



Oregon

Tina Kotek, Governor

Department of Environmental Quality

Western Region Salem Office
4026 Fairview Industrial Dr SE
Salem, OR 97302
(503) 378-8240
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TTY 711

May 5, 2025

Lisa Arellano
Willamette Leadership Academy
34020 B Street
Eugene, OR 97405-9622

CERTIFIED MAIL NO. 7022 1670 0002 1823 9927
RETURN RECEIPT REQUESTED

RE: Issuance of NPDES Permit no. 101441
File no. 34040
EPA no. OR0027235
Facility: Willamette Leadership Academy, 34020 B Street, Goshen
Lane County

Your National Pollutant Disposal Elimination System permit has been renewed and is enclosed. This permit is DEQ's final action on permit renewal application no. 960572. DEQ did not receive any public comments. No changes were made to the proposed permit.

Your permit is effective on June 1, 2025. Please read your permit carefully. Compliance with your permit is required at all times.

If you are dissatisfied with the conditions of this permit, you have 20 days to request a hearing before the Environmental Quality Commission or its authorized representative. A request for a hearing must be made in writing and state the grounds for the request. Any hearing will be conducted as a contested case hearing in accordance with ORS 183.413 through 183.470 and OAR chapter 340, division 011. If a hearing is requested, the existing permit continues in effect until a final order is issued.

Please note that your treatment system will need to be supervised by an operator with at least a Grade II Operator Certificate and that your required operator certification levels are no longer listed on the face page of your permit. Pursuant to OAR chapter 340, division 049 your systems are classified as follows:

- Collection System: Class I
- Treatment System: Class II

Willamette Leadership Academy, NPDES Permit Renewal Issuance

May 5, 2025

Page 2 of 2

If changes are made to your systems or if you have additional questions about operator certification requirements, please contact the DEQ Operator Certification program at opcert@deq.state.or.us , call 503-229-5349, or visit the website: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Wastewater-Operator-Certification.aspx>. Current classifications for all systems requiring certified operators may be found at <https://www.deq.state.or.us/wq/opcert/Docs/OpcertReport.pdf>.

If you have any questions about your permit requirements, please contact Brad Eagleson at 971-258-6458 or bradley.eagleson@deq.oregon.gov.

Sincerely,

Ranei Nomura

Ranei Nomura (May 5, 2025 12:30 PDT)

Ranei Nomura
Water Quality Manager
Western Region

RN:th

Enclosure: Permit and Permit Fact Sheet

cc: NPDES Permit Issuance E-File, Water Quality Division, DEQ
Brad Eagleson, Western Region, DEQ
Olivia Stoken, Water Quality Division, DEQ
Garren Friedemann, Delta Operations
Mel Stiner, Delta Operations
WQ Data Crew, DEQ w/permit
EPA, Seattle /permit
ORMS
DEQ Wastewater Operator Certification Program



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT

Oregon Department of Environmental Quality
Western Region – Salem Office
4026 Fairview Industrial Dr. SE
Salem, OR 97302
Telephone: 503-378-8240

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

ISSUED TO:

Willamette Leadership Academy
34020 B Street
Eugene, OR 97405

SOURCES COVERED BY THIS PERMIT:

Type of Waste	Outfall Number	Outfall Location
Treated wastewater	001	43.991750, -123.006583

FACILITY LOCATION:

Willamette Leadership Academy
34020 B Street
Eugene, OR 97405
County: Lane
EPA Permit Type: Minor

RECEIVING STREAM INFORMATION:

Receiving stream/NHD name: Wild Hog Creek
USGS 12-Digit HUC: 170900020405
OWRD Administrative Basin: Willamette
NHD Reach Code & % along reach: 17090002000575, 41%
ODEQ LLID & RM: 1230220440176, RM 1.67
Integrated Report AU ID: OR_WS_170900020405_02_104242

Issued in response to Application No. 960572 received December 20, 2013. This permit is issued based on the land use findings in the permit record.

Ranei Nomura

Ranei Nomura (May 5, 2025 12:30 PDT)

Ranei Nomura, Manager
Western Region

May 5, 2025
Issuance Date

June 1, 2025
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 E (Pretreatment Activities) is not part of this permit.

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SCHEDULE A: WASTE DISCHARGE LIMITS

1. Outfall 001 – Permit Limits

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

Table A1: Permit Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
Effluent Flow (May 1 – October 31)	MGD	No discharge (Daily max limit = 0 gallons)		
BOD ₅ (November 1 – April 30)	mg/L	30	45	-
	lb/day	6.5	9.8	13
	% removal	85	-	-
TSS (November 1 – April 30)	mg/L	30	45	-
	lb/day	6.5	9.8	13
	% removal	85	-	-
Total Residual Chlorine (Interim) (November 1 – April 30) (See note a.)	mg/L	0.07	-	0.19
Total Residual Chlorine (Final) (November 1 – April 30) (See note a and b.)	mg/L	0.01	-	0.03
pH (November 1 – April 30)	SU	Instantaneous limit between a daily minimum of 6.1 and a daily maximum of 9.0		
<i>E. coli</i> (November 1 – April 30) (See note c.)	#/100 mL	Must not exceed a monthly geometric mean of 126, no single sample may exceed 406		
Notes:				
<p>a. The interim total residual chlorine limit is effective upon permit effective date. The final total residual chlorine limit is effective after completion of the compliance schedule in Schedule C.</p> <p>b. DEQ has established a Quantitation Limit of 0.05 mg/L for Total Residual Chlorine. Any analysis done for Total Residual Chlorine must have a quantitation limit that is either equal to or less than 0.05 mg/L. In cases where the average monthly or maximum daily limit for Total Residual Chlorine is lower than the Quantitation Limit, DEQ will use the reported Quantitation Limit as the compliance evaluation level.</p> <p>c. 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 <i>E. coli</i> organisms/100 mL demonstrates compliance with the limit.</p>				

2. Regulatory Mixing Zone

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

The Regulatory Mixing Zone (RMZ) is defined as 25% of the Wild Hog Creek flow. The Zone of Initial Dilution (ZID) is defined as 10% of the Wild Hog Creek flow.

SCHEDULE B: MINIMUM MONITORING AND REPORTING REQUIREMENTS

1. Reporting Requirements

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

Table B1: Reporting Requirements and Due Dates

Reporting Requirement	Frequency	Due Date (See note a.)	Report Form (See note b.)	Submit To:
Tables B2, B3, and B4 Influent Monitoring, Effluent Monitoring and Receiving Stream Monitoring	Monthly	By the 15th of the following month	Specified in Schedule B. Section 2 of this permit	Electronic reporting as directed by DEQ
Wastewater Solids Annual Report (see Schedule D)	Annually	By February 19 of the following year	Electronic copy in a DEQ- approved format	Attached via electronic reporting as directed by DEQ Electronic copy to DEQ Biosolids Program Coordinator
Sludge Depth Survey Report (see Schedule D – Lagoon Solids)	One Time	Submit by 6/15/2027	Electronic copy in a DEQ- approved format	Attached via electronic reporting as directed by DEQ
Outfall Inspection Report (see Schedule D)	Once per permit cycle	Submit by 6/15/2029	Electronic copy in a DEQ- approved format	Attached via electronic reporting as directed by DEQ
Receiving Water Flow Monitoring Plan (see Schedule D)	Once per permit cycle	Submit by 3/15/2026	Electronic copy in a DEQ- approved format	Attached via electronic reporting as directed by DEQ
Lagoon Leak Test (see Schedule D)	Once per permit cycle	Submit by 6/15/2027	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.				

