Wyoming Department of Environmental Quality
Water Quality Division
WYPDES (Wyoming Pollutant Discharge Elimination System) Program

STATEMENT OF BASIS

RENEWAL

APPLICANT NAME: Green River, City of

MAILING ADDRESS: 50 East 2nd North
Green River, WY 82935

FACILITY LOCATION: Green River Wastewater Lagoon, which is located in T18N R107W, Sweetwater County. The wastewater will be discharged to the Green River (Class 2AB water).

PERMIT NUMBER: WY0020443

BACKGROUND: The wastewater treatment facilities serving Green River, Wyoming consist of an automatic bar screen, comminuter, aerated grit chamber, three aerated cells in series, two non-aerated cells, and eight one-acre sand filters. Wastewater applied to the sand filters is collected in under drains and discharged to the Green River (Class 2AB water).

CHANGES FROM THE PREVIOUS PERMIT:
Colorado River Basin Salinity Forum: The facility discharges to the Colorado River Basin. The State of Wyoming will cooperate with the other states of the Colorado River Salinity Control Forum and the government of the United States to maintain salinity levels in the main stem of the Colorado River. An added requirement from the previous permit is *calculating a yearly flow-weighted TDS average* of the incremental difference between potable water intake (prior to treatment) and the wastewater effluent.
Mixing Zones: This permit considers mixing zones, which are regulated per Section 9 of Chapter 1, Wyoming Water Quality Rules and Regulations, and explained by DEQ Implementation Policies for Mixing Zones. The discharge from this facility is typically 1.5 million gallons per day or less discharges into a receiving water that provides in excess of a 100:1 critical-low-flow to effluent-flow ratio. Based on guidance by the U.S. Environmental Protection Agency Region 8, allowing 100% dilution would pose insignificant environmental risks, assumed where dilution ratio is in excess of 50:1. In addition, the permittee has performed instream sampling for fecal coliform and ammonia, which indicated that nearly instantaneous mixing occurs between the effluent and the receiving water. The permittee is considered to be in compliance with mixing zone requirements, provided that the facility meets effluent limits established in this permit. With the previous permit, the site-specific mixing zone compliance status had not been determined.
Effluent limits for pH: Because of the 2001 revision of Chapter 1, Wyoming Water Quality Rules and Regulations, the pH limit is 6.5 to 9.0, standard units. The previous permit pH limits were 6.0 to 9.0.
Ammonia Monitoring: Although the permit does not contain ammonia limits, ammonia monitoring is required monthly to address mixing zone concerns, and potential eutrophication of Flaming Gorge Reservoir.

EFFLUENT LIMITS: In developing effluent limits, all federal and state regulations and standards have been considered and the most stringent requirements incorporated into the permit. Permit limits are based on technology-based limits and water-quality based limits, as described below.
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TECHNOLOGY BASED LIMITS: Technology-based-limits include limits for biochemical oxygen demand (BOD), total suspended solids (TSS), and pH. Meeting these limits ensures that the wastewater treatment system is working effectively. The limits for BOD (monthly average limit of 30 mg/l), are based upon National Secondary Treatment Standards. The facility is unable to meet the National Secondary Treatment Standard of 30 mg/l monthly average for TSS, so this permit qualifies for the alternate limits for lagoon systems for TSS of 100 mg/l. Values for pH shall remain between 6.5 and 9.0, based on Chapter 1, Wyoming Water Quality Rules and Regulations.

WATER QUALITY BASED LIMITS : Water-quality-based limits are set to ensure that the quality of the receiving water is protected. Expected contaminants in municipal wastewater include fecal coliform, ammonia, and total residual chlorine . Even though the facility does not normally chlorinate, the permit includes total residual chlorine in case the facility needs to chlorinate to meet fecal coliform effluent limits. The effluent limits for these constituents are determined based on instream standards per Chapter 1, Wyoming Rules and Regulations. For receiving waters with perennial flow, a wasteload allocation calculation is performed to determine the effluent limit for each contaminant of concern. This involves a mass balance approach to determine the maximum allowable concentration in the effluent, so that when mixed with the receiving stream, the in-stream standard of the constituent is not violated. The wasteload allocation, with the mass balance approach, utilizes the upstream flow of the receiving stream, the maximum discharge volume, and the upstream concentration of the constituent to calculate the maximum allowable concentration of the constituent in the effluent. Development of the wasteload allocation is described below and summarized in **Table 1** on page 4, Statement of Basis.

To determine the effluent limits for fecal coliform, ammonia, and total residual chlorine , the low flow conditions of the river must be considered. Establishing effluent limits upon low flow conditions will provide a margin of safety because "worse case" flow conditions are assumed. This is based on 1952-2000 data from U.S.G.S. gaging station 9217000, Green River at Green River, WY. Calculations of 7Q10 values through 2005 are less conservative than the following, so this permit utilizes the 7Q10 based on 1952-2000 data, the same as the previous permit.

Below are the low flow values that will be used to establish the effluent limits listed above.

May - September 7Q10 Value: 380.907 cfs
October - April 7Q10 Value: 254.031 cfs

The design discharge for the treatment facility is 1.5 million gallons per day (MGD), which is used in the wasteload allocation. The permit also includes a flow limit of 1.5 MGD monthly average, because this value is used in the wasteload allocation equation.

For total residual chlorine, the upstream concentration is estimated at zero, a default value. The chronic instream standard for total residual chlorine is 0.011 mg/l, and the acute instream standard is 0.019 mg/l. The resulting wasteload allocation calculation determined the effluent limit based on the chronic and acute standard. The more stringent effluent limit is based on the calculations using the chronic standard. Daily monitoring of TRC is required *only* if chlorine is used for the wastewater treatment process.

