Permit No. WA0031046
Issuance Date: October 10, 2014
Effective Date: November 1, 2014
Expiration Date: October 31, 2019

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT No. WA0031046

State of Washington
DEPARTMENT OF ECOLOGY
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1342 et seq.

PACIFIC FISHERMEN SHIPYARD AND ELECTRIC, LLC
5351 24th Avenue Northwest
Seattle, WA 98107-4196

is authorized to discharge in accordance with the Special and General Conditions that follow.

Facility Location: 5351 24th Avenue Northwest Seattle, WA 98107-4196	Receiving Water: Lake Washington Ship Canal
Waterbody I.D. No.: WA-09-1010	Discharge Location: Latitude: N 47.6676 Longitude: W 122.38737
Industry Type: Ship Repair	

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office
Washington State Department of Ecology

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SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report	Monthly	December 28, 2015
S4.A	Operations and Maintenance Manual Update or Review Confirmation Letter	Annually	
S4.A	Treatment System Operating Plan	1/permit cycle	
S5	Application for Permit Renewal	1/permit cycle	May 1, 2019
S7.C	Solid Waste Control Plan	1/permit cycle, updates submitted as necessary	May 1, 2019
S8	Spill Plan	1/permit cycle, updates submitted as necessary	October 2, 2015
S9.A.1	Stormwater Pollution Prevention Plan Development	1/permit cycle, updates submitted as necessary	October 2, 2015
S9.A.2	Stormwater Pollution Prevention Plan Operational BMP Implementation	1/permit cycle, updates submitted as necessary	November 15, 2015
S9.B	Stormwater Pollution Prevention Plan	1/permit cycle, updates submitted as necessary	January 1, 2016
S11	Outfall Evaluation	1/permit cycle	May 1, 2019

SPECIAL CONDITIONS

S1. DISCHARGE LIMITS

A. Process Wastewater Discharges

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

The Permittee must **not** discharge any wastewater originating from hydroblasting, rinsing, cleaning, scraping, and painting activities on Small Marine Railway No. 1, Large Marine Railway No. 2; and the Screw Lift Dry Dock to surface water. The Permittee must collect this wastewater and (1) treat it and recycle it; (2) haul it to an appropriate off-site disposal facility; or (3) discharge it to the sanitary sewer pursuant to the local permit.

The Permittee must **not** discharge the following wastewaters to waters of the state:

- Bilge water, hydraulic fluid, and oily wastes.
- Portable steamer water, portable hydraulic system flushing unit, and power pack cooling water.
- Gray water (including discharges from any ship's galley or shower while at dockside).
- Solvents.
- Maintenance shop wastewaters including but not limited to wastewaters from the machine shop, sandblasting shed, steel storage and fabrication shed, welding shop, carpentry shop, pipe shop, paint shed, and sandblasting building.
- Ship sanitary wastes.

The Permittee must notify owners of vessels under repair in writing that federal and state regulations prohibit the discharge of sewage and gray water into the waterways. If vessels must discharge untreated sanitary wastes, it must discharge the wastes to either the sanitary sewer or into holding tanks that are periodically emptied into a sanitary sewer system. The Permittee must make available at all times a list of contractors providing disposal services and any other alternatives available for complying with these regulations, such as holding tanks and pump-out facilities.

B. Stormwater Discharges

Stormwater discharges shall not cause a visible change in turbidity, color, or cause a visible oil sheen in the receiving water.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge treated stormwater at the permitted location subject to complying with the following limits:

STORMWATER EFFLUENT LIMITATIONS	
Parameter	**Outfall # 14 - Maximum Daily Limits [a]**
Oil and Grease [b]	5 mg/L
pH	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.
Turbidity [c, h]	5 NTU over background when background is <= 50 NTU. 10% increase over the background when background is > 50 NTU
Total Copper [d]	71 µg/L
Total Zinc [e]	1091 µg/L
Total Arsenic [f]	Report µg/L
Total Lead [g]	Report µg/L

Key for **All Effluent Limit Tables**

[a] The maximum effluent limitation is defined as the highest allowable daily discharge.

[b] The method detection level (MDL) for oil and grease is 0.2 mg/L using trichlorottriflouroethane extraction and gravimetric analysis using EPA Method 413.1. The quantitation level (QL) for oil and grease is 1.0 mg/: (5 x MDL). An equivalent method is Method 1664 using normal hexane (n-hexane) as the extraction solvent in place of 1,1,2-trichloro-1,2,2-triflouroehtane (CFC-113;Freon-113). An equivalent method is total petroleum hydrocarbons with a MDL of 0.1 mg/L using Gas Chromotography and Flame Ionization Detector (FID) and Method WTPH-Dx Diesel (WTPH-D) from Washington State Department of Ecology Method WTPH-D. The quantitation level (QL) for TPH-DX is 0.5 mg/L (5 x MDL).

[c] If background turbidity is greater than 50 NTUs, the turbidity of the stormwater shall not exceed a 10% increase over background.

[d] The method detection level (MDL) for copper is 1 µg/L using graphite furnace atomic absorption spectrometry and EPA Method Number 220.2 from 40 CFR Part 136. The quantitation level (QL) for copper is 5 µg/L (5 x MDL).

[e] The MDL for lead is 1 µg/L using graphite furnace atomic absorption spectrometry and EPA Method Number 239.2 from 40 CFR Part 136. The quantitation level (QL) for lead is 5 µg/L (5 x MDL).

[f] The MDL for zinc is 2 µg/L using inductively coupled plasma and EPA Method Number 200.7 from 40 CFR Part 136. The quantitation level (QL) for zinc is 10 µg/L (5 x MDL).

[g] The MDL for Arsenic is 1 µg/L using the GFAA Method Number 206.2 from 40 CFR Part 136. The quantitation level (QL) for Arsenic is 5 µg/L (5x MDL).

[h] The MDL for turbidity is 1 NTU using a turbidimeter and EPA Method Number 180.1 from 40 CRF Part 136 or Standard Methods for the Examination of Water and Wastewater, 18th Edition, 2130. Alternatively, a grab sample shall be analyzed by a laboratory accredited under the provisions of Accreditation of Environmental Laboratories, Chapter 173-50 WAC.

C. Mixing Zone Authorization

The following paragraphs define the maximum boundaries of the mixing zone(s):

Chronic Mixing Zone

WAC 173-201A-400 specifies mixing zones must not extend in any horizontal direction from the discharge ports for a distance greater than 100 feet for the Permittee's outfall. The mixing zone is a circle with radius of 100 feet measured from the center of each discharge port. The mixing zone extends from the seabed to the top of the water surface. Chronic aquatic life criteria and human health criteria must be met at the edge of the chronic zone. The dilution factor associated with the chronic mixing zone is 87:1.