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](#).
- 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. With the exception of BOD₅/CBOD₅, 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. For BOD₅/CBOD₅, the permittee may not use the result that failed the QA/QC requirement in any calculation except as follows:

- (A) When the glucose-glutamic acid, dilution water, and/or seed control check are not met, the values are reported with the “e” (estimate) data qualifier. The estimated values are not used in the calculations.
 - (B) When the minimum DO depletion or the minimum residual DO is not met, the values are reported with the “<” or “>” data qualifiers as appropriate. The data must be used in the calculations. It is not acceptable to report “non-detect” on the discharge monitoring report. The data qualifiers carry to the summary statistic. For example, when calculating the loading, the data qualifiers are added to the value.
- iii. Flow measurement, field measurement, and continuous monitoring devices - The permittee must:
- (A) Establish verification and calibration frequency for each device or instrument in the quality assurance plan that conforms to the frequencies recommended by the manufacturer.
 - (B) Verify at least once per year that flow-monitoring devices are functioning properly according to manufacturer’s recommendation. Calibrate as needed according to manufacturer’s recommendations.
 - (C) Verify at least weekly that the continuous monitoring instruments are functioning properly according to manufacturer’s recommendation unless the permittee demonstrates a longer period is sufficient and such longer period is approved by DEQ in writing.
- iv. The permittee must develop a receiving water sampling and analysis plan that incorporates QA/QC prior to sampling. This plan must be kept at the facility and made available to DEQ upon request.
- f. Reporting Sample Results
- i. The permittee must report the laboratory DL and QL as defined above for each analyte, with the following exceptions: pH, temperature, BOD, CBOD, TSS, Oil & Grease, hardness, alkalinity, bacteria, and nitrate-nitrite. For temperature and pH, neither the QL nor the DL need to be reported. For the other parameters listed above, the permittee is only required to report the QL and only when the result is ND.
 - ii. The permittee must report the same number of significant digits as the permit limit for a given parameter.
 - iii. (For Discharge Monitoring Reports) If a sample result is above the DL but below the QL, the permittee must report the result as the DL preceded by DEQ’s data code “E”. For example, if the DL is 1.0 µg/l, the QL is 3.0 µg/L and the result is estimated to be between the DL and QL, the permittee must report “E1.0 µg/L” on the DMR. This requirement does not apply in the case of parameters for which the DL does not have to be reported.

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

g. Calculating and Reporting Mass Loads

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

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

- i. Mass load limits all have two significant figures unless otherwise noted.
- ii. When concentration data are below the DL: To calculate the mass load from this result, use the DL. Report the mass load as less than the calculated mass load. For example, if flow is 2 MGD and the reported sample result is <1.0 µg/L, report “<0.017 lb/day” for mass load on the DMR (1.0 µg/L x 2 MGD x conversion factor = 0.017 lb/day).

3. Monitoring and Reporting Requirements

- a. The permittee must monitor influent in front of the train at the first septic tank 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	November 1 – April 30	Daily	Calculation	1. Monthly Average 2. Daily Maximum
BOD ₅ (00310)	mg/L	November 1 – April 30	Monthly	Grab	Monthly Average
TSS (00530)	mg/L	November 1 – April 30	Monthly	Grab	Monthly Average
pH (00400)	SU	November 1 – April 30	3/week	Grab	1. Monthly Maximum 2. Monthly Minimum
Notes:					
a. In the event of equipment failure or loss, the permittee must notify DEQ and deploy new equipment to minimize interruption of data collection. If new equipment cannot be immediately deployed, the permittee must perform grab measurements.					
b. When submitting DMRs electronically, the permittee must submit all data used to determine summary statistics in a DEQ-approved format as a spreadsheet via electronic reporting unless otherwise directed by DEQ.					

- b. The permittee must monitor effluent for Outfall 001 at the chlorinated sample tap for total residual chlorine and *E. coli* and at the effluent sample tap for all other parameters 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	November 1 – April 30	Monthly	Grab	1. Monthly Average 2. Maximum Weekly Average
BOD ₅ (00310)	lb/day	November 1 – April 30	Monthly	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
BOD ₅ percent removal (81010) (See note c.)	%	November 1 – April 30	Monthly	Calculation based on monthly average BOD ₅ concentration values	Monthly Average
TSS (00530)	mg/L	November 1 – April 30	Monthly	Grab	1. Monthly Average 2. Maximum Weekly Average
TSS (00530)	lb/day	November 1 – April 30	Monthly	Calculation	1. Daily Maximum 2. Monthly Average 3. Maximum Weekly Average
TSS percent removal (81011) (See note c.)	%	November 1 – April 30	Monthly	Calculation based on monthly average TSS concentration values	Monthly Average
pH (00400)	SU	November 1 – April 30	3/week	Grab	1. Daily Maximum 2. Daily Minimum
Chlorine, Total Residual (50060)	mg/L	November 1 – April 30	Daily	Grab	1. Daily Maximum 2. Monthly Average
<i>E. coli</i> (51040)	#/100 mL	November 1 – April 30	2/month	Grab	1. Daily Maximum 2. Monthly Geometric Mean
Temperature (00010)	°C	November 1 – April 30	3/week	Grab (See note d.)	Monthly Average
Alkalinity as CaCO ₃ (00410)	mg/L	November 1 – April 30	Quarterly	Grab	Quarterly Maximum
Chlorine used (81400)	lb/day	November 1 – April 30	Daily	Scale reading	Monthly Average
Chlorine, Total Residual prior to dechlorination	mg/L	November 1 – April 30	Daily	Grab	Maintain records on-site
Lagoon Depth (72025)	feet	Year-round	Weekly	Measurement	Monthly Average
Rainfall (46529)	inches	Year-round	Daily	Measurement	1. Daily Maximum 2. Monthly Total
Dissolved Oxygen (00300)	mg/L	November 1 – April 30	2/year	24-hour composite (See note e.)	Daily Minimum
Dissolved Oxygen % saturation (00301)	%	November 1 – April 30	2/year	24-hour composite (See note e.)	Daily Minimum

Item or Parameter	Units	Time Period	Minimum Frequency	Sample Type/ Required Action (See note a.)	Report Statistic (See note b.)
Notes:					
<p>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.</p> <p>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.</p> <p>c. Percent Removal must be calculated on a monthly basis using the following formula:</p> $\text{Percent Removal} = \frac{[\text{Influent Concentration}] - [\text{Effluent Concentration}]}{[\text{Influent Concentration}]} \times 100$ <p>Where:</p> <p>Influent Concentration = Corresponding Monthly average influent concentration based on the analytical results of the reporting period.</p> <p>Effluent Concentration = Corresponding Monthly average effluent concentration based on the analytical results of the reporting period.</p> <p>d. The permittee must perform temperature grab measurements daily between 12 PM and 5 PM.</p> <p>e. CFR 136.3(e) specifies that if a composite measurement is required but a composite sample would compromise sample integrity, that individual grab samples must be collected. 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.</p>					

- c. The permittee must monitor Wild Hog Creek and report the results in accordance with Table B1 and the table below. The permittee must collect samples such that the effluent does not impact the samples (e.g., upstream for riverine discharges).

Table B4: Receiving Stream Monitoring (Wild Hog Creek)

Item or Parameter	Units	Time Period	Minimum Frequency (See note a.)	Sample Type / Required Action	Report Statistic (See note b.)
Flow, stream (00056)	cfs	November 1 – January 31	2/month	Grab	Monthly Minimum
pH (00400)	SU	November 1 – April 30	Weekly	Grab	1. Monthly Maximum 2. Monthly Minimum
Temperature (00010)	°C	November 1 – April 30	Weekly	Grab	Monthly Maximum
Alkalinity as CaCO ₃ (00410)	mg/L	November 1 – April 30	Monthly	Grab	Monthly Maximum
TSS (00530)	mg/L	November 1 – April 30	Annual	Grab	Annual Maximum
Dissolved Oxygen (00300)	mg/L	November 1 – April 30	2/year	Grab	Daily Minimum

Item or Parameter	Units	Time Period	Minimum Frequency (See note a.)	Sample Type / Required Action	Report Statistic (See note b.)
Dissolved Oxygen % saturation (00301)	%	November 1 – April 30	2/year	Grab	Daily Minimum
<p>Notes:</p> <ul style="list-style-type: none"> a. Required sampling frequency only when discharging to receiving stream. 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. 					

SCHEDULE C: COMPLIANCE SCHEDULE

1. Compliance Schedule to Meet Final Effluent Limits

The permittee must comply with the following schedule:

Table C1: Compliance Schedule

Compliance Date:	Requirement:
By 3/1/2026	The permittee must submit to DEQ an optimization study outlining feasible operational changes that can be made to the current treatment process at Willamette Leadership Academy to maximize reductions of total residual chlorine. Upon DEQ approval, the permittee must implement the plan.
By 9/1/2026	The permittee must submit to DEQ copies or summaries of initial communications with financing agencies regarding facilities upgrades.
By 6/1/2027	The permittee must submit to DEQ a written progress report outlining the progress made towards achieving final effluent limitations and a summary of funding acquisition progress. The permittee must also submit a pre-design report for facilities upgrades. The pre-design report must include a schedule for implementation of the upgrades aligned with the final compliance date of this schedule.
By 6/1/2028	The permittee must submit to DEQ final engineering plans for review.
By 6/1/2029	The permittee must complete construction of facilities upgrades and notify DEQ.
By 12/1/2029	The permittee must achieve compliance with the final effluent limits for total residual chlorine in Schedule A of this permit.