For fecal coliform, the upstream concentration is approximately 50 colonies/100 ml, based on U.S.G.S. data from the above-mentioned gaging station. The instream standard for fecal coliform is 200 colonies/100 ml, monthly average; and 400 colonies/100 ml, daily maximum.

For ammonia, the instream standards for ammonia are based on Chapter 1, which are dependent on pH and temperature values. The upstream concentration of ammonia is 0.03 mg/l, based on U.S.G.S. data. The revised Chapter 1, Wyoming Water Quality Rules and Regulations, set instream standards for ammonia based on pH and temperature of the combined receiving water and discharge water. The chronic instream standards for ammonia, based on a pH of 8.6 standard units, is 0.92 mg/l from October-April (based on 10 C water temperature) and 0.646 mg/l from May-September (based on 20 C water temperature). The acute instream standard for ammonia, year around, is 1.77 mg/l. The calculated effluent limits for ammonia are 146 mg/l, May through September, and 68 mg/l, October through April. Because the calculated ammonia concentrations exceed concentrations found in raw sewage, the permit does not include ammonia effluent limits.

Refer to **Table 1** on page 4, Statement-of-Basis, for wasteload allocation information.

WHOLE EFFLUENT TOXICITY TESTING AND EFFLUENT LIMITS: The City of Green River is a major discharger as defined by the U.S. Environmental Protection Agency. For this reason, the city is required to test its discharge for "whole effluent toxicity" (WET) on a quarterly basis. Because the dilution factor is greater than 10:1, acute rather than chronic testing is required. In addition, the permit stipulates, "Effective immediately there shall be no acute toxicity in the discharge from outfall number 001." Tests must be run on two aquatic species (*Ceriodaphnia* and fathead minnows).

ADDITIONAL MONITORING: Because of potential eutrophication problems in Flaming Gorge Reservoir, which is located on the Green River below the city's discharge, the permit requires monitoring the effluent for phosphorus. The permit requires monitoring for phosphorus but does not include an effluent limit on that parameter. Monthly ammonia monitoring is also included.

COLORADO RIVER SALINITY CONTROL FORUM: The facility discharges to the Colorado River Basin. The State of Wyoming will cooperate with the other states of the Colorado River Salinity Control Forum and the government of the United States to maintain salinity levels in the main stem of the Colorado River. According to Chapter 6 of the Wyoming Water Quality Rules and Regulations, all point sources that discharge to the Colorado River must control the salinity concentration discharged to the surface. The Colorado River Salinity Control Forum policy states that "The incremental increase in salinity shall be 400 mg/l or less, which is considered to be a reasonable incremental increase above the flow weighted average salinity of the intake water supply." Because the facility discharges to the Colorado River Basin, the permit requires monitoring of the water supply intake and effluent for total dissolved solids (TDS) in order to ensure compliance with the policy's limitation incremental increases TDS of 400 mg/l.

The effluent limit for TDS is 400 mg/l *flow weighted* average, to be calculated yearly. The flow weighted average incremental TDS is calculated as follows: Total Monthly flow (Million Gallons) ÷Total Yearly Flow (Million Gallons) X incremental TDS increase for the month (mg/l). The results for all 12 months are summed to get the yearly flow-weighted average. These results are reported every year by January 28, for the previous year, with the routine DMR submittal. Based on historic discharge monitoring reports, it is thought that the facility can meet the TDS effluent limit. See example, Table 2, on page 5, Statement of Basis, for flow weighted average calculations.

TOTAL MAXIMUM DAILY LOAD: A total maximum daily load (TMDL) is defined as the sum of the wasteload allocation, the load allocation, and a margin of safety. The mass balance equations and the ammonia model that were used to establish the limits for ammonia, TRC, and fecal coliform consider all of these factors.

The receiving water is on the 2004 303(d) list as a waterbody that requires TMDL development due to the routine WYPDES renewal process. This statement of basis serves as a total maximum daily load for fecal coliform, ammonia, and TRC under Section 303(d) of the Clean Water Act and will be submitted to the U.S. EPA Region VIII for review and approval.

ANTIDEGRADATION, IMPAIRMENT REVIEW: The discharge of wastewater and the effluent limits that are established in this permit have been reviewed to ensure that the levels of water quality necessary to protect the designated uses of the receiving waters are maintained and protected. An antidegradation review has been conducted and verifies that the permit conditions, including the effluent limitations established, provide a level of protection to the receiving water consistent with the antidegradation provisions of Wyoming surface water quality standards. An evaluation has been completed to ensure that the receiving water has not been listed on the 303(d) list as a waterbody that cannot support designated uses. The evaluation has revealed that the receiving water is not included on this list.

Self-monitoring of effluent quality and quantity is required on a regular basis with reporting of results monthly. The permit is scheduled to expire on June 30, 2011.

