Final NPDES General Permits for Discharges Resulting from Implementing Corrective Action Plans for Cleanup of Petroleum UST Systems in Texas (TXG830000), Louisiana (LAG830000), Oklahoma (OKG830000) and New Mexico (NMG830000)

AGENCY: Environmental Protection Agency (EPA)

ACTION: Final Issuance of NPDES general permits

SUMMARY: EPA Region 6 today issues National Pollutant Discharge Elimination System (NPDES) general permits authorizing discharges resulting from implementing Corrective Action Plans for the cleanup of Petroleum UST Systems in Texas, Louisiana, Oklahoma, New Mexico and the Pueblos of Santa Clara, San Juan, Pojoaque, Nambe and Picuris. A Petroleum UST System is an underground storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils. The permits place limits on benzene, Total BTEX and pH for all discharges, as well as limits on polynuclear aromatic hydrocarbons (PAH) for discharges from cleanups of Petroleum UST Systems other than gasoline, jet fuel and kerosene. Additional limits include those on lead and Total Petroleum Hydrocarbons in the Texas permit, lead and TOC in the

Louisiana permit, Total Organic Carbon and Total Phenols in the Oklahoma permit, and lead, Chemical Oxygen Demand, No Visible Oil Sheen, as well as a biomonitoring requirement, in the New Mexico permit.

DATES: The limits and monitoring requirements in these permits shall become effective 30 days after publication in the Federal Register. Published on Nov. 14 1997. Effective date December 15, 1997.

FOR FURTHER INFORMATION CONTACT: Ms. Wilma Turner, EPA Region 6 1445 Ross Avenue, Dallas Texas 75202-2733, telephone (214) 665-7516. Copies of the complete response to comments may be obtained from Ms. Turner. The general permits and response to comments may be found on the Internet at http://www.epa.gov/earth1r6/6wq/6wq.htm.

SUPPLEMENTAL INFORMATION:

Regulated categories and entities include:

Category	Examples of regulated entities
Industry	Operators of facilities discharging waste waters resulting from the cleanup of underground storage tank systems that contain petroleum substances, such as motor fuels, jet fuels and fuel oils

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your (facility, company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in Part I, Section A.1 of these permits. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding "FOR FURTHER INFORMATION CONTACT" section.

Pursuant to section 402 of the Clean Water Act (CWA), 33 U.S.C. section 1342, EPA proposed and solicited public comment on NPDES General Permits TXG830000, LAG830000, OKG830000 and NMG830000 at 61 FR 37894 (July 22, 1996). The comment period closed on September 20, 1996. Region 6 received written comments from Texas Natural Resources Conservation Commission, Louisiana Department of Environmental Quality, Oklahoma Department of Environmental Quality, Louisiana Mid-Continent Oil and Gas Association, Texas Mid-Continent Oil and Gas Association, American Petroleum Institute and Amoco Corporation.

EPA Region 6 has considered all comments received. In response to

the comments, minor changes were made in the Texas and Louisiana permits and some monitoring frequency changes were made in the Oklahoma permit. Several changes were made to the permits for the Santa Clara and Pojoaque Pueblos as a result of conditional certifications received from these Pueblos. The Colorado River Salinity Standards requirements were removed from the Santa Clara and Pojoaque Pueblo permits. In addition, the COD limit was removed and a Total Phenols limit was added to the Santa Clara Pueblo permit.

Most of the commentors requested increasing the benzene and BTEX limits to those contained in current state-issued permits. Louisiana Department of Environmental Quality (LDEQ) commented that the overall influent and effluent averages for benzene and BTEX from LDEQ data were higher than the assumptions and the limits in the proposed permits. At EPA's request, they submitted these data to the Region. EPA declines to increase the BAT limits from those that were proposed. The administrative record supports the BAT limits for benzene and BTEX as proposed, as does the large body of data submitted by LDEQ. An examination of the nearly 2000 LDEQ data points each for both benzene and BTEX showed the proposed permit limits could be met the vast majority of the time. When the proposed limits were not being met, they were generally very high levels and caused by treatment system malfunctions.