2. Responsibility to Meet Compliance Dates

No later than 14 days following each compliance date listed in the table 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(s).

SCHEDULE D: SPECIAL CONDITIONS

1. 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.

2. 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.

3. Wastewater Solids Annual Report

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

4. 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.

5. Lagoon Solids

By the date listed in Table B1, the permittee must submit to DEQ a sludge depth survey and report. The report must include the sludge depths throughout the lagoons and an evaluation of the impact of sludge on treatment efficiency and odors. If the evaluation finds that the sludge is impacting the treatment efficiency and causing odors, the permittee must submit a plan to reduce or remove the sludge. See Schedule D, conditions 4 and 5 for sludge removal requirements.

6. Operator Certification

- a. Definitions
 - i. “Supervise” means to have full and active responsibility for the daily on-site technical operation of a wastewater treatment system or wastewater collection system.
 - ii. “Supervisor” or “designated operator”, means the operator delegated authority by the permittee for establishing and executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system in accordance with the policies of the owner of the system and any permit requirements.
 - iii. “Shift Supervisor” means the operator delegated authority by the permittee for executing the specific practice and procedures for operating the wastewater treatment system or wastewater collection system when the system is operated on more than one daily shift.
 - iv. “System” includes both the collection system and the treatment systems.
- b. The permittee must comply with OAR Chapter 340, Division 49, “Regulations Pertaining to Certification of Wastewater System Operator Personnel” and designate a supervisor whose certification corresponds with the classification of the collection and/or treatment system as specified in DEQ Supervisory Wastewater Operator Status Report. DEQ may revise the permittee’s classification in writing at any time to reflect changes in the collection or treatment system. This reclassification is not considered a permit modification and may be made after the permit expiration date provided the permit has been administratively extended by DEQ. If a facility is re-classified, a certified letter will be mailed to the system owner from DEQ Operator Certification Program. Current system classifications are publicized on DEQ Supervisory Wastewater Operator Status Report found on [DEQ Wastewater Operator Certification Homepage](#).
- c. The permittee must have its system supervised on a part-time or full-time basis by one or more operators who hold a valid certificate for the type of wastewater treatment or wastewater collection system the operator is supervising and at a grade equal to or greater than the wastewater system’s classification.
- d. The permittee's wastewater system may be without the designated supervisor for up to 30 consecutive days if another person supervises the system, who is certified at no more than one grade lower than the classification of the wastewater system. The permittee must delegate authority to this operator to supervise the operation of the system.
- 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.

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

7. Outfall Inspection and Improvement

The permittee must inspect Outfall 001 including the submerged portion of the outfall line and diffuser to document its integrity and to determine whether it is functioning as designed. The inspection must determine whether diffuser ports are intact, clear and fully functional. The inspection must verify the latitude and longitude of the diffuser. The permittee must submit a written report to DEQ regarding the results of the outfall inspection by the date in Table B1. The report must include a description of the outfall as originally constructed, the condition of the current outfall and identify any repairs needed to return the outfall to satisfactory condition. If the outfall is shown to cause scouring of the bank, then by no later than the date specified in Table B1, permittee must improve Outfall 001 to prevent scouring of the bank and submit a report documenting improvements.

8. Receiving Water Flow Monitoring Plan

By no later than the date in Table B1, the permittee must submit a plan that described the methods and standard operating procedures used to measure receiving stream flow. The plan must:

- a. Describe the type of stream gauge or measurement used, who is collecting the measurements
- b. Describe where the stream gauge is located relative to the outfall, and the channel type at the gauge or measurement location
- c. Describe how the flow is being calculated based on measurement type, the standard operating procedures associated with taking measurements, the expected precision and accuracy of those measurements, and
- d. Describe if the device used to determine depth, velocity, and/or flow is able to be calibrated, how often is it calibrated and how.

9. Lagoon Leak Test

The permittee must perform a lagoon leak test and submit the results by the date specified in Table B1. The lagoon leak test must confirm the lagoon leak rate. The lagoon leak test must be conducted in accordance with DEQ's Guidelines for Estimating Leakage from Existing Sewage Lagoons. For lagoons that are unable to demonstrate a leak test rate less than $\frac{1}{4}$ inch per day, a Preliminary Groundwater Assessment must be conducted and submitted to DEQ in writing. The Preliminary Groundwater Assessment must be conducted in accordance with DEQ's Preliminary Groundwater Assessment Guidelines.

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 include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

B2. Need to Halt or Reduce Activity Not a Defense

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

B3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be

- 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 ensure 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 B7.
- (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 *BOD₅* means five-day biochemical oxygen demand.
- E2. *CBOD* or *CBOD₅* 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. *m³/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.



State of Oregon
Department of
Environmental
Quality

National Pollutant Discharge Elimination System Permit Fact Sheet Willamette Leadership Academy

Final: May 5, 2025

Permittee	Willamette Leadership Academy 34020 B Street Eugene, OR 97405
Existing Permit Information	File Number: 34040 Permit Number: 101441 EPA Reference Number: OR0027235 Category: Domestic Class: Minor Expiration Date: 6/30/2014
Permittee Contact	Lisa Arellano CEO 408-843-7460 34020 B Street Eugene, OR 97405
Receiving Water Information	Receiving stream/NHD name: Wild Hog Creek NHD Reach Code & % along reach: 17090002000575, 41% along reach USGS 12-digit HUC: 170900020405 OWRD Administrative Basin: Willamette ODEQ LLID & River Mile: 1230220440176, RM 1.67 Assessment Unit ID: OR_WS_170900020405_02_104242
Proposed Action	Permit Renewal Application Number: 960572 Date Application Received: 12/20/2013
Permit Writer	Olivia Stoken 971-867-1077 Date Prepared: 3/19/2025

NPDES Permit Fact Sheet

Willamette Leadership Academy

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NPDES Permit Renewal Fact Sheet

Willamette Leadership Academy

1. Introduction

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

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

Below is a summary of the major changes to the permit:

Schedule A:

- Less stringent BOD₅ and TSS mass load limits have been updated in Table A1.
- More stringent TSS percent removal requirement has been added in Table A1.
- More stringent final total residual chlorine effluent limits have been added in Table A1.
- The total residual chlorine limits from the previous permit have been retained as interim limits in Table A1.

Schedule B:

- Influent monitoring for flow, BOD₅, TSS, and pH has been added to Table B2.
- Effluent monitoring for temperature, alkalinity, total residual chlorine prior to dechlorination, and dissolved oxygen has been added to Table B3.
- Receiving stream monitoring for flow, pH, temperature, alkalinity, TSS, and dissolved oxygen in Wild Hog Creek has been added in Table B4.

Schedule C:

- A compliance schedule for total residual chlorine has been added in Table C1.

Schedule D:

- Special conditions added to the proposed permit include 1. Emergency Response and Public Notification Plan, 3. Wastewater Solids Annual Report, 4. Wastewater Solids Transfers, 5. Lagoon Solids, 7. Outfall Inspection and Improvement, 8. Receiving Water Flow Monitoring Plan, and 9. Lagoon Leak Test.

Schedule F:

- Updated to current format

2. Facility Description

2.1 Wastewater Facility

Willamette Leadership Academy is a 501(c)(3) non-profit organization that operates a public charter school in Eugene, OR. School operations include a private wastewater treatment plant (WWTP) that treats sewage for the school population of approximately 251 students and 35 staff. The school is operated year-round, but significantly less students are on-site during summer school. Historically the WWTP was operated as a one-celled facultative lagoon but was upgraded in Summer 2023 to include septic tanks and an Orenco AX-100 recirculating textile media filter treatment system after repeated NPDES permit violations. A second Orenco AX-100 can be added to the system if additional treatment capacity becomes necessary. The facility average dry weather design flow is 0.007 million gallons per day (mgd) and the average wet weather design flow is 0.026 mgd. Willamette Leadership Academy contracts with Delta Operations, a wastewater consultant, to operate the WWTP and conduct facility monitoring.

