



## WATER POLLUTION CONTROL FACILITIES PERMIT

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

Issued pursuant to ORS 468B.050

ISSUED TO:	SOURCES COVERED BY THIS PERMIT:		
Olam West Coast, Inc.OFI PO Box 583 Boardman, OR 97818	Type of Waste	Outfall Number	Location
	Industrial Wastewater (Land Application)	001	Long: 119.609007 W Lat: 45.692557 N

### FACILITY TYPE AND LOCATION:

Wastewater Lagoon and Land Application  
Treatment System  
One Cascade Way  
Boardman, OR 97818  
County: Morrow

### RIVER BASIN INFORMATION:

WRD Basin: Umatilla  
  
USGS Sub-Basin: Umatilla  
Nearest surface water body name: Umatilla River  
LLID: 1195805456861

Issued in response to WPCF Renewal Application No. 951283 received October 29, 2019. This renewal permit is issued based on the land use findings in the permit record.

Mike Hiatt, Water Quality Manager  
Eastern Region

April 21, 2023  
Issuance Date

June 1, 2023  
Effective Date

## PERMITTED ACTIVITIES

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

Unless specifically authorized by this permit, by another NPDES or WPCF permit, or by Oregon Administrative Rule, any other direct or indirect discharge to waters of the state is prohibited, including discharge to an underground injection control system.

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## **SCHEDULE A: WASTE DISPOSAL/BENEFICIAL USE LIMITATIONS**

### **1. Permitted System**

The permittee is authorized to manage the following wastes only in accordance with the conditions of this permit and the facility Operations, Monitoring, and Management (OM&M) Plan:

- a. Vegetable Processing Wastewater,
- b. Vegetable Waste Solids and Process Related Residuals,
- c. Other wastewaters only as approved by DEQ.

At the time of this permit effective date the facility generates up to 20 million gallons of wastewater per year.

### **2. Requirements for Surface Water and Groundwater Protection**

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

All industrial wastewater and waste solids land applied pursuant to this permit must be applied at rates and methods which prevent the occurrence of runoff, erosion, leaching, or the likelihood of surface or groundwater contamination.

The permittee must manage and land apply all authorized wastewater and waste solids in compliance with the terms and conditions of this permit and in a manner that will prevent:

- a. A violation of the Department's Groundwater Quality Protection Rules (OAR 340-040), and
- b. A violation of any permit-specific groundwater concentration limits, established pursuant to OAR 340-040-0030, established by this permit, or which have been incorporated into the groundwater monitoring plan or permit by addendum.

### **3. Application Site Management**

The permittee must manage all permitted wastewater for beneficial use at approved land application sites. The permittee must receive prior written authorization from DEQ before application of wastewater or waste solids at any new land application site. Authorized land application sites must be identified in a DEQ approved OM&M plan or DEQ approved addendums to the OM&M plan.

Prior to the application of any industrial wastewater at an approved application site, the permittee must establish the water holding capacity (in/ft) for each of the top five feet of the soil column.

- a. The soil water holding capacity for each approved application site must be listed in the OM&M plan.
- b. Once approved by DEQ, the water holding capacity for each of the top 5 feet of the soil column at each approved application site must not be changed or modified without DEQ's written approval.

### **4. Wastewater Source Management and System Capacity**

The permittee must receive written approval from DEQ before any new wastewater source is allowed to discharge to the permitted wastewater treatment system. An updated system capacity assessment to include an up to date nutrient and hydraulic balance for all influent sources and the lagoons and land application system must be provided with any request for an additional influent source. The facility must document capacity to accept additional flows and retain compliance with this permit.

The permittee must notify DEQ of changes in wastewater source water quality or quantity that may affect permit compliance.

5. **Facility Land Application Operations**

Land application of all permitted wastewaters must:

- a. Be managed to prevent channeling, ponding and runoff,
- b. Be distributed as evenly as practicable within each land application unit,
- c. Be land applied at or below DEQ-approved agronomic rates and within irrigation requirements to meet the crop needs,
- d. Only be conducted on lands where a crop will be grown in accordance with the conditions of this permit, unless otherwise approved in writing by DEQ,
- e. Only occur between March 1 through October 31 each year unless otherwise approved in writing by DEQ after completion of the Schedule C – Compliance Schedule required by this permit,
- f. Not occur on fields under which drainage tiles have been installed, unless by written approval from DEQ,
- g. Only occur at application sites with Land Use Compatibility Statements issued to the Permittee,
- h. Not be used for salinity leaching,
- i. Not occur during any condition that causes ponding and/or runoff from the site, such as freezing weather or precipitation, and
- j. Be conducted in a manner that prevents organic solids contained in the wastewater from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects.

