

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105**

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**NPDES PERMIT NO. AZ0020524**

In compliance with the provisions of the Clean Water Act (“CWA”) (Public Law 92-500, as amended, 33 U.S.C. 1251 et seq.), the following discharger is authorized to discharge from the identified facility at the outfall location(s) specified below, in accordance with the effluent limits, monitoring requirements, and other conditions set forth in this permit:

Discharger Name		City of Phoenix, Water Services Department		
Discharger Address		2474 South 22 <sup>nd</sup> Avenue - Building 31 Phoenix, AZ 85009		
Facility Name		91 <sup>st</sup> Avenue Wastewater Treatment Plant		
Facility Location Address		5615 South 91 <sup>st</sup> Avenue Tolleson, AZ, 85353 USA		
Facility Rating		Major		
Outfall Number	General Type of Waste Discharged	Outfall Latitude	Outfall Longitude	Receiving Water
001	Treated Domestic Wastewater	33° 23' 21" N	112° 15' 15" W	Lower Salt River
005	Treated Domestic Wastewater	33° 23' 18" N	112° 15' 53" W	Lower Salt River
This permit was issued on:		October 4, 2016		
This permit shall become effective on:		December 1, 2016		
This permit shall expire at midnight on:		November 30, 2021		
In accordance with 40 CFR 122.21(d), the discharger shall submit a new application for a permit at least 180 days before the expiration date of this permit, unless permission for a date no later than the permit expiration date has been granted by the Director.				

Signed this 4th day of October, 2016, for the Regional Administrator.

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Tomás Torres, Director  
Water Division  
U.S. EPA, Region 9

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## **Part I. EFFLUENT LIMITS AND MONITORING**

### *A. Effluent Limits and Monitoring*

1. Effluent Limits – Outfall No. 001 and 005.  
During the period beginning on the effective date of this permit and ending on the expiration date of this permit, the discharger is authorized to discharge treated domestic wastewater in compliance with the effluent limits and monitoring requirements specified in Sections I.B., I.C., and I.D. These requirements are based on a design capacity of 230 MGD. If there is no discharge at this outfall during any one month period, then report “C” in the “No Discharge” box on the DMR form for that month.
2. Additional Effluent Monitoring Requirements – FRW-1, FRW-2, and FRW-3.  
The discharger shall comply with monitoring requirements specified in Sections I.C. and I.D for monitoring stations FRW-1, FRW-2, and FRW-3.
3. The discharge of pollutants at any point other than the outfalls specifically authorized in this permit is prohibited, and constitutes a violation thereof.
4. The discharger shall not cause pollutants to the receiving water that will:
  - a. Settle to form bottom deposits that inhibit or prohibit the habitation, growth or propagation of aquatic life;
  - b. Cause objectionable odor in the area in which the surface water is located;
  - c. Cause off-flavor in aquatic organisms;
  - d. Be toxic to humans, animals, plants or other organisms;
  - e. Cause the growth of algae or aquatic plants that inhibit or prohibit the habitation, growth, propagation of other aquatic life or that impair recreational uses.
5. Samples taken in compliance with the effluent monitoring requirements specified in Part I of this permit shall be taken at the following locations:
  - a. Influent samples shall be taken after the last addition to the collection system and prior to in-plant return flow and the first treatment process, where representative samples can be obtained.
  - b. Effluent samples shall be taken after in-plant return flows and the last treatment process and prior to mixing with the receiving water, where representative samples can be obtained.

6. The discharge shall not cause the dissolved oxygen concentration in the receiving water to fall below 3 mg/l, from 3 hours after sunrise to sunset, and 1mg/l from sunset to 3 hours after sunrise, unless the percent saturation of oxygen remains equal to or greater than 90%.

**B. Effluent Limits and Monitoring Requirements – Outfall Number 001 and 005.**

**Table 1.**

Parameter <sup>(3)</sup>	Maximum Allowable Discharge Limits <sup>(3)</sup>				Monitoring Requirements <sup>(2)</sup>	
	Concentration and Loading				Frequency <sup>(3)</sup>	Sample Type
	Average Monthly	Average Weekly	Maximum Daily	Units		
General Parameters						
Flow rate	(1)	(1)	(1)	mgd	Continuous	Metered
Carbonaceous biochemical oxygen demand (5-day)	25	40	(1)	mg/L	Daily	24-hour Composite
	48,000	76,800	(1)	lb/day		
	The average monthly percent removal shall not be less than 85 percent. <sup>(5)</sup>			%		
<i>E. Coli</i> <sup>(7)</sup>	126 <sup>(6)</sup>	—	575	CFU or MPN/100 mL	Daily	Discrete
pH (hydrogen ion)	Within 6.5 and 9.0 at all times.			pH units	Daily	Discrete
Temperature	(1)	—	(1)	°C	1X/ week	Discrete
Dissolved Oxygen <sup>(8)</sup>	—	—	1, 3 <sup>(8)</sup>	mg/L	1X/ week <sup>(8)</sup>	Discrete
Total suspended solids <sup>(7)</sup>	30	45	(1)	mg/L	Daily	24-hour Composite
	57,600	86,400	(1)	lb/day		
	The average monthly percent removal shall not be less than 85 percent. <sup>(5)</sup>			%		
Ammonia (as N) <sup>(9)(10)</sup>	(1)	—	(1)	mg/L	1X/Week	Discrete
Ammonia reported as Ammonia Impact Ratio	1.0 <sup>(11)</sup>	—	1.0 <sup>(11)</sup>	mg/L	1X/ Week	Discrete
Chlorine <sup>(12)</sup> , total residual (TRC)	11	—	18.1	ug/L	Daily	Discrete
	21	—	34.7	lb/day		
Nitrate-nitrite (as N)	—	—	(1)	mg/L	Quarterly	24-hour Composite
Kjeldahl nitrogen, total (as N)	—	—	(1)	mg/L	Quarterly	24-hour Composite
Hydrogen Sulfide or Total Sulfides <sup>(16)</sup>	—	—	—	ug/L	1X/ Month	Discrete
Oil and grease, total recoverable	(1)	—	(1)	mg/L	1X/ Month	Discrete
Phosphorous, Total	—	—	(1)	mg/L	1X/ Month	24-hour Composite
Total dissolved solids	—	—	(1)	mg/L	Quarterly	24-hour Composite
Chronic Toxicity	1.0 <sup>(4)</sup>	—	1.6 <sup>(4)</sup>	TUc	Quarterly	24-hour Composite
Hardness <sup>(13)</sup> , total (as CaCO3)	(1)	—	(1)	mg/L	2X/ Month	24-hour Composite
Metals (total recoverable), cyanide and total phenols:						
Antimony, total recoverable	—	—	(1)	ug/L	Quarterly	24-hour Composite

CAS #: 7440360						
Arsenic, total recoverable CAS #: 7440382	—	—	(1)	ug/L	Quarterly	24-hour Composite
Beryllium, total recoverable CAS #: 7440417	—	—	(1)	ug/L	Quarterly	24-hour Composite
Cadmium, <sup>(13)(14)</sup> total recoverable CAS #: 7440439	1.14 2.19	—	1.83 3.51	ug/L lb/day	2X/ Month	24-hour Composite
Chromium III <sup>(13)(14)</sup> dissolved CAS #: 16065831	—	—	(1)	ug/L	Quarterly	24-hour Composite
Chromium VI <sup>(13)(14)</sup> dissolved CAS #: 18540299	—	—	(1)	ug/L	Quarterly	Discrete
Copper, <sup>(13)(14)</sup> total recoverable CAS #: 7440508	—	—	(1)	ug/L	Quarterly	24-hour Composite
Iron, <sup>(13)(14)</sup> total recoverable CAS #: 7439896	—	—	—	ug/L lb/day	1X/ Month	24-hour Composite
Lead <sup>(13)</sup> total recoverable CAS #: 7439921	9.53 18.3	—	16.3 31.3	ug/L lb/day	2X/ Month	24-hour Composite
Mercury, total recoverable CAS #: 7439976	.012 .023	—	.0219 .0420	ug/L lb/day	2X/ Month	Discrete
Nickel, <sup>(13)</sup> total recoverable CAS #: 7440020	—	—	(1)	ug/L	Quarterly	24-hour Composite
Selenium total recoverable CAS #: 7782492	2 3.8	— —	3.67 7.04	ug/L lb/day	2X/ Month	24-hour Composite
Silver, <sup>(13)</sup> total recoverable CAS #: 7440224	—	—	(1)	ug/L	Quarterly	24-hour Composite
Thallium, total recoverable CAS #: 7440280	—	—	(1)	ug/L	Quarterly	24-hour Composite
Zinc, <sup>(13)</sup> total recoverable CAS #: 7440666	—	—	(1)	ug/L	Quarterly	24-hour Composite
Cyanide, free CAS #: 57125	9.7 18.6	— —	15.3 29.4	ug/L lb/day	2X/ Month	Discrete
Volatile Organic Compounds:						
Acrolein CAS #: 107028	—	—	(1)	ug/L	1X/6 Months	Discrete
Acrylonitrile CAS #: 107131	—	—	(1)	ug/L	1X/6 Months	Discrete
Benzene CAS #: 71432	—	—	(1)	ug/L	1X/6 Months	Discrete
Bromoform CAS #: 75252	—	—	(1)	ug/L	1X/6 Months	Discrete