Acute Mixing Zone

WAC 173-201A-400 specifies that in estuarine waters a zone where acute criteria may be exceeded must not extend beyond 10% of the distance established for the maximum or chronic zone as measured independently from the discharge ports. The acute mixing zone is a circle with radius of 10 feet measured from the center of each discharge port. The mixing zone extends from the seabed to the top of the water surface. Acute aquatic life criteria must be met at the edge of the acute zone. The dilution factor associated with the acute mixing zone is 25:1.

D. Marine Railway and Screw Lift Dry Dock Floodwater

Discharges from the marine ways during launch and Screw Lift Dry Dock during flooding must not cause a visible change in turbidity, color, or cause a visible sheen to the receiving water.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge marine railway and dry dock floodwater from Railways 1 and 2 and Dry Dock No. 3 subject to meeting the following limitations:

EFFLUENT LIMITATIONS	
Marine Railways 1&2 (MR1&2), 2 and Screw Lift Dry Dock 3 (SLD3)	
Parameter	Maximum Daily [a]
Oil and Grease [b]	5 mg/L
Turbidity [c]	5 NTU above background
[a] The maximum daily effluent limitation is defined as the highest allowable daily discharge.	
[b] Oil and grease shall be measured by Ecology Method NWTPH-DX.	
[c] If background turbidity is greater than 50 NTUs, the turbidity of the stormwater shall not exceed a 10% increase over background.	

S2. MONITORING REQUIREMENTS

A. Stormwater Discharges

The Permittee must:

- Monitor in accordance with the following schedule.
- Use the laboratory method, detection level (DL), and quantitation level (QL) specified in Appendix A.
- Collect samples from the outfall or an online access point of a storm drain nearest the outfall terminus.
- Collect samples during normal operating hours within the first sixty (60) minutes of runoff from a storm event that is greater than 0.1 inches of rainfall. If a qualifying storm event does not occur during a month, then the Permittee is not required to submit stormwater data for that week.
- Collect background turbidity samples in the Lake Washington Ship Canal at a point upstream of the discharge and which is representative of the river water quality prior to any discharge from the shipyard.
- Collect the background sample at the same time it collects the stormwater sample.

Parameter	Units	Minimum Sampling Frequency [1]	Sample Type
Total Arsenic [a]	µg/L	One/ Month	Grab
Total Lead[a]	µg/L	One/ Month	Grab
Total Copper	µg/L	One/ Month	Grab
Total Zinc	µg/L	One/ Month	Grab
Oil and Grease	mg/l	One/ Month	Grab
Turbidity	NTU	One/ Month	Grab
Background Turbidity	NTU	One/ Month	Grab
pH	Standard Unit	One/ Month	Grab

[a] Monitoring may be reduced or eliminated upon request from Permittee and approval by the Department after 24th month of sampling should monitoring result in non-detect for majority of samples.

B. Dry Dock Monitoring Schedule

The Permittee must:

- Collect grab samples from the outboard apron area of the dry docks after the initial submergence following hull repair activities and when there is at least three feet and less than six feet of water over the floor apron. Ecology will consider the samples as invalid if taken after the 6-foot water level is reached.
- Clearly state on the Discharge Monitoring Report if no undocking occurs in a given quarter.
- Maintain a log of observations/photos for visible sheen. The log must also identify when observations are not possible due to night launches.

The Permittee may collect background samples of oil and grease to show when oil and grease is present before the submergence of the drydock. The Permittee must collect this sample at the same point as the test sample and grab it between the 3- and 6-foot depth in the water column within 30 minutes of submergence.

Parameter[a]	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Oil and Grease	mg/l	Marine Railways No.1& No. 2 (MR1&2),Screw Lift Dry Dock (SLD3) Floodwater	One/ Quarter	Grab
Turbidity	NTU	Marine Railways No.1& No. 2 (MR1&2),Screw Lift Dry Dock (SLD3) Floodwater	One/ Quarter	Grab
Background Turbidity	NTU	Receiving Water	One/ Quarter	Grab

C. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136.

D. Laboratory Accreditation

The Permittee must ensure that all monitoring data required by Ecology is prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories.* Flow, temperature, settleable solids, turbidity, conductivity, pH, and internal process control parameters are exempt from this requirement.

S3. REPORTING AND RECORD KEEPING REQUIREMENTS

The Permittee must monitor and report in accordance with the following conditions. The falsification of information submitted to Ecology is a violation of the terms and conditions of this permit.

A. Discharge monitoring reports

The first monitoring period begins on the effective date of the permit (unless otherwise specified). The Permittee must:

1. Summarize, report, and submit monitoring data obtained during each monitoring period on the electronic discharge monitoring report (DMR) form provided by Ecology within the Water Quality Permitting Portal. Include data for each of the parameters tabulated in Special Condition S2 and as required by the form. Report a value for each day sampling occurred (unless specifically exempted in the permit) and for the summary values (when applicable) included on the electronic form.

   To find out more information and to sign up for the Water Quality Permitting Portal go to: http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html

2. Enter the "No Discharge" reporting code for an entire DMR, for a specific monitoring point, or for a specific parameter as appropriate, if the Permittee did not discharge wastewater or a specific pollutant during a given monitoring period.

3. Report single analytical values below detection as "less than the detection level (DL)" by entering < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL and quantitation level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.

4. Report the test method used for analysis in the comments if the laboratory used an alternative method not specified in the permit and as allowed in Appendix A.

5. Calculate average values and calculated total values (unless otherwise specified in the permit) using:

   a. The reported numeric value for all parameters measured between the agency-required detection value and the agency-required quantitation value.

   b. One-half the detection value (for values reported below detection) if the lab detected the parameter in another sample from the same monitoring point for the reporting period.

   c. Zero (for values reported below detection) if the lab did not detect the parameter in another sample for the reporting period.

6. Report single-sample grouped parameters (for example: priority pollutants, PAHs, pulp and paper chlorophenolics, TTOs) on the WQWebDMR form and include: sample date, concentration detected, detection limit (DL) (as necessary), and laboratory quantitation level (QL) (as necessary).

   The Permittee must also submit an electronic copy of the laboratory report as an attachment using WQWebDMR. The contract laboratory reports must also include information on the chain of custody, QA/QC results, and documentation of accreditation for the parameter.

7. Ensure that DMRs are electronically submitted no later than the dates specified below, unless otherwise specified in this permit.

8. Submit DMRs for parameters with the monitoring frequencies specified in S2 at the reporting schedule identified below. The Permittee must:

   a. Submit **monthly** DMRs by the 28th day of the following month.

B. Permit Submittals and Schedules

The Permittee must use the Water Quality Permitting Portal – Permit Submittals application (unless otherwise specified in the permit) to submit all other written permit-required reports by the date specified in the permit.

