

Receiving stream/NHD name: Necanicum River
USGS 12-Digit HUC: 171002010103
OWRD Administrative Basin: North Coast
NHD Reach Code & % along reach:
17100201000136 – 27.1%
ODEQ LLID & RM: 123927746011 – RM: 1.3
Integrated Report Assessment Unit ID:
OR_EB_1710020101_01_107210

Issued in response to Application No. 948260 received July 14, 2023. This permit is issued based on the land use findings in the permit record.

Tiffany Yelton-Bram, Water Quality Manager, Northwest Region	August 12, 2024 Issuance Date	October 1, 2024 Effective Date

PERMITTED ACTIVITIES

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

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

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Note: Schedule C (Compliance) and E (Pretreatment Activities) are not part of this permit.

LIST OF TABLES

SCHEDULE A: WASTE DISCHARGE LIMITS

1. Outfall 001A – Permit Limits

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

Table A1: Permit Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD_5 (May 1 – October 31) (See note a.)	mg/L	20	30	-
	lb/day	380	560	750
	% removal	85	-	-
TSS (May 1 – October 31) (See note a.)	mg/L	20	30	-
	lb/day	380	560	750
	% removal	85	-	-
BOD_5 (November 1 – April 30) (See note a.)	mg/L	30	45	-
	lb/day	560	840	1100
	% removal	85	-	-
TSS (November 1 – April 30) (See note a.)	mg/L	30	45	-
	lb/day	560	840	1100
	% removal	85	-	-
pH	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0		
E. coli (See note b.)	#/100 mL	Must not exceed a monthly geometric mean of 126, no single sample may exceed 406		
Enterococcus Bacteria	#/100 mL	Must not exceed a monthly geometric mean of 35, not more than 10% of the samples may exceed 130		

Notes:

a. In accordance with OAR 340-041-0061(9)(a)(C), on any day that the daily flow to the sewage treatment facility exceeds the lesser hydraulic capacity of the secondary treatment portion of the facility or twice the design average dry weather flow, the daily mass load limit does not apply. The permittee must operate the treatment facility at highest and best practicable treatment and control. Average dry weather design flow for the facility is 2.25 million gallons per day (MGD).

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

2. Regulatory Mixing Zone

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

The RMZ is defined as that portion of the Necanicum River encompassing the following area: One hundred fifty feet (150) upstream and downstream of the outfall diffuser and fifteen (15) feet inshore and twenty-five (25) feet off-shore of the diffuser. The Zone of Initial Dilution (ZID) is that portion of the allowable RMZ that is within fifteen (15) feet of the diffuser.

3. Use of Recycled Water – Outfall 002

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

a. Treated and used according to the criteria listed in Table A2.

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 A2: Recycled Water Limits

Class	Level of Treatment (after disinfection unless otherwise specified)	Beneficial Uses
A	Class A recycled water must be oxidized, filtered and disinfected. Before disinfection, unless otherwise approved in writing by DEQ, turbidity may not exceed: • An average of 2 NTUs within a 24-hour period. • 5 NTUs more than five percent of the time within a 24-hour period. • 10 NTUs at any time. After disinfection, total coliform may not exceed: • A median of 2.2 organisms per 100 mL based on daily sampling over the last 7 days that analyses have been completed. • 23 organisms per 100 mL in any single sample.	Class A recycled water may be used for: • Class B, Class C, Class D, and non-disinfected uses. • Irrigation for any agricultural or horticultural use. • Landscape irrigation of parks, playgrounds, school yards, residential landscapes, or other landscapes accessible to the public. • Commercial car washing or fountains when the water is not intended for human consumption. • Water supply source for non-restricted recreational impoundments.
B	Class B recycled water must be oxidized and disinfected. Total coliform may not exceed: • A median of 2.2 organisms per 100 mL, based on the last 7 days that analyses have been completed. • 23 total coliform organisms per 100 mL in any single sample.	Class B recycled water may be used for: • Class C, Class D, and non-disinfected uses. • Stand-alone fire suppression systems in commercial and residential building, non-residential toilet or urinal flushing, or floor drain trap priming. • Water supply source for restricted recreational impoundments.
C	Class C recycled water must be oxidized and disinfected. Total coliform may not exceed: • A median of 23 total coliform organisms per 100 mL, based on results of the last 7 days that analyses have been completed. • 240 total coliform organisms per 100 mL in any two consecutive samples.	Class C recycled water may be used for: • Class D and non-disinfected uses. • Irrigation of processed food crops; irrigation of orchards or vineyards if an irrigation method is used to apply recycled water directly to the soil. • Landscape irrigation of golf courses, cemeteries, highway medians, or industrial or business campuses. • Industrial, commercial, or construction uses limited to: industrial cooling, rock crushing, aggregate washing, mixing concrete, dust control, nonstructural firefighting using aircraft, street sweeping, or sanitary sewer flushing.

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: • Non-disinfected uses. • Irrigation of firewood, ornamental nursery stock, Christmas trees, sod, or pasture for animals.
Non-disinfected	Non-disinfected recycled water must be oxidized.	Non-disinfected water may be used for: • Irrigation for growing commercial timber, fodder, fiber or seed crops not intended for human ingestion.