Wastewater is gravity-fed from the school to four septic tanks used for primary solids settling. Clarified wastewater is pumped from the tanks to the Orenco AX-100 system for secondary treatment in the textile media filter. After secondary treatment, the wastewater is pumped to the lagoon for polishing. Solids from the previous facultative lagoon system have never been removed and sludge depths consistently measure around 12 inches. Effluent from the lagoon is pumped to a wet well concrete chlorination chamber for disinfection with sodium hypochlorite and then dechlorinated in the treatment line with ascorbic acid. Chlorination, dechlorination, and discharge occur in batches with discharge occurring 20-30 days per month in the winter. Final effluent is discharged through the outfall at river mile 2.0 of Wild Hog Creek, a tributary of the Coast Fork Willamette River. The lagoon is used for storage in the summer months as discharge through the outfall is only allowed from November 1 through April 30. Currently the outfall is above the creek water surface level and discharge appears to be causing bank scour.

The facility has issues with groundwater intrusion into the unlined lagoon as documented by a 2000 wet weather infiltration study. This causes the final effluent volume to be significantly larger than the volume of influent discharged from the school to the treatment facility and may be contributing to repeated BOD₅ and TSS mass load limit violations.

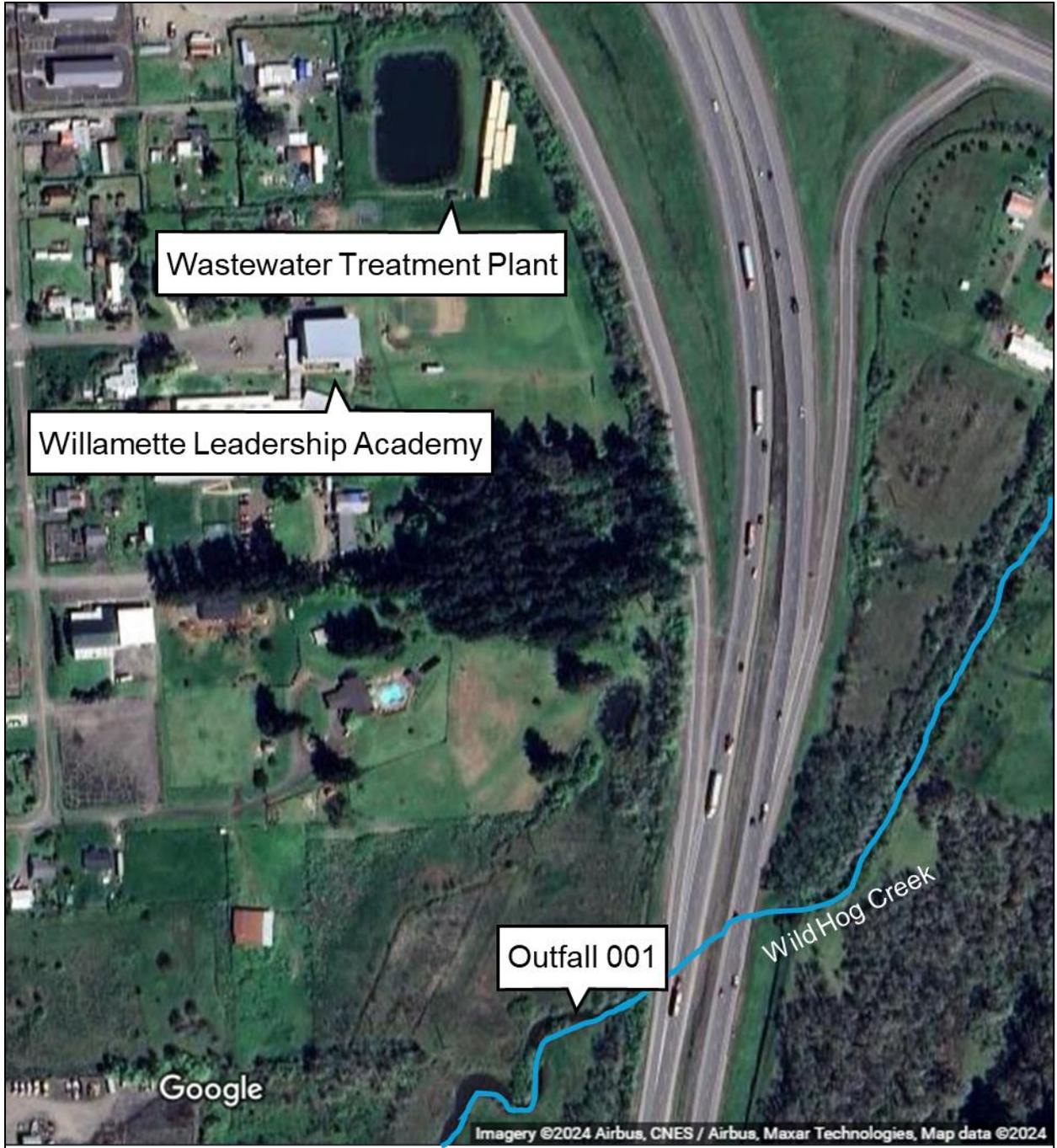


Figure 2-1: Facility Site Map

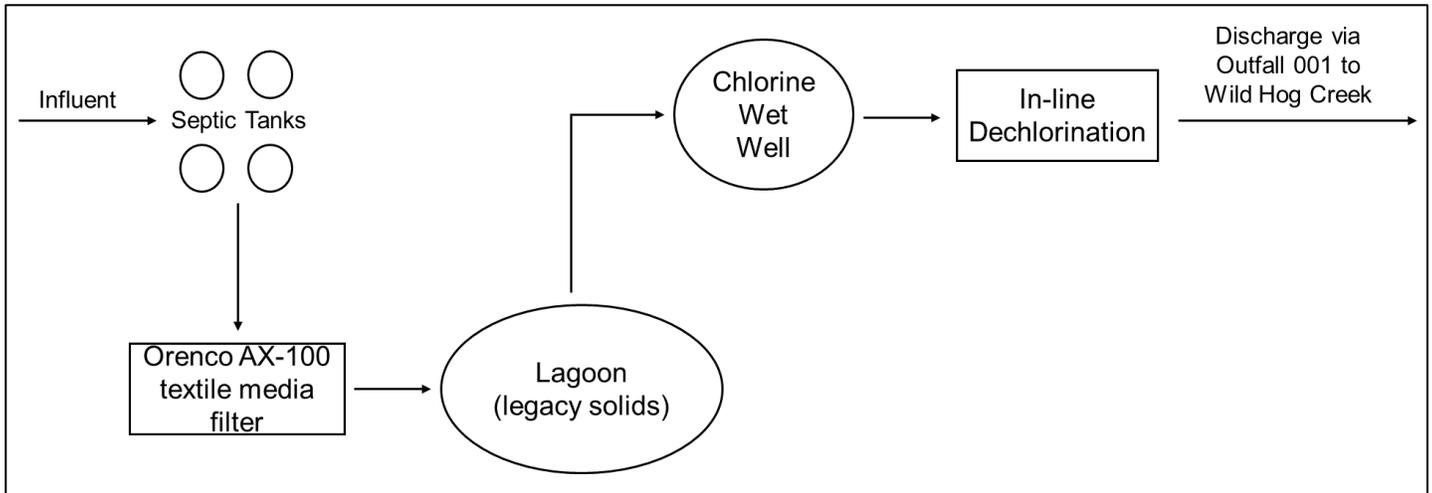


Figure 2-2: Facility Line Drawing

Table 2-1: List of Outfalls

Outfall Number	Type of Waste	Lat/Long
001	Treated Wastewater	43.991750, -123.006583

2.2 Stormwater

Stormwater is not addressed in this permit. A 1200-Z Industrial Stormwater permit is not required for facilities with a design flow of less than 1 MGD.

2.3 Industrial Pretreatment

The permittee does not have a DEQ-approved industrial pretreatment program. Based on current information, no industrial pretreatment program is needed.