When another permit condition requires submittal of a paper (hard-copy) report, the Permittee must ensure that it is postmarked or received by Ecology no later than the dates specified by this permit. Send these paper reports to Ecology at:

Water Quality Permit Coordinator
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452

C. Records retention

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original 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. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

D. Recording of results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.

3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

E. Additional monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by Special Condition S2 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR unless otherwise specified by Special Condition S2.

F. Reporting permit violations

The Permittee must take the following actions when it violates or is unable to comply with any permit condition:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.
2. If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to Ecology within thirty (30) days of sampling.

a. Immediate reporting

The Permittee must immediately report to the Department of Ecology plant bypasses:

Northwest Regional Office 425-649-7000

b Twenty-four-hour reporting

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at the telephone numbers listed above, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

1. Any noncompliance that may endanger health or the environment, unless previously reported under immediate reporting requirements.
2. Any unanticipated bypass that causes an exceedance of any effluent limit in the permit (See Part S4.B., "Bypass Procedures").
3. Any upset that causes an exceedance of an effluent limit in the permit (See G.15, "Upset").
4. Any violation of a maximum daily or instantaneous maximum discharge limit for any of the pollutants in Section S1.A of this permit.
5. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limit in the permit. This requirement does not include industrial process wastewater

overflows to impermeable surfaces which are collected and routed to the treatment works.

c. Report within five days

The Permittee must also submit a written report within five days of the time that the Permittee becomes aware of any reportable event under subparts a or b, above.

The report must contain:

1. A description of the noncompliance and its cause.
2. The period of noncompliance, including exact dates and times.
3. The estimated time the Permittee expects the noncompliance to continue if not yet corrected.
4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
5. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

d. Waiver of written reports

Ecology may waive the written report required in subpart c, above, on a case-by-case basis upon request if the Permittee has submitted a timely oral report.

e. All other permit violation reporting

The Permittee must report all permit violations, which do not require immediate or within 24 hours reporting, when it submits monitoring reports for S3.A ("Reporting"). The reports must contain the information listed in subpart c, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

G. Other reporting.

a. Spills of Oil or Hazardous Materials

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and chapter 173-303-145. You can obtain further instructions at the following website: http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm.

b. Failure to submit relevant or correct facts

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 Ecology, it must submit such facts or information promptly.

H. Maintaining a copy of this permit

The Permittee must keep a copy of this permit at the facility and make it available upon request to Ecology inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

The Permittee must schedule any facility maintenance, which might require interruption of stormwater treatment and degrade effluent quality, during noncritical water quality periods and carry this maintenance out in a manner approved by Ecology.

A. Operations and Maintenance Manual

The Permittee must:

1. Update the Operations and Maintenance (O&M) Manual in accordance with 173-240-150 WAC and submit it to Ecology for approval by October 2, 2010.

2. Review the O&M Manual at least annually and confirm this review by letter to Ecology.

3. Submit to Ecology for review and approval substantial changes or updates to the O&M Manual whenever it incorporates them into the manual.

4. Keep the approved O&M Manual at the permitted facility.

5. Follow the instructions and procedures of this manual.

In addition to the requirements of WAC 173-240-150(1) and (2), the O&M Manual must include:

1. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset or failure.

2. Wastewater system maintenance procedures that contribute to the generation of process wastewater.

3. Any directions to maintenance staff when cleaning, or maintaining other equipment or performing other tasks which are necessary to protect the operation of the wastewater system (for example, defining maximum allowable discharge

rate for draining a tank, blocking all floor drains before beginning the overhaul of a stationary engine.)

4. Wastewater sampling protocols and procedures for compliance with the sampling and reporting requirements in the wastewater discharge permit.

5. Minimum staffing adequate to operate and maintain the treatment processes and carry out compliance monitoring required by the permit.

6. Treatment plant process control monitoring schedule.

The Permittee must summarize the following information in the initial chapter of the O&M Manual entitled the "Treatment System Operating Plan." For the purposes of this NPDES permit, a Treatment System Operating Plan (TSOP) is a concise summary of specifically-defined elements of the O&M Manual. The TSOP must not conflict with the O&M Manual and must include the following information:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limits of S1 at the production levels used in developing these limits.

2. In the event of production rates, which are below the baseline levels used to establish these limits, the plan must describe the operating procedures and conditions needed to maintain design treatment efficiency. The monitoring and reporting must be described in the plan.

3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan must describe the operating procedures and conditions employed to mitigate the upset. The monitoring and reporting must be described in the plan.

4. A description of any regularly-scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

The Permittee must submit an updated Treatment System Operating Plan to Ecology with the application for renewal. This plan must be updated and submitted, as necessary, to include requirements for any major modifications of the treatment system.

B. Bypass Procedures

This permit prohibits a bypass which is the intentional diversion of waste streams from any portion of a treatment facility. Ecology may take enforcement action against a Permittee for a bypass unless one of the following circumstances (1, 2, or 3) applies.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

   Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limits or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated, and results in noncompliance of this permit.

   This bypass is permitted only if:

   Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause 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.

   No feasible alternatives to the bypass exist, such as:

   - The use of auxiliary treatment facilities.
   - Retention of untreated wastes.
   - Stopping production.
   - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.
   - Transport of untreated wastes to another treatment facility or preventative maintenance, or transport of untreated wastes to another treatment facility.

   Ecology is properly notified of the bypass as required in Condition S3.E of this permit.

3. If bypass is anticipated and has the potential to result in noncompliance of this permit.

   a. The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain:

      - A description of the bypass and its cause.
      - An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
      - A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
      - The minimum and maximum duration of bypass under each alternative.

- A recommendation as to the preferred alternative for conducting the bypass.
- The projected date of bypass initiation.
- A statement of compliance with SEPA.
- A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
- Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

b. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during preparation of the engineering report or facilities plan and plans and specifications and must include these to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.

c. Ecology will consider the following prior to issuing an administrative order for this type of bypass:

- If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime, or transport of untreated wastes to another treatment facility.
- If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. Ecology will give the public an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Ecology will approve a request to bypass by issuing an administrative order under RCW 90.48.120.

C. Duty to Mitigate

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

S5. APPLICATION FOR PERMIT RENEWAL

The Permittee must submit an application for renewal of this permit by May 1, 2019.

S6. FACILITY LOADING

A. Design Criteria

The flows or waste loads for the permitted facility must not exceed the following design criteria:

Parameter	Design Quantity
Treatment Flow Range	Up to 50 gpm

S7. SOLID WASTES

A. Solid Waste Handling

The Permittee must handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee must not allow leachate from its solid waste material to enter state waters without providing all known, available, and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee must apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

C. Solid Waste Control Plan

The Permittee must submit all proposed revisions or modifications to the Solid Waste Control Plan to Ecology for review and approval at least thirty (30) days prior to implementation. Once approved, the Permittee must comply with any plan modifications. The Permittee must submit an update of the Solid Waste Control Plan by May 1, 2019.