Roland Peterson
Water Quality Division
Department of Environmental Quality
Drafted: April 6, 2006

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Chronic	Background Con. (LA)	Limit (WLA)	Pounds Per Day (WLA)	Pounds Per Day (LA)	Pounds Per Day (TMDL)
May - September	TRC	381	245.745	1.5	247.245	0.011	0	1.81313	23	0	23
October - April	TRC	254	163.83	1.5	165.33	0.011	0	1.21242	15	0	15

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Acute	Background Con. (LA)	Limit (WLA)	Pounds Per Day (WLA)	Pounds Per Day (LA)	Pounds Per Day (TMDL)
May - September	TRC	381	245.745	1.5	247.245	0.019		3.13177	39	0	39
October - April	TRC	254	163.83	1.5	165.33	0.019		2.09418	26	0	26

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Monthly Avg.	Background Con. (LA)	Limit (WLA)			
May - September	Fecal Coliform, #/100 ml	381	245.745	1.5	247.245	200	50	24775			
October-April	Fecal Coliform, #/100 ml	254	163.83	1.5	165.33	200	50	16583	207453	68317	275770

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Daily Max.	Background Con. (LA)	Limit (WLA)			
May - September	Fecal Coliform, #/100 ml	381	245.745	1.5	247.245	400	50	57741			
October-April	Fecal Coliform, #/100 ml	254	163.83	1.5	165.33	400	50	38627	483224	68317	551541

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Chronic	Background Con. (LA)	Limit (WLA)	Pounds Per Day (WLA)	Pounds Per Day (LA)	Pounds Per Day (TMDL)
May - September	Ammonia	381	245.745	1.5	247.245	0.92	0.03	146.7287	1836	61	1897
October - April	Ammonia	254	163.83	1.5	165.33	0.646	0.03	67.92552	850	41	891

Season	Parameter	Low Flow, cfs (7Q10)	Low Flow, MGD (7Q10)	Discharge Rate, MGD	Combined Flow, MGD	Water Quality Standard, Acute	Background Con. (LA)	Limit (WLA)	Pounds Per Day (WLA)	Pounds Per Day (LA)	Pounds Per Day (TMDL)
May - September	Ammonia	381	245.745	1.5	247.245	1.77	0.03	286.8342	3588	61	3650
October - April	Ammonia	254	163.83	1.5	165.33	1.77	0.03	191.8128	2400	41	2441

All values are in mg/l unless otherwise indicated.

Table 1

Wasteload Allocation, Results for Water-Quality Based Effluent Limits

City of Green River
Year 2004

	From DMR	Average flow X days in the month	From DMR	Fraction of flow (Monthly Total Flow ÷ Annual Total Flow)	Incremental TDS multiplied by fraction of flow
	Average Monthly Flow, MGD	**Total Monthly Flow, million gallons**	**Incremental TDS, mg/l**	**Fraction of flow**	**Flow-weighted TDS Average, mg/l**
January	0.853	26.443	307	0.104402243	32.05148847
February	0.949	26.572	148	0.10491156	15.52691093
March	0.659	20.429	118	0.08065777	9.517616867
April	0.81	24.3	91	0.095941251	8.730653822
May	0.7	21.7	444	0.085675932	38.04011371
June	0.701	21.03	331	0.083030638	27.48314119
July	0.7	21.7	400	0.085675932	34.27037271
August	0.57	17.67	426	0.069764687	29.71975679
September	0.49	14.7	380	0.058038534	22.05464308
October	0.528	16.368	357	0.064624131	23.07081491
November	0.66	19.8	363	0.078174352	28.37728996
December	0.728	22.568	268	0.089102969	23.8795957
AnnualTotal		**253.28**		**1.000000**	**292.7223981**

Flow-Weighted TDS Average for Entire Year, mg/l	**293**

Table 2

Example of Flow-Weighted Total Dissolved Solids (TDS) Calculations

AUTHORIZATION TO DISCHARGE UNDER THE

WYOMING POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, (hereinafter referred to as "the Act"), and the Wyoming Environmental Quality Act,

Green River, City of

is authorized to discharge from the Green River Wastewater Lagoon treatment facilities located in

Sweetwater County

to receiving waters named

the Green River (Class 2AB water)

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II and III hereof.

This permit shall become effective on July 1, 2006.

This permit and the authorization to discharge shall expire June 30, 2011 at midnight.

John F. Wagner
Administrator - Water Quality

Date

John V. Corra
Director - Department of Environmental Quality

Date

PART I

A. EFFLUENT LIMITATIONS - SEE ANY ADDITIONAL REQUIREMENTS UNDER PART III

Effective immediately and lasting through June 30, 2011, the quality of effluent discharged by the permittee shall, at a minimum, meet the limitations set forth below. The permittee is authorized to discharge from outfall serial number(s) 001.

Effluent Concentration

Parameter	Monthly Average (b)	Weekly Average (b)	Daily Maximum (b)
Carbonaceous Biochemical Oxygen Demand (CBOD), mg/l	25	40	80
Carbonaceous Biochemical Oxygen Demand (CBOD), % Removal	85	N/A	N/A
Fecal Coliform, colonies/100 ml (b), May-Sept	24,774	N/A	57,740
Fecal Coliform, colonies/100 ml (b), Oct-April	16,583	N/A	38,627
Flow, MGD	1.5	N/A	N/A
Total Suspended Solids, mg/l	100	150	300
Total Residual Chlorine, mg/l, May-Sept	N/A	N/A	1.8
Total Residual Chlorine, mg/l, Oct-April	N/A	N/A	1.2
Total Dissolved Solids, mg/l, annual flow-weighted average	400*	N/A	N/A

pH shall remain between 6.5 and 9.0 (a)

* The effluent limit for TDS is 400 mg/l flow weighted average, to be calculated yearly, calculated as follows: Total Monthly flow (Million Gallons) ÷Total Yearly Flow (Million Gallons) X incremental TDS increase for the month (mg/l). The results for all 12 months are summed to get the yearly flow-weighted average. These results are reported every year by January 28, for the previous year, with the routine DMR submittal.

Samples taken to determine compliance with the effluent limitations specified above shall be taken at the outfall from the final treatment unit and prior to admixture with diluent waters or the receiving stream.