Other Legal Requirements

1. State Certification

Under section 401(a)(1) of the Act, EPA may not issue an NPDES permit until the State in which the discharge will originate grants or waives certification to ensure compliance with appropriate requirements of the Act and State law. The Region has received certification from the Texas Natural Resources Conservation Commission for TXG830000, the Louisiana Department of Natural Resources for LAG830000 and the New Mexico Environment Department for NMG830000. In addition, certification was received by the Pueblo of San Juan, and certifications with conditions were received by the Pueblos of Santa Clara and Pojoaque. The conditions of these certifications and the changes made to the permit requirements applying to discharges at these Pueblos are discussed in the Supplemental Information section, above. Certification was waived by the Oklahoma Department of Environmental Quality for OKG830000 and by the Pueblos of Nambe and Picuris. Certification was denied by the Pueblos of Sandia and Isleta. As a result of these certification denials, the general permits will not cover discharges at the Pueblos of Sandia and Isleta.

2. Endangered Species Act

The permit limits are sufficiently stringent to assure state water quality standards, both for aquatic life protection and human health protection, will be met. The effluent limitations established in these permits ensure protection of aquatic life and maintenance of the receiving water as an aquatic habitat. The Region finds that adoption of these permits is unlikely to adversely affect any threatened or endangered species or its critical habitat. EPA received written concurrence from the United States Fish and Wildlife Service.

C. Historic Preservation Act

Facilities which adversely affect properties listed or eligible for listing in the National Register of Historical Places are not authorized to discharge under this permit.

D. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this action from the review requirements of Executive Order 12866.

E. Paperwork Reduction Act

The information collection required by this permit has been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., in submission made for the NPDES permit program and assigned OMB control numbers 2040-0086 (NPDES permit application) and 2040-0004 (discharge monitoring reports).

F. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 USC 601 et seq, requires that EPA prepare a regulatory flexibility analysis for regulations that have a significant impact on a substantial number of small entities. As discussed previously in the Fact Sheet for the proposed permits, compliance with the permit requirements will not result in a significant impact on dischargers, including small businesses, covered by these permits. This lack of significant impact is due, in part, to the State Reimbursement Fund's reimbursement to the discharger of all NPDES permit compliance costs, except for a small deductible amount. EPA Region 6 therefore certifies, pursuant to the provisions of 5 USC 605(b), that the permits issued today will not have a significant impact on a substantial number of small entities.

Authorization to Discharge Under the National Pollutant Discharge Elimination system

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq: the "Act"), these permits authorize discharges to Waters of the United States resulting from the cleanup of Petroleum UST Systems (as defined in 40 CFR 280) in Texas, Louisiana, Oklahoma, New Mexico and the Pueblos of Santa Clara, San Juan, Pojoaque, Nambe and Picuris in New Mexico. These permits do not authorize such discharges in the Pueblos of Sandia and Isleta in New Mexico. The discharges are authorized in accordance with effluent limitations and other conditions set forth in Parts I and II of these permits.

In order for discharges to be authorized by these permits, operators of facilities discharging waste waters resulting from the cleanup of Petroleum UST Systems must submit written notification to the Regional Administrator that they intend to be covered (See Part I.A.2). Unless otherwise notified in writing by the Regional Administrator after submission of the notification, operators requesting coverage are authorized to discharge under these general permits. Operators who fail to notify the Regional Administrator of intent to be covered are not authorized to discharge under these general permits.

Facilities which adversely affect properties listed or eligible for listing in the National Register of Historic Places are not authorized to discharge under these permits.

These permits shall become effective at midnight, Central Daylight Savings Time on (30 days after publication in the Federal Register).

These permits and the authorization to discharge shall expire at midnight, Central Daylight Savings Time on (5 years after the effective date of these permits).

Signed this (28th) day of (October, 1997).