S8. SPILL CONTROL PLAN

The Permittee must:

1. Submit to Ecology an update to the existing Spill Control Plan for the prevention, containment, and control of spills or unplanned releases of pollutants by October 2, 2015.
2. Review the plan at least annually and update the Spill Control Plan as needed.
3. Send changes to the plan to Ecology.
4. Follow the plan and any supplements throughout the term of the permit.

The Spill Control Plan must include the following:

1. A list of all oil and petroleum products and other materials used and/or stored on-site, which when spilled, or otherwise released into the environment, designate as dangerous waste (DW) or extremely hazardous waste (EHW) by the procedures set forth in WAC 173-303-070. Include other materials used and/or stored on-site which may become pollutants or cause pollution upon reaching state's waters.

2. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

3. A description of the reporting system the Permittee will use to alert responsible managers and legal authorities in the event of a spill.

4. A description of operator training to implement the plan.

The Permittee may submit plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies which meet the intent of this section.

S9. STORMWATER POLLUTION PREVENTION PLAN

The definitions of terms used in this section are provided in the guidance document entitled *Stormwater Pollution Prevention Planning for Industrial Facilities*, Publication No. WQ-R-93-015, 1998, which is published by the Department of Ecology and available on Ecology's website at http://www.ecy.wa.gov/biblio/0410030.html

A. Plan Development Deadlines

The Permittee shall develop, implement, and comply with a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the following schedule:

1. By October 2, 2015, develop/or update the SWPPP and retain it on-site.

2. By November 15, 2015, complete the implementation of *operational BMPs* and applicable *source control BMPs*, as required under this Special Condition, which do not require *capital improvements*.

The guidance for development of a SWPPP is available from:

Permit Coordinator
WA State Department of Ecology
NWRO Regional Office
3190 – 160th Avenue SE
Bellevue, WA 98008-5452

B. General Requirements

1. Submission, Retention and Availability:

   The Permittee shall submit an updated copy of the SWPPP to the Department by January 1, 2016, for review and comment. If stormwater discharge is to a municipal storm sewer system, submit a copy of the SWPPP to the municipal operator of the storm sewer system. The SWPPP and all of its modifications shall be signed in accordance with Special Condition S3.I. Retain the SWPPP on-site or within reasonable access to the site.

2. Modifications:

   The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance which causes the SWPPP to be less effective in controlling the pollutants. Whenever the description of potential pollutant sources or the pollution prevention measures and controls identified in the SWPPP are inadequate, the SWPPP shall be modified, as appropriate, within two (2) weeks of such determination.

   The proposed modifications to the SWPPP shall be submitted to the Department at least thirty (30) days in advance of implementing the proposed changes in the plan unless Ecology approves immediate implementation. The Permittee shall provide for implementation of any modifications to the SWPPP in a timely manner.

3. The Permittee may incorporate applicable portions of plans prepared for other purposes. Plans or portions of plans incorporated into a SWPPP become enforceable requirements of this permit.

4. The Permittee shall update the SWPPP in accordance with the guidance provided in the *Stormwater Pollution Prevention Planning for Industrial Facilities*. The plan shall contain the following elements:

   a. Assessment and description of existing and potential pollutant sources.

   b. A description of the operational BMPs.

   c. A description of selected source-control BMPs.

   d. When necessary, a description of the erosion and sediment control BMPs.

   e. When necessary, a description of the treatment BMPs.

   f. An implementation schedule.

C. Plan Evaluation

The Permittee shall evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly implemented in accordance with the terms of the permit or whether additional controls are needed. A record shall be maintained summarizing the results of inspections and a certification, in accordance with Condition S3.2, that the facility is in compliance with the plan and this permit and identifying any incidents of noncompliance.

S10. BEST MANAGEMENT PRACTICES

A. Control of Large Solid Materials

Prior to flooding and sinking, the Permittee must remove floatable and low density waste, such as wood, plastic, and miscellaneous trash, such as paper, insulation, and packaging, from the screw lift dry dock and marine railway floors.

B. Control and Cleanup of Paint Dust and Abrasive Blasting Debris

The Permittee must:

1. Confine dust and overspray to the shipyard repair and construction areas to the maximum extent feasible during abrasive blasting and spray painting of vessels and modules. Feasible methods of control include conducting the work in a sandblast/spray paint shed or installing plastic barriers around the vessel.

2. Secure and arrange the plastic barriers hung from the vessel or temporary structures around the vessel to prevent the fugitive emissions of abrasive grit and dust, as well as effectively capture overspray from spray painting activities.

3. Weight or fasten the bottom edge of tarpaulins and plastic sheeting so they remain in place during windy conditions.

4. Consider other feasible innovative procedures, as appropriate, to improve the effectiveness of controlling dust emissions and paint overspray. Such innovative methods may include wet abrasive blasting (slurry blasting), product substitution for blasting media, for example, sodium bicarbonate, or overall waste minimization and recycling, for example, the use of vacuum-return sandblasting heads or steel shot blast technology.

5. Do not use abrasive blast or spray paint while vessels are docked pier-side, such that material is discharged to the receiving water.

6. Clean up spent paint, paint chips, protective coating materials, and abrasive grit as part of the repair or production activities, to the extent maximally feasible, to prevent their entry into state waters.

7. Set vessels on the dry dock ways to maximize accessibility to the floor of the dry dock beneath the vessel for collection of spent abrasive.

8. Use either manual or mechanical methods to clean the dry dock of spent sandblast grit and debris prior to launching a vessel.

9. Do not flood or sink dry docks with standing piles of spent abrasive on the dry dock floor.

10. Take photographs and maintain them in a logbook to demonstrate the condition of the dry dock floor prior to launching every vessel. Documentation accompanying the photographs must include the name of the vessel, the dry dock number, the date the vessel was launched, the date the photograph was taken, and the name of the photographer. The Permittee may use a videotape that documents the same information in place of a photograph collection.

11. Clean the yard on a regular basis to minimize the possibility that stormwater runoff will carry sandblasting grit or other debris into the receiving water.

12. Store collected sandblasting debris under cover in a designated area with the spent abrasive grit.

13. Adopt innovations and procedures to improve the effectiveness of cleanup operations where they are feasible, appropriate, and the Permittee can demonstrate they prevent the discharge of solids to water.

C. <u>In-Water Vessel Maintenance - Surface Preparation BMPs</u>

The Permittee must not clean any portion of a vessel’s hull below the waterline or employ conventional abrasive blasting while the vessel is afloat.