All waters shall be discharged in a manner to prevent erosion, scouring, or damage to stream banks, stream beds, ditches, or other waters of the state at the point of discharge. Discharges shall not occur in such a manner that will result in violations of Water Quality Rules and Regulations, Chapter 1, Section 15. In addition, there shall be no deposition of substances in quantities which could result in significant aesthetic degradation, or degradation of habitat for aquatic life, plant life or wildlife; or which could adversely affect public water supplies or those intended for agricultural or industrial use.

(a) Any single analysis and/or measurement beyond this limitation shall be considered a violation of the conditions of this permit.

(b) Monthly Average, Weekly Average and Daily Maximum are defined in Part I.C.3.

There shall be no discharge of floating solids or foam in other than trace amounts. Nor shall the discharge have a visible sheen or cause formation of a visible sheen or visible deposits on the bottom or shoreline of the receiving water.

B. SELF-MONITORING REQUIREMENTS

1. The permittee shall monitor this discharge(s) as shown below:

Parameter	Frequency (a)	Sample Type (b)
Fecal Coliform, number/100 ml	5 times monthly**	Grab
pH, units	Weekly	Grab
Total CBOD, mg/l (c)	Weekly	Composite
CBOD Removal	Weekly	Calculate
Total Flow, MGD	Weekly	Continuous
Total Residual Chlorine, mg/l (d)	Daily	Grab
Total Suspended Solids, mg/l (c)	Weekly	Composite
Ammonia, mg/l	Monthly	Grab
Total Dissolved Solids, intake, mg/l(e)	Monthly	Grab
Total Dissolved Solids, effluent, mg/l	Monthly	Grab
Total Dissolved Solids, effluent minus intake, mg/l	Monthly	Calculated
Total Dissolved Solids, yearly flow weighted average, mg/l	Yearly	Calculated
Total Phosphorus (as P), mg/l	Monthly	Grab

**During each month, five samples must be collected. Samples shall be collected on a weekly basis, except for those months that have four weeks. In this case, the fifth sample shall be collected during the second or third weeks of the month.

(a) If the discharge occurs on an intermittent basis, samples shall be collected during the period when that intermittent discharge occurs.

(b) See "definitions" under the Monitoring and Reporting portion of this permit.

(c) In addition to monitoring the final discharge, influent samples shall be taken and analyzed for this parameter at the same frequency as required for this parameter in the discharge.

(d) Monitor only if chlorine is used in the wastewater treatment process.

(e) In addition to monitoring the final discharge, monthly samples at the City of Green River potable water intake (prior to treatment) shall be collected and analyzed for this parameter.

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2. Effluent Limitations (Toxic Pollutants)

Effective immediately there shall be no acute toxicity in the discharge from outfall number 001.

3. Whole Effluent Testing

Starting in the third quarter of calendar year 2006, the permittee shall, at least once each calendar quarter, conduct acute static replacement toxicity tests on a grab sample of the discharge. Quarterly samples shall be collected on a two (2) day progression; i.e., if the first quarterly sample is on a Monday, during the next quarter, sampling shall begin on a Wednesday, etc.

The replacement static toxicity tests shall be conducted in accordance with the procedures set out in accordance with the latest procedures set forth in 40 CFR 136.3 and the "Region VIII EPA NPDES Acute Test Conditions - Static Renewal Whole Effluent Toxicity Tests". In the case of conflicts, the 40 CFR 136.3 document will prevail. The permittee shall conduct an acute 48-hour static toxicity test using *Ceriodaphnia dubia* and an acute 96-hour static toxicity test using *Pimephales promelas*.

Acute toxicity occurs when 50 percent or more mortality is observed for either species at any effluent concentration. If more than 10 percent control mortality occurs, the test is not valid. The test shall be repeated until satisfactory control survival is achieved.

If acute toxicity occurs, an additional test shall be conducted within two (2) weeks of the date of when the permittee learned of the test failure. If only one species fails, retesting may be limited to this species. Should acute toxicity occur in the second test, testing shall occur once a month until further notified by the permit issuing authority.

Quarterly test results shall be reported along with the Discharge Monitoring Report (DMR) submitted for the end of the reporting calendar quarter (e.g., whole effluent results for the calendar quarter ending March 31, shall be reported with the DMR due April 28, with the remaining reports submitted with DMRs due each July 28, October 28 and January 28). Monthly test results shall be reported along with the DMR submitted for that month. The format for the report shall be consistent with the latest revision of the "Region VIII Guidance for Acute Whole Effluent Reporting", and shall include all chemical and physical data as specified.

If the results for four consecutive quarters of testing indicate no acute toxicity, the permittee may request the permit issuing authority to allow a reduction to quarterly acute toxicity testing on only one species on an alternating basis. The permit issuing authority may approve or deny the request based on the results and other available information without an additional public notice. If the request is approved, the test procedures are to be the same as specified above for the test species.

4. Toxicity Reduction Evaluation (TRE)
Toxicity Identification Evaluation (TIE)

Should acute toxicity and/or chronic toxicity be detected in the permittee's discharge, a TIE-TRE shall be undertaken by the permittee to establish the cause of the toxicity, locate the source(s) of the toxicity, and develop control of, or treatment for the toxicity. Failure to initiate, or conduct an adequate TIE-TRE, or delays in the conduct of such tests, shall not be considered a justification for noncompliance with the whole effluent toxicity limits contained in Part I.C.1. of this permit. A TRE plan needs to be submitted to the permitting authority within 45 days after confirmation of the continuance of effluent toxicity.