2.4 Wastewater Classification

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

3. Schedule A: Effluent Limit Development

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

3.1 Existing Effluent Limits

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

Table 3-1: Existing Effluent Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
Effluent Flow (May 1 to Oct 31)	MGD	No discharge (Daily max limit = 0 MGD)		
BOD ₅ (November 1 to April 30) (See note a.)	mg/L	30	45	-
	lb/day	1.8	2.7	3.6
	% removal	85	-	-
TSS (November 1 – April 30) (See note a.)	mg/L	50	75	
	lb/day	2.9	4.4	5.8
	% removal	75	-	-
Chlorine, Total Residual (November 1 to April 30) (See note b.)	mg/L	0.07	-	0.19
pH (November 1 to April 30)	SU	Instantaneous limit between a daily minimum of 6.0 and a daily maximum of 9.0		
<i>E. coli</i> (November 1 to April 30) (See note c.)	#/100 mL	Must not exceed a monthly geometric mean of 126, no single sample may exceed 406		
Notes:				
<p>a. Due to preliminary treatment that occurs within the septic tanks, the influent BOD₅ and TSS concentrations are assumed to be 200 mg/L for calculation of the percent removal efficiency.</p> <p>b. When the total chlorine residual limitation is lower than 0.10 mg/L, the Department will use 0.10 mg/L as the compliance evaluation level (i.e. daily maximum concentrations below 0.10 mg/L will be considered in compliance with the limitations).</p> <p>c. If a single sample exceeds 406 organisms per 100 mL, then five consecutive re-samples may be taken at four-hour intervals beginning within 72 hours after the original sample was taken. If the log mean of the five re-samples is less than or equal to 126 organisms per 100 mL, a violation shall not be triggered.</p>				

3.2 Technology-Based Effluent Limit Development

40 CFR 122.44(a)(1) requires that all NPDES permits include technology-based effluent limits (TBELs). DEQ uses best professional judgement, as allowed under federal rule (40 CFR 125.3), to apply the federal secondary treatment standards as TBELs for domestic wastewater treatment facilities that are not publicly owned treatment works (POTWs). These secondary standards are specific TBELs for five-day biochemical oxygen demand (BOD₅), total suspended solids (TSS), and pH. Substitution of five-day carbonaceous biochemical oxygen demand (CBOD₅) for BOD₅ is allowed. The numeric standards for these pollutants are contained in 40 CFR 133.102.

In addition, DEQ has developed minimum design criteria for BOD₅ and TSS that apply to specific watershed basins in Oregon. These are listed in the basin-specific criteria sections under OAR 340-041-0101 to 0350. During the summer low flow months as defined by OAR, these design criteria are more stringent than the federal secondary treatment standards. The basin-specific criteria are implemented as design criteria for new or expanded wastewater treatment plants. The table below shows a comparison of the federal secondary treatment standards and the basin-specific design criteria for the Willamette basin.

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

Parameter	Federal Secondary Treatment Standards		Willamette Basin-Specific Design Criteria (OAR 340-041- 0345)
	30-Day Average	7-Day Average	Monthly Average
BOD ₅ (mg/L)	30	45	May 1 to Oct 31: 10, Nov 1 to April 30: equivalent to federal secondary treatment standards
TSS (mg/L)	30	45	May 1 to Oct 31: 10, Nov 1 to April 30: equivalent to federal secondary treatment standards
pH (S.U.)	6.0 – 9.0. (instantaneous)		Not applicable
BOD ₅ and TSS % Removal	85%	Not applicable	Not applicable

3.2.1 Mass Based Limits

The limits for BOD₅ and TSS shown in the table above are concentration-based limits. Mass-based limits are required in addition to the concentration-based limits per OAR 340-041-0061(9). For any new facility or any facility that has expanded its dry weather treatment capacity after June 30, 1992, OAR 340-041-0061(9)(b) requires that the mass load limits be calculated based on the proposed treatment facility capabilities and the highest and best practicable treatment to minimize the discharge of pollutants. Willamette Leadership Academy’s facility was upgraded in 2023 with septic tanks for primary effluent treatment and an Orenco AX-100 for secondary effluent treatment. The pre-existing facultative lagoon is still used for storage in the summer and polishing in the winter. The permittee’s facility has been engineered to achieve BOD₅ and TSS monthly average concentrations of 10 mg/L during the dry weather season and 30 mg/L during the wet weather season.

Previous permits included a state special consideration for the TSS concentration limits for lagoons. These lagoon-specific limits allowed TSS concentrations of 50 mg/L monthly average and 75 mg/L weekly average. As the lagoon is no longer the primary effluent treatment, the special consideration for TSS limits no longer applies to this facility. The federal secondary treatment standards of 30 mg/L monthly average and 45 mg/L weekly average will be used for TSS and BOD₅ wet weather limits. Additionally, the TSS percent removal requirement in the current permits is 75%. Due to the upgraded Orenco system, this requirement will change to 85% in the proposed permit. DEQ uses the average design flow to calculate the mass load limits as shown below for the dry and wet weather seasons.

$$\text{Monthly Avg Mass Load} = \text{Design Flow}^* \times \text{Monthly Concentration Limit} \times \text{Unit Conversion factor}$$

$$\text{Weekly Average Mass Load} = 1.5 \times \text{Monthly Average Mass Load Limit}$$

$$\text{Daily Maximum Mass Load} = 2 \times \text{Monthly Average Mass Load Limit}$$

* Design flow is the design average dry weather flow (DADWF) or design average wet weather flow (DAWWF)

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

Table 3-3: Design Flows and Concentrations Limits

Season	Design Flow (mgd)	Monthly TSS Concentration Limit (mg/L)	Monthly BOD ₅ Concentration Limit (mg/L)
Dry Weather	0.007	10	10
Wet Weather	0.026	30	30
Design flow comments: DADWF and DAWWF			

Discharge from this facility is not permitted in the summer (May 1 – October 31), so mass load limits were only calculated for the winter (November 1 – April 30). In previous permits, the winter mass loads were calculated with the DADWF. The permittee has requested wet weather mass load limits so calculations in the proposed permit use the DAWWF that was approved by DEQ in 2004 (DEQ Western Region - Salem Office, Dec 15, 2004).

Wet Weather BOD₅ and TSS Mass Load Calculations:

$$\text{Monthly Average: } 0.026 \text{ mgd} \times 30 \text{ mg/L} \times 8.34 = 6.5 \text{ lbs/day (Two significant figures)}$$

$$\text{Weekly Average: } 6.5 \text{ lbs/day monthly average} \times 1.5 = 9.8 \text{ lbs/day}$$

$$\text{Daily Maximum: } 6.5 \text{ lbs/day monthly average} \times 2 = 13 \text{ lbs/day}$$

The limits calculated based on the DAWWF are less stringent than the limits included in the previous permit. Antidegradation and antibacksliding analyses were conducted (see sections 3.4

and 3.5) that determined including the calculated limits in the proposed permit complies with Oregon’s antidegradation and antibacksliding policies.

The proposed BOD₅ and TSS limits are listed in the following table.

Table 3-4: Technology Based Effluent Limits

Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
BOD ₅ (November 1 – April 30)	mg/L	30	45	-
	lbs/day	6.5	9.8	13
	% removal	85	-	-
TSS (November 1 – April 30)	mg/L	30	45	-
	lbs/day	6.5	9.8	13
	% removal	85	-	-

3.3 Water Quality-Based Effluent Limit Development

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

3.3.1 Designated Beneficial Uses

NPDES permits issued by DEQ must protect the following designated beneficial uses of Wild Hog Creek. These uses are listed in OAR-340-041-0345 for the Willamette Basin.

- Public and private domestic water supply
- Industrial water supply
- Irrigation and livestock watering
- Fish and aquatic life (including salmonid rearing, migration and spawning)
- Wildlife and hunting
- Fishing
- Boating
- Water contact recreation
- Aesthetic quality
- Hydro power

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

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

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

Water Quality Limited Parameters (Category 5)	
AU ID:	OR_WS_170900020405_02_104242
AU Name:	Papenfus Creek-Coast Fork Willamette
AU Status:	Insufficient Data
Year Listed:	Not Listed
Year Last Assessed:	2022
Category 5 Parameters:	NA
Category 4A Parameters	
NA	

3.3.3 TMDL Wasteload Allocations

DEQ issued a TMDL for the Coast Fork Willamette Subbasin of the Willamette River in 2006 which included temperature and bacteria. The temperature portion of this TMDL was replaced in 2024 by the Willamette Subbasins temperature TMDL. EPA issued a mercury TMDL for the Willamette Basin, including all subbasins, in 2019. WLAs from these TMDLs that are applicable to the permittees are listed in the following table.

Table 3-6: Applicable WLAs

Parameter	WLA	Time Period
Temperature	0 million kcal/day	May 1 – October 31
Bacteria	NA	NA
Mercury	NA	NA

The temperature TMDL is discussed in section 3.3.7, while the mercury TMDL is in section 3.3.9.2. Willamette Leadership Academy was not assigned a WLA in the 2006 bacteria TMDL.