Carbon tetrachloride CAS #: 56235	—	—	(1)	ug/L	1X/6 Months	Discrete
Chlorobenzene CAS #: 108907	—	—	(1)	ug/L	1X/6 Months	Discrete
Chlorodibromomethane CAS #: 124481	—	—	(1)	ug/L	1X/6 Months	Discrete
Chloroethane CAS #: 75003	—	—	(1)	ug/L	1X/6 Months	Discrete
2-chloroethylvinyl ether CAS #: 110758	—	—	(1)	ug/L	1X/6 Months	Discrete
Chloroform CAS #: 67663	—	—	(1)	ug/L	1X/6 Months	Discrete
Dichlorobromomethane CAS #: 75274	—	—	(1)	ug/L	1X/6 Months	Discrete
1,1-dichloroethane CAS #: 75343	—	—	(1)	ug/L	1X/6 Months	Discrete
1,2-dichloroethane CAS #: 107062	—	—	(1)	ug/L	1X/6 Months	Discrete
Trans-1,2- dichloroethylene	—	—	(1)	ug/L	1X/6 Months	Discrete
1,1-dichloroethylene CAS #: 75354	—	—	(1)	ug/L	1X/6 Months	Discrete
1,2-dichloropropane CAS #: 78875	—	—	(1)	ug/L	1X/6 Months	Discrete
1,3-dichloropropylene CAS #: 542756	—	—	(1)	ug/L	1X/6 Months	Discrete
Ethylbenzene CAS #: 100414	—	—	(1)	ug/L	1X/6 Months	Discrete
Methyl bromide CAS #: 74839	—	—	(1)	ug/L	1X/6 Months	Discrete
Methyl chloride CAS #: 74873	—	—	(1)	ug/L	1X/6 Months	Discrete
Methylene chloride CAS #: 75092	—	—	(1)	ug/L	1X/6 Months	Discrete
1,1,2,2- tetrachloroethane CAS #: 79345	—	—	(1)	ug/L	1X/6 Months	Discrete
Tetrachloroethylene CAS #: 127184	—	—	(1)	ug/L	1X/6 Months	Discrete
Toluene CAS #: 108883	—	—	(1)	ug/L	1X/6 Months	Discrete
1,1,1-trichloroethane CAS #: 71556	—	—	(1)	ug/L	1X/6 Months	Discrete
1,1,2-trichloroethane CAS #: 79005	—	—	(1)	ug/L	1X/6 Months	Discrete
Trichloroethylene CAS #: 79016	—	—	(1)	ug/L	1X/6 Months	Discrete
Vinyl chloride CAS #: 76014	—	—	(1)	ug/L	1X/6 Months	Discrete
Acid-extractable Compounds:						
P-chloro-m-cresol CAS #: 59507	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2-chlorophenol	—	—	(1)	ug/L	1X/6 Months	24-hour

CAS #: 95578						Composite
2,4-dichlorophenol CAS #: 120832	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,4-dimethylphenol CAS #: 105679	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4,6-dinitro-o-cresol CAS #: 534521	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,4-dinitrophenol CAS #: 51285	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2-nitrophenol CAS #: 88755	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4-nitrophenol CAS #: 10027	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Pentachlorophenol CAS #: 87865	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Phenol CAS #: 108952	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,4,6-trichlorophenol CAS #: 88062	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Base-neutral Compounds:						
Acenaphthene CAS #: 83329	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Acenaphthylene CAS #: 208968	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Anthracene CAS #: 120127	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Benzidine CAS #: 92875	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Benzo(a)anthracene CAS #: 56553	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Benzo(a)pyrene CAS #: 50328	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
3,4 benzofluoranthene	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Benzo(ghi)perylene CAS #: 191242	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Benzo(k)fluoranthene CAS #: 207089	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Bis (2-chloroethoxy) methane CAS #: 111911	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Bis (2-chloroethyl) ether CAS #: 111444	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Bis (2-chloroisopropyl) ether CAS #: 39638329	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Bis (2-ethylhexyl) phthalate CAS #: 117817	7.4 14.2	— —	13.3 25.6	ug/L lb/day	1X/ Month	24-hour Composite
4-bromophenyl phenyl ether CAS #: 101553	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Butyl benzyl phthalate CAS #: 85687	—	—	(1)	ug/L	1X/6 Months	24-hour Composite

2-chloronaphthalene CAS #: 91587	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4-chlorophenyl phenyl ether CAS #: 7005723	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Chrysene CAS #: 218019	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Di-n-butyl phthalate CAS #: 84742	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Di-n-octyl phthalate CAS #: 117817	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Dibenzo(a,h)anthracene CAS #: 53703	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2-dichlorobenzene CAS #: 95501	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,3-dichlorobenzene CAS #: 541731	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,4-dichlorobenzene CAS #: 106467	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
3,3-dichlorobenzidine CAS #: 91941	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Diethyl phthalate CAS #: 84662	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Dimethyl phthalate CAS #: 131113	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,4-dinitrotoluene CAS #: 121142	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,6-dinitrotoluene CAS #: 606202	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2-diphenylhydrazine CAS #: 122667	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Fluoranthene CAS #: 206440	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Fluorene CAS #: 86637	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorobenzene CAS #: 118741	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorobutadiene CAS #: 87683	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorocyclopentadiene CAS #: 77474	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachloroethane CAS #: 67721	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Indeno(1,2,3-cd)pyrene CAS #: 193395	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Isophorone CAS #: 78591	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Naphthalene CAS #: 91203	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Nitrobenzene CAS #: 98953	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
N-nitrosodi-n-propylamine CAS #: 621647	—	—	(1)	ug/L	1X/6 Months	24-hour Composite



N-nitrosodimethylamine CAS #: 62759	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
N-nitrosodiphenylamine CAS #: 86306	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Phenanthrene CAS #: 85018	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Pyrene CAS #: 12900	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2,4-trichlorobenzene CAS #: 120821	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Expanded Requirements Based on Designated Uses:						
Alachlor <sup>(15)</sup> CAS #: 15972608	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Aldrin <sup>(15)</sup> CAS #: 309002	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Atrazine <sup>(15)</sup> CAS #: 1912249	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Barium CAS #: 10022318	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Boron CAS #: 7440428	—	—	1000 1920	ug/L lbs/day	1X/ Month	24-hour Composite
Carbofuran <sup>(15)</sup> CAS #: 1563662	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Chlorpyrifos <sup>(17)</sup> CAS #: 2921882	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Chlordane CAS #: 57749	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2-cis-Dichloroethylene CAS #: 156592	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Dalapon <sup>(15)</sup> CAS #: 75990	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Diazinon CAS #: 333415	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2-Dibromo-3-chloropropane (DBCP) CAS # 96128	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
1,2-Dibromoethane (EDB) Ethylene dibromide CAS #: 106934	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4,4'-DDT CAS #: 50293	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4,4'-DDE CAS #: 72559	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
4,4'-DDD CAS #: 72548	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,4-Dichlorophenoxyacetic acid (2,4-D) CAS #: 94757	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Dieldrin CAS #: 60571	—	—	(1)	ug/L	1X/6 Months	24-hour Composite

Di (2-ethylhexyl) adipate CAS #: 103211	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Dinoseb <sup>(15)</sup> CAS #: 88857	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Diquat <sup>(15)</sup> CAS #: 231367	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Endosulphan sulfate CAS #: 1031078	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Endosulfan (Total) CAS #: 115297	.06 0.115	—	0.103 0.198	ug/L lb/day	1X/ Month	24-hour Composite
Endothall <sup>(15)</sup> CAS #: 145733	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Endrin CAS #: 72208	.004 .00769	—	.0072 .0138	ug/L lb/day	1X/ Month	24-hour Composite
Endrin aldehyde CAS #: 7421934	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Fluoride CAS #: 16984488	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Glyphosate <sup>(15)</sup> CAS #: 1071836	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Guthion <sup>(17)</sup> CAS #: 86500	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Heptachlor CAS #: 76448	.00008 .00016	—	.00018 .00036	ug/L lb/day	1X/ Month	24-hour Composite
Heptachlor epoxide CAS #: 1024573	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorocyclohexane alpha Alpha-BHC CAS #: 319846	.005 .010	—	.007 .014	ug/L lb/day	1X/ Month	24-hour Composite
Hexachlorocyclohexane beta CAS #: 319857	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorocyclohexane delta CAS #: 319868	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hexachlorocyclohexane gamma (lindane) CAS #: 59899	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Hydrogen Sulfide <sup>(16)(17)</sup> CAS #: 7783064	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Malathion <sup>(17)</sup> CAS #: 121755	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Manganese CAS #: 7439965	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Methoxychlor <sup>(15)</sup> CAS # 72435	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Mirex <sup>(15)(17)</sup> CAS #: 2385855	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Oxamyl <sup>(15)</sup> CAS #: 23155220	—	—	(1)	ug/L	1X/6 Months	24-hour Composite

Parathion <sup>(17)</sup> CAS #: 56382	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Paraquat CAS #: 2074502	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Permethrin <sup>(15)(17)</sup> CAS #: 56382	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Pichloram <sup>(15)</sup> CAS #: 52438912	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Total polychlorinated biphenyls (PCBs) (sum of all congener or isomer or homolog or arochlor analyses) CAS #: 1336363	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Simazine <sup>(15)</sup> CAS #: 122349	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Styrene CAS #: 100425	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2,3,7,8-Tetrachlorodibenzo-p-dioxin CAS #: 1746016	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Toxaphene CAS #: 8001352	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
2-(2,4,5,-Trichlorophenoxy) Propionic Acid (SILVEX) <sup>(15)</sup> CAS #: 93721	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Tributyltin <sup>(15)(17)</sup> CAS #: 688733	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Uranium <sup>(17)</sup> CAS #: 7440611	—	—	(1)	ug/L	1X/6 Months	24-hour Composite
Xylenes (Total) CAS #: 1330207	—	—	(1)	ug/L	1X/6 Months	24-hour Composite

- (1) No effluent limits are set at this time, but monitoring and reporting are required.
- (2) All quarterly samples must be taken concurrently with WET monitoring (See Part III.B. of this permit for detailed WET monitoring requirements).
- (3) Reporting level must be low enough to allow comparison of the results to the applicable water quality standards (WQS). If a reported level below the WQS cannot be achieved, then the permittee shall use the method with the lowest method-specific MDL, as defined in Part VI.7 of this permit. Samples are to be representative of any seasonal variation in the discharge.

Samples taken at a 1X/6 Month interval require at least 3 months between sampling events.

Samples taken at a 2X/Month interval require at least 7 days between sampling events.

- (4) These represent action levels for *Ceriodaphnia dubia*, *Pimephales promelas* and *Selenastrum capricornutum* monitored Quarterly. For a complete description of WET testing requirements see Section III. B. of this permit.