5. Chronic Toxicity Limitation-Reopener Provision

This permit may be reopened and modified (following proper administrative procedures) to include chronic whole effluent toxicity limitations if any other information or data are developed indicating that chronic whole effluent toxicity limits are needed as required under 40 CFR 122.44 (d). Also see Part IV.P. of this permit for additional whole effluent toxicity reopener provisions.

If acceptable to the permit issuing authority, and if in conformance with current regulations, this permit may be reopened and modified to incorporate TRE conclusions relating to additional numerical limitations, a modified compliance schedule, and or modified whole effluent protocol.

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C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and approval by, the permit issuing authority. Sludge samples shall be collected immediately prior to the disposal practice at a location representative of the sludge.

2. Reporting

Effluent monitoring results obtained during the previous one month(s) shall be summarized and reported on a Discharge Monitoring Report Form. Until further notice, sludge monitoring results may be reported in the testing laboratory's normal format (there is no EPA standard form at this time), but should be on letter size pages. If the permit requires whole effluent toxicity (WET) (biomonitoring) testing, WET test results must be reported on the most recent version of EPA Region VIII's Guidance for Whole Effluent Reporting. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the Signatory Requirements (see Part II.A.11.), and submitted to the state water pollution control agency at the following address postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on August 28, 2006.

Wyoming Department of Environmental Quality- Water Quality Division, WYPDES Section Herschler Building, 4 West 122 West 25th Street Cheyenne, WY 82002 Telephone: (307) 777-7781	U.S. Environmental Protection Agency Attention: NPDES 999 18th St., Suite 300 Denver, CO 80202 Telephone: (303) 293-1622

If no discharge occurs during the reporting period, "no discharge" shall be reported. If discharge is intermittent during the reporting period, sampling shall be done while the facility is discharging.

3. Definitions

Concentration Values

a. Daily Maximum (mg/l) - The highest single reading from any grab or composite sample collected during the reporting period.

b. Monthly Average (mg/l) - The arithmetic mean (geometric mean in the case of fecal coliform) of all composite and/or grab samples collected during a calendar month.

c. Weekly Average (mg/l) - The arithmetic mean (geometric mean in the case of fecal coliform) of all composite and/or grab samples collected during any week. A week begins at 12:01 a.m. Sunday morning and ends at 12:00 midnight Saturday evening.

Quantity Values

d. Daily Maximum - The highest single daily quantity reading (see Calculations below) recorded during the reporting period.

e. Monthly Average - The arithmetic mean (geometric mean in the case of fecal coliform bacteria) of all the daily quantity readings (see Calculations below) recorded during a calendar month.

f. Weekly Average - The arithmetic mean (geometric mean in the case of fecal coliform bacteria) of all the daily quantity readings (see Calculations below) recorded during a week. A week begins at 12:01 am Sunday morning and ends at 12:00 midnight Saturday evening.

Flow Values

g. Daily Flow - The flow volume recorded on any single day. The daily flow volume may be determined by using an instantaneous reading (if authorized by this permit) or a continuous recorder.

h. Monthly Average Flow - The arithmetic mean of all daily flow values recorded during a calendar month.

i. Weekly Average Flow - The arithmetic mean of all daily flow values recorded during a week. A week begins at 12:01 am on Sunday morning and ends at 12:00 midnight Saturday evening.

Calculations

j. Daily Quantity (kg/day) - The quantity, in kilograms per day, of pollutant discharged on a single day. The Daily quantity shall be calculated by multiplying the composite or grab sample concentration value for that day in milligrams/liter (mg/l) times the flow volume (in millions of gallons per day - MGD) for that day times 3.78. If a flow volume reading for the day the sample is collected is not available, the average flow volume reading for the entire reporting period shall be used.

k. Daily Quantity (#/day) - The quantity, in number per day, of bacteria or other pollutants discharged on a single day. The number per day shall be calculated by multiplying the composite or grab sample result for that day, in number per 100 milliliters (#/100 ml), times the flow volume (in millions of gallons per day - MGD) times 3.78×10^7. If a flow volume reading for the day the sample is collected is not available, the average flow volume reading for the entire reporting period shall be used.

l. Geometric Mean - Calculated in accordance with the procedure described in the most recent edition of "Standard Methods for the Examination of Water and Wastewater".

Miscellaneous

m. A "composite" sample, for monitoring requirements, is defined as a minimum of four (4) grab samples collected at equally spaced two (2) hour intervals and proportioned according to flow.

n. An "instantaneous" measurement for monitoring requirements is defined as a single reading, measurement, or observation.

o. "MGD", for monitoring requirements, is defined as million gallons per day.

p. "Net" value, if noted under Effluent Characteristics, is calculated on the basis of the net increase of the individual parameter over the quantity of that same parameter present in the intake water measured prior to any contamination or use in the process of this facility. Any contaminants contained in any intake water obtained from underground wells shall not be adjusted for as described above and, therefore, shall be considered as process input to the final effluent. Limitations in which "net" is not noted are calculated on the basis of gross measurements of each parameter in the discharge, irrespective of the quantity of those parameters in the intake waters.

q. A "pollutant" is any substance or substances which, if allowed to enter surface waters of the state, causes or threatens to cause pollution as defined in the Wyoming Environmental Quality Act, Section 35-11-103.

4. Test Procedures

Test procedures for the analysis of pollutants, collection of samples, sample containers, sample preservation, and holding times, shall conform to regulations published pursuant to 40 CFR, Part 136, unless other test procedures have been specified in this permit.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

a. The exact place, date and time of sampling;

b. The dates and times the analyses were performed;

c. The person(s) who performed the analyses and collected the samples;

d. The analytical techniques or methods used; and

e. The results of all required analyses including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine the results.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form. Such increased frequency shall also be indicated.