The Permittee may conduct the following types of surface preparation activities on a vessel's hull above the waterline at a permitted shipyard facility provided that containment and collection BMP measures effectively prevent dust, dirt, debris, or any other pollutants generated from these surface preparation operations from being deposited on or entering into waters of the state:

1. Mechanical hand preparation, such as scraping or wire brushing.

2. Conventional mechanical grinding or use of other powered mechanical abrading tools.

Ecology may allow the Permittee to conduct innovative abrasive blasting systems or ultrahigh water pressure systems for surface preparation on a vessel's hull while it is in the water provided that the Permittee demonstrates beforehand to Ecology's satisfaction that such methods do not release generated pollutants into waters of the state.

D. In-Water Vessel Maintenance - Paint and Coating Application BMPs

The Permittee must not spray-paint or spray-coating applications to a vessel's hull while that vessel is in the water. The Permittee may conduct the following methods of paint and coating applications to a vessel's hull while in the water at an NPDES-permitted shipyard, provided that all containment, collection, and spill prevention BMPs are in place before it makes any applications.

1. Application by roller.

2. Application by brush.

Ecology may allow the Permittee to conduct innovative spray-paint or spray-coating application methods on a vessel's hull while it is in the water provided that it demonstrates beforehand to Ecology's satisfaction that such methods do not release generated pollutants into waters of the state.

E. BMPs for Floats Used for In-Water Vessel Maintenance

Floats are defined as free-floating, unattached work platforms capable of moving back and forth along the length of the ship and around its hull. The Permittee must:

1. At all times maintain floats at a minimum of 1" of freeboard at the floats' lowest point during all phases of maintenance operations.

2. Maintain this minimum 1" freeboard requirement with all scaffolding configurations and number of persons onboard the float.

3. Take all necessary precautions while onboard the float to prevent paints, cleaning materials, petroleum products, all other liquids, and unsecured materials from entering into the water from the float.

4. Provide any container greater than one gallon holding paint, marine coating, or any other liquid product for painting or surface preparation with secondary containment when used onboard a float.

5. Provide all roller pans used on a float with secondary spill containment equal to the entire volume of the container plus 10 percent of the volume of that same container.

F. Documentation Requirements for In-Water Vessel Maintenance BMPs

The Permittee must comply with documentation requirements for any in-water surface preparation operations of one hour or more in duration and any in-water coating or painting operation involving 1/2 gallon or more of paint or marine coating.

Documentation requirements will consist, at a minimum, of one or more representative photographs of all in-water vessel maintenance BMPs which the Permittee implements for surface preparation operations and all painting and coating operations. The Permittee must date all such photographs and maintain them in a logbook, with all

necessary descriptive narrative of the in-water vessel maintenance BMPs. The Permittee must make these records available to an Ecology inspector upon request and must retain them on-site for at least three (3) years.

G. Oil, Grease, Paint, and Fuel Spills Prevention and Containment

The Permittee must not discharge oil, other hazardous material, or paint to state waters, except as specifically authorized by this permit. The Permittee must:

1. Prevent oil, grease, fuel, or paint spills from reaching drainage systems or surface waters.

2. Promptly cleanup after it detects an oil, grease, fuel, or paint spill.

3. Conveniently store oil containment booms and absorbents so they can be deployed immediately in the event of a spill.

4. Train all yard personnel that may participate in cleanup of spills in the use and deployment of cleanup equipment.

In the event of an accidental discharge of oil or hazardous material into waters of the state or onto land with a potential for entry into state waters, the Permittee must immediately notify Ecology's Northwest Regional Office Spill Response Section and the United States Coast Guard. The Permittee must not use emulsifiers or dispersants in or upon the waters of the state without prior approval from Ecology. The Permittee must:

1. Immediately commence and complete cleanup efforts as soon as possible, taking precedence over normal work.

2. Properly dispose of spilled material and used cleanup material.

3. Follow an approved Spill Control Plan or according to specific instructions of an on-scene coordinator to clean up oil or hazardous material.

4. Use drip pans or other protective devices for all oil transfer operations to catch incidental spills and drips from hose nozzles, hose racks, drums, or barrels. Provide oils and fuel storage tanks with secondary containment.

H. Paint and Solvent Use and Containment

The Permittee must:

1. Only mix paints and solvents in locations and under conditions such that no spill shall enter state waters.

2. Use drip pans or other protective devices for all paint mixing and solvent transfer operations, unless it conducts the mixing operation in covered and controlled areas away from storm drains, surface waters, shorelines, and piers.

3. Use drip pans, drop cloths, or tarpaulins wherever it mixes paints and solvents on wood docks.

4. Not mix paints and solvents on floats.

5. Treat paint and solvent spills as oil spills and prevent the spill from reaching storm drains and subsequent discharge into the water.

I. Contact Between Water and Debris

The Permittee must:

1. Direct shipboard cooling and noncontact cooling water to minimize contact with spent abrasives, paint chips, and other debris. Contact between spent abrasives or paint chips and water will be reduced by proper segregation and control of wastewater streams.

2. Incorporate appropriate methods to prevent accumulation of debris in drainage systems and promptly remove debris to prevent its discharge with stormwater.

J. Maintenance of Hoses, Soil Chutes, and Piping

The Permittee must:

1. Immediately replace or repair leaking connections, valves, pipes, hoses, and soil chutes carrying either water or wastewater.

2. Tightly connect soil chute and hose connections to vessels and to receiving lines or containers and maintain them as leak free as practicable.

K. Chemical Storage

The Permittee must store solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions, and waste materials, including used batteries, in a manner which will prevent the inadvertent entry of these materials into waters of the state, including ground water. Storage methods must prevent spills due to overfilling, tipping, or rupture. In addition, the Permittee must use the following practices:

1. Store all liquid products on durable impervious surfaces and within bermed containment capable of containing 110 percent of the largest single container in the storage area.

2. Store waste liquids under cover, such as tarpaulins or roofed structures.

3. Clearly designate all waste storage areas for waste oil or hazardous waste, and keep these areas segregated from new product storage.

4. Segregate and secure incompatible or reactive materials stored in separate containment areas to prevent inadvertent mixing and reaction of spilled chemicals.

5. Transport off-site for disposal concentrated waste or spilled chemicals at a facility approved by Ecology or the appropriate county health authority in accordance with the solid waste disposal requirements of Special Condition S6. These materials must not be discharged to any sewer or state waters.

L. Recycling of Spilled Chemicals and Rinse Water

The Permittee must:

1. Recycle any intercepted chemical spill back to the appropriate chemical solution tank or clean it up and dispose of it properly.