3.3.4 Pollutants of Concern

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

- Effluent monitoring data.

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

Based on EPA’s NPDES permit application requirements, toxic pollutants of concern for domestic facilities are listed in the following table.

Table 3-7: Domestic Toxic Pollutants of Concern

Flow Rate	Pollutants
< 0.1 mgd	Total Residual Chlorine

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

Table 3-8: Pollutants of Concern

Pollutant	How was pollutant identified?
pH	Effluent Monitoring
Temperature	Effluent Monitoring
<i>E. coli</i>	Effluent Monitoring
Total Residual Chlorine	Effluent Monitoring

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

3.3.5 Regulatory Mixing Zone

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

The allowable mixing zone is that portion of Wild Hog Creek contained within a band extending out ten (10) feet from the West bank of the Creek and extending from a point ten (10) feet upstream of the outfall to a point fifty (50) feet downstream of the outfall. The Zone of Immediate Dilution (ZID) shall be defined as that portion of the allowable mixing zone that is within five (5) feet of the point of discharge.

The outfall location and stream morphology prevent CORMIX from providing dilution estimations for the RMZ and ZID as they are currently defined. Therefore, the mixing zone will be defined as a percentage of flow and is described as follows:

The Regulatory Mixing Zone (RMZ) is defined as 25% of the Wild Hog Creek flow. The Zone of Initial Dilution (ZID) is defined as 10% of the Wild Hog Creek flow.

The permittee discharges to Wild Hog Creek out of a 3” diameter pipe located at 43.991750/-123.006583 (Google Earth). The pipe is exposed during low water periods and is set back into the bank, causing the bank to scour and impacts the ability of the effluent to mix with the

receiving water. As a result, DEQ is including a Schedule D requirement that the permittee inspect the outfall, and if scour is still occurring, improve their outfall to prevent bank scour.

The dilution factors at the edge of the Regulatory Mixing Zone and Zone of Initial Dilution are shown in Table 3-9. These dilutions are based on a 2016 mixing zone study both performed and reviewed by DEQ. The mixing zone memo documenting this review is in a May 31, 2024 Mixing Zone Memo which is part of the administrative record. For this memo, DEQ used the stream measurements from the 2016 Mixing Zone Study. The flow measurements from the 2016 study were assumed to be the 1Q10 low flow conditions. 7Q10 flow was inferred from a 1Q10:7Q10 ratio determined from other USGS gauges on a stream of similar size nearby.

Table 3-9: Dilutions for Outfall 001

Dilution Summary – Outfall 001 – November 1 to April 30 (Wet Weather)						
Water Quality Standard	Stream Flow (cfs)		Effluent Flow (cfs)		Dilution Factor	Location
	Statistic	Flow	Statistic	Flow		
Aquatic Life, Acute	1Q10	1.3	<input type="checkbox"/> ADWDF x PF <input type="checkbox"/> Max Daily Avg <input checked="" type="checkbox"/> Other	0.22	1.6	ZID
Aquatic Life, Chronic	7Q10	2.1	<input type="checkbox"/> ADWDF <input type="checkbox"/> Max Monthly Avg <input checked="" type="checkbox"/> Other	0.22	3.4	RMZ
<i>ADWDF = Average dry weather design flow</i> <i>PF = Peaking factor (1.5)</i>						
Comments: 1Q10 is assumed to be the value measured during the 2016 MZ Study, as this was the lowest recorded flow value. 7Q10 determined from 1Q10:7Q10 ratio for USGS gage 14306340. Effluent flow is based off of batch discharge rate (2,500-gallon tank discharging for 25 minutes).						

3.3.6 pH

The pH criterion for this basin is 6.5 – 8.5 per OAR 340-041-0345. DEQ determined there is reasonable potential for the discharge to exceed the lower pH criteria at the edge of the mixing zone. As a result, the proposed lower pH limit will be 6.1 and is a WQBEL, while the upper pH limit will be retained at 9.0 and is a TBEL. The following provides a summary of the data used for the analysis.

Table 3-10: pH Reasonable Potential Analysis

INPUT	Lower pH Criteria	Upper pH Criteria
1. Dilution at mixing zone boundary	3.4	3.4
2. Upstream characteristics		
a. Temperature (° C)	15.7	7.3
b. pH	6.9	7.6
c. Alkalinity (mg CaCO ₃ /L)	38.0	38.0
3. Effluent characteristics		
a. Temperature (° C)	15.6	12.9
b. pH (S.U.)	6.0	9.0
c. Alkalinity (mg CaCO ₃ /L)	34.8	34.8
4. Applicable pH criteria	6.5	8.5
pH at mixing zone boundary	6.4	7.7
Is there reasonable potential?	Yes	No
Proposed effluent limits	6.1	9.0
Effluent data source: DMRs: 3/2024 – 4/2024		
Ambient data source: DMRs: 3/2024 – 4/2024		

Effluent pH data between November 2019 and April 2024 were compared against proposed limits in the figure below.

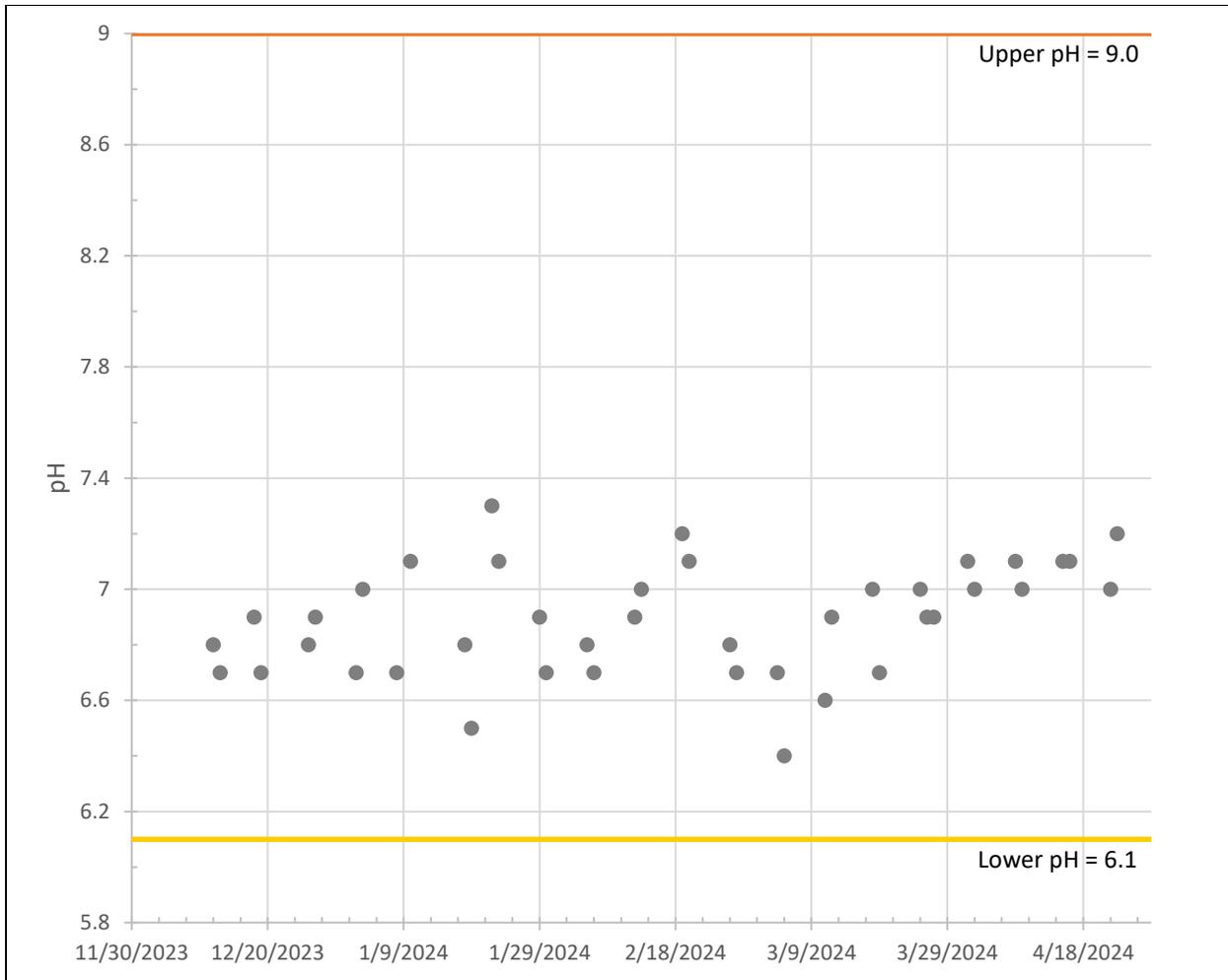


Figure 3-1: pH Monitoring Data vs Proposed Limits

From November 2023 to April 2024, the maximum pH value was 7.3, while the minimum pH value was 6.4. No monitoring points exceeded the proposed limits from 2023-2024, so the permittee is expected to be able to meet the proposed limits upon issuance.