4. Biosolids

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

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

b. Agronomic Rates for Nutrient Loading - The permittee must apply biosolids at or below the agronomic rates approved by DEQ to minimize potential groundwater degradation. At the time of sale or distribution of the exceptional quality biosolids, the origin must be identified and biosolids analyses must be available to appliers or users of the biosolids.

c. Land Application Site Authorization - 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. This requirement does not apply for exceptional quality biosolids, which may be land applied as any other fertilizer or soil amendment.

d. Pathogen and Vector Attraction Reduction - 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. For exceptional quality biosolids, the biosolids must meet one of the Class A pathogen reduction requirements in 40 CFR 503.32(a) and one of the vector attraction reduction requirements in 40 CFR 503.33(b)(1) through (b)(8) prior to land application.

e. Pollutants - The permittee must not apply biosolids containing pollutants in excess of the ceiling concentrations shown in Table A3. The permittee may apply biosolids containing pollutants in excess of the pollutant concentrations. However, the total quantity of these pollutant(s) cannot exceed the cumulative pollutant loading rates in Table A3. For biosolids to be managed as exceptional quality biosolids, the biosolids cannot exceed any of the ceiling concentration limits or the pollutant concentration limits in Table A3.

f. Approval to Apply Cumulative Pollutant Loading Rates – If the permittee's biosolids are subject to the cumulative pollutant loading rates as described in Section e. above, the permittee must obtain specific approval from DEQ to land apply these biosolids in accordance with their Biosolids Management Plan and Land Application Site Authorization (see Schedule D).

Table A3: Biosolids Limits

Pollutant (See note a.)	Ceiling Concentration Limits (mg/kg)	Pollutant Concentration Limits Monthly Average (mg/kg)	Cumulative Pollutant Loading Rates (kg/ha)
Arsenic	75	41	41
Cadmium	85	39	39
Copper	4300	1500	1500
Lead	840	300	300
Mercury	57	17	17
Molybdenum	75	–	–
Nickel	420	420	420
Selenium	100	100	100
Zinc	7500	2800	2800

Note:

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

5. Chlorine Usage

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

6. Mercury Minimization Plan

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

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

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

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

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

f. The MMP must include:

   i. Facility name and permit number

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

   iii. Plan submittal date

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

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

vi. Mercury sample results for samples collected during the past five years

vii. Annual average effluent mercury concentrations and mass loads

viii. Annual average biosolids concentrations and mass loads

ix. Changes (if any) that may affect mercury, such as changes to operations, treatment and chemicals used

x. Summary of mercury reduction activities implemented during the past five years

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

SCHEDULE B: MINIMUM MONITORING AND REPORTING REQUIREMENTS

1. Reporting Requirements

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

Table B1: Reporting Requirements and Due Dates

Reporting Requirement	Frequency	Due Date (See note a.)	Report Form (See note b.)	Submit To:
Mercury Minimization Plan Update (see Schedule A)	One time	Submit with renewal application.	One electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Tables B2, B3 and B4 Influent Monitoring, Effluent Monitoring, and Necanicum River Monitoring	Monthly	By the 15th of the following month	Specified in Schedule B. Section 2 of this permit	Electronic reporting as directed by DEQ
Tables B5 – B8: Metals, Cyanide, and Hardness; Volatile Organic Compounds; Acid Extractable Compounds; and Base Neutral Compounds	Quarterly for 3 years starting Q4 of 2024 until 12 samples are collected. (See note c.)	By the 15th of the month following each quarter	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Tables B9 and B10: Pesticides and PCBs; and Other Parameters with Water Quality Criteria	Quarterly for one year starting Q4 of 2024 until 3 samples are collected.	By the 15th of the month following each quarter	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Table B11: WET Test Monitoring (See note c.)	Once every 3rd quarter starting Q4 of 2024 until 4 samples are collected (See note d.)	With the first DMR submittal after receipt of the test results	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Inflow and infiltration report (see Schedule D)	Annually	February 15	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Mixing Zone Study (see Schedule D)	One time	Submit by December 15, 2028	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Recycled Water Annual Report (see Schedule D) - Only required if the permittee distributes recycled water under a recycled water use plan	Annually	January 15	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ Electronic copy to DEQ Water Reuse Program Coordinator

Reporting Requirement	Frequency	Due Date (See note a.)	Report Form (See note b.)	Submit To:
Biosolids annual report (see Schedule D)	Annually	By February 19 of the following year	Electronic copy in a DEQ-approved form POTW Design Flow ≥1 MGD: EPA NeT CDX web-based reporting tool	Attached via electronic reporting as directed by DEQ DEQ Biosolids Program Coordinator For POTW Design Flow ≥ 1 MGD: Via electronic reporting as directed by DEQ
Hauled Waste Annual Report (see Schedule D) - Only required if facility has a Hauled Waste Control Plan, or otherwise accepts hauled waste.	Annually	January 15	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ
Industrial User Survey (see Schedule D)	Once per permit cycle	Submit by no later than 24 months after permit effective date	1 electronic copy and 1 hard copy in a DEQ approved format	• 1 Hard copy to DEQ Pretreatment Coordinator • 1 Electronic copy to Compliance Officer
Outfall Inspection Report (see Schedule D)	Once per permit cycle	Submit by 12/15/2027 In the 3rd year of the permit.	Electronic copy in a DEQ-approved format	Attached via electronic reporting as directed by DEQ

Notes:

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

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

c. Quarters are defined as: Q1: Jan – Mar, Q2: Apr – June, Q3: Jul – Sept, Q4: Oct – Dec. If no discharge occurs during the quarter, collect the sample in the following quarter. WET tests and toxics characterization testing must be collected on the same day.

d. WET tests to be conducted concurrent with toxics characterization testing in Q4 of 2024, Q3 of 2025 and Q2 of 2026 and Q1 of 2027.