6. **Wastewater and Waste Solids Collection, Storage, and Distribution**

- a. The permittee must have adequate storage/treatment capacity, land and land distribution equipment to properly operate a beneficial use, land application program. All wastes are to be managed to prevent spills, unapproved discharges, odors and nuisance conditions, or impacts to the environment or public health. Odors and nuisance conditions may lead to pretreatment, changes to storage, or additional management practices to be implemented.
- b. The wastewater collections, treatment and land application system must not be hydraulically or organically loaded in excess of their respective, Department approved design capacities.
- c. All wastewater must be treated and stored for beneficial use by land irrigation.
- d. Wastewater storage/treatment lagoon(s) must be sufficiently lowered at the end of the growing season to allow for maximum storage/treatment over the winter (non-growing season) months.
- e. The storage/treatment lagoons must maintain a minimum 2 feet of freeboard at all times and must not be allowed to overtop.
- f. The permittee must notify DEQ prior to removal of storage/treatment lagoon solids. Accumulated solids must be removed as necessary to prevent odors, vector attraction, and/or other nuisance conditions.
- g. Management and disposal of wastewater derived solids must be conducted in accordance with a DEQ-approved OM&M plan or DEQ-approved addendums to the OM&M plan.
- h. The permittee must maintain wastewater piping/waste solids infrastructure and land application equipment to prevent unauthorized discharges.

7. **Operations, Monitoring, and Management (OM&M) Plan**

The permittee must conduct all activities pertaining to the management, treatment, and disposal of authorized wastes in accordance with an Operations, Monitoring and Management (OM&M) Plan meeting all DEQ requirements and approved in writing by DEQ. If provisions of the OM&M Plan conflict with conditions of this Permit, this Permit must prevail. Modification of the OM&M plan requires prior written approval from DEQ before implementation.

- a. No later than 90 days after the effective date of a renewed or modified permit, the Permittee must submit to DEQ a revised and complete OM&M plan that conforms to the terms and conditions of the renewed or modified permit.
- b. On or before March 1 of each year during the term of this permit, the permittee must submit to DEQ with the annual compliance report an update of the OM&M plan with any proposed modifications.
- c. The annual OM&M plan submittal must include a numbered list of proposed modifications. If no modifications to the OM&M plan are proposed, the facility must submit the plan noting that no changes are proposed.
- d. The annual OM&M submittal must include a statement certifying the facility has or has not complied with the OM&M over the previous year.
- e. The OM&M plan must include an up to date system capacity assessment (to include nutrient balance and hydraulic capacity assessments).
- f. The OM&M plan must describe the agronomic rate calculations and how these will be adjusted for environmental protection based on collected data from residual soils and harvest data.
- g. The OM&M Plan must include but not be limited to: all industrial wastewater and waste solid sources; a map and list of all land application sites and acreage; characteristics of influent and effluent wastewaters and/or permitted waste solids; wastewater/waste solids infrastructure (collection, storage, pumps and piping distribution system, land application equipment); safety data sheets for any chemical additives into the waste stream that may be land applied, a list of all crops to be grown along with their agronomic rate and associated yield and crude protein goals – with identification of the scientific sources used for their determination; crop irrigation requirements; estimation of crop production and removal for non-harvested crops (pasture); cover crop nitrogen contributions; crop irrigation which is to include scheduling/management practices that prevent moisture from leaving the rooting zone of the crop being grown along with Maximum Allowed Deficit (MAD) parameters; description of how flow is monitored for each field; soil moisture monitoring and soil testing protocols; and a description of how monitoring information will be presented in reports that are submitted to DEQ in order to ensure compliance with permit conditions. The OM&M plan must also address aging infrastructure.
- h. The following types of changes to an OM&M plan are considered substantial and may be considered a major permit modification as described in OAR 340-045-0055:
  - i. Addition of new land application areas not previously included in the OM&M;
  - ii. Addition of any new wastewater or waste solid source;
  - iii. Any changes that are likely to increase the risk of pollutant transport to surface water or groundwater.

## 8. **Irrigation Efficiency and Ammonia Volatilization**

The permittee must use an irrigation efficiency value of no less than 90% when calculating application site nitrogen loading as required by Schedule A(10). The Permittee must not include any claimed ammonia volatilization loss when determining crop nitrogen loading. Irrigation efficiency for hydraulic loading calculations must be approved in the facility OM&M plan based upon irrigation method used.

