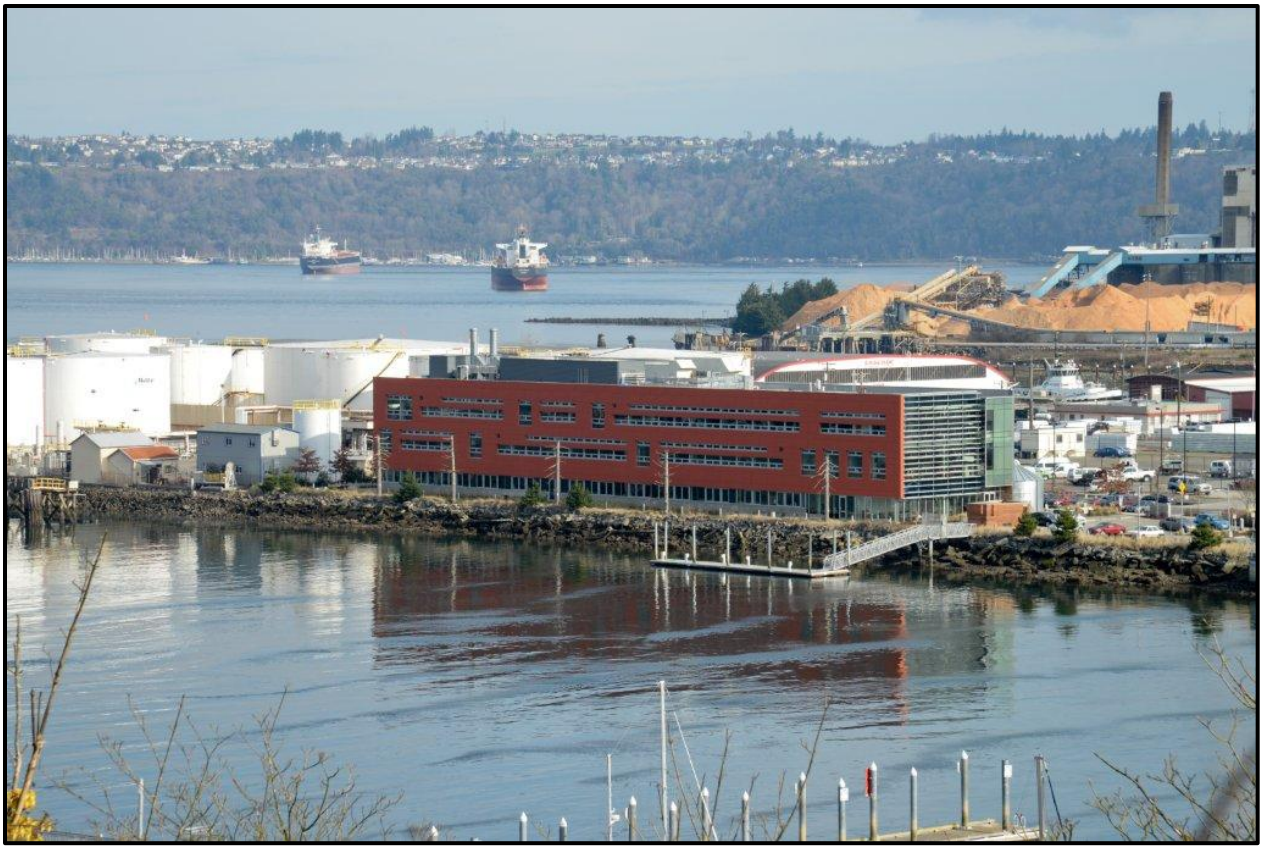
PRETREATMENT PROGRAM DOCUMENT



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Prepared By

CITY OF TACOMA
ENVIRONMENTAL SERVICES, BUSINESS OPERATIONS DIVISION

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GLOSSARY	
Item	Description
All known, available, and reasonable methods of prevention, control, and treatment (AKART)	AKART represents the most current methodology that may reasonably be required for preventing, controlling, or abating the pollutants associated with a discharge. The term Best Management Practices is considered a subset of the AKART requirement.
Approval authority	Washington State Department of Ecology (Ecology).
Authorized representative	Person(s) in official positions of certain authority and responsibility who are authorized to sign self-monitoring reports and other documents submitted to the Control Authority. An official may designate another authorized representative. See TMC 12.08C.040 – *Definitions.*
Baseline monitoring report	The completed and approved Industrial Wastewater Discharge Permit application that also serves as the baseline report required for New Sources and sources that become IUs subsequent to the promulgation of an applicable categorical standard.
Best Management Practices (BMPs)	A schedule(s) of activities, treatment practices, prohibitions of practices, maintenance procedures, and other management practices based on applicable Pretreatment Standards in 40 CFR 403 - *General Pretreatment Regulations for Existing and New Sources of Pollution*, federal categorical effluent standards and applicable state and local pretreatment requirements including local limits, which are implemented by an IU to prevent or reduce pollutants from entering a facility's wastestream and causing "interference" and/or "pass through." and/or damage to biosolids. See TMC 12.08C.040 – *Definitions.*
Biochemical oxygen demand (BOD)	The quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20º Celsius, expressed in parts per million or milligrams per liter (mg/L) by weight, using methods approved under 40 CFR 136 – *Guidelines Establishing Test Procedures For The Analysis of Pollutants.*
Categorical industrial user (CIU)	An IU subject to national categorical pretreatment standards
Categorical pretreatment standards	Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with 33 U.S. Code § 1317 – *Toxic and pretreatment effluent standards* that apply to a specific category of IUs and that appear in 40 CFR Chapter I, Subchapter N – *Environmental Protection Agency, Effluent Guidelines and Standards*, Parts 405-471.
City	The City of Tacoma, a municipal corporation organized and existing under and by virtue of the laws of the state of Washington. "Within the City" means within the City boundaries as now or hereafter constituted.
Clean Water Act (CWA)	The Federal Water Pollution Control Act, as amended and codified at 33 U.S. Code § 1251 – *Congressional declaration of goals and policy,* et seq.
Control Authority	The City's Environmental Services Department, its Director and its authorized representatives and their successors.