2. Handle, recycle, or dispose of spilled material to prevent its discharge into state waters.

M. Sediment Traps

The Permittee must inspect sediment traps in the stormwater drainage systems for the screw lift dry dock, marine railways, and yard on a monthly basis and clean them as necessary to ensure the traps properly intercept and retain solids entering the drainage system. Inspection logs and cleaning records must be maintained.

N. Education of Employees, Contractors, and Customers

To facilitate the consistent and effective implementation of the BMPs described above, the Permittee must develop a program for training its employees, and all contractors who work at the facility, on BMPs, and the environmental concerns related to this permit. There are a variety of ways to accomplish this, and the Permittee should determine the method that works best for the company. For example, regular safety meetings may be a convenient time to discuss BMP implementation successes or problems and get input on better ways of accomplishing pollution prevention. The Permittee may consider providing similar information to its customers.

S11. OUTFALL EVALUATION

The Permittee must inspect, once, the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it must be included in the report. By May 1, 2019, the inspection report must be submitted to Ecology.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

A. All applications, reports, or information submitted to Ecology must be signed and certified.

(a) In the case of corporations, 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.

(b) In the case of a partnership, by a general partner.

(c) In the case of sole proprietorship, by the proprietor.

(d) In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.

B. All reports required by this permit and other information requested by Ecology must 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 Ecology.

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

C. Changes to authorization. If an authorization under paragraph B.2, above, 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.2, above, must be submitted to Ecology 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 this section must 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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering 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.*

G2. RIGHT OF INSPECTION AND ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.

C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon Ecology's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:

1. Violation of any permit term or condition.

2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.

3. A material change in quantity or type of waste disposal.

4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR Part 122.64(3)].

5. 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 [40 CFR Part 122.64(4)].

6. Nonpayment of fees assessed pursuant to RCW 90.48.465.

7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:

1. A material change in the condition of the waters of the state.

2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.

3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.

4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.

5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.

6. Ecology has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.

7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7, of this section, and Ecology determines that modification or revocation and reissuance is appropriate.

2. Ecology has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

G4. REPORTING PLANNED CHANGES

The Permittee must, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to Ecology of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:
1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b);
2) a significant change in the nature or an increase in quantity of pollutants discharged; or
3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities must be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit must be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee must notify the succeeding owner or controller of the existence of this permit by letter, a copy of which must be forwarded to Ecology.

A. Transfers by Modification

Except as provided in paragraph B, below, this permit may be transferred by the Permittee to a new owner or operator only if this 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 the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies Ecology at least thirty (30) days in advance of the proposed transfer date.

2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.

3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G8. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G9. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. DUTY TO PROVIDE INFORMATION

The Permittee must submit to Ecology, within a reasonable time, all information which Ecology 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 must also submit to Ecology upon request, copies of records required to be kept by this permit.

G11. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G12. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G13. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology.

G14. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit is deemed guilty of a crime, and upon conviction thereof will be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs is a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit must incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is deemed to be a separate and distinct violation.

G15. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limits because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limits if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
1) an upset occurred and that the Permittee can identify the cause(s) of the upset;
2) the permitted facility was being properly operated at the time of the upset;
3) the Permittee submitted notice of the upset as required in Condition S3.E; and
4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceedings the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G16. PROPERTY RIGHTS

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

G17. DUTY TO COMPLY

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

G18. TOXIC POLLUTANTS

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

G19. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit will, 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 by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment will be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G20. REPORTING REQUIREMENTS APPLICABLE TO EXISTING MANUFACTURING, COMMERCIAL, MINING, AND SILVICULTURAL DISCHARGERS

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify Ecology as soon as they know or have 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 this 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/L) 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).

4. The level established by the Director 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 this 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/L) 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).

4. The level established by the Director in accordance with 40 CFR 122.44(f).

G21. 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 must be submitted no later than fourteen (14) days following each schedule date.

APPENDIX A

EFFLUENT CHARACTERIZATION FOR POLLUTANTS

THIS LIST INCLUDES EPA-REQUIRED POLLUTANTS (PRIORITY POLLUTANTS)
AND SOME ECOLOGY PRIORITY TOXIC CHEMICALS (PBTs)

The following table with analytical methods and levels is to be used as guidance for effluent characterization in NPDES permit applications, applications for permit renewal, and monitoring required by permit. This attachment is used in conjunction with Section V, Parts A, B, and C of EPA Application Form 2C, Parts A.12, B.6, and D of EPA application form 2A and with state applications. This attachment specifies effluent characterization requirements of the Department of Ecology. For application, analyze your wastewater for all parameters required by the application and any additional pollutants with an X in the left column. The data should be compiled from last year's data if it is a parameter routinely measured. If you are a primary industry category with effluent guidelines, you may have some mandatory testing requirements (see Table 2C-2 of Form 2C). If you are a municipal POTW, you also have some mandatory testing requirements which are dependent upon the design flow (see EPA form 2A).

The permit applications will specify the groups of compounds to be analyzed. Ecology may require additional pollutants to be analyzed within a group. The objectives are to reduce the number of analytical "non-detects" in applications and to measure effluent concentrations near or below criteria values where possible at a reasonable cost. If an applicant or Permittee knows that an alternate, less sensitive method (higher DL and QL) from 40 CFR Part 136 is sufficient to produce measurable results in their effluent, that method may be used for analysis.

	Pollutant & CAS No. *(if available)*	**Recommended Analytical Protocol**	**Detection (DL)**[2] *(µg/L unless specified)*	**Quantitation Level (QL)**[3] *(µg/L unless specified)*
[1]	**CONVENTIONALS**			
	Biochemical Oxygen Demand	SM5210-B		2 mg/L
	Chemical Oxygen Demand	SM5220-D		10 mg/L
	Total Organic Carbon	SM5310-B/C/D		1 mg/L
	Total Suspended Solids	SM2540-D		5 mg/L
	Total Ammonia (as N)	SM4500-NH3- GH		0.3 mg/L
	Flow	Calibrated device		
	Dissolved oxygen	4500-OC/OG		0.2 mg/L
	Temperature (max. 7-day avg.)	Analog recorder or use micro-recording devices known as thermistors		0.2º C
	pH	SM4500-H^+ B	N/A	N/A
[1]	**NONCONVENTIONALS**			
	Total Alkalinity	SM2320-B		5 mg/L as CaCo3
	Bromide (24959-67-9)	4110 B	100	400
	Chlorine, Total Residual	4500 Cl G		50.0
	Color	SM2120 B/C/E		10 color unit
	Fecal Coliform	SM 9221E	N/A	N/A
	Fluoride (16984-48-8)	SM4500-F E	25	100
	Nitrate-Nitrite (as N)	4500-NO3- E/F/H		100
	Nitrogen, Total Kjeldahl (as N)	4500-NH3-C/E/FG		300
	Ortho-Phosphate (PO_4 as P)	4500- PE/PF	30	100
	Phosphorus, Total (as P)	4500-PE/PF	30	100
	Oil and Grease (HEM)	1664A		5,000
	Radioactivity	Table 1E		
	Salinity	SM2520-B		3 PSS