3.3.7 Temperature

3.3.7.1 Temperature Criteria OAR 340-041-0028

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

Table 3-11: Temperature Criteria Information

Applicable Temperature Criterion	Rearing/Migration 18°C (OAR 340-041-0028(4)(c))
Applicable dates: Year Round	
Salmon/Steelhead Spawning 13 °C? OAR 340-041-0028(4)(a)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable dates: NA	
WQ-limited?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
TMDL wasteload allocation assigned?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicable dates: May 1 – October 31	
TMDL based on natural conditions criterion?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cold water summer protection criterion applies?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Cold water spawning protection applies?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Comments: Wild Hog Creek has insufficient temperature data to be categorized in the Integrated Report, but the Willamette Subbasins temperature TMDL addresses all NPDES permits in the Willamette subbasins.	

A revised temperature TMDL was approved in September 2024 for the Willamette subbasins. With the issuance of the TMDL a wasteload allocation for the facility of 0 million kcal/day (monthly average) applies to the discharge for the May 1 – October 31 period. Willamette Leadership Academy is not permitted to discharge effluent during this period, so the waste load allocation is not included in the proposed permit. The maximum reported effluent temperature value is 15.7 °C, which is below the criterion. No temperature limit associated with the applicable temperature criteria is included in the proposed permit.

Final effluent limits are listed in the following table.

Table 3-12: Temperature Criterion Effluent Limits

Effluent limit needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
TMDL WLA Limit: 0 million kcal/day
Applicable time period: May 1 – October 31 <input type="checkbox"/> NA
Temperature Criterion Limit: NA
Applicable time period: Dates <input checked="" type="checkbox"/> NA
Comments: Willamette Leadership Academy is not permitted to discharge during the applicable TMDL wasteload allocation time period.

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

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

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

Wild Hog Creek is not designated as salmonid spawning habitat; therefore, the spawning area requirement is met.

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

The maximum daily effluent temperature recorded was 15.7 °C, below the criterion of 32 °C. Therefore, the discharge is not expected to cause acute impairment to salmonid species.

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

The maximum daily effluent temperature recorded was 15.7 °C. Since the maximum effluent temperature is below 25 °C, thermal shock caused by the discharge is prevented or minimized.

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

The maximum daily effluent temperature recorded was 15.7 °C. Since the maximum effluent temperature is below 21 °C, migration blockage caused by the discharge is prevented or minimized.

Effluent limits needed to comply with the thermal plume requirements are shown in the following table.

Table 3-13: Thermal Plume Effluent Limit

Effluent limit needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Calculated limit: NA
Applicable timeframe: NA
Comments: NA

3.3.8 Bacteria

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

Table 3-14: Proposed *E. coli* Limits

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

3.3.9 Toxic Pollutants

DEQ typically performs the reasonable potential analysis for toxics according to EPA guidance provided in the Technical Support Document for Water Quality-Based Toxics Control (TSD) (Office of Water Enforcement and Permits, U.S. EPA, March 1991). The factors incorporated into this analysis include:

1. Effluent concentrations and variability
2. Water quality criteria for aquatic life and human health
3. Receiving water concentrations
4. Receiving water dilution (if applicable)

DEQ performs these analyses using spreadsheets that incorporate EPA’s statistical methodology. The following sections describe the analyses for various toxic pollutants below.

3.3.9.1 Total Residual Chlorine

The existing permit contains chlorine limits. New chlorine limits were calculated based on updated information. The newly calculated limits are more stringent than the existing limits, so the new limits are being proposed. Proposed limits are listed in the following table.

Table 3-15: Proposed Chlorine Limits

	Chronic (mg/L)	Acute (mg/L)
Chlorine Criteria	0.011	0.019
	Average Monthly Limit (mg/L)	Maximum Daily Limit (mg/L)
Existing Limit	0.07	0.19
Calculated Limit	0.01	0.03
Proposed Limit	0.01	0.03
Effluent data source: Existing Chlorine Limits		
Receiving water data source: Assumed to be zero		

Effluent chlorine concentrations submitted between December 2023 and April 2024 were compared against proposed limits in the figure below.

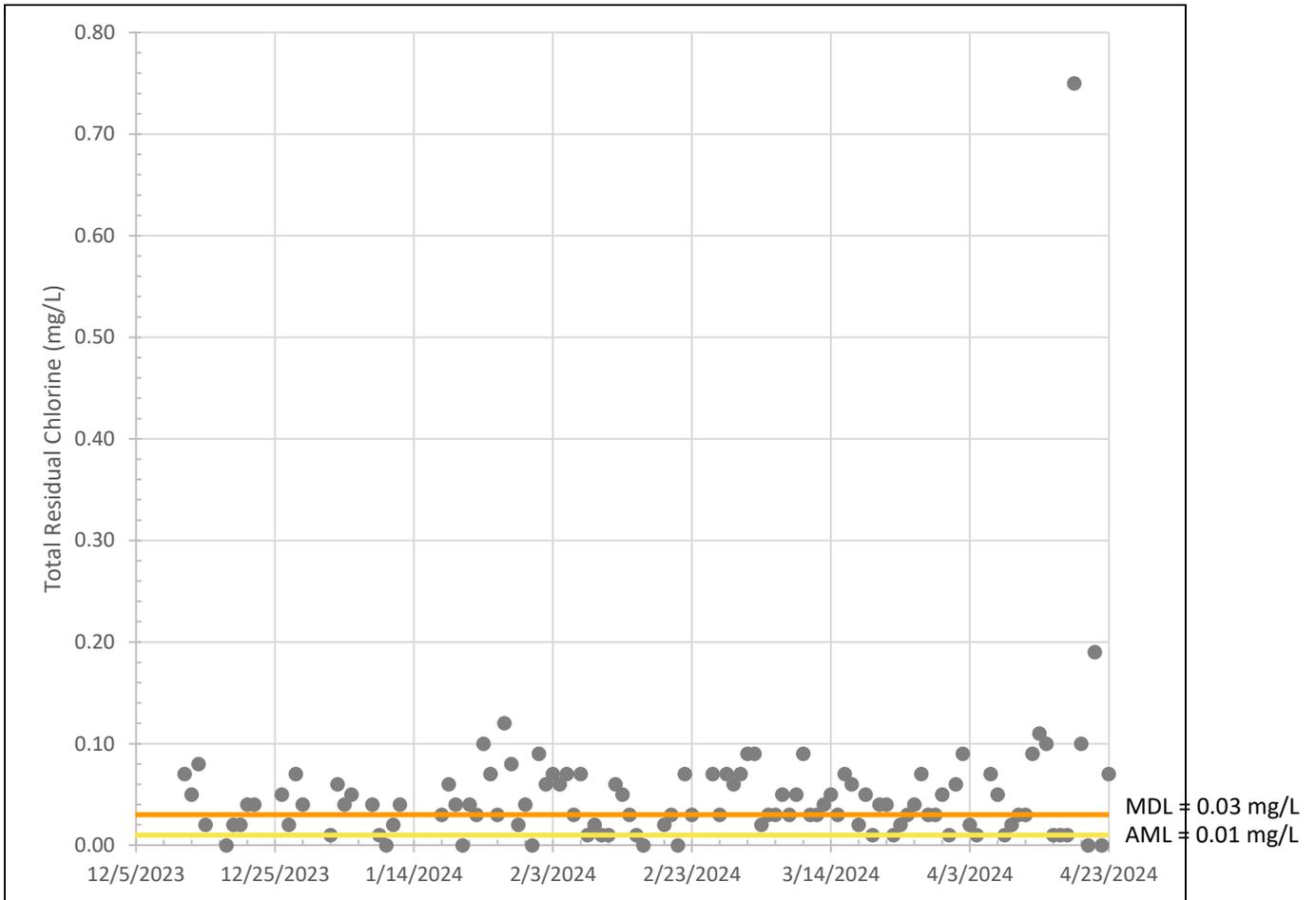


Figure 3-2: Chlorine Monitoring Data vs Proposed Limits

Based on past monitoring data, it was determined that the permittee is unable to meet the proposed limits upon permit issuance. A compliance schedule has been added to the proposed permit (see Schedule C of Fact Sheet and Permit). The current limits will be kept as interim limits until the compliance schedule is complete.