2. Monitoring and Reporting Protocols

a. Electronic Submissions

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

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

ii. The reporting period is the calendar month.

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

b. Test Methods

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

c. Detection and Quantitation Limits

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

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

d. Sufficient Sensitivity of Quantitation Limits

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

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

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

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

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

ii. 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.

e. Quality Assurance and Quality Control

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

ii. If QA/QC requirements are not met for any analysis, the permittee must re-analyze the sample. If the sample cannot be re-analyzed, the permittee must re-sample and analyze at the earliest opportunity. If the permittee is unable to collect a sample that meets QA/QC requirements, then the permittee must include the result in the discharge monitoring report (DMR) along with a notation (data qualifier). In addition, the permittee must explain how the sample does not meet QA/QC requirements. The permittee may not use the result that failed the QA/QC requirements in any calculation required by the permit unless authorized in writing by DEQ. If these method criteria are not met for BOD_5, the permittee must: 1) report the daily BOD_5 values with data qualifiers; 2) include these BOD_5 values in the summary statistic calculations (e.g., weekly averages, monthly averages, % removal); and 3) report the BOD_5 summary statistics with data qualifiers.

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

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

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

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

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

f. Reporting Sample Results

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

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

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

iv. (For Discharge Monitoring Reports) If a sample result is above the DL but below the QL, the permittee must report the result as the DL preceded by DEQ's data code "e". For example, if the DL is 1.0 µg/l, the QL is 3.0 µg/L and the result is estimated to be between the DL and QL, the permittee must report "e1.0 µg/L" on the DMR. This requirement does not apply in the case of parameters for which the DL does not have to be reported.

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

g. Calculating and Reporting Mass Loads

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

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

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

ii. When concentration data are below the DL: To calculate the mass load from this result, use the DL. Report the mass load as less than the calculated mass load. For example, if flow is 2 MGD and the reported sample result is <1.0 µg/L, report "<0.02 lb/day" for mass load on the DMR (1.0 µg/L x 2 MGD x conversion factor = 0.017 lb/day).

iii. When concentration data are above the DL, but below the QL: To calculate the mass load from this result, use the DL. Report the mass load as the calculated mass load preceded by "E". For example, if flow is 2 MGD, the DL is 1.0 µg/L, the QL is 5 µg/L and the reported sample result is E3.5 µg/L, report "E0.017 lb/day" for mass load on the DMR (1.0 µg/L x 2 MGD x conversion factor = 0.017 lb/day,).

3. Monitoring and Reporting Requirements

a. The permittee must monitor influent after the headworks screen and prior to any return flows and report results in accordance with Table B1 and the table below.

Table B2: Influent Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action (See note a.)	Report Statistic (See note b.)
Flow (50050)	MGD	Year-round	Daily	Metered	1. Monthly Average 2. Daily Maximum
BOD_5 (00310)	mg/L	Year-round	3/week	24-hour composite	Monthly Average
TSS (00530)	mg/L	Year-round	3/week	24-hour composite	Monthly Average
pH (00400)	SU	Year-round	Daily	Grab	1. Monthly Maximum 2. Monthly Minimum

Notes:

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

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

b. The permittee must monitor effluent discharged at Outfall 001A following disinfection and report results in accordance with Table B1 and the table below:

Table B3: Effluent Monitoring Requirements

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
Flow (50050)	MGD	Year-round	Daily	Metered	1. Monthly Average 2. Daily Maximum
BOD_5 (00310)	mg/L	Year-round	3/week	24-hour composite	1. Monthly Average 2. Maximum Weekly Average
BOD_5 (00310)	lb/day	Year-round	3/week	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average
BOD_5 percent removal (81010) (See note c.)	%	Year-round	Monthly	Calculation based on monthly average BOD_5 concentration values	Monthly Average
TSS (00530)	mg/L	Year-round	3/week	24-hour composite	1. Monthly Average 2. Maximum Weekly Average
TSS (00530)	lb/day	Year-round	3/week	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average
TSS percent removal (81011) (See note c.)	%	Year-round	Monthly	Calculation based on monthly average TSS concentration values	Monthly Average
pH (00400)	SU	Year-round	Daily	Grab	1. Daily Maximum 2. Daily Minimum
Temperature (00010)	ºC	Year-round	Daily	Continuous (See note d.)	1. Daily Maximum 2. Monthly Average 3. 7-day Rolling Average of Daily Maximum
E. coli (51040)	#/100 mL	Year-round	3/week	Grab	1. Daily Maximum 2. Monthly Geometric Mean
Enterococci (61211)	#/100 mL	Year-round	3/week	Grab	1. Daily Maximum 2. Monthly Geometric Mean