- (5) Both the influent and the effluent shall be monitored. The arithmetic mean of the Carbonaceous Biochemical Oxygen Demand (5-day) by concentration, for effluent samples collected in a period of 30 consecutive calendar days, shall not exceed 15 percent of the arithmetic mean of the values, by concentration, for influent samples collected at approximately the same times during the same period.
- (6) This value is a geometric mean for *E.coli*. A minimum of 4 samples is required in order to report a geometric mean.
- (7) For outfall 005, compliance with effluent limits for this parameter may be monitored at FRW-1. Daily monitoring is required at FRW-1 as representative of compliance limits at outfall 005.
- (8) The effluent limit for Dissolved Oxygen is dependent on time of day. The single sample minimum three hours after sunrise to sunset is 3.0 mg/L. The single sample minimum from sunset to three hours after sunrise is 1.0 mg/L. Samples must be taken at a minimum frequency of 1X/week. With each sample, time of day must be recorded. At least ONE sample per month must be taken during EACH of the two time intervals.
- (9) For outfall 005, compliance with effluent limits for this parameter may be monitored at FRW-1. Weekly monitoring is required at FRW-1 as representative of compliance limits at outfall 005.
- (10) For outfall 005, compliance with Ammonia may be monitored at FRW-1. Daily monitoring is required at FRW-1 as representative of compliance with TSS limits at outfall 005.
- (11) The Ammonia Impact Ratio (AIR) is calculated as the ratio of the ammonia value in the effluent and the applicable ammonia standard from section R18-11-109 in the Arizona Water Quality Standards. See Appendix A. For a sample log to help calculate and record AIR values see Appendix B. The AIR is the ammonia effluent limit and must be reported in the DMRs in addition to the ammonia, pH, and temperature value.
- (12) The TRC must be measured separately at outfalls 001 and outfall 005.
- (13) The effluent limitations listed are based on a hardness of 279 mg/L as CaCO<sub>3</sub>. The effluent must be tested for hardness at the same time that samples for the indicated metals are taken.
- (14) Chromium III is not monitored directly. Chromium III test results are obtained by subtracting chromium VI from total chromium. If chromium VI sampling is not required chromium III results are not required to be reported. If total chromium exceeds 8 ug/L, the permittee must conduct sampling for chromium VI for the remainder of the permit term. Otherwise, monitoring for chromium VI is not required.
- (15) There may be no approved wastewater methods for analysis of these parameters in 40 CFR 136. As such, 500 series drinking water Methods may be used. If drinking water Methods are used a 10X sample dilution is acceptable for these parameters. Appropriate data qualifiers are to be used.
- (16) The permittee may initially monitor for sulfide instead of hydrogen sulfide. The limit of quantification shall be no higher than 100ug/L, and any detection of sulfides shall trigger monitoring for hydrogen sulfide for the remainder of the permit term.
- (17) If no ADHS certified analytical methods exist for these parameters, monitoring is not required.

### **C. Monitoring Requirements – Monitoring Stations FRW-1**

1. The permittee shall conduct regular monitoring of the influent to the Tres Rios Flow Regulating Wetland (FRW-1) as specified in Section I.B. **Table 1.**

2. All parameters except WET shall be monitored at monitoring stations FRW-1. The monitoring shall be at the frequency specified in **Table 1**. All parameters shall be monitored and reported as specified for Outfalls 001 and 005 above unless otherwise indicated.
3. No limits for the FRW-1 monitoring station have been set at this time.
4. With the exception of TRC, if a parameter exceeds the concentration described in **Table 1** at monitoring stations FRW-1 a written report shall be submitted in accordance with Section II.A., below.
5. With the exception of TRC, monitoring conducted at monitoring station FRW-1 may be considered representative for purposes of effluent characterization for Outfall 001.

**D. Monitoring Requirements – Monitoring Station FRW-2 and FRW-3**

The permittee shall conduct regular monitoring of in-stream flow through the Tres Rios Flow Regulating Wetland at FRW-2 and FRW-3 as specified in **Table 2**. The location of FRW-2 shall be after the deep water but before the flow regulating portions of the wetland. The FRW-3 shall be within the flow regulating portion of the wetland.

**Table 2. Monitoring for Stations FRW-2 and FRW-3**

<b>Parameter</b>	<b>Sampling Frequency</b>
Flow	Annually
Temperature	Annually
pH	Annually
TRC	Annually
Ammonia	Annually
Total suspended solids	Annually
Dissolved Oxygen	Annually
<i>E. Coli</i>	Annually
CBOD	Annually
Nitrate-nitrite	Annually
Kjeldahl nitrogen	Annually
Hydrogen Sulfide or Total Sulfides <sup>(1)</sup>	Annually
Oil and grease, total recoverable	Annually
Phosphorous, Total	Annually
Total dissolved solids	Annually
Hardness	Annually
All Metals, cyanide and total phenols <sup>(2)</sup>	Annually
Volatile Organic Compounds <sup>(2)</sup>	Annually
Acid-extractable Compounds <sup>(2)</sup>	Annually
Base-neutral Compounds <sup>(2)</sup>	Annually
Expanded Requirements Based on Designated Uses <sup>(2)</sup>	Annually

(1) The permittee may initially monitor for sulfide instead of hydrogen sulfide. The limit of quantification shall be no higher than 100 ug/L, and any detection of sulfides shall trigger monitoring for hydrogen sulfide for the remainder of the permit term.

(2) As described in Table 1, Section I.B.

## **Part II. REPORTING**

### *A. Twenty-four Hour Reporting of Noncompliance*

1. In accordance with 40 CFR 122.41(l)(6)(i), (ii), and (iii), the following condition is expressly incorporated into this permit. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances, to EPA, ADEQ and GRIC DEQ. The permittee shall notify EPA, ADEQ and GRIC DEQ at the following telephone numbers:

U.S. Environmental Protection Agency  
Clean Water Act Enforcement Manager  
415-972-3577

Arizona Department of Environmental Quality  
602-771-2330 (24 hour hotline)

Gila River Indian Community  
Department of Environmental Quality  
520-562-2234

2. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
3. The following information shall be included as information which must be reported within 24 hours under this paragraph.
  - a. Any unanticipated bypass which exceeds any effluent limit in the permit (see 40 CFR 122.44(g)).
  - b. Any upset which exceeds any effluent limit in the permit.
  - c. Violation of a maximum daily discharge limit for any of the pollutants listed by the director in the permit to be reported within 24 hours (see 40 CFR 122.44(g)).
4. The Director may waive the written report on a case-by-case basis for reports required under paragraph B.2, if the oral report has been received within 24 hours.

### *B. General Monitoring and Reporting*

1. All monitoring shall be conducted in accordance with 40 CFR 136 test methods, unless otherwise specified in this permit. For influent and effluent analyses required in **Table 1** of this permit, the permittee shall utilize 40 CFR 136 test methods with the lowest MDL or ML and with MDLs and MLs that are lower than the effluent limits in **Table 1** of this permit. If all MDLs or MLs are higher than these effluent limits or criteria concentrations, then the permittee shall utilize the test method with the lowest MDL or ML. In this context, the permittee shall ensure that the laboratory utilizes a standard calibration where the lowest standard point is equal to or less than the MDL and ML. For a test method with a published ML, the permittee shall ensure that the laboratory utilizes a standard calibration where the lowest standard point is at or below the published ML, but still within the range of quantitation for the test method, in accordance with the instructions for calibration in the test method. Influent and effluent analyses for metals shall measure “total recoverable metal”, except as provided under 40 CFR 122.45(c). It is recommended that the permittee use a laboratory licensed by the ADHS Office of Laboratory Licensure and Certification that has demonstrated proficiency for each parameter to be sampled.
2. Because of the short holding time for chlorine, samples may be analyzed on-site using Hach Method No. 10014. Other Hach Methods are also acceptable for chlorine if the method has an MDL lower than effluent limitation specified in this permit.
3. The permittee shall develop a Quality Assurance (“QA”) Manual for the field collection and laboratory analysis of samples. The purpose of the QA Manual is to assist in planning for the collection and analysis of samples and explaining data anomalies if they occur. At a minimum, the QA Manual shall include the following:
  - a. Identification of project management and a description of the roles and responsibilities of the participants; purpose of sample collection; matrix to be sampled; the analytes or compounds being measured; applicable technical, regulatory, or program-specific action criteria; personnel qualification requirements for collecting samples;
  - b. Description of sample collection procedures; equipment used; the type and number of samples to be collected including QA/Quality Control (“QC”) samples; preservatives and holding times for the samples (see 40 CFR 136.3); and chain of custody procedures;
  - c. Identification of the laboratory used to analyze the samples; provisions for any proficiency demonstration that will be required by the laboratory before or after contract award such as passing a performance evaluation sample; analytical method to be used; MDL and ML to be reported; required QC results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and corrective actions to be taken in response to problems identified during QC checks; and



- d. Discussion of how the permittee will perform data review and reporting of results to EPA and ADEQ and how the permittee will resolve data quality issues and identify limits on the use of data.
4. Throughout all field collection and laboratory analyses of samples, the permittee shall use the QA/QC procedures documented in their QA Manual. If samples are tested by a contract laboratory, the permittee shall ensure that the laboratory has a QA Manual on file. A copy of the permittee's QA Manual shall be retained on the permittee's premises and available for review by EPA and ADEQ upon request. The permittee shall review its QA Manual annually and revise it, as appropriate.
5. Samples collected during each month of the reporting period must be reported on Discharge Monitoring Report forms, as follows:
  - a. For a *maximum daily* permit limit or monitoring requirement when one or more samples are collected during the month, report either:

The *maximum value*, if the maximum value of all analytical results is greater than or equal to the ML; or  
*NODI (Q)*, if the maximum value of all analytical results is greater than or equal to the laboratory's MDL, but less than the ML; or  
*NODI (B)*, if the maximum value of all analytical results is less than the laboratory's MDL.
  - b. For an *average weekly* or *average monthly* permit limit or monitoring requirement when only one sample is collected during the week or month, report either:

The *maximum value*, if the maximum value of all analytical results is greater than or equal to the ML; or  
*NODI (Q)*, if the maximum value of all analytical results is greater than or equal to the laboratory's MDL, but less than the ML; or  
*NODI (B)*, if the maximum value of all analytical results is less than the laboratory's MDL.
  - c. For an *average weekly* or *average monthly* permit limit or monitoring requirement when more than one sample is collected during the week or month, report:

The *average value* of all analytical results where 0 (zero) is substituted for *NODI (B)* and the laboratory's MDL is substituted for *NODI (Q)*.
6. In accordance with 40 CFR 122.45(c), effluent analyses for all metals, with the exception of chromium VI, shall be measured as "total recoverable metals". Effluent levels in this permit are for total recoverable metals, except for Chromium III and VI, for which the levels listed are dissolved.