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Oscar Ramirez, Jr.
Deputy Director, Water Quality Protection Division
EPA Region 6

Part I. Requirements for NPDES Permits

Section A. Permit Applicability and Coverage Conditions

1. Discharges covered

Discharges covered by these permits are discharges to Waters of the United States resulting from implementing corrective action plans, as required by 40 CFR 280, for cleanup of ground water contaminated by releases from Petroleum UST Systems. A Petroleum UST System is defined in 40 CFR 280 as an underground storage tank system that contains petroleum or a mixture of petroleum with de minimis quantities of other regulated substances. Such systems include those containing motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils.

2. Notification Requirements

Dischargers desiring coverage under these general permits must submit a Notice of Intent (NOI) which shall include the legal name and address of the operator, the location of the discharge (including the street address, if applicable, and county of the facility for which the notification is submitted), the name of the receiving water, and a description of the activity and the pollutant source (for example, gasoline, diesel, etc.). The NOI shall also include the application/permit number if an application for an individual NPDES permit has previously been submitted for the facility of if an individual NPDES permit has

been previously been issued to the facility. The NOI shall be submitted (1) for existing discharges, within 30 days of the effective date of these permits, (2) for new discharges, at least fourteen (14) days prior to commencement of discharge.

All notifications of intent to be covered and any subsequent reports shall be sent to the following address:

Customer Service Branch (6WQ-C)
U.S. Environmental Protection Agency
Region 6
P.O. Box 50625
Dallas, TX 75250

Upon receipt of the NOI, the facility will be notified of its specific facility identification number that must be used on all correspondence with the Agency.

3. Termination of Operations

Where all discharges associated with activities authorized by this permit are eliminated, or where the operator of the discharge associated with activity at a facility changes, the operator of the facility must submit a Notice of Termination that is signed in accordance with Part II.D.11 of this permit. The

Notice of Termination shall include the following information: legal name, mailing address and telephone number of the operator; the facility identification number assigned by the Agency; and the location of the discharge.

Section B.

1. Any operator authorized by these permits may request to be excluded from the coverage under these general permits by applying for an individual permit. The operator shall submit an application together with the reasons supporting the request to the Regional Administrator.

2. When an individual NPDES permit is issued to an operator otherwise subject to these general permits, the applicability of the general permit to the permittee is automatically terminated on the effective date of the individual permit.

Section C. General Permit Limits

1. Permit Conditions Applicable to TXG830000

	Daily Avg	Daily Max
Flow		Estimate

Benzene	5 ug/l (1)	5 ug/l (1)
Total BTEX	100 ug/l (2)	100 ug/l (2)
Total Petroleum Hydrocarbons	15 mg/l (3)	15 mg/l (3)
Total Lead	250 ug/l	250 ug/l
Polynuclear Aromatic Hydrocarbons	10 ug/l (4)	10 ug/l (4)
pH	6.0 - 9.0 Std. Units	

Monitoring shall be 1/week using grab samples, except for Polynuclear Aromatic Hydrocarbons (PAH's). If compliance with the limit is demonstrated for at least 6 months, the minimum frequency shall be reduced to 2/month upon the permittee's submission of a certification of such compliance. If a subsequent non compliance occurs, the frequency shall revert to 1/week until another 6 month period of compliance occurs.

PAH monitoring shall be 1/month using grab samples. If compliance with the limits is demonstrated for at least 6 months, the minimum frequency shall be reduced to once per 3 months upon the permittee's submission of a certification of such compliance. If a subsequent non compliance occurs, the frequency shall revert to 1/month.

Flow shall be monitored 1/week.

(1) For Discharge Monitoring Report calculations and reporting requirements for benzene, analytical test results less than 10 ug/l may be reported as zero.

(2) BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes. EPA Method 8020 shall be used for the measurement of xylenes including ortho-, meta-, and para-xylenes.

(3) Shall be measured using EPA Method 418.1.