## 9. **Nitrogen Availability and Loading**

Unless otherwise authorized by DEQ in writing, the Permittee is prohibited from allowing the nitrogen available to crops at approved application sites to exceed the crop-specific agronomic rates listed in the

approved OM&M Plan. For this permit, nitrogen available to an individual crop between field preparation, crop start, and crop harvest is the sum total of all nitrogen from the following sources:

- a. All soil residual nitrate (NO<sub>3</sub>) and ammonium (NH<sub>4</sub>) – Plant Available Nitrogen (PAN) in each foot of the crop-specific root zone,
- b. Total Nitrogen defined as Total Kjeldahl Nitrogen (TKN) plus all nitrate + nitrite-N in applied wastewater,
- c. Total Nitrogen defined as Total Kjeldahl Nitrogen (TKN) plus all nitrate + nitrite-N in supplemental irrigation water from any source,
- d. All nitrogen applied as commercial fertilizer,
- e. Plant Available Nitrogen from applied manure, crop residues, and/or cover crops tilled under (calculated per approved OM&M Plan), and
- f. All nitrogen from any other source between crop start and harvest.

Cover crops tilled under is considered crop harvest. Crop tissue testing and soil residual analysis is to be monitored as required by this permit and the approved OM&M plan.

#### 10. **Agronomic Rates for Nitrogen**

- a. Crop specific agronomic loading rates for nitrogen, will be evaluated by DEQ after consideration of agronomic rates published in appropriate, region specific, fertilizer guides proposed by the permittee. DEQ may require adjustment of the nitrogen amounts considered available at any land application site within the boundary of a groundwater management area or any area of the state where it is considered additional requirements are necessary to protect public health and the environment.
- b. Agronomic loading rates are to be evaluated for the nutrient requirement of the crop being grown on a field-by-field basis. The permittee must review and report yield data for the crop and associated nitrogen removal by the crop (as identified by crop tissue testing and post-harvest evaluation of soil residual nitrogen analysis). The permittee must adjust agronomic rates below the approved agronomic rate as necessary to comply with the provisions of this permit and to prevent adverse effects to groundwater.
- c. The Permittee must list the approved agronomic rates for all proposed crops in DEQ-approved OM&M plan. The listed agronomic rates may not be exceeded. Any request to increase agronomic rates must come from the permittee and be approved by DEQ in writing.
- d. Nitrogen loading from all sources must not exceed the agronomic rates as defined in the OM&M plan for the receiving crops. Agronomic rates must be determined from current Oregon State University Fertilizer Guides, or other scientific literature representing the growing area that has been approved for use in writing, in advance, by DEQ.

#### 11. **Hydraulic Loading and Leaching**

Hydraulic loading from all water sources applied at the land application sites must not exceed the soil water holding capacity in the current crop rooting zone. Hydraulic loading is to be managed using the crop specific evapotranspiration (ET) rate on a monthly basis. The crop specific ET rate must be listed in the OM&M plan for each crop in the program.

Other than a prescribed leaching event pre-approved by the Department, the leaching of moisture and nutrients caused by means of irrigation beyond the 5<sup>th</sup> foot of the soil column is prohibited.

Active irrigation activities may saturate up to field capacity only the listed rooting depth of the current crop.

12. **Non-Growing Season Irrigation**

The Permittee must conduct all land application activities during the non-growing season in accordance with the permit and the facility OM&M Plan until the practice is ceased according to Schedule C of this permit. The non-growing season is defined by this permit as November 1<sup>st</sup> through February each year.

The OM&M plan must include, but is not limited to, the following terms and conditions for operations during the non-growing season:

- i. Non-growing season irrigation is to be limited to utilization of the available water-holding capacity in the top three (3) feet of the soil column, only, and
- ii. Non-growing season irrigation events will be planned based on the most recent soil moisture monitoring event.
- iii. These interim limits apply until November 1, 2026 when non-growing season wastewater will be stored.

Supplemental commercial nitrogen fertilizer application is not permitted from November 15 – February 15 without DEQ approval.

13. **Domestic Wastewater**

This permit does not authorize treatment and disposal of domestic wastewater (sanitary wastes). The permittee is prohibited from mixing and/or blending domestic wastewater with an authorized wastewater source.

## SCHEDULE B: MINIMUM MONITORING AND REPORTING REQUIREMENTS (Unless otherwise approved in writing by DEQ)

### 1. Facility Reporting Requirements

**Table B1: Facility Reporting Requirements**

Reporting Requirement	Frequency	Due Date	Report Form	Submit To:
Facility Annual Report	Annually	March 1	Specified in Schedule B. Section 8 of this permit	Electronic reporting as directed by DEQ
Operations, Monitoring, and Management Plan	One-Time	Within 90 days of permit effective date	Specified in Schedule A. Section 8 of this permit	Electronic reporting as directed by DEQ
Operations, Monitoring, and Management Plan Annual Update	Annually	March 1	Specified in Schedule A. Section 8 of this permit	Electronic reporting as directed by DEQ
Quarterly Groundwater Report	Quarterly	By the 15 <sup>th</sup> of the following month	Specified in Schedule B. Section 9 of this permit	Electronic reporting as directed by DEQ
Groundwater Well Installation Workplan	One-Time	By June 30, 2023	Specified in Schedule D. Section 1 of this permit	Electronic reporting as directed by DEQ
Lagoon Leak Test Report	One-Time	October 15, 2024	Specified in Schedule D. Section 3 of this permit	Electronic reporting as directed by DEQ