7. As an attachment to each DMR form, the permittee shall report for all parameters with monitoring requirements specified in **Table 1** of this permit: the test method number or title and published MDL or ML; the test method number or title and preparation procedure used by the laboratory, the laboratory's MDL for the test method computed in accordance with Appendix B of 40 CFR 135, the standard deviation (S) from the laboratory's MDL study, and the number of replicate analyses (n) used to compute the laboratory's MDL; and the laboratory's lowest calibration standard. Additionally, the permittee shall retain copies of the original laboratories reports and submit them if requested to do so by EPA.
8. In addition to information requirements specified under 40 CFR 122.41(j)(3) (see section IV.A.1.j.(3) of this permit), records of monitoring information shall include: the laboratory which performed the analyses and any comment, case narrative, or summary of results produced by the laboratory. The records should identify and discuss QA/QC analyses performed concurrently during sample analyses and whether project and 40 CFR 136 requirements were met. The summary of results must include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, and sample condition upon receipt, holding time, and preservation.
9. All monitoring results shall be submitted in such a format as to allow direct comparison with the effluent limits, monitoring requirements, and conditions of this permit. The permittee must sign and certify all electronic submissions in accordance with the requirements of Part V.A.1.k. of this permit ("Signatory Requirements"). Monthly Discharge Monitoring Reports (DMRs) shall be submitted by the 28<sup>th</sup> day of the month following the previous reporting period. For example, under monthly submission the DMR form for January is due by February 28<sup>th</sup>, and under quarterly submission, the DMR forms for January, February, and March are due on April 28<sup>th</sup>.
10. DMRs must be submitted for the reporting period even if there was not any discharge. If there is no discharge from the facility during the reporting period, the permittee shall submit a DMR indicating no discharge as required.
11. The permittee must electronically submit compliance monitoring data and reports using the electronic reporting tools provided by EPA Region 9 (NetDMR and NeT) or ADEQ's myDEQ sytem. Prior to December 21, 2016, the permittee may elect to use NetDMR to electronically submit DMRs instead of mailing paper DMRs. Starting on December 21, 2016, the permittee must electronically report DMRs may cease mailing paper DMRs.

Biosolids reporting for authorized state NPDES programs such as Arizona's is effective five (5) years after the effective date of the rule. ADEQ is in the process of developing a portal to allow for electronic submittal of Annual Biosolids Reports. Once this is operational reports can be submitted electronically to ADEQ via that portal. In the interim Annual Biosolids Reports should be submitted to:

AZPDES Individual Permits Unit  
ADEQ Biosolids Coordinator  
1110 W. Washington St.  
Phoenix, AZ 85007.

NetDMR is accessed from the internet at <http://www.epa.gov/netdmr>.

12. The permittee may seek an electronic reporting waiver from EPA Region 9. To obtain an electronic reporting waiver, a permittee must first submit an electronic reporting waiver request to EPA Region 9 (see address below). The waiver request should contain the following details:

- Facility name;
- NPDES permit number (if applicable);
- Facility address;
- Name, address and contact information for the owner, operator, or duly authorized facility representative; and
- Brief written statement regarding the basis for claiming such a temporary waiver.

EPA Region 9 will either approve or deny this electronic reporting waiver request within 120 days. The duration of a temporary waiver may not exceed 5 years, which is the normal period for an NPDES permit term. The permittee must re-apply for a new temporary waiver after the temporary waiver expires. Approved electronic reporting waivers are not transferrable. Only permittees with an approved reporting waiver request may submit monitoring data and reports on paper to EPA Region 9 for the period that the approved reporting waiver request is effective.

Permittees with an approved and effective electronic reporting waiver must submit monitoring data and reports to EPA Region 9 using the address below. These submissions must use the forms provided by EPA Region 9 and must be submitted by the 28th day of the month following the completed reporting period. The permittee must sign and certify all submissions in accordance with the requirements of Part VII. of this permit (“Signatory Requirement”). The permittee must submit the legible originals of these documents to the EPA Region 9 at the following address:

EPA REGION 9  
NPDES Data Team (ENF 4-1)  
75 Hawthorne Street  
San Francisco, CA 94105

## Part III. SPECIAL CONDITIONS

### A. Permit Reopener(s)

1. In accordance with 40 CFR 122 and 124, this permit may be modified by EPA to include effluent limits, monitoring, or other conditions to implement new regulations, including EPA-approved water quality standards; or to address new information indicating the presence of effluent toxicity or the reasonable potential for the discharge to cause or contribute to exceedances of water quality standards.
2. In accordance with 40 CFR 122.44(c), EPA may promptly modify or revoke and reissue any permit issued to a treatment works treating domestic sewage (including “sludge only facilities”) to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the CWA, if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

### B. Chronic Whole Effluent Toxicity

1. The permit establishes action levels of 1.0 TUc Monthly Median and 1.6 TUc Daily Maximum for the water flea, *Ceriodaphnia dubia*, the fathead minnow, *Pimephales promelas* and green algae, *Selenastrum capricornutum*. Since the completion of one Chronic WET test takes more than 24 hours, the daily maximum is considered to be the highest allowable test result. The Permittee shall conduct quarterly tests for *Ceriodaphnia dubia* as well as quarterly tests for *Pimephales promelas* and *Selenastrum capricornutum* using 24-hour composite samples of the final effluent.
2. Final effluent samples shall be collected at outfall 001 and outfall 005. The samples must be taken following all treatment processes, including chlorination and de-chlorination, and prior to mixing with any in-plant return flows or the receiving water. The required WET tests must be performed on unmodified samples of final effluent. WET tests conducted on samples that are de-chlorinated after collection are not acceptable for compliance with this permit.
3. Chemical testing for all parameters listed in **Table 1** of this permit shall be performed concurrent with quarterly WET testing of all three species.
4. Freshwater Species and Test Methods

Species and short-term test methods for estimating the chronic toxicity of NPDES effluents are found in the fourth edition of Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R-02/013, 2002; Table IA, 40 CFR Part 136). The permittee shall conduct static renewal toxicity tests with the fathead minnow, *Pimephales promelas* (Larval Survival and Growth Test Method 1000.0); the water flea, *Ceriodaphnia dubia* (Survival and Reproduction Test Method 1002.01); and the green alga, *Selenastrum*

*capricornutum* (also named *Raphidocelis subcapitata*) (Growth Test Method 1003.0).

## 5. Quality Assurance

Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manual previously referenced. Additional requirements are specified below.

- a. For this discharge, a mixing zone or dilution allowance is not authorized. The chronic instream waste concentrations (IWCs) for this discharge are 100% effluent and 62.5% effluent. A series of at least five effluent dilutions and a control shall be tested. At minimum, the dilution series shall include the IWCs and three dilutions below the IWCs (e.g., 100%, 62.5%, 50%, 25% and 12.5%).
- b. Effluent dilution water and control water should be standard synthetic dilution water, as described in the test methods manual Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R-02/013, 2002). If the dilution water is different from test organism culture water, then a second control using culture water shall also be used.
- c. Because this permit requires sublethal hypothesis testing endpoints from Methods 1000.0, 1002.0, and 1003.0 in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R-02/013, 2002), within test variability must be reviewed for acceptability and variability criteria (upper and lower PMSD bounds) must be applied, as directed under Section 10.2.8 - Test Variability of the test methods manual Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Under Section 10.2.8, the calculated percent minimum significant difference (PMSD) for both reference toxicant test and effluent toxicity test results must be compared with the upper and lower PMSD bounds variability criteria specified in Table 6 - Variability Criteria (Upper and Lower PMSD Bounds) for Sublethal Hypothesis Testing Endpoints Submitted Under NPDES Permits, following the review criteria in Paragraphs 10.2.8.2.1 through 10.2.8.2.5 of the test methods manual. Based on this review, only accepted effluent toxicity test results shall be reported on the DMR form. If excessive within-test variability invalidates a test result, then the permittee must resample and retest within 14 days.
- d. If the discharged effluent is chlorinated, then residual chlorine shall not be removed from the effluent sample prior to toxicity testing without written approval by the permitting authority.
- e. pH drift during the toxicity test may contribute to artifactual toxicity when pH-dependent toxicants (e.g., ammonia, metals) are present in an effluent. To determine whether or not pH drift during the toxicity test is contributing to

artificial toxicity, the permittee shall conduct three sets of parallel toxicity tests, in which the pH of one treatment is controlled at the pH of the effluent and the pH of the other treatment is not controlled, as described in Section 11.3.6.1 of the test methods manual, Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R-02/013, 2002). Toxicity is confirmed to be artificial and due to pH drift when no toxicity above the chronic WET permit limit or trigger is observed in the treatments controlled at the pH of the effluent. If toxicity is confirmed to be artificial and due to pH drift, then, following written approval by the permitting authority, the permittee may use the procedures outlined in Section 11.3.6.2 of the test methods manual to control sample pH during the toxicity test.

6. Accelerated Toxicity Testing and TRE/TIE Process

- a. If a chronic WET permit limit or action level or trigger is exceeded and the source of toxicity is known (e.g., a temporary plant upset), then the permittee shall conduct one additional toxicity test using the same species and test method. This test shall begin within 14 days of receipt of test results exceeding a chronic WET permit limit or trigger. If the additional toxicity test does not exceed a chronic WET permit limit or trigger, then the permittee may return to their regular testing frequency.
- b. If a chronic WET permit limit or action level or trigger is exceeded and the source of toxicity is not known, then the permittee shall conduct six additional toxicity tests using the same species and test method, approximately every two weeks, over a 12 week period. This testing shall begin within 14 days of receipt of test results exceeding a chronic WET permit limit or trigger. If none of the additional toxicity tests exceed a chronic WET permit limit or trigger, then the permittee may return to their regular testing frequency.
- c. If one of the additional toxicity tests (As described in paragraphs 7.a. or 7.b.) exceeds a chronic WET permit limit or action level or trigger, then, within 14 days of receipt of this test result, the permittee shall initiate a TRE using as guidance, based on the type of treatment facility, EPA manual Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants (EPA/ 833/B-99/002, 1999) or EPA manual Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (EPA/600/2-88/070, 1989). In conjunction, the permittee shall develop and implement a Detailed TRE Workplan which shall include: further actions undertaken by the permittee to investigate, identify, and correct the causes of toxicity; actions the permittee will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and a schedule for these actions. The TRE Workplan shall be submitted to EPA for review and approval within 14 days of receipt of the toxic result.
- d. The permittee may initiate a Toxicity Identification Evaluation (TIE) as part of a TRE to identify the causes of toxicity using the same species and test method and, as guidance, EPA test method manuals: Toxicity Identification Evaluation:

Characterization of Chronically Toxic Effluents, Phase I (EPA/600/6-91/005F, 1992); Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity (EPA/600/R-92/080, 1993); Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (EPA/600/R-92/081, 1993); and Marine Toxicity Identification Evaluation (TIE): Phase I Guidance Document (EPA/600/R-96-054, 1996).

## 7. Reporting of Chronic Toxicity Monitoring Results

A full laboratory report for all toxicity testing shall be submitted as an attachment to the DMR for the month in which the toxicity test was conducted and shall also include: the toxicity test results—in NOEC;  $TUc = 100/NOEC$ ; EC25 (or IC25); and  $TUc = 100/EC25$  (or IC25)—reported according to the test methods manual chapter on report preparation and test review; the dates of sample collection and initiation of each toxicity test; all results for effluent parameters monitored concurrently with the toxicity test(s); and progress reports on TRE/TIE investigations. The permittee shall notify the permitting authority in writing within 7 days of exceedance of a chronic WET action level or trigger. This notification shall describe actions the permittee has taken or will take to investigate, identify, and correct the causes of toxicity; the status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken.