3.3.9.2 Mercury – Human Health Criterion

A Willamette Basin Mercury TMDL was established by EPA on December 30, 2019. According to the EPA TMDL and the State of Oregon Water Quality Management Plan, the potential mercury load from minor domestic wastewater treatment plant discharges is very small. The TMDL states that no additional controls or monitoring will be required for domestic treatment plants. No mercury requirements are included in this permit.

3.4 Antibacksliding

The proposed permit complies with the antibacksliding provisions of CWA sections 402(o) and 303(d)(4) and 40 CFR 122.44(l). The proposed permit limits are the same or more stringent than the existing permit limits except for less stringent BOD₅ and TSS mass load limitations as described in Table 3-4. Although antibacksliding provisions generally do not allow relaxation of effluent limits in permit renewals, these proposed permit modifications are allowed under the provisions as noted below.

As discussed in Section 3.2, the design wet weather flow was used to calculate mass load limits for the winter period. CWA Section 402(o)(1) prohibits backsliding when relaxing an effluent limit based on a state TBEL, except when an exception when CWA Section 402(o)(2) is met. The relaxation of the winter BOD₅ and TSS limits is allowed under CWA section 402(o)(2), which allows for exemptions due to material and substantial alterations or additions to the facility. This limit relaxation also meets the antidegradation requirements as noted in section 3.5 below.

3.5 Antidegradation

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

As described in Section 3.2 and 3.4, less stringent BOD₅ and TSS mass load limits were calculated in the proposed permit. Since these proposed discharges include pollutant loads that are less stringent than those in the existing permit, DEQ performed an antidegradation review. The first step in this review was to determine if the proposed increased loads would likely result in any measurable change in water quality. If a measurable change in water quality is likely to occur, then an in-depth antidegradation analysis is required. If it is determined that no measurable change is likely to occur, then no further anti-degradation review is required, and the proposed limits may be included in the new permit.

3.5.1 Dissolved Oxygen

For the increase in the BOD₅ mass load limits, the potential impact on water quality is a reduction of the dissolved oxygen levels in the receiving water. Per OAR 340-041-0004(3)(d), up to a 0.1 mg/L decrease in dissolved oxygen within a stream reach is not considered a reduction in water quality so long as it has no adverse effects on threatened and endangered species. DEQ conducted a set of water quality analyses to assess the estimated impacts of the BOD₅ mass load increases on dissolved oxygen levels in the receiving stream.

The full analysis is in a November 21, 2024 memo retained in the administrative record. Based on these analyses, DEQ determined that no measurable reduction in water quality due to the BOD₅ mass load increases is expected to occur and no further anti-degradation review is required.

3.5.2 Total Suspended Solids

As outlined in DEQ's April 30, 2024 Memo *Total Suspended Solids Antidegradation Review Determination - Procedure to determine if a new or increased Total Suspended Solids load would be considered a de minimis lowering of water quality (applies to major domestic facilities)*, for minor domestic wastewater facilities, BOD₅ and TSS are associated parameters, therefore, the TSS antidegradation determination may be based on the BOD₅ finding. As the proposed BOD₅ mass load increase was determined to cause no measurable reduction in water quality, the TSS increase is also included in the proposed permit.

3.5.3 Summary

Excluding the BOD₅ and TSS limits as discussed above, the proposed permit contains the same or lower discharge loadings as the existing permit. Permit renewals with the same or slightly lower discharge loadings as the previous permit are not considered to lower water quality from the existing condition. DEQ is not aware of any information that existing limits are not protective of the receiving stream's designated beneficial uses. DEQ is also not aware of any existing uses present within the water body that are not currently protected by standards developed to protect the designated uses. Therefore, DEQ has determined that the proposed discharge complies with DEQ's antidegradation policy. DEQ's antidegradation worksheet for this permit renewal is available upon request.

3.6 Whole Effluent Toxicity

DEQ does not require whole effluent toxicity testing (WET) for minor domestic facilities because concentrations of toxics are typically very low and WET testing is not warranted.

3.7 Groundwater

DEQ Senior Hydrogeologist David Cole reviewed potential groundwater impact from Willamette Leadership Academy's unlined lagoon on nearby domestic water wells in July 2024. No impact is expected based on well logs from three domestic water wells within ~1000 feet of the lagoon. All nearby wells access a deeper, confined aquifer and the surficial aquifer, where potential leaks may occur, consists of a silty clay loam soil. This soil type has a relatively low hydraulic conductivity so movement of pollutants from the surficial aquifer to the deeper aquifer

is unlikely. No groundwater monitoring or limits are required, but the permittee will be required to submit a lagoon leak test. The results of the test will be used for future permit renewals and groundwater evaluations.

4. Schedule A: Other Limitations

4.1 Mixing Zone

Schedule A describes the regulatory mixing zone as discussed above in section 3.

5. Schedule B: Monitoring and Reporting Requirements

Schedule B of the permit describes the minimum monitoring and reporting necessary to demonstrate compliance with the proposed effluent limits. In addition, monitoring for other parameters is required to better characterize the effluent quality and the receiving stream. This data will be used during the next permit renewal. Detailed monitoring frequency and reporting requirements are in Schedule B of the proposed permit. The required monitoring, reporting and frequency for many of the parameters are based on DEQ's monitoring and reporting matrix guidelines, permit writer judgment, and to ensure the needed data is available for the next permit renewal.

Monitoring of Wild Hog Creek for flow, temperature, pH, alkalinity, TSS, and dissolved oxygen are necessary to characterize the receiving stream for reasonable potential analyses in the next permit renewal. Currently, there are no monitoring stations for these parameters on Wild Hog Creek.

6. Schedule C: Compliance Schedule

The proposed permit contains a new effluent limit for total residual chlorine. The facility is unable to meet this limit upon permit issuance. The proposed permit contains a compliance schedule that allows time for the facility to make facility modifications in order to meet the new limits. This compliance schedule lays out a series of milestones which upon completion, will enable the permittee to meet the permit's water quality-based effluent limits (see 40 CFR 122.47 and OAR 340-041-0061(12)).

The limits addressed in the schedule are more restrictive WQBELs than those in the current permit. DEQ has determined that the proposed compliance schedule requires the permittee to meet the final limits as soon as possible. The permittee must provide process optimization and engineering options, as well as progress reports on achieving the final effluent limitations. The permittee must determine and begin to implement by the date described in Schedule C of the permit a solution for achieving final total residual chlorine effluent limits.

7. Schedule D: Special Conditions

The proposed permit contains the following special conditions:

7.1 Emergency Response and Public Notification Plan

A requirement to develop an emergency and spill response plan or ensure the existing one is current per General Condition B.8 in Schedule F.

7.2 Exempt Wastewater Reuse at the Treatment System

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

7.3 Wastewater Solids Annual Report

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

7.4 Wastewater Solids Transfers

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

7.5 Lagoon Solids

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

7.6 Operator Certification

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

7.7 Outfall Inspection and Improvement

A condition that requires the permittee to inspect the outfall and submit a report regarding its condition.

7.8 Receiving Water Flow Monitoring Plan

A condition that requires the permittee to submit a sampling and analysis plan for measuring receiving water flow.

7.9 Lagoon Leak Test

A condition that requires the permittee to conduct a lagoon leak test in accordance with DEQ guidance (<https://www.oregon.gov/deq/FilterRulemakingDocs/div52-estleak.pdf>). If the lagoon

is found to be leaking more than ¼ inch per day, then the permittee is required to conduct a preliminary groundwater assessment in accordance with DEQ guidance (<https://www.oregon.gov/deq/wq/Documents/wq-GroundwaterAssessmentGuide.pdf>).

8. Schedule F: NPDES General Conditions

Schedule F contains the following general conditions that apply to all NPDES permittees. These conditions are reviewed by EPA on a regular basis.

- Section A. Standard Conditions
- Section B. Operation and Maintenance of Pollution Controls
- Section C. Monitoring and Records
- Section D. Reporting Requirements
- Section E. Definition