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
Enterococci % Samples exceeding limit (51937)	%	Year-round	1/Month	Calculation	Monthly percent over 130
Mercury, Total Recoverable (MMP) (71901) (See note e.)	µg/L	First year of the permit cycle and every third year thereafter	Quarterly	24-hour composite	Quarterly Value
Total ammonia (as N) (00610)	mg/L	Year-round	Monthly	24-hour composite	Monthly Maximum
Alkalinity as $CaCO_3$ (00410)	mg/L	Year-round	Quarterly	24-hour composite	Quarterly Maximum
UV dose	mJ/cm^2	Year-round	Daily	Calculation OR from manufacturer's table	Maintain records on-site
Dissolved Oxygen (00300)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite (See note f.)	Quarterly Minimum
Total Kjeldahl Nitrogen (TKN) (00625)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite	Quarterly Maximum
Nitrate (NO3) Plus Nitrite (NO2) Nitrogen (00630)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite	Quarterly Maximum
Oil and Grease (00556)	mg/L	Third year of permit cycle [2027]	Quarterly	Grab	Quarterly Maximum
Total Phosphorus (00665)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite	Quarterly Maximum
Total Dissolved Solids (70295)	mg/L	Third year of permit cycle [2027]	Quarterly	24-hour composite	Quarterly Maximum

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)

Notes:

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

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

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

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

Where:

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

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

d. The permittee may report the hourly average maximum temperature if continuous monitoring of temperature is performed at less than hourly intervals.

e. Example: If permit effective date is March 1, 2024; Monitoring is required quarterly from April 1, 2024 to March 31, 2025; and quarterly from April 1, 2027 to March 31, 2028; and continuing every three years until permit renewal.

f. For Dissolved Oxygen, the permittee must collect and analyze at least four discrete grab samples over the operating day with samples collected no less than one hour apart. The analytical results for all samples in a day must be averaged for reporting purposes.

c. The permittee must monitor the Necanicum River upstream of Outfall 001A in accordance with Table B1 and the table below. The permittee must collect samples such that the effluent does not impact the samples (e.g., upstream for riverine discharges).

Table B4: Necanicum River Monitoring.

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action (See notes a and b.)	Report Statistic (See note c.)
Temperature (00010)	ºC	Year-round	Daily	Continuous	1. Monthly Maximum 2. Daily Maximum 3. 7-day Rolling Average of Daily Maximum
pH (00400)	SU	Year-round	Monthly	Grab	Monthly Value
Total ammonia (as N) (00610)	mg/L	Year-round	Monthly	Grab	Monthly Maximum

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type / Required Action (See notes a and b.)	Report Statistic (See note c.)
Alkalinity as $CaCO_3$ (00410)	mg/L	Year-round	Quarterly	Grab	Quarterly Maximum

Notes:

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

b. Permittee must conduct river monitoring at location upstream of Outfall 001A. The location must be outside the upstream extent of the effluent plume for Outfall 001A. River temperature shall be measured using a continuous temperature monitoring device. Temperature shall be recorded at intervals no longer than 30-minutes. The daily maximum ambient temperature is the maximum 1-hour average from the continuous monitoring data.

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

4. Effluent Toxics Characterization Monitoring

The permittee must collect and analyze effluent samples for the parameters listed in the tables below. The permittee must collect effluent samples after disinfection and prior to discharge to Outfall 001A on the dates listed in Table B1.

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

Table B5: Metals and Cyanide

Pollutant (See note a.)	CAS (See note b.)	Pollutant (See note a.)	CAS (See note b.)
Antimony, total	7440360	Lead, total and dissolved	7439921
Arsenic, total	7440382	Mercury, total	7439976
Arsenic, total inorganic	7440382	Nickel, total and dissolved	7440020
Arsenic, total inorganic dissolved	7440382	Selenium, total and dissolved	7782492
Cadmium, total and dissolved	7440439	Silver, total and dissolved	7440224
Chromium, total and dissolved	7440473	Thallium, total	7440280
Chromium III, total and dissolved (See note c.)	16065831	Zinc, total and dissolved	7440666
Chromium VI, dissolved	18540299	Cyanide, free (See notes d & e.)	57125
Copper, total and dissolved	7440508	Cyanide, total (See note e.)	57125

Pollutant (See note a.)	**CAS** (See note b.)	**Pollutant** (See note a.)	**CAS** (See note b.)

Notes:

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

b. Chemical Abstract Service

c. There is no analytical method to test for Chromium III, results are obtained by subtracting Chromium VI from Chromium.