## 8. Permit Reopener for Chronic Toxicity

In accordance with 40 CFR Parts 122 and 124, this permit may be modified to include effluent limitations or permit conditions to address chronic toxicity in the effluent or receiving waterbody, as a result of the discharge; or to implement new, revised, or newly interpreted water quality standards applicable to chronic toxicity.

### *C. Biosolids*

“Biosolids” means non-hazardous sewage sludge, as defined in 40 CFR 503.9. Sewage sludge that is hazardous, as defined in 40 CFR 261, must be disposed of in accordance with the Resource Conservation and Recovery Act. Arizona is a delegated state and biosolids are regulated under 18 Arizona Administrative Code (AAC), Chapter 9, Article 10. The permit shall meet the requirements of both 40 CFR 503 and the AAC.

#### 1. General Requirements

- a. All biosolids generated by the permittee shall be used or disposed of in compliance with the applicable portions of:

- (1) 40 CFR 503 - for biosolids that are land applied, placed in a surface disposal site (dedicated land disposal site, monofill, or sludge-only parcel at a municipal landfill) or fired in a sewage sludge incinerator.
- (2) 40 CFR 258 - for biosolids disposed of in a municipal solid waste landfill (with other material);
- (3) 40 CFR 257 - for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.

40 CFR 503, Subpart B (land application) sets requirements for biosolids that are applied for the purpose of enhancing plant growth or for land reclamation. 40 CFR 503, Subpart C (surface disposal) sets requirements for biosolids that are placed on the land for the purpose of disposal.

The permittee is responsible for assuring that all biosolids produced at its facility are used or disposed of in accordance with these rules, whether the permittee uses or disposes of the biosolids, itself, or transfers the biosolids to another party for further treatment, use, or disposal. The permittee is responsible for informing subsequent preparers, applicators, and disposers of the requirements that they must meet under these rules.

- b. Duty to mitigate: The permittee shall take all reasonable steps to prevent or minimize any biosolids use or disposal which has a likelihood of adversely affecting human health or the environment.
- c. No biosolids shall be allowed to enter wetlands or other waters of the United States.
- d. Biosolids treatment, storage, use, or disposal shall not contaminate groundwater.
- e. Biosolids treatment, storage, use, or disposal shall not create a nuisance such as objectionable odors or flies.
- f. The permittee shall assure that haulers transporting biosolids off site for treatment, storage, use, or disposal take all necessary measures to keep the biosolids contained. All haulers must have spill clean-up procedures. Trucks hauling biosolids that are not classified as Exceptional Quality (EQ) under the AAC, shall be cleaned as necessary after loading and after unloading so as to have no biosolids on the exterior of the truck body or wheels. Trucks hauling biosolids that are not EQ shall be tarped. Trucks hauling biosolids that are not EQ may not be used for hauling food or feed crops after unloading the biosolids, unless the permittee submits, for EPA approval, a hauling description of how trucks will be thoroughly cleaned prior to adding food or feed.
- g. If biosolids are stored over two years from the time they are generated, then the permittee must ensure compliance with all surface disposal requirements under 40 CFR 503, Subpart C, or must submit a written notification to EPA and ADEQ



with the information under 40 CFR 503.20(b) demonstrating the need for longer temporary storage. During temporary storage (of any length of time) for biosolids that are not Class A, whether on the facility site or off-site, adequate procedures must be taken to restrict public access and access by domestic animals.

- h. Any biosolids treatment, disposal, or storage site shall have facilities adequate to: divert surface runoff from adjacent areas, protect the site boundaries from erosion, and prevent any conditions that would cause drainage from the materials at the site to escape from the site. Adequate protection is defined as protection from at least a 100-year storm event and from the highest tidal stage that may occur.
- i. There shall be adequate screening at the treatment plant headworks and/or at the biosolids treatment units to ensure that all pieces of metal, plastic, glass and other inert objects with a diameter greater than 3/8" are removed.

## 2. Inspection and Entry

The EPA, ADEQ, or an authorized representative thereof, upon presentation of credentials, shall be allowed by the permittee, directly or through contractual arrangements with their biosolids management contractors, to:

- a. Enter upon all premises where biosolids produced by the permittee are treated, stored, used, or disposed of, either by the permittee or another party to whom the permittee transfers the biosolids for treatment, storage, use, or disposal;
- b. Have access to and copy any records that must be kept under the conditions of this permit or 40 CFR 503, by the permittee or another party to whom the permittee transfers the biosolids for further treatment, storage, use, or disposal; and
- c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in biosolids treatment, storage, use, or disposal by the permittee or another party to whom the permittee transfers the biosolids for treatment, use, or disposal.

## 3. Monitoring

- a. Biosolids shall be monitored for the following constituents, at the frequency specified in paragraph 3.b: arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, zinc, organic nitrogen, ammonia-nitrogen, and total solids. This monitoring shall be conducted using the methods in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA publication SW-846), as required in 40 CFR 503.8(b)(4). All results must be reported on a 100% dry weight basis. Records of all analyses must state on each page of the laboratory report whether the results are expressed in "100% dry weight" or "as is". Biosolid samples collected for compliance purposes must be

analyzed by a laboratory licensed by the Arizona Department of Health Services pursuant to relevant sections of the AAC.

- b. The constituents in paragraph 3.a shall be monitored at the following frequency, based on the volume of sewage solids generated per year:

Volume Generated (dry metric tons per year)	Monitoring Frequency *
>0 - <290	Once per year
290 - <1,500	Quarterly
1,500 - <15,000	Once per two months
>15,000	Monthly

\* If biosolids are removed for use or disposal on a routine basis, then monitoring should be scheduled at regular intervals throughout the year. If biosolids are stored for an extended period of time prior to use or disposal, then monitoring may occur either at regular intervals, or prior to use or disposal corresponding to tonnage accumulated during the period of storage.

- c. Class 1 facilities (facilities with pretreatment programs or other facilities designated as Class 1 by the Regional Administrator) and Federal facilities with >5 mgd influent flow shall sample biosolids quarterly for pollutants listed under CWA section 307(a), using best practicable detection limits.

#### 4. Pathogen and Vector Control

- a. Prior to land application, the permittee shall demonstrate that biosolids meet Class A or Class B pathogen reduction levels using one of the alternatives listed under 40 CFR 503.32. Additionally, the permittee shall ensure that biosolids meet, and retain records of the operational parameters used to achieve, Vector Reduction requirements in AAC R18-9-1010. Specifically, the permittee shall ensure, and keep documentation, that all biosolids that are sold or given away in a bag or other container, meet one of the vector attraction reduction alternatives established in AAC R18-9-1010 subsections (A)(1) through (A)(8).
- b. Prior to disposal in a surface disposal site, the permittee shall demonstrate that the biosolids meet Class B pathogen reduction levels or shall ensure that the site is covered at the end of each operating day. If pathogen reduction is demonstrated using a Process to Significantly/Further Reduce Pathogens, then the permittee shall maintain daily records of the operating parameters used to achieve this reduction.

If pathogen reduction is demonstrated by testing for fecal coliform and/or other pathogens, then samples must be drawn at the frequency described in paragraph 3.b, above. If Class B pathogen reduction levels are demonstrated using fecal coliform, then at least seven grab samples must be drawn during each sampling event and a geometric mean calculated from these seven samples.

The following sample holding times between sample collection and sample analysis shall not be exceeded: Salmonella sp. - 24 hours when cooled to 4 °C; enteric viruses - 2 weeks when frozen; helminth ova - one month when cooled to 4 °C.

- c. For biosolids that are land applied or placed in a surface disposal site, the permittee shall track and keep records of the operational parameters used to achieve the Vector Attraction Reduction requirements in 40 CFR 503.33(b).

## 5. Surface Disposal

If biosolids are placed in a surface disposal site (dedicated land disposal site or monofill), then a qualified groundwater scientist shall develop a groundwater monitoring program for the site, or shall certify that the placement of biosolids on the site will not contaminate an aquifer.

## 6. Landfill Disposal

Biosolids placed in a municipal landfill shall be tested by the Paint Filter Liquids Test (Method Number 9095 in SW-846) at the frequency indicated in paragraph 3.b, above, or more often if necessary, to demonstrate that there are no free liquids.

## 7. Notification and Reporting

- a. The permittee, either directly or through contractual arrangements with their biosolids management contractors, shall comply with the following notification requirements:

- (1) Notification of noncompliance: The permittee shall notify EPA, ADEQ and the use/disposal site of any noncompliance within 24 hours, if the noncompliance may seriously endanger health or the environment. For other instances of noncompliance, the permittee shall notify EPA, ADEQ and the use/disposal site, in writing, within five working days of becoming aware of the circumstances. The permittee shall require their biosolids management contractors to notify EPA, ADEQ and the use/disposal site of any noncompliance within these same timeframes.

- (2) Interstate notification: If biosolids are shipped to another State, Tribal Lands, or Territory, then the permittee shall send a 60-day prior notice of the shipment to permitting authorities in the receiving State, Tribal Lands, or Territory, and EPA Regional Office.

- (3) Land Application: Prior to using any biosolids from this facility at a new or previously unreported site, the permittee shall notify EPA, ADEQ and, in cases where biosolids are being applied to Tribal Lands, GRIC DEQ. The notification shall include: a description and topographic map of the proposed site(s), names and addresses of the applier and site owner, and a list of any state or local permits which must be obtained. The plan shall include a description of the crops or vegetation to be grown, proposed loading rates,

and determination of agronomic rates.

If any biosolids within a given monitoring period do not meet the pollutant limits for metals under 40 CFR 503.13, then the permittee (or its contractor) must pre-notify EPA and ADEQ and determine the cumulative metals loading to date at that site, as required in 40 CFR 503.12.

The permittee shall notify the applier of 40 CFR 503-requirements that are applicable to the applier, including applier certification that management practices, site restrictions, and vector attraction reduction requirements have been met. The permittee shall require the applier to certify at the end of 38 months following the application of Class B biosolids, that the harvesting restrictions in effect for up to 38 months have been met.

(4) Surface Disposal

Prior to disposal at a new or previously unreported site, the permittee shall notify EPA, ADEQ and, in cases where biosolids are being disposed of in Tribal Lands, GRIC DEQ. The notice shall include: a description and topographic map of the proposed site, depth to groundwater, whether the site is lined or unlined, site operator, site owner, and any State or local permits. The notice shall describe procedures for ensuring restricted public access and grazing restrictions for three years following site closure. The notice shall include a groundwater monitoring plan, or a description of why groundwater monitoring is not required.