### 2. Facility and Water Monitoring Requirements

The permittee must monitor the operation and efficiency of all treatment and disposal facilities. Facility monitoring must be in accordance with this permit, the DEQ-approved OM&M Plan, and any amendments to the plans approved in writing by DEQ. Minimum facility and wastewater monitoring must include the following parameters unless otherwise approved by DEQ in writing:

**Table B2: Facility Monitoring Requirements**

Item or Parameter <sup>1</sup>	Minimum Frequency	Sample Type/Action
Inspect pond dikes	Weekly	Record observations
Inspect pipelines	Daily when irrigating	Record observations
Inspect land application fields	Daily when irrigating	Record observations
Inspect sprinkler nozzles	Semi-annually	Record observations
Irrigation Flow measurements <sup>2</sup>	Weekly, when irrigating	Record data

<sup>1</sup> To be monitored for each field in the land application system, as applicable.

<sup>2</sup> Each totalized. Units must be reported in gallons/acre or inches/acre.

Wastewater irrigation water flow (each field) Supplemental irrigation water flow (each field)		
Flow Meter Verification	Annual <sup>3</sup>	Written verification
Hydraulic, nutrient and TDS loading (from all sources)	Monthly when irrigating, each field	Calculate amounts

**Table B3: Wastewater and Supplemental Water Monitoring Requirements**

Item or Parameter <sup>4</sup>	Minimum Frequency	Sample Type/Action
<b>Irrigated Wastewater</b> <ul style="list-style-type: none"> <li>pH (field measurement)</li> <li>Total Kjeldahl Nitrogen (TKN)</li> <li>NO<sub>2</sub>+NO<sub>3</sub>-N</li> <li>NH<sub>3</sub>+NH<sub>4</sub>-N</li> <li>Total Dissolved Solids (TDS)</li> </ul>	Monthly, when irrigating	Grab
<b>Supplemental Irrigation Water</b> <ul style="list-style-type: none"> <li>pH (field measurement)</li> <li>Total Kjeldahl Nitrogen (TKN)</li> <li>NO<sub>2</sub>+NO<sub>3</sub>-N</li> <li>NH<sub>3</sub>+NH<sub>4</sub>-N</li> <li>Total Dissolved Solids (TDS)</li> </ul>	Annually, Each Source	Grab

3. **Land Application Site Soil Monitoring**

At each approved application site, the permittee must collect representative soil samples from each foot increment of the top 5 feet of the soil column. Unless otherwise approved by DEQ in writing, samples must be collected and analyzed for each site per the table below:

**Table B4: Soil Characterization**

Item or Parameter, Units	Minimum Frequency	Sample Type/Action
<ul style="list-style-type: none"> <li>Total Kjeldahl Nitrogen (TKN), lbs/ac</li> <li>Nitrate-Nitrogen, lbs/ac</li> <li>Ammonium-Nitrogen, lbs/ac</li> <li>EC of saturated extract, uS/cm</li> <li>pH<sup>1</sup>, s.u.</li> </ul>	Twice Annually <sup>2</sup> . Prior to spring irrigation and in fall after end-season crop harvest/prior to a crop being tilled under.	In Accordance with OM&M Plan. Sampling from each of the 5 depth intervals: 0 – 12, 12-24, 24-36, 36-48, 48-60 inch depth or to auger refusal.

<sup>1</sup>pH is required in the top 6-inches of soil at each site only.

<sup>2</sup> If irrigation, fertilization, and/or disturbance of a field does not occur after the fall soil sampling, then a second soil sample prior to spring irrigation is not required. In that case, if a spring sample is not collected the previous fall soil sample result must be used for loading calculations required by this permit for the next crop.

<sup>3</sup> After two years from permit issuance, Permittee may request a reduction in verification of flow meter frequency. Upon written approval from DEQ, the reduced frequency applies.

<sup>4</sup> All parameters by laboratory measurement, unless otherwise indicated.

4. **Soil Moisture Monitoring**

The Permittee must monitor soil moisture at each land application site by an accepted soil moisture monitoring method as described in the approved OM&M Plan. The permittee must review soil moisture data monthly and submit collected data with the annual report.

**Table B5: Soil Moisture Monitoring**

Item or Parameter, Units	Minimum Frequency	Sample Type/Action
Water Holding Capacity, inches of water/ft	Annually <sup>1</sup>	Record value
Soil Moisture, inches of water/ft	Weekly <sup>2</sup>	Record amounts, Totalize monthly
Soil Moisture, inches of water/ft	Twice per Week <sup>3</sup>	Record amounts, Totalize monthly

<sup>1</sup> See Schedule A-Condition 4.