Corrective action	A written action plan established by the Control Authority or proposed by an IU in response to a finding of non-compliance, with the purpose to return to compliance and/or avoid future occurrences of said non-compliance.

GLOSSARY	
Item	Description
Dangerous waste	Solid wastes designated in Washington Dangerous Waste Regulations Washington Administrative Code (WAC) 173-303-070 through 173-303-100 as dangerous, or extremely hazardous or mixed waste. These wastes may be any of the following: characteristic hazardous wastes (toxicity, corrosivity, ignitability, reactivity); listed hazardous wastes; and/or state-only dangerous waste for toxicity or persistence.
Delegated Industrial Pretreatment Program (Pretreatment Program)	The Delegated Pretreatment Program (Pretreatment Program) is applied to categorical industrial users (CIUs) and all other significant industrial users (SIUs) and is fully subject to Code of Federal Regulations (CFR) 40 CFR 403—*General Pretreatment Regulations for Existing and New Sources of Pollution*, as well as state and local pretreatment regulations.
Director	The City of Tacoma's Director of the Environmental Services Department who is designated to supervise the implementation and enforcement of TMC 12.08C or the Director's duly authorized designee. Note: "Director" as defined in 40 CFR 403.3(g) - *Definitions*, shall be referred to as "State Director" in the Pretreatment Program Procedures.
Discharge	The introduction of pollutants into the POTW from any IU or non-domestic source subject to TMC 12.08C or other state or federal regulations. Also referred to as "non-domestic discharge."
Domestic Sewage Exclusion	A category of waste that is regulated under the Domestic Sewage Exclusion provision of WAC 173-303-071(3)(a)(ii) - *State Waste Discharge Permit Program, Excluded categories of waste, Exclusions* and is excluded from the requirements of WAC 173-303 - *Dangerous Waste Regulations*, except for • WAC 173-303-050 - *State Waste Discharge Permit Program, Department of ecology cleanup authority*, • WAC 173-303-145 - *State Waste Discharge Permit Program, Spills and discharges into the environment*, and • WAC 173-303-960 - *State Waste Discharge Permit Program, Special powers and authorities of the department.*
Domestic wastewater	Water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments and other places, which is similar in volume or chemical composition to wastewater discharged from a residential dwelling unit.
Ecology	Washington State Department of Ecology.
Enforcement Response Plan (ERP)	A document that outlines procedures for investigating and responding to instances of user non-compliance with Federal, state, and/or local wastewater discharge regulations.
Engineering report	A document that thoroughly examines the engineering and administrative aspects of a particular industrial wastewater facility and contains the appropriate information required in WAC 173-240-130 - *State Waste Discharge Permit Program, Engineering report.*
Federal Water Pollution Control Act	Also known as the Clean Water Act.
FOG (Fats, Oils and Grease)	Non-petroleum fats, oils, and grease derived from animal or plant sources.