- b. The permittee shall submit an annual biosolids report to the EPA Region 9 Biosolids Coordinator and ADEQ Biosolids Coordinator by February 19 of each year for the period covering the previous calendar year. This report shall include:
- (1) The amount of biosolids generated that year and the amount of biosolids accumulated from previous years, in dry metric tons.
  - (2) Results of all pollutant monitoring required in the Monitoring section, above, reported on a 100% dry weight basis.
  - (3) Demonstrations and certifications of pathogen reduction methods and vector attraction reduction methods, as required in 40 CFR 503.17 and 503.27.
  - (4) Names, mailing addresses, and street addresses of persons who received biosolids for storage, further treatment, or disposal in a municipal waste landfill, or for other use or disposal methods not covered above, and the volumes delivered to each.
  - (5) For land application sites, the following information must be submitted by the permittee, unless the permittee requires its biosolids management

contractors to report this information directly to the EPA Region 9 Biosolids Coordinator:

The locations of land application sites used that calendar year (with field names and numbers), size of each field applied to, applicator, and site owner; the volumes applied to each field (in wet tons and dry metric tons), nitrogen applied, and calculated plant available nitrogen; the crop planted, date of planting, and date of harvesting; for biosolids exceeding 40 CFR 503.13 Table 3 pollutant concentrations, the locations of sites where applied and cumulative metals loading at that site to date; certifications of management practices in 40 CFR 503.14 and certifications of site restrictions in 40 CFR 503.32(b)(5).

- (6) For surface disposal sites: The locations of sites, site operator, site owner, and size of parcel on which disposed; the results of any required groundwater monitoring; certifications of management practices in 40 CFR 503.24; and for closed sites, the date of site closure and certifications of management practices for the three years following site closure.
- (7) All reports shall be submitted to:

Regional Biosolids Coordinator  
U.S. Environmental Protection Agency, Region 9  
CWA Compliance Office (WTR-2-3)  
75 Hawthorne Street  
San Francisco, CA 94105-3901

AZPDES Individual Permits Unit  
ADEQ Biosolids Coordinator  
1110 W. Washington St.  
Phoenix, AZ 85007

#### *D. Pretreatment*

1. As parties contributing to the City of Phoenix treatment works, the Cities of Phoenix, Glendale, Mesa, Scottsdale, and Tempe, Arizona (hereafter, "the Cities") shall be individually responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions. Where 40 CFR 403 places mandatory actions on the Cities as Control Authority, but does not specify a timetable for completion of the actions, the Cities shall complete the required actions within six months from the issuance date of this permit, or the effective date of the 40 CFR 403 revision, whichever comes later. For violations of pretreatment requirements, the Cities shall be subject to enforcement actions, penalties, fines, and other remedies by EPA, ADEQ, or other appropriate parties, as provided in the CWA. EPA or ADEQ may

initiate enforcement action against a nondomestic user for noncompliance with applicable standards and requirements, as provided in the CWA.

2. The Cities shall enforce the requirements promulgated under CWA sections 307(b), 307(c), 307(d), and 402(b) with timely, appropriate, and effective enforcement actions. The Cities shall cause all nondomestic users subject to federal categorical standards to achieve compliance no later than the date specified in those standards or, in the case of a new nondomestic user, upon commencement of discharge.
3. The Cities shall perform the pretreatment functions, as required in 40 CFR 403 including, but not limited to:
  - a. Implement the necessary legal authorities, as provided in 40 CFR 403.8(f)(1);
  - b. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
  - c. Implement the programmatic functions, as provided in 40 CFR 403.8(f)(2); and
  - d. Provide the requisite funding and personnel to implement the pretreatment program, as provided in 40 CFR 403.8(f)(3).
4. The Cities shall submit annually a report to EPA Region 9 and ADEQ describing their pretreatment activities over the previous calendar year. If any City is not in compliance with any conditions or requirements of this permit, then the City shall also include the reasons for noncompliance and state how and when the City shall comply with such conditions or requirements. This annual report shall cover operations from January 1 through December 31 and is due on February 28 of each year. The report shall contain, but not be limited to, the following information (paragraph (a) applies only to the City of Phoenix):
  - a. A summary of analytical results from representative, flow proportioned, 24-hour composite sampling of the POTW's influent and effluent for those pollutants identified under CWA section 307(a) with the exception of mercury and cyanide (collected as discrete samples) which are known or suspected to be discharged by nondomestic users. This will consist of an annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants detected in the full scan. Influent or effluent monitoring data shall be provided for nonpriority pollutants which the Cities believe may be causing or contributing to Interferences or Pass Through. All sampling and analysis required under this paragraph must be performed using the test methods specified under 40 CFR 136. Sampling and analysis for asbestos is not required. Sludge sampling and analyses are covered elsewhere in this permit.
  - b. A discussion of Upset, Interference, or Pass Through incidents, if any, at the treatment plant which the Cities know or suspect were caused by nondomestic users of the POTW system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of the nondomestic user(s) responsible. The discussion shall also include

a review of the applicable pollutant limits to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent Interference or Pass Through.

- c. An updated list of the Cities' significant industrial users ("SIUs"), including their names and addresses, and a list of deletions, additions and SIU name changes keyed to the previously submitted list. The Cities shall provide a brief explanation of each change. The list shall identify the SIUs subject to federal categorical standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limits.
- d. The Cities shall characterize the compliance status of each SIU by providing a list or table which includes the following information:
  - (1) Name of the SIU;
  - (2) Category, if subject to federal categorical standards;
  - (3) The type of wastewater treatment or control processes in place;
  - (4) The number of samples taken by the POTW during the year;
  - (5) The number of samples taken by the SIU during the year;
  - (6) For an SIU subject to discharge requirements for total toxic organics, whether all required certifications were provided;
  - (7) A list of the standards violated during the year. Identify whether the violations were for categorical standards or local limits;
  - (8) Whether the facility is in significant noncompliance (SNC), as defined at 40 CFR 403.12(f)(2)(viii) at any time during the year; and
  - (9) A summary of enforcement or other actions taken during the year to return the SIU to compliance. Describe the type of action, final compliance date, and the amount of fines and penalties collected, if any. Describe any proposed actions for bringing the SIU into compliance;
- e. A brief description of any programs the POTW implements to reduce pollutants from nondomestic users that are not classified as SIUs;
- f. A brief description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to, changes concerning the program's administrative structure, local limits, monitoring program or monitoring frequencies, legal authority, enforcement policy, funding levels, or staffing levels;

- g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases; and
  - h. A summary of activities to involve and inform the public of the program, including a copy of the newspaper notice, if any, required under 40 CFR 403.8(f)(2)(viii).
5. The Cities shall submit an annual SIU noncompliance status report to EPA and ADEQ. The report shall contain:
- a. The name and address of all SIUs which violated any discharge or reporting requirements during the reporting period;
  - b. A description of the violations including whether any discharge violations were for categorical standards or local limits;
  - c. A description of the enforcement or other actions taken to remedy the noncompliance; and
  - d. The status of active enforcement and other actions taken in response to SIU noncompliance identified in previous reports.
6. All pretreatment reports shall be submitted to:

Regional Pretreatment Coordinator  
NPDES Permits Section (WTR-2-3)  
Water Division  
USEPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

AZPDES Individual Permits Unit  
ADEQ Pretreatment Coordinator  
1110 W. Washington St.  
Phoenix, AZ 85007

*E. Capacity Attainment and Planning*

The permittee shall file a written report with EPA within ninety (90) days after the average dry-weather waste flow for any month that either equals or exceeds 90 percent of the annual dry weather design capacity of the waste treatment and/or disposal facilities. The permittee's senior administrative officer shall sign a letter which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

- 1. Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for the day.
- 2. The permittee's best estimate of when the average daily dry weather flow rate will equal or exceed the design capacity of the facilities.



3. The permittee's intended schedule for the studies, design, and other steps needed to provide additional capacity for the waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present facilities.

## **Part IV. SANITARY SEWER OVERFLOWS**

### *Reporting, Record keeping, and Public Notification for Unauthorized Sewage Overflows.*

1. The permittee shall initiate and continue to comply with the provisions of Arizona's 2.05 General Permit for Capacity, Management, Operations, and Maintenance (CMOM) and continue to report sanitary sewer overflows to ADEQ.
2. The permittee shall also report to EPA any overflow that may endanger health or the environment from a sanitary sewer or any unauthorized overflow from a combined sewer over which the permittee has ownership or operational control. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances to EPA and provide a written report (via email is acceptable) to EPA's Enforcement Division for any overflow thus identified within 5 days of the time the permittee becomes aware of the circumstances.
3. Overflows, spills, releases, and diversions of wastewater from a sanitary sewer collection system to waters of the United States are prohibited.

## **Part V. DEFINITIONS**

1. "Best Management Practices" or "BMPs" are schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural, and/or managerial practices to prevent or reduce the pollution of waters of the U.S. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may further be characterized as operational, source control, erosion and sediment control, and treatment BMPs.
2. A "composite" sample means a time-proportioned mixture of not less than eight discrete aliquots obtained at equal time intervals (e.g., 24-hour composite means a minimum of eight samples collected every three hours). The volume of each aliquot shall be directly proportional to the discharge flow rate at the time of sampling, but not less than 100 ml. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR 136.3,

procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.