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

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

Table B6: Volatile Organic Compounds

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

Notes:

a. VOC's must be collected as a grab sample according to 40 CFR 122. Twenty-four-hour composite samples are not required for this analyte.
b. Acrolein, Acrylonitrile, and 2-Chloroethylvinyl ether must be tested from an unacidified sample.
c. Chlorodibromomethane is identified as Dibromochloromethane in 40 CFR 136.3, Table 1C.
d. Dichlorobromomethane is identified as Bromodichloromethane in 40 CFR 136.3, Table 1C.
e. 1,2-Trans-dichloroethylene is identified as Trans-1,2-dichloroethene in 40 CFR 136.3, Table 1C.
f. 1,1-Dichloroethylene is identified as 1,1-Dichloroethene in 40 CFR 136.3, Table 1C.
g. 1,3-Dichloropropylene consists of both cis-1,3-Dichloropropene and Trans-1,3-dichloropropene. Both must be reported individually.
h. Methyl bromide is identified as Bromomethane in 40 CFR 136.3, Table 1C.
i. Methyl chloride is identified as Chloromethane in 40 CFR 136.3, Table 1C.
j. Tetrachloroethylene is identified as Tetrachloroethene in 40 CFR 136.3, Table 1C.
k. Trichloroethylene is identified as Trichloroethene in 40 CFR 136.3, Table 1C.

Table B7: Acid-Extractable Compounds

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

Notes:

a. p-chloro-m-cresol is identified as 4-Chloro-3-methylphenol in 40 CFR 136.3, Table 1C.

b. 4,6-dinitro-o-cresol is identified as 2-Methyl-4,6-dinitrophenol in 40 CFR 136.3, Table 1C.

c. To monitor for 2,4,5-trichlorophenol, use EPA Method 625.1.

Table B8: Base-Neutral Compounds

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

Pollutant	CAS	Pollutant	CAS

Notes:

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

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

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

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

Table B9: Pesticides and PCBs

Pollutant	CAS	Pollutant	CAS
Aldrin	309002	Endrin Aldehyde	7421934
BHC Technical (Hexachlorocylco-hexane) (See note a.)	608731	Guthion (See note b.)	86500
BHC-alpha (See note a.)	319846	Heptachlor	76448
BHC-beta (See note a.)	319857	Heptachlor Epoxide	1024573
BHC-delta (See note a.)	319868	Malathion	121755
BHC-gamma (Lindane) (See note a.)	58899	Methoxychlor	72435
Chlordane	57749	Mirex	2385855
Chloropyrifos (See note b.)	2921882	Parathion (See note b.)	56382
Demeton	8065483	Toxaphene	8001352
DDD 4,4'	72548	PCB- Aroclor 1254	11097691
DDE 4,4'	72559	PCB- Aroclor 1232	11141165
DDT 4,4'	50293	PCB- Aroclor 1260	11096825
Dieldrin	60571	PCB- Aroclor 1242	53469219
Endosulfan alpha (See note c.)	959988	PCB- Aroclor 1221	11104282
Endosulfan beta (See note d.)	33213659	PCB- Aroclor 1248	12672296
Endosulfan sulfate	1031078	PCB- Aroclor 1016	12674112
Endrin	72208		

Notes:

a. There is no analytical method for Technical BHC. Instead, the four major isomers (alpha, beta, delta and gamma) must be separately analyzed and then added together to compare to the BHC Technical criteria.

b. Analytical Methods: Chloropyrifos use EPA 625.1 or 608.3; Parathion and Guthion use EPA 614, 622 or 625.1. Parathion is listed as ethyl parathion in 40 CFR 136. Guthion is identified in 40 CFR 136.3, Table 1D as Azinphos methyl.

c. Endosulfan alpha is identified as Endosulfan I in 40 CFR 136.3, Table 1D.

d. Endosulfan beta is identified as Endosulfan II in 40 CFR 136.3, Table 1D.

Table B10: Other Parameters with State Water Quality Criteria

Pollutant	CAS	Pollutant	CAS
Barium, total (See note a.)	7440393	Dioxin 2,3,7,8-TCDD (See note e.)	1746016
Manganese, total (include for discharge to marine waters only)	7439965	N-Nitrosodibutylamine	924163
Sulfide-hydrogen sulfide (See note b.)	7783064	N-Nitrosodiethylamine	55185
2,4,5-TP [2-(2,4,5-Trichloro- phenoxy) propanoic acid] (See note c.)	93721	N-Nitrosopyrrolidine	930552
2,4-D (2,4-Dichlorophenoxyacetic acid) (See note d.)	94757		

Notes:

a. Barium, Total is identified as Barium-Total in 40 CFR 136.3, Table 1B.
b. Report Sulfide-Hydrogen Sulfide as Dissolved Sulfide as S.
c. This chemical is listed as Chlorophenoxy Herbicide (2,4,5-TP) in Table 40.
d. This chemical is listed as Chlorophenoxy Herbicide (2,4-D) in Table 40
e. Dioxin 2,3,7,8-TCDD is identified as 2,3,7,8-Tetrachloro-dibenzo-p-dioxin in 40 CFR 136.3,Table 1C.

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

If additional ambient or effluent monitoring is needed, DEQ will notify the permittee through a request for supplemental information/data. The need for additional monitoring will be determined after DEQ's evaluation of the effluent toxics characterization (Tier 1 monitoring in Schedule B4) results.

6. Whole Effluent Toxicity (WET) Requirements

The permittee must monitor final effluent for whole effluent toxicity as described in the table below using the testing protocols specified in Schedule D, Whole Effluent Toxicity Testing for Saltwater for Outfall 001A must be collected at the location specified below.