<sup>2</sup> March through October.

<sup>3</sup> November through February if non-growing season irrigation occurs.

5. **Land Application Site Crop Monitoring**

The permittee must monitor and report crop information, for each authorized application site, as follows:

**Table B6: Crop Monitoring**

Item or Parameter	Minimum Frequency	Sample Type/Action
Crops grown	When planted and harvested	Record dates
Crop Tissue Total Nitrogen (%)	At harvest	Calculation/Record amounts
Crop Nitrogen removal, lbs/ac <sup>1</sup>	At harvest	Calculation
Crop Yield, lbs/ac	At harvest	Record amounts
Supplemental Fertilizer, lbs/ac	As applied	Record amounts
Other nitrogen sources, lbs/ac	As applied	Record amounts

<sup>1</sup> Crop Nitrogen removal is to be calculated based on % Total Nitrogen from crop tissue sampling and recorded crop yield. Tissue testing, nitrogen removal, and yield monitoring is not required for cover crops that are tilled-under. The associated contribution of nitrogen mineralization for cover crops or crop residues being tilled under after soil testing must be accounted for in the nutrient loading for the next crop and described in the OM&M Plan.

6. **Groundwater Monitoring**

The permittee must monitor groundwater in accordance with the approved Groundwater Monitoring Plan and any amendments to the plan approved in writing by DEQ. Minimum groundwater monitoring must include the following parameters:

**Table B7: Groundwater Monitoring**

Item or Parameter <sup>5</sup>	Minimum Frequency	Type of Sample
pH (field measurement)	Quarterly	Grab
NO <sub>3</sub> -N	Quarterly	Grab
Chloride	Quarterly	Grab
Sulfate	Quarterly	Grab
TDS	Quarterly	Grab
Specific Conductivity	Quarterly	Grab
Temperature	Quarterly	Grab

<sup>5</sup> All parameters by laboratory measurement, unless otherwise indicated.

Static Water Level	Quarterly	Measurement
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7. **Totalizing Hydraulic, Nitrogen, and TDS Loading**

The permittee must totalize loading at each application site (each field) using the data attained from required monitoring, as per the below conditions and include the information in the required annual report. Loading calculations used to supply the required information must be based on the most recent sampling/analytical data collected as required by this permit. All loading calculations used to supply the required information must be shown in the annual report and include the following:

- a. Hydraulic loading from loading from wastewater must be monitored daily as gallons/day and totalized monthly as gallons/month;
- b. Hydraulic loading from supplemental water must be monitored daily as gallons/day and totalized monthly as, gallons/month;
- c. Hydraulic loading from all sources must be totalized monthly as gallons/month;
- d. Total Nitrogen loading from wastewater and/or waste solids must be monitored and totalized monthly as, lbs/ac/month;
- e. Total Nitrogen loading from supplemental water must be monitored and totalized monthly as, lbs/ac/month;
- f. Nitrogen loading from all sources (wastewater and/or waste solids + supplemental irrigation water + commercial fertilizer + other nitrogen sources) must be totalized monthly as, lbs/ac/month;
- g. The nitrogen balance for each crop at each field must be reported in lbs/acre and calculated as:

**N Balance = N input – N removed – Soil N residual at Harvest**

Where,

- The N input is calculated based on the data from the Nitrogen Availability and Loading section in Schedule A of the permit (Schedule A(10)(a-f).
- N removed is the estimated crop harvest nitrogen removal (% Total N from crop testing x Yield).
- Post-harvest Soil N Residual as calculated from Schedule A(10)(a). Units of lbs/ac.

- h. Total Dissolved Solids (TDS) loading from wastewater must be totalized monthly as, lbs/ac/month;
- i. Total Dissolved Solids (TDS) loading from supplemental irrigation water must be totalized monthly as, lbs/ac/month; and
- j. Total Dissolved Solids (TDS) loading from all sources (wastewater +supplemental) must be totalized monthly as, lbs/ac/month.

8. **Annual Reporting Requirements**

By March 1 of each year, the Permittee must submit an annual report to DEQ in electronic format that summarizes all groundwater monitoring, wastewater monitoring, and land application operations for the preceding calendar year. The report must include all required reporting described in this permit for all approved land application sites. Annual reporting and data analyses must be in accordance with this permit, the approved OM&M Plan, Groundwater Monitoring Plan, and any amendments to the plans approved in writing by DEQ.

The Annual Report must include a narrative summary and confirmation statement of compliance or non-compliance with the permit and the approved OM&M plan for the preceding calendar year. The permittee must provide narrative regarding any non-compliance with the permit as cover letter to the submittal and list corrective actions taken to prevent recurrence.