(4) The Daily Max limit and monitoring requirement for PAH's do not apply to discharges from the cleanup of Petroleum UST Systems containing only gasoline, jet fuel and/or kerosene. The Daily Max value of any of the following PAH's shall not exceed 10 ug/l: acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3,cd)pyrene, naphthalene, phenanthrene, pyrene.

2. Permit Conditions Applicable to LAG830000

	Monthly Avg	Daily Max

Flow		Estimate
Benzene	5 ug/l (1)	5 ug/l (1)
Total BTEX	100 ug/l (2)	100 ug/l (2)
Total Lead	50 ug/l	50 ug/l
TOC	50 mg/l	50 mg/l
Polynuclear Aromatic Hydrocarbons	10 ug/l (3)	10 ug/l (3)
pH 6.0 - 9.0 Std. Units		

Monitoring shall be 1/week using grab samples, except for PAH's. After demonstrating permit limit compliance for 4 consecutive weeks, the frequency shall be reduced to 1/month upon the permittee's submission of a certification of such compliance. After a subsequent limit violation, the frequency reverts to 1/week until another 4 week compliance period is demonstrated. During the first 4 weeks of discharge, however, a limit violation increases frequency to daily until a sample demonstrates compliance, after which it will revert to 1/week for the remainder of the initial 4 week discharge period.

PAH monitoring shall be 1/month using grab samples with the requirements corresponding to those listed above applying except the frequency after 4 consecutive months of compliance is 1/quarter and a violation reverting the frequency to 1/month until 4 consecutive months of

compliance are achieved.

Flow shall be monitored 1/week.

(1) For Discharge Monitoring Report calculations and reporting requirements for benzene, analytical test results less than 10 ug/l may be reported as zero.

(2) BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes. EPA Method 8020 shall be used for the measurement of xylenes including ortho-, meta-, and para-xylenes.

(3) The limits and monitoring requirements for PAH's do not apply to discharges from the cleanup of Petroleum UST Systems containing only gasoline, jet fuel and/or kerosene. The Daily Avg and Daily Max value of any of the following PAH's shall not exceed 10 ug/l: acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3,cd)pyrene, naphthalene, phenanthrene, pyrene.

3. Permit Conditions Applicable to OKG830000

	Daily Avg	Daily Max
Flow		Estimate
Benzene	5 ug/l (1)	5 ug/l (1)
Total BTEX	100 ug/l (2)	100 ug/l (2)
Polynuclear Aromatic Hydrocarbons	10 ug/l (3)	10 ug/l (3)
Total Phenols	0.15 mg/l	0.25 mg/l
Total Organic Carbon	75 mg/l	95 mg/l
pH 6.5 - 9.0 Std. Units		

Monitoring shall be once per week using grab samples, except for PAH's. After demonstrating permit limit compliance for six consecutive months, the minimum frequency will be reduced to two per month upon the permittees submission of a certification of such compliance. If a subsequent violation occurs, the frequency shall revert to once per week.

PAH's shall be monitored 1/month. Flow shall be monitored daily.

(1) For Discharge Monitoring Report calculations and reporting requirements for benzene, analytical test results

less than 10 ug/l may be reported as zero.

(2) BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes. EPA Method 8020 shall be used for the measurement of xylenes including ortho-, meta-, and para-xylenes.

(3) The limits and monitoring requirements for PAH's do not apply to discharges from the cleanup of Petroleum UST Systems containing only gasoline, jet fuel and/or kerosene. The Daily Avg and Daily Max value of any of the following PAH's shall not exceed 10 ug/l: acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3,cd)pyrene, naphthalene, phenanthrene, pyrene.

4. Permit Conditions Applicable to NMG830000 for the State of New Mexico and the Pueblos of Santa Clara, San Juan, Pojoaque, Nambe and Picuris

a. Permit Limits

	Daily Avg	Daily Max

Flow		Estimate
Benzene	5 ug/l (1)	5 ug/l (1)
Total BTEX	100 ug/l (2)	100 ug/l (2)
Polynuclear Aromatic Hydrocarbons	10 ug/l (3)	10 ug/l (3)
pH 6.0 - 9.0 Std. Units		
Chemical Oxygen Demand (COD)(4)	125 mg/l	125 mg/l
Total Lead	50 ug/l	50 ug/l
Total Phenols (5)	4.6 ug/l	4.6 ug/l
No Visible Oil Sheen		

There shall be no discharge of floating solids or visible foam in other than trace amounts.