GLOSSARY	
Item	Description
Food Service Establishment (FSE)	Any non-mobile facility, which serves, prepares, processes, manufactures, or packages food for consumption such as a restaurant, commercial kitchen, caterer, hotel, school, hospital, detention facility, food caterer, convenience store, grocery store, manufacturing facility or care institution.
Hazardous waste	Any waste designated as hazardous under the provisions of 40 CFR 261 or a dangerous waste under WAC 173-303 - *State Waste Discharge Permit Program, Dangerous Waste Regulations*.
Industrial user (IU)	A non-domestic source of an indirect discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the IU discharges non-domestic wastewater.
Industrial user survey	The Control Authority's pretreatment survey forms that request information related to a proposed or existing IU's discharge of wastewater. User survey (short form), Industrial Pretreatment Permit Application (long form).
Industrial waste	A liquid or solid waste from industrial manufacturing processes, trade or business activities distinct from domestic wastewater.
Industrial wastewater	Wastewater, non-domestic wastewater, process wastewater, or any liquid wastestream resulting from any industrial, manufacturing, trade, or business process or from the development, recovery, or processing of natural resources.
Industrial Wastewater Discharge Permit (IWDP)	A control mechanism issued by the Control Authority to an IU that allows, limits and/or prohibits the discharge of pollutants or flow to the POTW.
Industrial Wastewater Pretreatment Program Coordinator	The person responsible for development and execution of the City's Industrial Wastewater Pretreatment Program (Pretreatment Program) elements, including coordination of permitting, sampling, inspections, reports, and enforcement. Pretreatment Program staff share responsibility in all functions of the pretreatment program. Should the Industrial Wastewater Pretreatment Program Coordinator be unavailable, the ES/Business Operations, Environmental Compliance, Assistant Division Manager shall have overall responsibility.
Industrial Wastewater Pretreatment Program (Pretreatment Program)	A federal, state and local program administered by the Control Authority that requires industrial and commercial sources of non-domestic wastewater to treat wastewater prior to discharging it to the POTW.
Interference	A discharge, which alone or in combination with other discharges: A. Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, and B. Causes a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Federal Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

GLOSSARY	
Item	Description
Letter of Authorization (LOA)	A control mechanism that may provide written authorization for a discharge from an IU not required to obtain an Industrial Wastewater Discharge Permit.
Master List of Industries Surveyed (Master List)	A compilation of the identity of non-domestic discharges surveyed in the City's sanitary sewer service area.
Maximum Allowable Headworks Loading (MAHL)	The maximum loading of a pollutant that the POTW can accept before risking operational, effluent, or biosolids quality problems.
Maximum Allowable Industrial Loading (MAIL)	The portion of the MAHL that represents the total mass of a pollutant that all IUs of a POTW (or subgroup of IUs identified by the POTW) may discharge pursuant to limits developed under 40 CFR 403.5(c) – *National pretreatment standards: Prohibited discharges, When specific limits must be developed by POTW* and 40 CFR 403.5(d) - *National pretreatment standards: Prohibited discharges, Local limits.*
Minor Industrial User (MIU)	Any IU that does not otherwise qualify as a Significant Industrial User and is identified by the Control Authority as having the potential to discharge wastewater that, when combined with the wastewater discharged by other users may have a significant impact on the operation of the POTW.
National Pollutant Discharge Elimination System (NPDES) Permit	Waste discharge permits issued by the Washington State Department of Ecology to the City pursuant to RCW Chapter 90.48 and Section 402 of the Clean Water Act that establish special and general conditions for discharging effluent from the City's Central and North End treatment plants into waters of the state.
New source	Shall be defined as set forth in 40 CFR 403.3(m) – *Definitions*.
Pass through	A discharge, which exits the POTW into waters of the United States or the state in quantities or in concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of the City's NPDES Permit, including an increase in the magnitude or duration of a violation.
pH	The negative logarithm of the effective hydrogen-ion concentration or hydrogen activity in gram equivalents per liter used in expressing both acidity and alkalinity on a scale with whose values run from 0 to 14, with 7 representing neutrality. Values lower than 7 are more acidic, and higher values are more alkaline.
Pollutant	Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive materials, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS turbidity, color, BOD5, COD, toxicity or odor).
Pretreatment	The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW through physical processes, biological processes, or by other processes or means, except as prohibited by 40 CFR 403.6(d) – *National pretreatment standards: Categorical standards, Dilution prohibited as substitute for treatment*.
Pretreatment Program	See Industrial Wastewater Pretreatment Program