7. Records Retention

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 three years from the date of the sample, measurements report or application. This period may be extended by request of the administrator at any time. Data collected on site, copies of Discharge Monitoring Reports and a copy of this WYPDES permit must be maintained on site during the duration of activity at the permitted location.

8. Penalties for Tampering

The Act provides that any person who falsifies, tampers with or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two (2) years per violation, or both.

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PART II

A. MANAGEMENT REQUIREMENTS

1. Changes

The permittee shall give notice to the administrator of the Water Quality Division as soon as possible of any physical alterations or additions to the permitted facility. Notice is required when:

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

b. The alteration or addition could change the nature or increase the quantity of pollutants discharged.

2. Noncompliance Notification

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

b. The permittee shall report any noncompliance which may endanger health or the environment as soon as possible, but no later than 24 hours from the time the permittee first became aware of the circumstances. The report shall be made to the Water Quality Division, Wyoming Department of Environmental Quality at (307) 777-7781.

c. For any incidence of noncompliance, including noncompliance related to non-toxic pollutants or non-hazardous substances, a written submission shall be provided within five (5) days of the time that the permittee becomes aware of the noncompliance circumstance.

The written submission shall contain:

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

(2) The period of noncompliance, including exact dates and times;

(3) The estimated time noncompliance is expected to continue if it has not been corrected; and

(4) Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance.

d. The following occurrences of unanticipated noncompliance shall be reported by telephone to the Water Quality Division, Watershed Management Section, WYPDES Program (307) 777-7781 as soon as possible, but no later than 24 hours from the time the permittee first became aware of the circumstances.

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

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

(3) Violation of a maximum daily discharge limitation for any toxic pollutants or hazardous substances, or any pollutants specifically identified as the method to control a toxic pollutant or hazardous substance listed in the permit.

e. The administrator of the Water Quality Division may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Water Quality Division, WYPDES Program (307) 777-7781.

f. Reports shall be submitted to the Wyoming Department of Environmental Quality at the address in Part I under Reporting and to the Planning and Targeting Program, 8ENF-PT, Office of Enforcement, Compliance, and Environmental Justice, U.S. EPA Region 8, 999 18th St., Suite 300, Denver, CO 80202-2466.

g. The permittee shall report all instances of noncompliance that have not been specifically addressed in any part of this permit at the time the monitoring reports are due.

3. Facilities Operation

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 back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit. However, the permittee shall operate, as a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to waters of the state resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypass of Treatment Facilities

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

b. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs c. and d. of this section. Return of removed substances to the discharge stream shall not be considered a bypass under the provisions of this paragraph.

c. Notice:

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice at least 60 days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required under Part II.A.2.

d. Prohibition of bypass.

(1) Bypass is prohibited and the administrator of the Water Quality Division may take enforcement action against a permittee for a bypass, unless:

(a) The 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 to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The permittee submitted notices as required under paragraph c. of this section.

e. The administrator of the Water Quality Division may approve an anticipated bypass, after considering its adverse effects, if the administrator determines that it will meet the three conditions listed above in paragraph d. (l) of this section.

6. Upset Conditions

a. 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, improper designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

b. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of paragraph c. of this section are met.

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

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The permittee submitted notice of the upset as required under Part II.A.2; and

(4) The permittee complied with any remedial measures required under Part II.A.4.

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

7. Removed Substances

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

8. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. In accordance with a schedule of compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities; or

b. If such alternative power source as described in paragraph a. above is not in existence and no date for its implementation appears in Part I, take such precautions as are necessary to maintain and operate the facility under its control in a manner that will minimize upsets and insure stable operation until power is restored.

9. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the federal act and the Wyoming Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give the administrator of the Water Quality Division advance notice of any planned changes at the permitted facility or of any activity which may result in permit noncompliance.

10. Duty to Mitigate

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

11. Signatory Requirements

All applications, reports or information submitted to the administrator of the Water Quality Division shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation: by a responsible corporate officer;

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively;

(3) For a municipality, state, federal or other public agency: by either a principal executive officer or ranking elected official.

b. All reports required by the permit and other information requested by the administrator of the Water Quality Division shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described above and submitted to the administrator of the Water Quality Division; and

(2) The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. A duly

authorized representative may thus be either a named individual or any individual occupying a named position.

c. If an authorization under paragraph II.A.11.b. 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 II.A.11.b must be submitted to the administrator of the Water Quality Division prior to or together with any reports, information or applications to be signed by an authorized representative.

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

"I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

B. RESPONSIBILITIES

1. Inspection and Entry

If requested, the permittee shall provide written certification from the surface landowner(s), if different than the permittee, that the administrator or the administrator's authorized agent has access to all physical locations associated with this permit including well heads, discharge points, reservoirs, monitoring locations, and any waters of the state.

The permittee shall allow the administrator of the Water Quality Division or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and

d. Sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the federal act, any substances or parameters at any location.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the regional administrator of the Environmental Protection Agency and the administrator of the Water Quality Division. The administrator of the Water Quality Division shall then provide written notification to the new owner or controller of the date in which they assume legal responsibility of the permit. The permit may be modified or revoked and reissued to change the name of the permittee and incorporate such other requirements as described in the federal act.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the federal act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Wyoming Department of Environmental Quality and the regional administrator of the Environmental Protection Agency. As required by the federal act, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the federal act.

4. Toxic Pollutants

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

5. Changes in Discharge of Toxic Substances

Notification shall be provided to the administrator of the Water Quality Division as soon as the permittee knows of, or has reason to believe:

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

(1) One hundred micrograms per liter (100 µg/l);

(2) 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/1) for antimony;

(3) 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

(4) The level established by the director of the Environmental Protection Agency in accordance with 40 CFR 122.44 (f).