## 9. **Quarterly Groundwater Report**

The Permittee must submit quarterly groundwater monitoring reports to DEQ. The format and content of the groundwater report must be in accordance with a DEQ-approved Groundwater Monitoring Plan, and any amendments to the plan approved by DEQ in writing, but at a minimum must include the monitoring requirements in Schedule B, Table B7. The reports must be submitted by the 30<sup>th</sup> day of the month following the end of each calendar quarter.

## 10. **Groundwater Action Requirements**

- a. If monitoring indicates that a concentration limit has been exceeded at a compliance point, the Permittee must notify DEQ within 10 days and must immediately resample the monitoring well. The results of both sampling events must be reported to DEQ within 10 days of receipt of the laboratory data.
- b. If monitoring indicates a significant increase (increase or decrease for pH) in the value of a parameter monitored, the Permittee must immediately resample unless otherwise approved in writing by DEQ. If the resampling confirms a change in water quality, the Permittee must:
  - i. Report the results to DEQ within 10 days of receipt of the laboratory data; and
  - ii. Prepare and submit to DEQ within 30 days a plan for developing a preliminary assessment unless another time schedule is approved by DEQ.

## 11. **Monitoring and Reporting Protocols**

### a. Test Methods

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

### b. Quality Assurance and Quality Control

- i. Quality Assurance Plan – The permittee must develop and implement a written Quality Assurance Plan that details the facility sampling procedures. This plan should include any equipment calibration and maintenance, analytical methods, quality control activities and laboratory data handling and reporting if the permittee conducts any of their own analytical work. The QA/QC program must conform to the requirements of 40 CFR 136.7.
- ii. If QA/QC requirements are not met for any analysis, the permittee must re-analyze the sample. If the sample cannot be re-analyzed, the permittee must re-sample and analyze at the earliest opportunity. If the permittee is unable to collect a sample that meets QA/QC requirements, then the permittee must include the result in the discharge monitoring report (DMR) along with a notation (data qualifier). In addition, the permittee must explain how the sample does not meet QA/QC requirements. The permittee may not use the result that failed the QA/QC requirements in any calculation required by the permit unless authorized in writing by DEQ.
- iii. Flow measurement, field measurement, and continuous monitoring devices - The permittee must:
  - (A) Establish verification and calibration frequency for each device or instrument in the quality assurance plan that conforms to the frequencies recommended by the manufacturer.
  - (B) Verify at least once per year that flow-monitoring devices are functioning properly according to manufacturer's recommendation. Calibrate as needed according to manufacturer's recommendations.
  - (C) Verify at least weekly that the continuous monitoring instruments are functioning properly according to manufacturer's recommendation unless the permittee

demonstrates a longer period is sufficient and such longer period is approved by DEQ in writing.

c. Reporting Sample Results

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

d. Soil Sampling Collection and Testing Methods

- i. Soil Samples must be collected according to protocols published by Oregon State University or by the American Society of Agronomy (ASA). The OSU Extension Service Guide to Collecting Soil Samples for Farms and Gardens, EC 628, Revised 2018 may be used as a guide. At a minimum, one composite sample must be collected for each field or management unit. The composite sample must consist of well mixed subsamples from each depth increment collected across each field or management unit as described in the OM&M Plan. All samples are to be taken in 1 foot increments down to 5 feet or auger refusal.
- ii. All soil samples must be tested by a qualified analytical laboratory that routinely performs soil analyses on agricultural soils. For quality assurance purposes, it is recommended that all soil samples be submitted to an accredited soil testing laboratory that participates in the North American Proficiency Testing Program – Performance Assessment Program (NAPT-PAP), Oregon Environmental laboratory Accreditation Program (ORELAP), and/or the National Environmental Laboratory Accreditation Program (NELAP).

## SCHEDULE C: COMPLIANCE SCHEDULE

### 1. Storage of Non-Growing Season Effluent

Complete By	Requirement
January 1, 2024	Submit a Preliminary Design Report to DEQ for review. The report must provide preliminary design for a Storage Addition or Storage Expansion necessary to cease the non-growing season disposal program. The preliminary design must include nitrogen and hydraulic balances to document system capacity upon completion of the project.
August 30, 2024	Submit 90% Plans and Specifications to DEQ for review of the proposed Storage Addition or Storage Expansion. The 90% plans must satisfactorily address all DEQ comments on the Preliminary Design Report.
February 28, 2025	The permittee must submit to DEQ: <ol style="list-style-type: none"> <li>1. Final draft plans and specifications in accordance with OAR 340-052 for the storage system.</li> <li>2. A completed Land Use Compatibility Statement (LUCS) for the selected project.</li> </ol>
April 1, 2026	Submit to DEQ a progress status report for the project.
November 1, 2026	The permittee must complete construction according the approved plans and specifications and cease non-growing season wastewater disposal.