GLOSSARY	
Item	Description
Pretreatment standards	Any regulation containing pollutant limitations promulgated by the EPA in accordance with Section 307(b) and(c) of the Federal Clean Water Act, which applies to IUs. The term includes prohibited discharge limits established pursuant to 40 CFR 403.5 – *National pretreatment standards: Prohibited discharges* and other standards, BMPs, local limits and specific prohibitions established by the Control Authority.
Publicly Owned Treatment Works (POTW)	Means a treatment works, as defined by 33 U.S. Code § 1292(2) - *Definitions*, which is owned and operated by the City. The term generally refers to any devices and systems used in the conveyance, storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature.
Regional Administrator	The EPA Regional Administrator for EPA Region 10.
Resource Conservation and Recovery Act (RCRA)	The Resource Conservation and Recovery Act (RCRA) is a U.S. law that provides, in broad terms, the general guidelines for the waste management program envisioned by Congress.
Revised Code of Washington (RCW)	The compilation of all permanent laws now in force in the state of Washington. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process) arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws, such as appropriations acts. The official version of the RCW is published by the Statute Law Committee and the Code Reviser.
Sewer	Any pipe, conduit, ditch, or other device used to collect and transport wastewater or stormwater from the generating source.
Shall	Is mandatory.
Significant Industrial User (SIU)	A. All IUs subject to categorical pretreatment standards under 40 CFR 403.6 - *National pretreatment standards: Categorical standards* and 40 CFR Chapter I, Subchapter N – *Environmental Protection Agency, Effluent Guidelines and Standards*; and B. Any other IU, which discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding domestic, noncontact cooling and boiler blowdown wastewater); or contributes a process wastestream, which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation; or for violating any pretreatment standard or requirement in accordance with 40 CFR 403.8(f)(6) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*.

GLOSSARY	
Item	Description
Slug Discharge Control Plan (SDCP)	A written slug discharge control plan that addresses prevention and mitigation of slug and other unauthorized discharges into the sewer. The minimum elements required in a plan are (1) a description of discharge practices, (2) a description of all stored chemicals at the facility, (3) procedures for immediately notifying the publicly owned treatment works (POTW) of a slug discharge and providing written follow-up notification, and (4) a variety of procedures (e.g., inspection and maintenance of chemical storage areas) for preventing adverse impacts from any accidental spills or non-customary batch discharge [40 CFR 403.8(f)(2)(vi)(A) to (D) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Legal Authority*].
Slug discharge or slug load	Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or Permit conditions. This includes a discharge, which exceeds the hydraulic or design of an IU's treatment system or any part of the treatment unit.
Toxic Organic Management Plan (TOMP)	A written plan required for certain IUs that specifies toxic organic compounds used, the method of disposal of those compounds, and procedures for assuring that toxic organics do not routinely spill or leak into wastewater.
Special Approved Discharge Authorization (SAD)	A control mechanism that provides written authorization for a non-domestic discharge from special projects, typically construction dewatering, groundwater remediation or maintenance activities that are one-time or otherwise limited in frequency, duration, and volume.
State	State of Washington.
State Director	The chief administrative officer of a state or interstate water pollution control agency with an NPDES permit program approved pursuant to section 402(b) of the Clean Water Act, and an approved state pretreatment program. The State Director for the Control Authority is the Director of Ecology.
State Waste Discharge Permit Program	The state of Washington's permit program that is applicable to the discharge of waste materials from industrial, commercial, and municipal operations into ground and surface waters of the state and into municipal sewerage agencies. The program requirements are codified in WAC 173-216 *State waste discharge program*.
Submission	A POTW program description that includes the information as required in 40 CFR 403.9(b)—*Contents of POTW program submission.*
Total Suspended Solids (TSS)	Solids that either float on the surface of or are suspended in water, sewage, or other liquid, and which are removable by laboratory filtering in accordance with procedures approved in 40 CFR 136-*Guidelines Establishing Test Procedures for the Analysis of Pollutants*, as amended.
Toxic pollutants	Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under Section 307(a) of the Federal Clean Water Act or as otherwise listed in 40 CFR 401.15.