Table B11: WET Test Monitoring

Parameter	Sample Type/Location	Minimum Frequency	Report
Acute toxicity	For acute toxicity: 24-hr composite taken after disinfection and prior to the effluent flume to Outfall 001A.	See Table B1	Report must include test results and backup information such as bench sheets sufficient to demonstrate compliance with permit requirements. Report must include a statement certifying that the results do or do not show toxicity.
Chronic toxicity	For chronic toxicity: 24-hr composite, taken after disinfection and prior to the effluent flume to Outfall 001A.		

7. Recycled Water Monitoring Requirements: Outfall 002

The permittee must monitor recycled water for Outfall 002 as listed below. The samples must be representative of the recycled water delivered for beneficial reuse at a location identified in the Recycled Water Use Plan.

Table B12: Recycled Water Monitoring

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Report (See note a.)
Total flow (50050)	MGD	Year-round	Daily	Measure	Monthly Total
Quantity irrigated (51789)	in/ac	Year-round	Daily	Calculate	Monthly Total
pH (00400)	SU	Year-round	2/Week	Grab	1. Monthly Minimum 2. Monthly Maximum
UV dosage (61938)	mJ/cm^2	Year-round	Daily	Calculate based on UVI grab and average daily flow	Monthly Minimum
Turbidity (00070)	NTU	Year-round	Hourly (Class A)	Measure	1. Daily Average 2. Daily Maximum
Turbidity, time above limit (61736)	%	Year-round	Daily (Class A)	Calculate	Daily Maximum
Total coliform (74056)	#/100 mL	Year-round	Daily (Class A) 3/Week (Class B) Weekly (Class C)	Grab (See note b.)	1. 7-Day Median 2. Maximum Single Sample
E. coli (51040)	#/100 mL	Year-round	Weekly (Class D)	Grab	1. Monthly Geometric Mean 2. Maximum Single Sample
Total Kjeldahl, Nitrogen (00625)	mg/L	Year-round	Quarterly	Grab	Value
Nitrite + Nitrate (NO_2+NO_3) (00630)	mg/L	Year-round	Quarterly	Grab	Value
Total Ammonia [as N] (00610)	mg/L	Year-round	Quarterly	Grab	Value
Total Phosphorus (00665)	mg/L	Year-round	Quarterly	Grab	Value
Nitrogen Loading Rate	lb/acre-year	Year-round	Annually	Calculate	Value for each field

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action	Report (See note a.)

Notes:

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

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

8. Biosolids Monitoring Requirements

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

Table B13: 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 Ammonia-Nitrogen (NH_3-N) Total Phosphorus (P) Potassium (K) pH (S.U.) Total Solids Volatile Solids	As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B14.	As described in DEQ-approved Biosolids Management Plan
Pollutants: As, Cd, Cu, Hg, Pb, Mo, Ni, Se, Zn, mg/kg dry weight	As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B14.	As described in DEQ-approved Biosolids Management Plan
Pathogen reduction	As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B14.	As described in DEQ-approved Biosolids Management Plan
Vector attraction reduction	As described in DEQ-approved Biosolids Management Plan, but not less than the frequency in Table B14.	As described in DEQ-approved Biosolids Management Plan
Record of biosolids land application: date, quantity, location.	Each event	Record the date, quantity, and location of biosolids land applied on site location map or equivalent electronic system, such as GIS.

Table B14: 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)
1,500 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

A compliance schedule is not part of 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. Mixing Zone Study

By no later than the date in Schedule B1, the permittee must submit a Leve1 2 Mixing Zone Study. The new study must follow the Level 2 Mixing Zone Study requirements as described in DEQ's Mixing Zone Internal Management Directive.

3. Emergency Response and Public Notification Plan

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

4. Recycled Water Use Plan

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

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

5. 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.

6. Biosolids Management Plan

The permittee must update 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 implementing any significant changes to the biosolids program. The permittee must keep the plans updated. All plan revisions require written authorization from DEQ and are effective upon permittee's receipt of DEQ written approval. No significant modifications can be made to a plan for an administratively extended permit (after the permit expiration date). Conditions in the plans are enforceable requirements under this permit.

a. **Annual Report**

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

b. **Site Authorization**

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

c. **Public Participation**

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

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

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

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

d. **Exceptional Quality Biosolids**

The permittee is exempt from the requirements in Condition 6.b above, if:

i. Pollutant concentrations of biosolids are less than the pollutant concentration limits in Schedule A, Table A3;

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 or biosolids 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 after receiving written DEQ-approval of a Hauled Waste Control Plan. Hauled wastes may include wastewater solids from another wastewater treatment facility, septage, grease trap wastes, portable and chemical toilet wastes, landfill leachate, groundwater remediation wastewaters and commercial/industrial wastewaters. A Hauled Waste Control Plan is not required in the event biological seed must be added to the process at the POTW to facilitate effective wastewater treatment.

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. Whole Effluent Toxicity Testing for Saltwater

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

b. Acute Toxicity Testing - Organisms and Protocols

i. The permittee must conduct 48-hour static renewal tests with *Holmesimysis costata* (mysid shrimp) and 96-hour static renewal tests with *Atherinops affinis* (Topsmelt). *Americamysis* (*Mysidopsis*) *bahia* may be substituted if *H. costata* is not available. *Menidia beryllina* may be substituted if *A. affinis* is not available.