3. A “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 units of mass, the “daily discharge” is 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” is calculated as the average measurement of the pollutant over the day.
4. A “daily maximum allowable effluent limitation” means the highest allowable “daily discharge.”
5. A “DMR” is a “Discharge Monitoring Report” that is an EPA uniform national form, including any subsequent additions, revisions, or modifications for reporting of self-monitoring results by the permittee.
6. A “grab” sample is a single sample collected at a particular time and place that represents the composition of the discharge only at that time and place. Sample collection, preservation, and handling shall be performed as described in the most recent edition of 40 CFR 136.3, Table II. Where collection, preservation, and handling procedures are not outlined in 40 CFR 136.3, procedures outlined in the 18th edition of Standard Methods for the Examination of Water and Wastewater shall be used.
7. The “method detection limit” or “MDL” is the minimum concentration of an analyte that can be detected with 99% confidence that the analyte concentration is greater than zero, as defined by a specific laboratory method in 40 CFR 136. The procedure for determination of a laboratory MDL is in 40 CFR 136, Appendix B.
8. The “minimum level” or “ML” is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed in a specific analytical procedure, assuming that all the method-specific sample weights, volumes, and processing steps have been followed (as defined in EPA’s draft National Guidance for the Permitting, Monitoring, and Enforcement of Water Quality-Based Effluent Limitations Set Below Analytical Detection/Quantitative Levels, March 22, 1994). If a published method-specific ML is not available, then an interim ML shall be calculated. The interim ML is equal to 3.18 times the published method-specific MDL rounded to the nearest multiple of 1, 2, 5, 10, 20, 50, etc. (When neither an ML nor MDL are available under 40 CFR 136, an interim ML should be calculated by multiplying the best estimate of detection by a factor of 3.18; when a range of detection is given, the lower end value of the range of detection should be used to calculate the ML.) At this point in the calculation, a different procedure is used for metals, than non-metals:

- a. For metals, due to laboratory calibration practices, calculated MLs may be rounded to the nearest whole number.
  - b. For non-metals, because analytical instruments are generally calibrated using the ML as the lowest calibration standard, the calculated ML is then rounded to the nearest multiple of (1, 2, or 5) x 10<sup>n</sup>, where n is zero or an integer. (For example, if an MDL is 2.5 ug/l, then the calculated ML is: 2.5 ug/l x 3.18 = 7.95 ug/l. The multiple of (1, 2, or 5) x 10<sup>n</sup> nearest to 7.95 is 1 x 10<sup>1</sup> = 10 ug/l, so the calculated ML, rounded to the nearest whole number, is 10 ug/l.)
9. A “NODI(B)” means that the concentration of the pollutant in a sample is not detected. NODI(B) is reported when a sample result is less than the laboratory’s MDL.
10. A “NODI(Q)” means that the concentration of the pollutant in a sample is detected but not quantified. NODI(Q) is reported when a sample result is greater than or equal to the laboratory’s MDL, but less than the ML.

## **Part VI. STANDARD PERMIT CONDITIONS**

In accordance with 40 CFR 122.41, the following conditions apply to all NPDES permits and are expressly incorporated into this permit.

- a. Duty to comply; at 40 CFR 122.41(a).

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

- (1) The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under 405(d) of the CWA within the time provided in the regulations that established these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
- (2) The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, 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 CWA provides that any person who *negligently* violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under 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 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, 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 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, such 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.

- (3) Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any 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.

- b. Duty to reapply; at 40 CFR 122.41(b).

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 obtain a new permit.

- c. Need to halt or reduce activity not a defense; at 40 CFR 122.41(c).

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.

- d. Duty to mitigate; at 40 CFR 122.41(d).

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

- e. Proper operation and maintenance; at 40 CFR 122.41(e).

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 the permittee to achieve compliance with the conditions of this permit. Proper operation and

maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of 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 the permit.

f. Permit actions; at 40 CFR 122.41(f).

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

g. Property rights; at 40 CFR 122.41(g).

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

h. Duty to provide information; at 40 CFR 122.41(h).

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.

i. Inspection and entry; at 40 CFR 122.41(i).

The permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:

- (1) 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;
- (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the CWA, any substances or parameters at any location.

j. Monitoring and records; at 40 CFR 122.41(j).

- (1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (2) Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR part 503), 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.

- (3) Records of monitoring information shall include:
    - (i) The date, exact place, and time of sampling or measurements;
    - (ii) The individual(s) who performed the sampling or measurements;
    - (iii) The date(s) analyses were performed
    - (iv) The individuals(s) who performed the analyses;
    - (v) The analytical techniques or methods used; and
    - (vi) The results of such analyses.
  - (4) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR part 503, unless other test procedures have been specified in the permit.
  - (5) The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- k. Signatory requirement; at 40 CFR 122.41(k).
- (1) All applications, reports, or information submitted to the Director shall be signed and certified. (See 40 CFR 122.22.)
  - (2) The CWA provides that 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 shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- l. Reporting requirements; at 40 CFR 122.41(l).
- (1) Planned changes. The permittee shall give notice to the Director as soon as possible of any planned physical alternations or additions to the permitted facility. Notice is required only when:

- (i) 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 122.29(b); or
  - (ii) 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 under 40 CFR 122.42(a)(1).
  - (iii) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
- (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. This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the CWA. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory.)
- (4) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (i) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. As of December 21, 2016 all reports and forms submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), 40 CFR 122.22, and 40 CFR 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
  - (ii) If the permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR part 136 or, in the case of sludge use or disposal, approved under 40 CFR part 503, or as specified in the permit, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Director.
  - (iii) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

- (5) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (6) Twenty-four hour reporting.
  - (i) The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A report shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; 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 steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combine sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. As of December 21, 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), 40 CFR 122.22, and 40 CFR 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. The Director may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.
  - (ii) The following shall be included as information which must be reported within 24 hours under this paragraph.
    - (A) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(g).)
    - (B) Any upset which exceeds any effluent limitation in the permit.
    - (C) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g).)
  - (iii) The Director may waive the written report on a case-by-case basis for reports under 40 CFR 122.41(l)(6)(ii) of this section if the oral report has been received within 24 hours.



- (7) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (1)(4), (5), and (6) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (1)(6). For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in paragraph (1)(6) and the applicable required data in appendix A to 40 CFR part 127. As of December 21, 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3(including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to electronically submit reports related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section by a particular permit or if required to do so by state law. The Director may also require permittees to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section.
  - (8) 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.
  - (9) Identification of the initial recipient for NPDES electronic reporting data. The owner, operator, or the duly authorized representative of an NPDES-regulated entity is required to electronically submit the required NPDES information (as specified in appendix A to 40 CFR 127) to the appropriate initial recipient, as determined by EPA, and as defined in 40 CFR 127.2(b) of this chapter. EPA will identify and publish the list of initial recipients on its Web site and in the Federal Register, by state and by NPDES data group [see § 127.2(c) of this chapter]. EPA will update and maintain this listing.
- m. Bypass; at 40 CFR 122.41(m).
- (1) Definitions.
    - (i) “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.
    - (ii) “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.
  - (2) 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 paragraphs 40 CFR 122.41(m)(3) and (m)(4) of this section.
  - (3) Notice.

- (i) 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. As of December 21, 2020 all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), § 122.22, and 40 CFR part 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
  - (ii) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (l)(6) of this section (24-hour notice). As of December 21, 2020 all notices submitted in compliance with this section must be submitted electronically by the permittee to the Director or initial recipient, as defined in 40 CFR 127.2(b), in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), 40 CFR 122.22, and 40 CFR 127. Part 127 is not intended to undo existing requirements for electronic reporting. Prior to this date, and independent of part 127, permittees may be required to report electronically if specified by a particular permit or if required to do so by state law.
- (4) Prohibition of bypass.
- (i) 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 preventative maintenance; and
    - (C) The permittee submitted notices as required under paragraph (m)(3) of this section.
  - (ii) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (m)(4)(i) of this section.
- n. Upset; at 40 CFR 122.41(n).
- (1) 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 operational error, improperly designed

treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

- (2) 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 paragraph (n)(3) of this section 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.
- (3) 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:
  - (i) An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (ii) The permitted facility was at the time being properly operated; and
  - (iii) The permittee submitted notice of the upset as required in paragraph (l)(6)(ii)(B) of this section (24 hour notice).
  - (iv) The permittee complied with any remedial measures required under paragraph (d) of this section.
- (4) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

**B. *Specific Categories of NPDES Permits***

In accordance with 40 CFR 122.42, the following conditions, in addition to those set forth at 40 CFR 122.41, apply to all NPDES permits within the category specified below and are expressly incorporated into this permit.

- a. Existing manufacturing, commercial, mining, and silvicultural dischargers; at 40 CFR 122.42 (a).

All existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- (1) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
  - (i) One hundred micrograms per liter (100 µg/l);
  - (ii) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (iii) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

- (iv) The level established by the Director in accordance with 40 CFR 122.44(f).
- (2) 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”:
  - (i) Five hundred micrograms per liter (500 µg/l);
  - (ii) One milligram per liter (1 mg/l) for antimony;
  - (iii) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
  - (iv) The level established by the Director in accordance with 40 CFR 122.44(f).

b. Publicly owned treatment works; at 40 CFR 122.42(b).

All POTWs must provide adequate notice to the Director of the following:

- (1) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 and 306 of the CWA if it were directly discharging those pollutants; and
- (2) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- (3) For purposes of this paragraph, adequate notice shall 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.

The following condition has been established by EPA Region 9 to enforce applicable requirements of the Resource Conservation and Recovery Act:

- (1) Publicly owned treatment works may not receive hazardous waste by truck, rail, or dedicated pipe except as provided under 40 CFR 270. Hazardous wastes are defined at 40 CFR 261 and include any mixture containing any waste listed under 40 CFR 261.31 through 261.33. The Domestic Sewage Exclusion (40 CFR 261.4) applies only to wastes mixed with domestic sewage in a sewer leading to a publicly owned treatment works and not to mixtures of hazardous wastes and sewage or septage delivered to the treatment plant by truck.

c. Municipal Separate Storm Sewer Systems; at 40 CFR 122.42(c).

The operator of a large or medium municipal separate storm sewer system or a municipal separate storm sewer that has been designated by the Director under 40 CFR 122.26(a)(1)(v) must submit an annual report by the anniversary of the date of the issuance of the permit for such system. The report shall include:

- (1) The status of implementing the components of the storm water management program that are established as permit conditions;
  - (2) Proposed changes to the storm water management programs that are established as permit conditions. Such proposed changes shall be consistent with 40 CFR 122.26(d)(2)(iii); and
  - (3) Revisions, if necessary, to the assessment of controls and the fiscal analysis reported in the permit application under 40 CFR 122.26(d)(2)(iv) and (d)(2)(v);
  - (4) A summary of the data, including monitoring data, that is accumulated throughout the reporting year;
  - (5) Annual expenditures and budget for year following each annual report;
  - (6) A summary describing the number and nature of enforcement actions, inspections, and public education programs;
  - (7) Identification of water quality improvements or degradation.
- d. Storm Water Discharges; at 40 CFR 122.42(d).

The initial permits for discharges composed entirely of storm water issued pursuant to 40 CFR 122.26(e)(7) shall require compliance with the conditions of the permit as expeditiously as practicable, but in no event later than three years after the issuance of the permit.

- e. Privately Owned Treatment Works; at 40 CFR 122.44(m).

For a privately owned treatment works, any conditions expressly applicable to any user, as a limited co-permittee, that may be necessary in the permit issued to the treatment works to ensure compliance with applicable requirements under this part. Alternatively, the Director may issue separate permits to the treatment works and to its users, or may require a separate permit application from any user. The Director's decision to issue a permit with no conditions applicable to any user, to impose conditions on one or more users, to issue separate permits, or to require separate applications, and the basis for that decision, shall be stated in the fact sheet for the draft permit for the treatment works.