	Pollutant & CAS No. *(if available)*	Recommended Analytical Protocol	Detection (DL)[2] *(µg/L unless specified)*	Quantitation Level (QL)[3] *(µg/L unless specified)*
	Settleable Solids	SM2540 -F		100
	Sulfate (as mg/L SO_4)	SM4110-B		200
	Sulfide (as mg/L S)	4500-S^2F/D/E/G		200
	Sulfite (as mg/L SO_3)	SM4500-SO3B		2000
	Surfactants	SM5540 C		50
	Total dissolved solids	SM2540 C		20 mg/L
	Total Hardness	2340B		200 as CaCO3
	Aluminum, Total (7429-90-5)	200.8	2.0	10
	Barium Total (7440-39-3)	200.8	0.5	2.0
	Boron Total (7440-42-8)	200.8	2.0	10.0
	Cobalt, Total (7440-48-4)	200.8	0.05	0.25
	Iron, Total (7439-89-6)	200.8	12.5	50
	Magnesium, Total (7439-95-4)	200.8	10	50
	Molybdenum, Total (7439-98-7)	200.8	0.1	0.5
	Manganese, Total (7439-96-5)	200.8	0.1	0.5
	Tin, Total (7440-31-5)	200.8	0.3	1.5
	Titanium, Total (7440-32-6)	200.8	0.5	2.5
1	**METALS, CYANIDE & TOTAL PHENOLS**			
	Antimony, Total (7440-36-0)	200.8	0.3	1.0
	Arsenic, Total (7440-38-2)	200.8	0.1	0.5
	Beryllium, Total (7440-41-7)	200.8	0.1	0.5
	Cadmium, Total (7440-43-9)	200.8	0.05	0.25
	Chromium (hex) dissolved (185-402-99)	SM3500-Cr EC	0.3	1.2
	Chromium, Total (7440-47-3)	200.8	0.2	1.0
	Copper, Total (7440-50-8)	200.8	0.4	2.0
	Lead, Total (7439-92-1)	200.8	0.1	0.5
	Mercury, Total (7439-97-6)	1631E	0.0002	0.0005
	Nickel, Total (7440-02-0)	200.8	0.1	0.5
	Selenium, Total (7782-49-2)	200.8	1.0	1.0
	Silver, Total (7440-22-4)	200.8	0.04	0.2
	Thallium, Total (7440-28-0)	200.8	0.09	0.36
	Zinc, Total (7440-66-6)	200.8	0.5	2.5
	Cyanide, Total (7440-66-6)	335.4	5	10
	Cyanide, Available	SM4500-CN G	5	10
	Phenols, Total	EPA 420.1		50
	DIOXIN			
	2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16)	1613B	1.3 pg/L	5 pg/L
1	**VOLATILE COMPOUNDS**			
	Acrolein (107-02-8)	624	5	10
	Acrylonitrile (107-13-1)	624	1.0	2.0
	Benzene (71-43-2)	624	1.0	2.0
	Bis(2-Chloroethyl)ether (111-44-4)	611/625	1.0	2.0
	Bis(2-Chloroisopropyl) ether (108-60-1)	611/625	1.0	2.0
	Bromoform (75-25-2)	624	1.0	2.0

	Pollutant & CAS No. *(if available)*	Recommended Analytical Protocol	Detection (DL)[2] *(µg/L unless specified)*	Quantitation Level (QL)[3] *(µg/L unless specified)*
	Carbon tetrachloride (108-90-7)	624/601 or SM6230B	1.0	2.0
	Chlorobenzene (108-90-7)	624	1.0	2.0
	Chloroethane (75-00-3)	624/601	1.0	2.0
	2-Chloroethylvinyl Ether (110-75-8)	624	1.0	2.0
	Chloroform (67-66-3)	624 or SM6210B	1.0	2.0
	Dibromochloromethane (124-48-1)	624	1.0	2.0
	1,2-Dichlorobenzene (95-50-1)	624	1.9	7.6
	1,3-Dichlorobenzene (541-73-1)	624	1.9	7.6
	1,4-Dichlorobenzene (106-46-7)	624	4.4	17.6
	3,3'-Dichlorobenzidine (91-94-1)	605/625	0.5	1.0
	Dichlorobromomethane (75-27-4)	624	1.0	2.0
	1,1-Dichloroethane (75-34-3)	624	1.0	2.0
	1,2-Dichloroethane (107-06-2)	624	1.0	2.0
	1,1-Dichloroethylene (75-35-4)	624	1.0	2.0
	1,2-Dichloropropane (78-87-5)	624	1.0	2.0
	1,3-dichloropropylene (mixed isomers) (542-75-6)	624	1.0	2.0
	Ethylbenzene (100-41-4)	624	1.0	2.0
	Methyl bromide (74-83-9) (Bromomethane)	624/601	5.0	10.0
	Methyl chloride (74-87-3) (Chloromethane)	624	1.0	2.0
	Methylene chloride (75-09-2)	624	5.0	10.0
	1,1,2,2-Tetrachloroethane (79-34-5)	624	1.9	2.0
	Tetrachloroethylene (127-18-4)	624	1.0	2.0
	Toulene (108-88-3)	624	1.0	2.0
	1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	624	1.0	2.0
	1,1,1-Trichloroethane (71-55-6)	624	1.0	2.0
	1,1,2-Trichloroethane (79-00-5)	624	1.0	2.0
	Trichloroethylene (79-01-6)	624	1.0	2.0
	Vinyl chloride (75-01-4)	624/SM6200B	1.0	2.0
1	**ACID COMPOUNDS**			
	2-Chlorophenol (95-57-8)	625	1.0	2.0
	2,4-Dichlorophenol (120-83-2)	625	0.5	1.0
	2,4-Dimethylphenol (105-67-9)	625	0.5	1.0
	4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	625/1625B	1.0	2.0
	2,4 dinitrophenol (51-28-5)	625	1.0	2.0
	2-Nitrophenol (88-75-5)	625	0.5	1.0
	4-nitrophenol (100-02-7)	625	0.5	1.0
	Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	625	1.0	2.0
	Pentachlorophenol (87-86-5)	625	0.5	1.0[10]
	Phenol (108-95-2)	625	2.0	4.0
	2,4,6-Trichlorophenol (88-06-2)	625	2.0	4.0
1	**BASE/NEUTRAL COMPOUNDS (compounds in bold are Ecology PBTs)**			
	Acenaphthene (83-32-9)	625	0.2	0.4