GLOSSARY	
Item	Description
Upset	An exceptional incident in which there is unintentional and temporary noncompliance with the applicable pretreatment standards because of factors beyond the reasonable control of the IU. The term “upset” does not include noncompliance to the extent it is caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
Washington Administrative Code (WAC)	The codified regulations of executive branch agencies that are issued by authority of statutes. Like legislation and the Constitution, regulations are a source of primary law in Washington. The WAC codifies the regulations and arranges them by subject or agency.
Washington State Dangerous Waste Regulations	Requirements of WAC 173-303 - *State Waste Discharge Permit Program, Dangerous waste regulations*. These regulations implement chapter 70.105 RCW, the Hazardous Waste Management Act of 1976 as amended, and implements, in part, chapters 70.105A, 70.105D, and 15.54 RCW, and Subtitle C of Public Law 94-580, RCRA, which the legislature has empowered Ecology to implement.
Washington State Department of Ecology (Ecology)	A department of the Executive Branch of Washington State in charge of carrying out regulations, directives and programs related to the protection, preservation, and enhancement of Washington’s environment.
Zero Discharge Permit	Non-discharging industries that are not designated a NSCIU and have industrial processes that would otherwise be subject to national categorical pretreatment standards and requirements (including CIUs with zero-discharge categorical limits), and that have a potential to discharge are issued a Zero Discharge permit.

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LIST OF ABBREVIATIONS	
AKART	All known, available, and reasonable methods of prevention, control, and treatment
BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
CWA	Clean Water Act (see also Federal Water Pollution Control Act)
EPA	U.S. Environmental Protection Agency
ERP	Enforcement Response Plan
FOG	Fats, Oil, and Grease
FSE	Food Service Establishment
GPD	Gallons Per Day
ILA	Inter-local Agreement
IU	Industrial User
LOA	Letter of Authorization
MAHL	Maximum Allowable Headworks Loading
MIU	Minor Industrial User
NAICS	North American Industrial Classification System
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
QA/QC	Quality Assurance/Quality Control
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SDCP	Slug Discharge Control Plan
SAD	Special Approved Discharge
SIC	Standard Industrial Code(s)
SIU	Significant industrial user
SMR	Self-monitoring Report
SNC	Significant Non-compliance
TMC	Tacoma Municipal Code
TOMP	Toxic Organics Management Plan
TSS	Total Suspended Solids
WAC	Washington Administrative Code

CHAPTER 1 – OVERVIEW

1.1 INTRODUCTION

Federal and state regulations delegate the responsibility for establishing and administering a pretreatment program to individual municipalities. The City of Tacoma's (City) Environmental Services Department (Control Authority) operates its Pretreatment Program to meet these delegated responsibilities. The Control Authority's Pretreatment Program was implemented following program approval by the Environmental Protection Agency (EPA) on November 30, 1984. The Control Authority's program document was approved in 1994. In 2014, the Control Authority reviewed its Pretreatment Program in response to the Washington State Department of Ecology (Ecology) audit conducted in August and September 2014. Based on subsequent discussions and the age of the existing document, the Control Authority elected to develop a new program document with the intent of clarifying procedures and processes used to meet federal, state, and local laws and regulations and update existing agreements with contributing jurisdictions. While the core of the program remains the same, this document exists as a substantial modification to and replaces the existing Pretreatment Program Document approved in 1994.

The Control Authority's Pretreatment Program applies to Significant Industrial Users (SIUs), Categorical Industrial Users (CIUs) and all other identified Industrial Users (IUs) and non-domestic dischargers and is subject to the Code of Federal Regulations (CFR), 40 CFR 403 – *General Pretreatment Regulations*, and state and local pretreatment regulations. This document contains the most current policies and procedures used to implement the City's Pretreatment Program.