The following conditions are established to enforce applicable requirements of the Resource Conservation and Recovery Act and 40 CFR 122.44(m). Privately owned treatment works are defined at 40 CFR 122.2. "Privately owned treatment works" means any device or system which is (a) used to treat wastes from any facility whose operator is not the operator of the treatment works and (b) not a POTW, as defined at 40 CFR 403.3.

- (1) Materials authorized to be disposed of into the privately owned treatment works and collection system are typical of domestic sewage. Unauthorized materials are hazardous waste (as defined at 40 CFR 261), motor oil, gasoline, paints, varnishes, solvents, pesticides, fertilizers, industrial wastes, or other materials not generally associated with toilet flushing or personal hygiene, laundry, or food preparation, unless specifically listed under "Authorized Non-domestic Sewer Dischargers" elsewhere in this permit.

- (2) It is the permittee's responsibility to inform users of the privately owned treatment works and collection system of the prohibition against unauthorized materials and to ensure compliance with the prohibition. The permittee must have the authority and capacity to sample all discharges to the collection system, including any from septic haulers or other unsewered dischargers, and shall take and analyze such samples for conventional, toxic, or hazardous pollutants when instructed by the permitting authority or by an EPA, State, or Tribal inspector. The permittee must provide adequate security to prevent unauthorized discharges to the collection system.
- (3) Should a user of the privately owned treatment works desire authorization to discharge non-domestic wastes, the permittee shall submit a request for permit modification and an application, pursuant to 40 CFR 122.44(m), describing the proposed discharge. The application shall, to the extent possible, be submitted using EPA Forms 1 and 2C, unless another format is requested by the permitting authority. If the privately owned treatment works or collection system user is different from the permittee, and the permittee agrees to allow the non-domestic discharge, the user shall submit the application and the permittee shall submit the permit modification upon request. The application and request for modification shall be submitted at least six months before authorization to discharge non-domestic wastes to the privately owned treatment works or collection system is desired.

**C. *Standard Conditions Established by EPA Region 9 for All NPDES Permits***

1. Duty to reapply; at 40 CFR 122.21(d).
  - a. Any POTW with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. (The Director shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
  - b. All other permittees with currently effective permits shall submit a new application 180 days before the existing permit expires, except that:
    - (1) the Regional Administrator may grant permission to submit an application later than the deadline for submission otherwise applicable, but no later than the permit expiration date.
2. Signatories to permit applications and reports; at 40 CFR 122.22.
  - a. Applications. All permit applications shall be signed as follows:
    - (1) For a corporation. By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) 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 (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with

environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: EPA does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR 122.22(a)(1)(i). The Agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the Director to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under 40 CFR 122.22(a)(1)(ii) rather than to specific individuals.

- (2) For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or
  - (3) For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- b. All reports required by permits, and other information requested by the Director shall be signed by a person described in paragraph (a) of this section, 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 in paragraph (a) of this section;
  - (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 well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters of the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
  - (3) The written authorization is submitted to the Director.
- c. Changes to authorization. If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under paragraph (a) or (b) of 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.”

3. Reopener Clause; at 40 CFR 122.44(c).

For any permit issued to a treatment works treating domestic sewage (including “sludge-only facilities”), the Director shall include a reopener clause to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the CWA. The Director may promptly modify or revoke and reissue any permit containing the reopener clause required by this paragraph if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

4. Transfer of permits; at 40 CFR 122.61.

- a. Transfers by modification. Except as provided in paragraph (b) of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under 40 CFR 122.62(b)(2)), or a minor modification made (under 40 CFR 122.63(d)), to identify the new permittee and incorporate such other requirements as may be necessary under CWA.
- b. Automatic transfers. As an alternative to transfers under paragraph (a) of this section, any NPDES permit may be automatically transferred to a new permittee if:
  - (1) The current permittee notifies the Director at least 30 days in advance of the proposed transfer date in paragraph (b)(2) of this section;
  - (2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - (3) The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (b)(2) of this section.

5. Minor modifications of permits; at 40 CFR 122.63.

Upon the consent of the permittee, the Director may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section, without following the procedures of 40 CFR 124. Any permit modification not processed as a minor modification under this section must be made for cause and with 40 CFR 124 draft permit and public notice as required in 40 CFR 122.62. Minor modifications may only:

- a. Correct typographical errors;
- b. Require more frequent monitoring or reporting by the permittee;



- c. Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement; or
  - d. Allow for a change in ownership or operational control of a facility where the Director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittees has been submitted to the Director.
  - e. (1) Change the construction schedule for a discharger which is a new source. No such change shall affect a discharger's obligation to have all pollution control equipment installed and in operation prior to discharge under 40 CFR 122.29.  
  
(2) Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with permit limits.
  - f. [Reserved]
  - g. Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR 403.11 (or a modification thereto that has been approved in accordance with the procedures in 40 CFR 403.18) as enforceable conditions of the POTW's permits.
6. Termination of permits; at 40 CFR 122.64.
- a. The following are causes for terminating a permit during its term, or for denying a permit renewal application:
    - (1) Noncompliance by the permittee with any conditions of the permit;
    - (2) The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
    - (3) A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or
    - (4) A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit (for example, plant closure or termination of discharge by connection to a POTW).
  - b. The Director shall follow the applicable procedures in 40 CFR 124 or 40 CFR 122.22, as appropriate (or State procedures equivalent to 40 CFR 124) in terminating any NPDES permit under this section, except that if the entire discharge is permanently terminated by elimination of the flow or by connection to a POTW (but not by land application or disposal into a well), the Director may terminate the permit by notice to the permittee. Termination by notice shall be effective 30 days after notice is sent, unless the permittee objects within that time. If the permittee objects during that period, the Director shall follow 40 CFR 124

or applicable State procedures for termination. Expedited permit termination procedures are not available to permittees that are subject to pending State and/or Federal enforcement actions including citizen suits brought under State or Federal law. If requesting expedited permit termination procedures, a permittee must certify that it is not subject to any pending State or Federal enforcement actions including citizen suits brought under State or Federal law. State-authorized NPDES programs are not required to use part 22 of this chapter's procedures for NPDES permit terminations.

7. Availability of Reports; pursuant to CWA section 308

Except for data determined to be confidential under 40 CFR 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Regional Administrator. As required by the CWA, permit applications, permits, and effluent data shall not be considered confidential.

8. Removed Substances; pursuant to CWA section 301

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials entering waters of the U.S.

9. Severability; pursuant to CWA section 512

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 remainder of this permit, shall not be affected thereby.

10. Civil and Criminal Liability; pursuant to CWA section 309

Except as provided in permit conditions on "Bypass" and "Upset", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

11. Oil and Hazardous Substances Liability; pursuant to CWA section 311

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 CWA.

12. State, Tribe, or Territory Law; pursuant to CWA section 510

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State, Tribe, or Territory law or regulation under authorities preserved by CWA section 510.

**APPENDIX A: Total Ammonia Limit**

*2009 Arizona Water Quality Standards for Surface Waters  
Table 26 Total Ammonia (mg/L as N)  
A&We, A&Ww and A&Wedw -Chronic*

pH	Temperature in Degrees Celsius										pH
	0	14	16	18	20	22	24	26	28	30	
6.5	6.67	6.67	6.06	5.33	4.68	4.12	3.62	3.18	2.80	2.46	6.5
6.6	6.57	6.57	5.97	5.25	4.61	4.05	3.56	3.13	2.75	2.42	6.6
6.7	6.44	6.44	5.86	5.15	4.52	3.98	3.50	3.07	2.70	2.37	6.7
6.8	6.29	6.29	5.72	5.03	4.42	3.89	3.42	3.00	2.64	2.32	6.8
6.9	6.12	6.12	5.56	4.89	4.30	3.78	3.32	2.92	2.57	2.25	6.9
7.0	5.91	5.91	5.37	4.72	4.15	3.65	3.21	2.82	2.48	2.18	7.0
7.1	5.67	5.67	5.15	4.53	3.98	3.50	3.08	2.70	2.38	2.09	7.1
7.2	5.39	5.39	4.90	4.31	3.78	3.33	2.92	2.57	2.26	1.99	7.2
7.3	5.08	5.08	4.61	4.06	3.57	3.13	2.76	2.42	2.13	1.87	7.3
7.4	4.73	4.73	4.30	3.78	3.32	2.92	2.57	2.26	1.98	1.74	7.4
7.5	4.36	4.36	3.97	3.49	3.06	2.69	2.37	2.08	1.83	1.61	7.5
7.6	3.98	3.98	3.61	3.18	2.79	2.45	2.16	1.90	1.67	1.47	7.6
7.7	3.58	3.58	3.25	2.86	2.51	2.21	1.94	1.71	1.50	1.32	7.7
7.8	3.18	3.18	2.89	2.54	2.23	1.96	1.73	1.52	1.33	1.17	7.8
7.9	2.80	2.80	2.54	2.24	1.96	1.73	1.52	1.33	1.17	1.03	7.9
8.0	2.43	2.43	2.21	1.94	1.71	1.50	1.32	1.16	1.02	0.897	8.0
8.1	2.10	2.10	1.91	1.68	1.47	1.29	1.14	1.00	0.879	0.773	8.1
8.2	1.79	1.79	1.63	1.43	1.26	1.11	0.973	0.855	0.752	0.661	8.2
8.3	1.52	1.52	1.39	1.22	1.07	0.941	0.827	0.727	0.639	0.562	8.3
8.4	1.29	1.29	1.17	1.03	0.906	0.796	0.700	0.615	0.541	0.475	8.4
8.5	1.09	1.09	0.990	0.870	0.765	0.672	0.591	0.520	0.457	0.401	8.5
8.6	0.920	0.920	0.836	0.735	0.646	0.568	0.499	0.439	0.386	0.339	8.6
8.7	0.778	0.778	0.707	0.622	0.547	0.480	0.422	0.371	0.326	0.287	8.7
8.8	0.661	0.661	0.601	0.528	0.464	0.408	0.359	0.315	0.277	0.244	8.8
8.9	0.565	0.565	0.513	0.451	0.397	0.349	0.306	0.269	0.237	0.208	8.9
9.0	0.486	0.486	0.442	0.389	0.342	0.300	0.264	0.232	0.204	0.179	9.0

NOTES:

1. pH and temperature are field measurements taken at the same time and location as the water samples destined for the laboratory analysis of ammonia.
2. If the field measured pH value falls between the tabular values, round the field measured value according to standard scientific rounding procedures to the nearest tabular value, and then determine the ammonia standard using linear interpolation when the temperature value is between the values provided in the table.