All facilities located within the Colorado River System shall comply with the Colorado River Salinity Control Forum's policies for implementation of Colorado River Salinity Standards. Note: this requirement does not apply to discharges at the Pueblos of Santa Clara and San Juan.

Monitoring shall be 1/week for Flow, Benzene, BTEX, pH, COD and Lead using grab samples. PAH's shall be monitored 1/month using grab samples. No Visible Oil Sheen shall be monitored 2/week using grab samples of the effluent collected in a wide mouth glass container of at least 500 ml capacity. The Oil Sheen observations must be reported and

recorded.

(1) For Discharge Monitoring Report calculations and reporting requirements for benzene, analytical test results less than 10 ug/l may be reported as zero.

(2) BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and xylenes. EPA Method 8020 shall be used for the measurement of xylenes including ortho-, meta-, and para-xylenes.

(3) The Daily Max limit and monitoring requirement for PAH's do not apply to discharges from the cleanup of Petroleum UST Systems containing only gasoline, jet fuel and/or kerosene. The Daily Max value of any of the following PAH's shall not exceed 10 ug/l: acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(ghi)perylene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3,cd)pyrene, naphthalene, phenanthrene, pyrene.

(4) The COD limit and monitoring requirement does not apply to Santa Clara Pueblo discharges.

(5) The Total Phenols limits and monitoring requirements

apply only to Santa Clara Pueblo discharges.

b. Whole Effluent Toxicity Testing (48-Hour Acute NOEC Freshwater)

	Frequency	Type
Whole Effluent Toxicity Testing (48 Hr. Static Renewal (*1)		
Pimephales promelas (Fathead minnow)	1/Quarter	24-Hr. Composite

(*1) The first biomonitoring test shall be conducted on the effluent prior to the initial discharge. If no significant lethal effects are experienced in the first year of testing, the testing frequency will be reduced to once/year.

(1) Scope and Methodology

(a) The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

Critical Dilution: 100 % effluent

Composite Sample Type: 24-hour composite

Test Species/Methods:

40 CFR Part 136

Pimephales promelas (Fathead minnow) acute static renewal 48-hour definitive toxicity test using EPA/600/4-90/027F, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

(b) The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution which does not result in lethality that is statistically different from the control (0% effluent) at the 95% confidence level.

(2) Persistent Lethality

The requirements of this subsection apply only when a toxicity test demonstrates significant lethal effects at the critical dilution. Significant lethal effects are herein defined as a statistically significant

difference at the 95% confidence level between the survival of the appropriate test organism in a specified effluent dilution and the control (0% effluent).

(a) The permittee shall conduct a total of two (2) additional tests for any species that demonstrates significant lethal effects at the critical dilution. The two additional tests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two additional tests in lieu of routine toxicity testing. The full report shall be prepared for each test required by this section in accordance with procedures outlined in Item 4 of this section.

(b) If one or both of the two additional tests demonstrates significant lethal effects at the critical dilution, the permittee shall submit an application for an individual NPDES permit.

(3) Required Toxicity Testing Conditions

(a) Test Acceptance

The permittee shall repeat a test, including the control and the critical dilution, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.

ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for the Fathead minnow survival test.

iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, <u>unless</u> significant lethal effects are exhibited for the Fathead minnow survival test.

Test failure may not be construed or reported as

invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

(b) Statistical Interpretation

For the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA/600/4-90/027F or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 3.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 4 below.