### 2. Responsibility to Meet Compliance Dates

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

## SCHEDULE D: SPECIAL CONDITIONS

### 1. **Monitoring Well Network Improvements**

The permittee must take the following actions regarding the monitoring well network at the site:

- a. By June 30, 2023, submit to DEQ a workplan to install a new upgradient well and new downgradient well for the land application site. The workplan must be reviewed and approved by DEQ prior to installation of the new wells.
- b. The permittee must complete the installation of the two new monitoring wells in accordance with the date provided in the DEQ approval of the well installation workplan.
- c. Within 90 days of completion of the installation of the monitoring wells, the facility must update and submit an updated groundwater monitoring plan to DEQ.

### 2. **Monitoring Well Management/Maintenance**

The permittee must take the following actions regarding monitoring well management and maintenance:

- d. The Permittee must protect and maintain each groundwater monitoring well so that samples can be collected that are representative of actual conditions.
- e. All monitoring well abandonment, replacement and installation must be conducted to comply with the Water Resources Department Rules (OAR Chapter 690, Division 240) and with DEQ's Guidelines for Groundwater Monitoring Well Drilling, Construction, and Decommissioning. All monitoring well repairs, abandonments, replacements and installations must be documented in a report prepared by an Oregon-registered geologist.
- f. If a monitoring well becomes damaged or inoperable, the Permittee must notify DEQ in writing within 14 days. The written report must describe what problem has occurred, the remedial measures that have been taken to correct the problem, and the measures taken to prevent its recurrence. DEQ can require the replacement of inoperable monitoring wells.
- g. All new and replacement monitoring well locations and designs must be approved in writing by DEQ prior to well installation. Well logs and well completion reports must be submitted to DEQ within 30 days of well installation. Reports must include land survey drawings that depict actual location of all monitoring wells, land application areas, and surface waters.
- h. Modification and/or abandonment plans must be submitted to and approved by DEQ in writing prior to modification and/or abandonment of any existing monitoring well.

### 3. **Lagoon Leak Test Report**

The permittee must submit a Lagoon Leak Test Report one-time during the permit cycle as specified in Schedule B for the wastewater lagoon. Leak testing must be completed using DEQ's *Guidelines for Estimating Leakage from Existing Sewage Lagoons* which is applicable to certain industrial operations with low strength wastewater. The report must include description of the test in line with the DEQ guidance, and a summary of results with estimated leak rate of the lagoon.

Upon review of the results of the required leak test, DEQ may require additional groundwater monitoring to assess impacts from lagoon leakage to groundwater at the site.

### 4. **Plans and Specifications Required**

Prior to constructing or modifying wastewater management, treatment and disposal facilities, or groundwater monitoring facilities, detailed plans and specifications must be submitted to and approved by the Department in writing.

5. **Spill Prevention and Response**

An adequate contingency plan for prevention and handling of spills and unplanned discharges must be in force at all times. A continuing program of employee orientation and education must be maintained to ensure awareness of the necessity for good in-plant control and quick and proper action in the event of a spill or accident. The Permittee will include documentation of compliance with this requirement in the required OM&M plan.

6. **Environmental Supervision Required**

The Permittee must designate one or more environmental supervisors to coordinate and implement all necessary functions related to the maintenance and operation of waste management, treatment, and disposal facilities. This staff must have access to all information pertaining to the generation of wastes in the various process areas. The facility must maintain appropriate personnel and employ training to staff providing system oversight and managing land application activities to ensure compliance with this permit.

7. **Land Owner Agreements Required**

The Permittee must maintain written agreements with the owners of each land application site that is not owned by the Permittee. The agreements must authorize the permitted treatment and disposal activities in this permit. The agreements must be on file if requested by DEQ.

8. **Total Nitrogen Availability**

The Permittee must assume that all Total Kjeldahl Nitrogen (TKN) plus nitrate/nitrite-nitrogen applied to an authorized application site in wastewater becomes plant available during the crop season when calculating nitrogen loading rates.

9. **Nitrogen Credits**

The Permittee must credit all nitrogen and/or hydraulic loading after crop harvest and before re-seeding to the next re-seeded crop.

10. **Sprinkler, Sampler and Flow Meter Maintenance**

Sprinkler devices, above- and underground wastewater lines, auto-samplers, and flow-measuring devices must be maintained to ensure system integrity. Sprinkler nozzles that do not meet specification must be replaced within 30 days.

11. **Public Notice Requirements**

Prior to approving new permit coverage, permit renewal, major permit modification or substantial changes to an Operations, Monitoring and Management Plan, DEQ will provide public notice for participation and public hearing as per OAR 340-045.