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

(1) Five hundred micrograms per liter (500 µg/l);

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

(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21 (g) (7); or

(4) The level established by the director of the Environmental Protection Agency in accordance with 40 CFR 122.44 (f).

6. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. As long as the conditions related to the provisions of "Bypass of Treatment Facilities" (Part II.A.5), "Upset Conditions" (Part II.A.6), and "Power Failures" (Part II.A.8) are satisfied then they shall not be considered as noncompliance.

7. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

8. Oil and Hazardous Substance Liability

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

9. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to any applicable state or federal law or regulation. In addition, issuance of this permit does not substitute for any other permits required under the Clean Water Act or any other federal, state, or local law.

10. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringement of federal, state or local laws or regulations.

11. Duty to Reapply

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

12. Duty to Provide Information

The permittee shall furnish to the administrator of the Water Quality Division, within a reasonable time, any information which the administrator 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 administrator, upon request, copies of records required by this permit to be kept.

13. Other Information

When 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 any report to the administrator of the Water Quality Division, it shall promptly submit such facts or information.

14. Permit Action

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.

PART III

A. OTHER REQUIREMENTS

1. Percentage Removal Requirements

The arithmetic mean of the Total BOD and the Total Suspended Solids concentrations for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the concentrations for influent samples collected at approximately the same times during the same period (85 percent removal). This is in addition to the concentration limitations on Total BOD and Total Suspended Solids. In the case of stabilization pond treatment systems, this section does not apply to the parameter Total Suspended Solids.

2. Violations Resulting from Overloading

Should there be a violation of any conditions of this permit, the Wyoming Department of Environmental Quality has the authority under Sections 35-11-901 and 35-11-902 of the Wyoming Environmental Quality Act to proceed in a court of competent jurisdiction to restrict or prohibit further connections to the treatment system covered by this permit by any sources not utilizing the system prior to the finding that such a violation occurred.

3. Discharge Duration

If the rate of discharge is controlled, that rate and duration of discharge shall be reported.

4. Flow Measurement

At the request of the Administrator of the Water Quality Division, the permittee must be able to show proof of the accuracy of any flow measuring device used in obtaining data submitted in the monitoring report. The flow measuring device must indicate values of within plus or minus ten (10) percent of the actual flow being measured.

5. Sewer Overflow Located Prior to Waste Treatment Facility

Overflow structures shall be maintained and operated in such a manner that no discharge shall occur except to prevent health hazards, severe property damage or loss of treatment capacity.

Such overflows shall satisfy Wyoming water quality standards and/or any appropriate federal or state effluent limitations. Following documentation of specific water quality standard or effluent standard violations resulting from such overflows, specific numerical effluent limitations, or the requirement for elimination of the overflow structures, may be included upon reissuance or revision of this permit.

6. Compliance with Construction Grant

In the case of publicly owned treatment works, the permittee shall comply with those terms of any construction grant implementing the provisions of Section 201 (b) through (g) of the Clean Water Act.

7. 208 (b) Plans

This permit may be modified, suspended or revoked to comply with the provisions of any 208 (b) plan certified by the Governor of the State of Wyoming.

8. Reopener Provision

This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations (and compliance schedule, if necessary) or other appropriate requirements if one or more of the following events occurs:

a. The state water quality standards of the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit;

b. A total maximum daily load (TMDL) and/or watershed management plan is developed and approved by the state and/or the Environmental Protection Agency which specifies a wasteload allocation for incorporation in this permit;

c. A revision to the current water quality management plan is approved and adopted which calls for different effluent limitations than contained in this permit;

d. Downstream impairment is observed and the permitted facility is contributing to the impairment;

e. The limits established by the permit no longer attain and/or maintain applicable water quality standards;

f. The permit does not control or limit a pollutant that has the potential to cause or contribute to a violation of a state water quality standard.

g. If new applicable effluent guidelines and/or standards have been promulgated and the standards are more stringent than the effluent limits established by the permit.

h. In order to protect water quality standards in neighboring states, effluent limits may be incorporated into this permit or existing limits may be modified to ensure that the appropriate criteria, water quality standards and assimilative capacity are attained.

9. Permit Modification

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

a. Violation of any terms or conditions of this permit;

b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;

c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; or

d. If necessary to comply with any applicable effluent standard or limitation issued or approved under Sections 301 (b) (2) (C) and (D), 304 (b) (2) and 307 (a) (2) of the federal act, if the effluent standard or limitation so issued or approved:

(1) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

(2) Controls any pollutant not limited in the permit.

10. Toxicity Limitation - Reopener Provision

This permit may be reopened and modified (following proper administrative procedures) to include a new compliance date, additional or modified numerical limitations, a new or different compliance schedule, a change in the whole effluent protocol or any other conditions related to the control of toxicants if one or more of the following events occur:

a. Toxicity was detected late in the life of the permit near or past the deadline for compliance;

b. The toxicity reduction evaluation (TRE) results indicate that compliance with the toxic limits will require an implementation schedule past the date for compliance and the permit issuing authority agrees with the conclusion;

c. The TRE results indicate that the toxicant(s) represent pollutant(s) that may be controlled with specific numerical limits and the permit issuing authority agrees that numerical controls are the most appropriate course of action;

d. Following the implementation of numerical controls on toxicants, the permit issuing authority agrees that a modified whole effluent protocol is necessary to compensate for those toxicants that are controlled numerically;

e. The TRE reveals other unique conditions or characteristics which, in the opinion of the permit issuing authority, justify the incorporation of unanticipated special conditions in the permit.