(c) Dilution Water

i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

(A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;

(B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);

(C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and

(D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

(d) Samples and Composites

i. The permittee shall collect two flow-weighted composite samples from the outfall(s) listed at Item 1.a above.

ii. The permittee shall collect a second composite sample for use during the 24-hour renewal of each dilution concentration the for both tests. The permittee must collect the composite samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first composite sample. Samples shall be chilled to 4 degrees Centigrade during collection, shipping, and/or storage.

iii. The permittee must collect the composite samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.

iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent composite sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent composite sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 4 of this section.

v. Multiple Outfalls: If the provisions of this section are applicable to multiple outfalls, the permittee shall combine the composite effluent samples in proportion to the average flow from the outfalls listed in Item 1.a above for the day the sample was collected.

The permittee shall perform the toxicity test on the flow-weighted composite of the outfall samples.

(4) Reporting

(a) The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA/600/4-90/027F, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART II.C.3 of this permit. The permittee shall submit full reports only upon the specific request of the Agency.

(b) A valid test for each species must be reported on the DMR during each reporting period specified in PART II.D.4 of this permit. Only ONE set of biomonitoring data is to be recorded on the DMR for each reporting period. The data submitted should reflect the LOWEST Survival results during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests

previously failed) performed during the reporting period must be attached to the DMR for EPA review.

(c) The permittee shall report the following results of each valid toxicity test on the subsequent monthly DMR for that reporting period in accordance with PART II.D.4 of this permit. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR.

Pimephales promelas (Fathead minnow)

i. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6C.

ii. Report the NOEC value for survival, Parameter No. TOM6C.

Part II. (Applicable to TXG830000, LAG830000, OKG830000 and NMG830000)

Section A. General Conditions

1. INTRODUCTION

In accordance with the provisions of 40 CFR Part 122.41, et. seq., this permit incorporates by reference ALL conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as ALL applicable regulations.

2. DUTY TO COMPLY

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, for terminating coverage under this permit, or for requiring a permittee to apply for and obtain an individual NPDES permit.

3. TOXIC POLLUTANTS

a. Notwithstanding Part II.A.4, if any toxic effluent standard

or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

4. PERMIT FLEXIBILITY

This permit may be modified, revoked and reissued, or terminated for cause in accordance with 40 CFR 122.62-64. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or

any exclusive privilege.

6. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

7. CRIMINAL AND CIVIL LIABILITY

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.

8. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

9. STATE LAWS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law, tribal law or regulation under authority preserved by Section 510 of the Act.

10. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

B. PROPER OPERATION AND MAINTENANCE

1. NEED TO HALT OR REDUCE NOT A DEFENSE

It shall not be 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. The permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failure either by means of alternate power sources, standby generators or retention of inadequately treated effluent.

2. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

3. PROPER OPERATION AND MAINTENANCE

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permittee as efficiently as possible and in a manner which will minimize upsets and discharges of excessive pollutants and will achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and

appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and testing functions required to insure compliance with the conditions of this permit.

4. BYPASS OF TREATMENT FACILITIES

a. BYPASS NOT EXCEEDING LIMITATIONS

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II.B.4.b. and 4.c.

b. NOTICE

(1) ANTICIPATED BYPASS

If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

(2) UNANTICIPATED BYPASS

The permittee shall, within 24 hours, submit notice of an unanticipated bypass as required in Part II.D.7.

c. PROHIBITION OF BYPASS

(1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) 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 back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(c) The permittee submitted notices as required by Part II.B.4.b.

(2) The Director may allow an anticipated bypass after considering its adverse effects, if the Director determines that it will meet the three conditions listed at Part II.B.4.c(1).

5. UPSET CONDITIONS

a. 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 Part II.B.5.b. 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.

b. CONDITIONS NECESSARY FOR A DEMONSTRATION OF UPSET

A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(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 by Part II.D.7; and,

(4) The permittee complied with any remedial measures required by Part II.B.2.

c. BURDEN OF PROOF

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

6. REMOVED SUBSTANCES

Unless otherwise authorized, solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or waste water control shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

C. MONITORING AND RECORDS

1. INSPECTION AND ENTRY

The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by the law 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 the Act, any substances or parameters at any location.