12. **Re-opener Clause**

This permit may be re-opened and modified to to include new or revised discharge limitations, monitoring, or reporting requirements, compliance conditions and schedules, and special conditions. If necessary, DEQ will commence modification of this permit by notifying the permittee and seeking public comment on the proposed modifications.

## **SCHEDULE F: WPCF GENERAL CONDITIONS – INDUSTRIAL FACILITIES**

### **SECTION A. STANDARD CONDITIONS**

#### **1. Duty to Comply with Permit**

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

#### **2. Property Rights and Other Legal Requirements**

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

#### **3. Liability**

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

#### **4. Permit Actions**

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

- a. Violation of any term or condition of this permit, any applicable rule or statute, or any order of the Commission;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

#### **5. Transfer of Permit**

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

#### **6. Permit Fees**

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

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

#### **1. Proper Operation and Maintenance**

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

#### **2. Standard Operation and Maintenance**

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

- a. At all times, all facilities or systems must be operated as efficiently as possible in a manner that will prevent discharges, health hazards, and nuisance conditions.
- b. All screenings, grit, and sludge must be disposed of in a manner approved by DEQ to prevent any pollutant from the materials from reaching waters of the state, creating a public health hazard, or causing a nuisance condition.
- c. Bypassing untreated waste is generally prohibited. Bypassing may not occur without prior written permission from DEQ except where unavoidable to prevent loss of life, personal injury, or severe property damage.

#### **3. Noncompliance and Notification Procedures**

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

- a. Immediately take action to stop, contain, and clean up the unauthorized discharges and correct the problem.
- b. Immediately notify DEQ's Regional office so that an investigation can be made to evaluate the impact and the corrective actions taken, and to determine any additional action that must be taken.
- c. Within 5 days of the time the permittee becomes aware of the circumstances, the permittee must submit to DEQ a detailed written report describing the breakdown, the actual quantity and quality of waste discharged, corrective action taken, steps taken to prevent a recurrence, and any other pertinent information.

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

#### **4. Wastewater System Personnel**

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

#### **5. Public Notification of Effluent Violation**

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

#### **6. Emergency Response and Public Notification Plan**

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

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

### **SECTION C. MONITORING AND RECORDS**

#### **1. Inspection and Entry**

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

- a. Enter upon the permittee's premises where a waste source or disposal system is located or where any records are required to be kept under the terms and conditions of this permit;
- b. Have access to and copy any records required by this permit;
- c. Inspect any treatment or disposal system, practices, operations, monitoring equipment, or monitoring method regulated or required by this permit; or
- d. Sample or monitor any substances or permit parameters at any location at reasonable times for the purpose of assuring permit compliance or as otherwise authorized by state law.

## **2. Averaging of Measurements**

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

## **3. Monitoring Procedures**

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

## **4. Retention of Records**

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

# **SECTION D. REPORTING REQUIREMENTS**

## **1. Plan Submittal**

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

## **2. Change in Discharge**

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

## **3. Signatory Requirements**

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

## **4. Twenty-Four Hour Reporting**

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) within 24 hours from the time the permittee becomes aware of the circumstances, unless a shorter time is specified in the permit. During normal business hours, DEQ's Regional office must be called. Outside of normal business hours, DEQ must be contacted at 1-800-452-0311 (Oregon Emergency Response System).

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

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

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

- a. A description of 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;
- d. Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and
- e. Public notification steps taken, pursuant to General Condition B.6.

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

## SECTION E. DEFINITIONS

1. *BOD* or *BOD<sub>5</sub>* means five-day biochemical oxygen demand.
2. *CBOD* or *CBOD<sub>5</sub>* means five-day carbonaceous biochemical oxygen demand.
3. *TSS* means total suspended solids.
4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
5. *FC* means fecal coliform bacteria.
6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
7. *Technology based permit effluent limitations* means technology-based treatment requirements as defined in 40 CFR § 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-041.
8. *mg/l* means milligrams per liter.
9. *µg/l* means microgram per liter.
10. *kg* means kilograms.
11. *m<sup>3</sup>/d* means cubic meters per day.
12. *MGD* means million gallons per day.
13. *Average monthly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
14. *Average weekly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.
15. *Daily discharge* as defined at 40 CFR § 122.2 means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge must be calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge must be calculated as the average measurement of the pollutant over the day.
16. *24-hour composite sample* means a combination of at least six discrete sample aliquots of at least 100 milliliters, collected at periodic intervals from the same location, during the operating hours of the facility over a 24 hour period. Four (rather than six) aliquots should be collected for volatile organics analyses. The composite must be flow or time proportional, whichever is more appropriate. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.
17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
18. *Quarter* means January through March, April through June, July through September, or October through December.
19. *Month* means calendar month.
20. *Week* means a calendar week of Sunday through Saturday.