11. Severability

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

12. Penalties for Falsification of Reports

The federal act 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 noncompliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation or by imprisonment for not more than two years per violation or both.

B. INDUSTRIAL WASTES

1. The Permittee has the responsibility to protect the Publicly-Owned Treatment Works (POTW) from pollutants which would inhibit, interfere, or otherwise be incompatible with operation of the treatment works including interference with the use or disposal of municipal sludge.

2. Pretreatment Standards (40 CFR Section 403.5) developed pursuant to Section 307 of the Federal Clean Water Act (the Act) require that the Permittee shall not allow, under any circumstances, the introduction of the following pollutants to the POTW from any source of nondomestic discharge:

a. Any other pollutant which may cause Pass Through or Interference;

b. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than sixty (60) degrees

Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR Section 261.21;

c. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH of lower than 5.0 s.u., unless the treatment facilities are specifically designed to accommodate such discharges;

d. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW, or other interference with the operation of the POTW;

e. Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with any treatment process at the POTW;

f. Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits;

g. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through at the POTW;

h. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

i. Any trucked or hauled pollutants, except at discharge points designated by the POTW; and

j. Any specific pollutant which exceeds a local limitation established by the Permittee in accordance with the requirements of 40 CFR Section 403.5(c) and (d).

3. EPA shall be the Approval Authority and the mailing address for all reporting and notifications to the Approval Authority shall be: Industrial Pretreatment Program, Office of Enforcement, Compliance, and Environmental Justice - Water (8ENF-T), EPA - Region VIII, Suite 500, 999 18th Street, Denver, CO 80202. Should the State be delegated authority to implement and enforce the Pretreatment Program in the future, the Permittee shall be notified of the delegation and the state shall become the Approval Authority.

4. In addition to the general limitations expressed above, more specific Pretreatment Standards have been and will be promulgated for specific industrial categories under Section 307 of the Act (40 CFR Part 405 et. seq.).

5. The Permittee must notify the state and the Approval Authority, of any new introductions by new or existing industrial users or any substantial change in pollutants from any industrial user within sixty (60) days following the introduction or change. Such notice must identify:

a. Any new introduction of pollutants into the POTW from an industrial user which would be subject to Sections 301, 306, and 307 of the Act if it were directly discharging those pollutants; or

b. Any substantial change in the volume or character of pollutants being introduced into the POTW by any industrial user;

c. For the purposes of this section, adequate notice shall include information on:

(1) The identity of the industrial user;

(2) The nature and concentration of pollutants in the discharge and the average and maximum flow of the discharge to be introduced into the POTW; and

(3) Any anticipated impact of the change on the quantity or quality of effluent to be discharged from or biosolids produced at such POTW.

d. For the purposes of this section, an industrial user shall include:

(1) Any discharger subject to Categorical Pretreatment Standards under Section 307 of the Act and 40 CFR chapter I, subchapter N;

(2) Any discharger which has a process wastewater flow of 25,000 gallons or more per day;

(3) Any discharger contributing five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;

(4) Any discharger who is designated by the Approval Authority as having a reasonable potential for adversely affecting the POTW=s operation or for violating any Pretreatment Standards or requirements;

6. The Permittee shall sample and analyze the effluent for the following pollutants:

Total Arsenic	Total Nickel
Total Cadmium	Total Selenium
Total Chromium	Total Silver
Total Copper	Total Zinc
Total Lead	Total Cyanide
Total Mercury	Total Phenols
Total Molybdenum	

The sampling shall commence within thirty (30) days of the effective date of this permit and continue at a frequency of once per year.

Sampling and analytical procedures shall be in accordance with guidelines established in 40 CFR Part 136. Where sampling methods are not specified the effluent samples collected shall be composite samples consisting of at least twelve (12) aliquots collected at approximately equal intervals over a representative 24 hour period and composited according to flow. Where a flow proportioned composite sample is not practical, the Permittee shall collect at least three (3) grab samples, taken at equal intervals over a representative 24 hour period. Lagoon treatment systems may collect a single effluent grab sample.

The results of all analyses shall be attached to, and reported along with the Discharge Monitoring Report (DMR) submitted for the end of that reporting period.

7. At such time as a specific pretreatment limitation becomes applicable to an industrial user of the Permittee, the state and/or Approval Authority may, as appropriate:

a. Amend the Permittee's discharge permit to specify the additional pollutant(s) and corresponding effluent limitation(s) consistent with the applicable Pretreatment Standards;

b. Require the Permittee to specify, by ordinance, order, or other enforceable means, the type of pollutant(s) and the maximum amount which may be discharged to the Permittee's

POTW for treatment. Such requirement shall be imposed in a manner consistent with the POTW program development requirements of the General Pretreatment Regulations at 40 CFR Part 403; and/or,

c. Require the Permittee to monitor its discharge for any pollutant which may likely be discharged from the Permittee's POTW, should the industrial user fail to properly pretreat its waste.

8. The state and the Approval Authority retains, at all times, the right to take legal action against any source of nondomestic discharge, whether directly or indirectly controlled by the Permittee, for violations of a permit, order or similar enforceable mechanism issued by the Permittee, violations of any Pretreatment Standard or requirement, or for failure to discharge at an acceptable level under national standards issued by EPA under 40 CFR, chapter I, subchapter N. In those cases where a permit violation has occurred because of the failure of the Permittee to properly develop and enforce Pretreatment Standards and requirements as necessary to protect the POTW, the state and/or Approval Authority shall hold the Permittee and/or industrial user responsible and may take legal action against the Permittee as well as the industrial user(s) contributing to the permit violation.

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