2. REPRESENTATIVE SAMPLING

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

3. RETENTION OF RECORDS

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and 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, 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 the Director at any time.

4. RECORD CONTENTS

Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) and time(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.

5. MONITORING PROCEDURES

a. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit or approved by the Regional Administrator.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.

c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to insure the accuracy of all required analytical results shall be maintained by the permittee or designated commercial laboratory.

D. REPORTING REQUIREMENTS

1. PLANNED CHANGES

The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the

permitted facility. Notice is required only when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or,

(2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements listed at Part II.D.10.a.

2. ANTICIPATED NONCOMPLIANCE

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. TRANSFERS

Coverage under these permits is not transferable to any person except after notice to the Director.

4. DISCHARGE MONITORING REPORTS AND OTHER REPORTS

Monitoring results obtained during the previous 12 months shall be summarized and reported to EPA and the appropriate State agency on the 28th day of the month following the end of the twelve month period on Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. The permittee shall submit the original DMR signed and certified as required by Part II.D.11 and all other reports required by Part II.D. to the EPA at the address below. Duplicate copies of DMR's and all other reports shall be submitted to the appropriate State agency(ies) at the following address(es):

EPA:

Compliance Assurance and Enforcement Division
Water Enforcement Branch (6EN-W)
U.S. Environmental Protection Agency, Region 6
P.O. Box 50625
Dallas, TX 75250

New Mexico:

Program Manager
Surface Water Quality Bureau
New Mexico Environment Department
1190 Saint Francis Drive
Santa Fe, NM 87502

Oklahoma:

Director

Oklahoma Department of Environmental Quality

1000 NE 10th Street

Oklahoma City, OK 73117-1212

Louisiana:

Assistant Secretary for Water

Water Pollution Control Division

Louisiana Department of Environmental Quality

P.O. Box 82215

Baton Rouge, LA 70884-2215

Pueblo of Santa Clara:

Governor

Santa Clara Pueblo

P.O. Box 580

Espanola, N.M. 87532

Pueblo of Pojoaque:

Manager, Environmental Department

Pueblo of Pojoaque

Route 11, Box 208

Santa Fe, MN 87501

Pueblo of San Juan:

Governor

San Juan Pueblo

P.O. Box 1099

San Juan Pueblo, MN 87566

Pueblo of Nambe:

Governor

Pueblo of Nambe

Route 1, Box 117BB

Santa Fe, NM 87501

Pueblo of Picuris:

Governor

Pueblo of Picuris

P.O. Box 127

Penasco, NM 87553

5. 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 as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR).

Such increased monitoring frequency shall also be indicated on the DMR.

6. AVERAGING OF MEASUREMENTS

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

7. TWENTY-FOUR HOUR REPORTING

a. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally to the EPA Region 6 24-hour voice mail box telephone number 214-665-6593 within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain the following information:

(1) A description of the noncompliance and its cause;

(2) The period of noncompliance including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and,

(3) Steps being taken to reduce, eliminate, and prevent recurrence of the noncomplying discharge.

b. The following shall be included as information which must be reported within 24 hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

(2) Any upset which exceeds any effluent limitation in the permit; and,

(3) Violation of a maximum daily discharge limitation for any pollutants listed by the Director in Part II of the permit to be reported within 24 hours.

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

d. For discharges covered by LAG830000: Louisiana State regulations require notification of noncompliances which may endanger health or the environment to Louisiana Department of Environmental Quality within one hour of becoming aware of the circumstances of the violation.

8. OTHER NONCOMPLIANCE

The permittee shall report all instances of noncompliance not reported under Parts II.D.4 and D.7 and Part I.C at the time monitoring reports are submitted. The reports shall contain the information listed at Part II.D.7.