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

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

iv. WET acute testing must be conducted using a dilution series based upon the effluent percentage at the ZID (EPZID) in the following manner: 100% effluent; 55%, 10%, 5%, 2.5% and a lab control (0%).

v. A WET test shows acute toxicity if there is a statistically significant difference in survival between the control and 10 percent effluent reported as the No Observable Effect Concentration (NOEC) <10%.

c. Chronic Toxicity Testing - Organisms and Protocols

i. The permittee must conduct tests with: *Holmesimysis costata* (mysid shrimp) for reproduction and survival test endpoint, *Atherinops affinis* (topsmelt) for growth and survival test endpoint, and *Macrocystis pyrifera* (giant kelp) for growth test endpoint. The specified species are preferred as these are West Coast species. However, *Americamysis* (*Mysidopsis*) *bahia*, *Menidia beryllina* (inland silverside), and *Champia parvula* (red macroalga) may be substituted if the corresponding West Coast species is not available.

ii. All test methods and procedures must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, EPA-821-R-02-014, October 2002 or Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms, First Edition, EPA/600/R-95-136, August 1995 based on species selection in Condition 10.c.i. above. If the permittee wants to deviate from the bioassay procedures outlined in the applicable method, the permittee must submit a written request to DEQ for review and approval prior to use.

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

iv. WET chronic testing must be conducted using a dilution series based upon the effluent percentage at the RMZ (EPRMZ) in the following manner: 100%, 51.9%, 3.8%, 1.9%, 0.95% effluent and a lab control (0%).

v. A WET test shows chronic toxicity if the IC25 (25% inhibition concentration) occurs at dilutions equal to or less than the dilution that is known to occur at the edge of the regulatory mixing zone, that is IC25 ≤ 3.8%.

d. Dual End-Point Tests

i. WET tests may be dual end-point tests in which both acute and chronic end-points can be determined from the results of a single chronic test. The acute end-point must be based on 48-hours for the *Holmesimysis costata* (mysid shrimp) or *Americamysis bahia* and 96-hours for the *Menidia beryllina* (inland silverside) or *Atherinops affinis* (topsmelt).

ii. All test methods and procedures must be in accordance with Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, EPA-821-R-02-014, October 2002. Any deviation of the bioassay procedures outlined in this method must be submitted in writing to DEQ for review and written approval prior to use.

iii. Tests run as dual end-point tests must be conducted on a control (0%) and the following dilution series: 0.95%, 3.8%, 10%, 51.9%, 55% and 100% effluent.

iv. Toxicity determinations for dual end-point tests must correspond to the acute and chronic tests described in conditions 10.b.v and 10.c.v above.

e. Sampling Requirements

At the time of WET sampling, the permittee must collect and analyze effluent samples for the parameters listed in Tables B5 – B8.

f. Evaluation of Causes and Exceedances

i. If any test exhibits toxicity as defined, the permittee must conduct another toxicity test using the same species and DEQ-approved methodology within two weeks unless an extension is granted in writing by DEQ.

ii. If two consecutive WET test results indicate acute or chronic toxicity, the permittee must immediately notify DEQ of the results. DEQ will work with the permittee to determine the appropriate course of action to evaluate and address the toxicity.

g. Quality Assurance / Reporting

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

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

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

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

h. Reopener

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

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

ii. The facility undergoes any process changes.

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

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

11. Operator Certification

a. Definitions

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

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

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

iv. “System” includes both the collection system and the treatment systems.

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

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

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

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

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

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

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

12. Industrial User Survey

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

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

13. Outfall Inspection

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

SCHEDULE E: PRETREATMENT ACTIVITIES

A pretreatment program is not part of this permit.

SCHEDULE F: NPDES GENERAL CONDITIONS

DOMESTIC FACILITIES
October 1, 2015 Version

SECTION A. STANDARD CONDITIONS

A1. Duty to Comply with Permit

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

A2. Penalties for Water Pollution and Permit Condition Violations

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

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

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

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

The Clean Water Act provides that any person who violates permit condition, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation.

The Clean Water Act provides that any person who negligently violates any condition, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both.

In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both.

In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

Any person who knowingly violates section any permit condition, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both.

In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both.

An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

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

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

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

A3. Duty to Mitigate

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

A4. Duty to Reapply

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

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

A5. Permit Actions

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

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

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

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

A6. Toxic Pollutants
The permittee must comply with any applicable effluent standards or prohibitions established under Oregon Administrative Rule (OAR) 340-041-0033 and section 307(a) of the federal Clean Water Act for toxic pollutants, and with standards for sewage sludge use or disposal established under section 405(d) of the federal Clean Water Act, within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

A7. Property Rights and Other Legal Requirements
The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other private rights, or any infringement of federal, tribal, state, or local laws or regulations.

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

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

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

B1. Proper Operation and Maintenance
The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

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

B3. Bypass of Treatment Facilities

a. Definitions
   (1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs b and c of this section.
   (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Prohibition of bypass.
   (1) Bypass is prohibited and DEQ may take enforcement action against a permittee for bypass unless:
      i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
      ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance; and
      iii. The permittee submitted notices and requests as required under General Condition B3.c.
   (2) DEQ may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, if DEQ determines that it will meet the three conditions listed above in General Condition B3.b.(1).