	Pollutant & CAS No. *(if available)*	**Recommended Analytical Protocol**	**Detection (DL)**[2] *(µg/L unless specified)*	**Quantitation Level (QL)**[3] *(µg/L unless specified)*
	Acenaphtylene (208-96-8)	625	0.3	0.6
	Anthracene (120-12-7)	625	0.3	0.6
	Benzidine (92-87-5)	625	12	24
	Benzyl butyl phthalate (85-68-7)	625	0.3	0.6
	Benzo(*a*)anthracene (56-55-3)	625	0.3	0.6
	Benzo(j)fluoranthene (205-82-3)	625	0.5	1.0
	Benzo(r,s,t)pentaphene (189-55-9)	625	0.5	1.0
	Benzo(*a*)pyrene (50-32-8)	610/625	0.5	1.0
	3,4-benzofluoranthene (Benzo(b)fluoranthene) (205-99-2)	610/625	0.8	1.6
	11,12-benzofluoranthene (Benzo(k)fluoranthene) (207-08-9)	610/625	0.8	1.6
	Benzo(*ghi*)Perylene (191-24-2)	610/625	0.5	1.0
	Bis(*2-chloroethoxy)*methane (111-91-1)	625	5.3	21.2
	Bis(*2-chloroethyl*)ether (111-44-4)	611/625	0.3	1.0
	Bis(*2-chloroisopropyl*)ether (108-60-1)	625	0.3	0.6
	Bis(*2-ethylhexyl*)phthalate (117-81-7)	625	0.1	0.5
	4-Bromophenyl phenyl ether (101-55-3)	625	0.2	0.4
	2-Chloronaphthalene (91-58-7)	625	0.3	0.6
	4-Chlorophenyl phenyl ether (7005-72-3)	625	0.3	0.5
	Chrysene (218-01-9)	610/625	0.3	0.6
	Dibenzo (a,j)acridine (224-42-0)	610M/625M	2.5	10.0
	Dibenzo (a,h)acridine (226-36-8)	610M/625M	2.5	10.0
	Dibenzo(a-*h*)anthracene (53-70-3) (1,2,5,6-dibenzanthracene)	625	0.8	1.6
	Dibenzo(a,e)pyrene (192-65-4)	610M/625M	2.5	10.0
	Dibenzo(a,h)pyrene (189-64-0)	625M	2.5	10.0
	3,3'-Dichlorobenzidine (91-94-1)	605/625	0.5	1.0
	Diethyl phthalate (84-66-2)	625	1.9	7.6
	Dimethyl phthalate (131-11-3)	625	1.6	6.4
	Di-n-butyl phthalate (84-74-2)	625	0.5	1.0
	2,4-dinitrotoluene (121-14-2)	609/625	0.2	0.4
	2,6-dinitrotoluene (606-20-2)	609/625	0.2	0.4
	Di-n-octyl phthalate (117-84-0)	625	0.3	0.6
	1,2-Diphenylhydrazine (*as Azobenzene*) (122-66-7)	1625B	5.0	20
	Fluoranthene (206-44-0)	625	0.3	0.6
	Fluorene (86-73-7)	625	0.3	0.6
	Hexachlorobenzene (118-74-1)	612/625	0.3	0.6
	Hexachlorobutadiene (87-68-3)	625	0.5	1.0
	Hexachlorocyclopentadiene (77-47-4)	1625B/625	0.5	1.0
	Hexachloroethane (67-72-1)	625	0.5	1.0
	Indeno(*1,2,3-cd*)Pyrene (193-39-5)	610/625	0.5	1.0
	Isophorone (78-59-1)	625	0.5	1.0
	3-Methyl cholanthrene (56-49-5)	625	2.0	8.0
	Naphthalene (91-20-3)	625	0.3	0.6

	Pollutant & CAS No. *(if available)*	Recommended Analytical Protocol	Detection (DL)[2] *(µg/L unless specified)*	Quantitation Level (QL)[3] *(µg/L unless specified)*
	Nitrobenzene (98-95-3)	625	0.5	1.0
	N-Nitrosodimethylamine (62-75-9)	607/625	2.0	4.0
	N-Nitrosodi-n-propylamine (621-64-7)	607/625	0.5	1.0
	N-Nitrosodiphenylamine (86-30-6)	625	0.5	1.0
	Perylene (198-55-0)	625	1.9	7.6
	Phenanthrene (85-01-8)	625	0.3	0.6
	Pyrene (129-00-0)	625	0.3	0.6
	1,2,4-Trichlorobenzene (120-82-1)	625	0.3	0.6
1	**PESTICIDES/PCBs**			
	Aldrin (309-00-2)	608	0.025	0.05
	alpha-BHC (319-84-6)	608	0.025	0.05
	beta-BHC (319-85-7)	608	0.025	0.05
	gamma-BHC (58-89-9)	608	0.025	0.05
	delta-BHC (319-86-8)	608	0.025	0.05
	Chlordane (57-74-9)	608	0.025	0.05
	4,4'-DDT (50-29-3)	608	0.025	0.05
	4,4'-DDE (72-55-9)	608	0.025	0.05[10]
	4,4' DDD (72-54-8)	608	0.025	0.05
	Dieldrin (60-57-1)	608	0.025	0.05
	alpha-Endosulfan (959-98-8)	608	0.025	0.05
	beta-Endosulfan (33213-65-9)	608	0.025	0.05
	Endosulfan Sulfate (1031-07-8)	608	0.025	0.05
	Endrin (72-20-8)	608	0.025	0.05
	Endrin Aldehyde (7421-93-4)	608	0.025	0.05
	Heptachlor (76-44-8)	608	0.025	0.05
	Heptachlor Epoxide (1024-57-3)	608	0.025	0.05
	PCB-1242 (53469-21-9)	608	0.25	0.5
	PCB-1254 (11097-69-1)	608	0.25	0.5
	PCB-1221 (11104-28-2)	608	0.25	0.5
	PCB-1232 (11141-16-5)	608	0.25	0.5
	PCB-1248 (12672-29-6)	608	0.25	0.5
	PCB-1260 (11096-82-5)	608	0.13	0.5
	PCB-1016 (12674-11-2)	608	0.13	0.5
	Toxaphene (8001-35-2)	608	0.24	0.5

1. An X placed in this box means you must analyze for all pollutants in the group.
2. Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99 percent confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR Part 136, Appendix B.
3. Quantitation Level (QL) is equivalent to EPA's Minimum Level (ML) which is defined in 40 CFR Part 136 as the minimum level at which the entire GC/MS system must give recognizable mass spectra (background corrected) and acceptable calibration points. These levels were published as proposed in the Federal Register on March 28, 1997.