9. OTHER INFORMATION

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

10. CHANGES IN DISCHARGES OF TOXIC SUBSTANCES

The permittee shall notify the Director as soon as it knows or has reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) One hundred micrograms per liter (100 ug/L);

(2) Two hundred micrograms per liter (200 ug/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/L) for 2,4-dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

(4) The level established by the Director.

b. That any activity has occurred or will occur which would result in any discharge, on a non routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) Five hundred micrograms per liter (500 ug/L);

(2) One milligram per liter (1 mg/L) for antimony;

(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or

(4) The level established by the Director.

11. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Director shall be signed and certified.

a. ALL PERMIT APPLICATIONS shall be signed as follows:

(1) by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,

(b) FOR A CORPORATION - The manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) FOR A PARTNERSHIP OR SOLE PROPRIETORSHIP - by a general partner or the proprietor, respectively.

b. ALL REPORTS required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described above;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or an individual occupying a named position; and,

(3) The written authorization is submitted to the Director.

c. CERTIFICATION

Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the

system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

12. AVAILABILITY OF REPORTS

Except for applications, effluent data, permits, and other data specified in 40 CFR 122.7, any information submitted pursuant to this permit may be claimed as confidential by the submitter. If no claim is made at the time of submission, information may be made available to the public without further notice.

E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITIONS

1. CRIMINAL

a. NEGLIGENT VIOLATIONS

The Act provides that any person who negligently violates permit conditions implementing Section 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor

more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both.

b. KNOWING VIOLATIONS

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or both.

c. KNOWING ENDANGERMENT

The Act provides that any person who knowingly violates permit conditions implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act and who knows at that time that he is placing another person in imminent danger of death or serious bodily injury is subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both.

d. FALSE STATEMENTS

The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or

required to be maintained under the Act or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act, shall upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or by both. (See Section 309.c.4 of the Clean Water Act)

2. CIVIL PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a civil penalty not to exceed $25,000 per day for each violation.

3. ADMINISTRATIVE PENALTIES

The Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to an administrative penalty, as follows:

a. CLASS I PENALTY

Not to exceed $10,000 per violation nor shall the maximum amount exceed $25,000.

b. CLASS II PENALTY

Not to exceed $10,000 per day for each day during which the violation continues nor shall the maximum amount exceed $125,000.

F. DEFINITIONS

All definitions contained in Section 502 of the Act shall apply to this permit and are incorporated herein by reference. Unless otherwise specified in this permit, additional definitions of words or phrases used in this permit are as follows:

1. ACT means the Clean Water Act (33 U.S.C. 1251 et. seq.), as amended.

2. ADMINISTRATOR means the Administrator of the U.S. Environmental Protection Agency.

3.APPLICABLE EFFLUENT STANDARDS AND LIMITATIONS means all state and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards or performance, toxic

effluent standards and prohibitions, and pretreatment standards.

4. APPLICABLE WATER QUALITY STANDARDS means all water quality standards to which a discharge is subject under the Act.

5. BYPASS means the intentional diversion of waste streams from any portion of a treatment facility.

6. DAILY DISCHARGE 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 terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day. "Daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be arithmetic average (weighted by flow value) of all samples collected during that sampling day.

7. DAILY AVERAGE (also known as MONTHLY AVERAGE) discharge limitations means the highest allowable average of "daily

discharge(s)" over a calendar month, calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes daily average concentration effluent limitations or conditions, the daily average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily concentration, F = daily flow and n = number of daily samples; daily average discharge =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

8. DAILY MAXIMUM discharge limitation means the highest allowable "daily discharge" during the calendar month.

9. DIRECTOR means the U.S. Environmental Protection Agency Regional Administrator or an authorized representative.

10. ENVIRONMENTAL PROTECTION AGENCY means the U.S. Environmental Protection Agency.

11. GRAB SAMPLE means an individual sample collected in less than 15 minutes.

12. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Act.

13. 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 which 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.

14. 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 operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

15. The term "MGD" shall mean million gallons per day.

16. The term "mg/L" shall mean milligrams per liter or parts per million (ppm).

17. The term "ug/L" shall mean micrograms per liter or parts per billion (ppb).

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