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

B4. Upset

a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operation error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

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

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

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

B5. Treatment of Single Operational Upset

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

B6. Overflows from Wastewater Conveyance Systems and Associated Pump Stations

a. Definition. "Overflow" means any spill, release or diversion of sewage including:
   (1) An overflow that results in a discharge to waters of the United States; and
   (2) An overflow of wastewater, including a wastewater backup into a building (other than a backup caused solely by a blockage or other malfunction in a privately owned sewer or building lateral), even if that overflow does not reach waters of the United States.

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

B7. Public Notification of Effluent Violation or Overflow

If effluent limitations specified in this permit are exceeded or an overflow occurs that threatens public health, the permittee must take such steps as are necessary to alert the public, health agencies and other affected entities (for example, public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed under General Condition B8. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

B8. Emergency Response and Public Notification Plan

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

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

B9. Removed Substances

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

SECTION C. MONITORING AND RECORDS

C1. Representative Sampling

Sampling and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit, and must be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream,

body of water, or substance. Monitoring points must not be changed without notification to and the approval of DEQ. Samples must be collected in accordance with requirements in 40 CFR part 122.21 and 40 CFR part 403 Appendix E.

C2. Flow Measurements

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

C3. Monitoring Procedures

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

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

C4. Penalties for Tampering

The federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit may, upon conviction, be punished by a fine of not more than $10,000 per violation, imprisonment for not more than two years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than $20,000 per day of violation, or by imprisonment of not more than four years, or both.

C5. Reporting of Monitoring Results

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

C6. Additional Monitoring by the Permittee

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

C7. Averaging of Measurements

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

C8. Retention of Records

Records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities must be retained for a period of at least 5 years (or longer as required by 40 CFR part

503). Records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit must be retained for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of DEQ at any time.

C9. Records Contents

Records of monitoring information must include:

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

C10. Inspection and Entry

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

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

C11. Confidentiality of Information

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

SECTION D. REPORTING REQUIREMENTS

D1. Planned Changes

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

D2. Anticipated Noncompliance

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

D3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and EQC rules. No permit may be transferred to a third party without prior written approval from DEQ. DEQ may require modification, revocation, and reissuance of the permit to change the name of the permittee and

incorporate such other requirements as may be necessary under 40 CFR § 122.61. The permittee must notify DEQ when a transfer of property interest takes place.

D4. Compliance Schedule

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

D5. Twenty-Four Hour Reporting

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

a. Overflows.
   (1) Oral Reporting within 24 hours.
      i. For overflows other than basement backups, the following information must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311. For basement backups, this information should be reported directly to the DEQ regional office.
         (a) The location of the overflow;
         (b) The receiving water (if there is one);
         (c) An estimate of the volume of the overflow;
         (d) A description of the sewer system component from which the release occurred (for example, manhole, constructed overflow pipe, crack in pipe); and
         (e) The estimated date and time when the overflow began and stopped or will be stopped.
      ii. The following information must be reported to the DEQ regional office within 24 hours, or during normal business hours, whichever is earlier:
         (a) The OERS incident number (if applicable); and
         (b) A brief description of the event.
   (2) Written reporting postmarked within 5 days.
      i. The following information must be provided in writing to the DEQ regional office within 5 days of the time the permittee becomes aware of the overflow:
         (a) The OERS incident number (if applicable);
         (b) The cause or suspected cause of the overflow;
         (c) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps;
         (d) Steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps; and
         (e) For storm-related overflows, the rainfall intensity (inches/hour) and duration of the storm associated with the overflow.

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

b. Other instances of noncompliance.
   (1) The following instances of noncompliance must be reported:
      i. Any unanticipated bypass that exceeds any effluent limitation in this permit;
      ii. Any upset that exceeds any effluent limitation in this permit;
      iii. Violation of maximum daily discharge limitation for any of the pollutants listed by DEQ in this permit; and
      iv. Any noncompliance that may endanger human health or the environment.

(2) During normal business hours, the DEQ regional office must be called. Outside of normal business hours, DEQ must be contacted at 1-800-452-0311 (Oregon Emergency Response System).
(3) A written submission must be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:
    i. A description of the noncompliance and its cause;
    ii. The period of noncompliance, including exact dates and times;
    iii. The estimated time noncompliance is expected to continue if it has not been corrected;
    iv. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
    v. Public notification steps taken, pursuant to General Condition B**7.**
(4) DEQ may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

D6. Other Noncompliance
The permittee must report all instances of noncompliance not reported under General Condition D4 or D5 at the time monitoring reports are submitted. The reports must contain:
a. A description of the noncompliance and its cause;
b. The period of noncompliance, including exact dates and times;
c. The estimated time noncompliance is expected to continue if it has not been corrected; and
d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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

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

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

D9. Falsification of Information
Under ORS 468.953, any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, is subject to a Class C felony punishable by a fine not to exceed $125,000 per violation and up to 5 years in prison per ORS chapter 161. Additionally, according to 40 CFR § 122.41(k)(2), any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non-compliance will, upon conviction, be punished by a federal civil penalty not to exceed $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

D10. Changes to Indirect Dischargers

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

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

SECTION E. DEFINITIONS

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