This document provides guidance to staff and is intended to be used as a general framework towards implementation of the Control Authority's Pretreatment Program. The Control Authority's staff reserve the right to act at variance with the Pretreatment Program Document.

1.2 BACKGROUND

The Control Authority's Pretreatment Program regulates wastewater discharges from commercial industrial facilities discharging to the Publicly Owned Treatment Works (POTW). The City maintains and operates two wastewater treatment plants (Central Wastewater Treatment Plant and North End Treatment Plant) including approximately 700 miles of wastewater collection mains and 45 pump stations. Each treatment plant is regulated under separate National Pollutant Discharge Elimination System (NPDES) permits, with regulations for the Industrial Wastewater Pretreatment Program under both. In addition to treating wastewater within the City, the treatment plants receive wastewater from the neighboring jurisdictions of Fife, Fircrest, portions of Pierce County, and Ruston. The Control Authority has inter-local agreements (ILAs) with each of these jurisdictions, which delineate the responsibilities and authorities of each party.

1.3 PRETREATMENT PROGRAM OBJECTIVES

The Control Authority fully supports and incorporates EPA's and Ecology's pretreatment program objectives. The Control Authority's Pretreatment Program regulations and standards are implemented to achieve the following objectives:

- to protect the POTW by preventing the introduction of pollutants into the POTW that may interfere with its operation, or be incompatible with or otherwise cause damage to the POTW
- to prevent the introduction of pollutants into the POTW that will pass through if inadequately treated prior to discharge into receiving waters

- to protect personnel who may be affected by wastewater and biosolids in the course of their employment and to protect general public
- to promote reuse and recycling of industrial wastewater and biosolids derived from the POTW
- to require persons regulated by this chapter to pay applicable rates and fees to reasonably distribute the cost to operate, maintain, and improve the POTW
- to enable the Control Authority to comply with its NPDES Permit conditions, federal and state requirements applicable to biosolids use and disposal, and any other federal or state laws or regulations to which the POTW is subject

1.4 FEDERAL REQUIREMENTS

EPA establishes pretreatment program requirements in the Code of Federal Regulations (CFR), 40 CFR 403.8(f)(1)-(6) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*. The elements that must be present are listed below.

- Legal authority 40 CFR 403.8(f)(1) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirement, Legal Authority*, which is presented in Chapter Two.
- Procedures 40 CFR 403.8(f)(2) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, *Procedures,* which are presented in Chapter Three.
- Program organization and funding 40 CFR 403.8(f)(3) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, *Funding,* which are presented in Chapter 4.
- Local limits 40 CFR 403.8(f)(4) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Local Limits*, which are presented in Chapter 5.
- ERP 40 CFR 403.8(f)(5) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, which are presented in Chapter 6.
- Identification and notification of Significant Industrial Users (SIUs) 40 CFR 403.8(f)(6) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, which are presented in Chapter 3.

1.5 STATE REQUIREMENTS

Additional requirements are found in state regulations related to pretreatment in the following chapters in the WAC:

- WAC 173-208 - *Grant of Authority Sewerage Systems*
- WAC 173-216 - *State Waste Discharge Permit Program*
- WAC 173-220 - *NPDES Permit Program*
- WAC 173–240 - *Submission Plans and Reports for Construction of Wastewater Facilities*

Appendix B – State regulations for pretreatment provides copies of the state requirements.

1.5.1 STATE WASTE DISCHARGE PERMIT PROGRAM

Chapter 173-216 WAC – *State Waste Discharge Permit Program* outlines requirements in several areas, including the following:

- identifies prohibited discharges into the POTW (WAC 173-216-060 - *State Waste Discharge Permit Program, Prohibited Discharges*)
- requires applicants to publish notices and seek comments from interested and potentially interested persons concerning each permit application (WAC 173-216-090 - *State Waste Discharge Permit Program, Public Hearings*)
- states that all systems related to non-domestic discharges shall meet AKART requirements WAC 173-216-050(3) – *State Waste Discharge Permit Program, Discharges not subject to permits*
- stipulates permit conditions and terms, including the following:
  - AKART
  - pretreatment requirements
  - conditions necessary to prevent and control pollutant discharges from plant site runoff, spillage, leaks, sludge, waste disposal, or raw materials storage
  - monitoring, reporting, and record-keeping requirements
  - proper operation and maintenance of facilities or systems installed by the IU to achieve compliance with the terms and conditions of the permit
  - submittal of supplemental information
  - engineering plans and reports whenever a new or increased discharge or change in the nature of discharge is anticipated
  - requirements pursuant to other laws to the extent that they pertain to the prevention or control of waste discharges into surface waters (WAC 173-216-110 - *State Waste Discharge Permit Program, Permit Terms and Conditions*)
- requires use of registered or accredited laboratories per WAC 173-50 - *State Waste Discharge Permit Program, Accreditation of Environmental Laboratories* (WAC 173-216-125 – *State Waste Discharge Permit Program*, *Monitoring*)

A copy of WAC 173-216 - *State Waste Discharge Permit Program* is provided in Appendix B.

WAC 173-220 - *National Pollutant Discharge Elimination System Permit Program* provides authority for Ecology to require development of pretreatment programs in a Control Authority's NPDES permit. The requirement must include that the Control Authority develop, adopt, and enforce a program that is at least as stringent as Ecology's program under WAC 173-216 - *State Waste Discharge Permit Program, Discharges not subject to permits. (*WAC 173-220-150(3) - *National Pollutant Discharge Elimination System Permit Program, Other terms and conditions*)

1.5.2 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS

The state requirements are also included in the City's NPDES permits, copies of which appear in Appendix C – City of Tacoma NPDES Permits.

1.5.3 AKART

Chapter 90.48 of the Revised Code of Washington and the TMC require that AKART be applied to all discharges to waters of the state. AKART is a technology-based approach to limiting pollutants from wastewater discharges that requires an engineering judgement and an economic judgement. Discharge of any pollutant above domestic concentrations should trigger an evaluation of whether AKART applies. The Control Authority will use best professional judgement to evaluate, on a case by case basis, whether discharges to its system achieve AKART. AKART evaluations, as determined by best professional judgement, will be conducted

under the Control Authority's regular permitting processes performed under this Pretreatment Program, including issuance of pretreatment permits and other authorizations, permit renewals, and issuance of building permits for commercial facilities. The Control Authority's regular inspection and monitoring programs will assist with determining AKART compliance.

1.5.3.1 LOCAL REQUIREMENTS

The Control Authority's industrial wastewater pretreatment requirements are included in the Pretreatment Ordinance, codified in TMC 12.08C which is included in Appendix A.

CHAPTER 2 – LEGAL AUTHORITY

The Control Authority's Pretreatment Program is based on the legal authority and procedures described in this chapter and as summarized in the Control Authority's Legal Authority Statement dated March 16, 2020 (Appendix A). This authority and these procedures shall at all times be fully and effectively exercised and implemented.

The Pretreatment Ordinance (Appendix A), codified in TMC 12.08C enables the Control Authority to perform its pretreatment responsibilities as required by 40 CFR 403.8(f)(1) – *Industrial Wastewater Pretreatment Program, Pretreatment Program Requirements: Development and Implementation by POTW, Legal Authority*.

2.1 LEGAL AUTHORITY

As stated in part in 40 CFR 403.8(f)(1) – *Pretreatment Program Requirements: Development and Implementation by POTW, Legal Authority*, "a POTW shall operate pursuant to legal authority enforceable in federal, state, or local courts, which authorizes or enables the POTW to apply and enforce the requirements of sections 307(b) and (c), and 402(b)(8) of the Clean Water Act and any regulations implementing those sections." At a minimum, this legal authority shall enable the Control Authority to implement the following enforcement measures:

- Deny or condition new or increased contributions of pollutants or changes in the nature of pollutants to the POTW by IUs where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES permit.
- Require compliance with applicable pretreatment standards and requirements by IUs.
- Control through permit, order, or similar means, the contribution to the POTW by each IU to ensure compliance with applicable pretreatment standards and requirements. In the case of IUs identified as significant under TMC, this control shall be achieved through individual permits or equivalent individual control mechanisms issued to each such user, except if at the discretion of the Control Authority, this control may include use of general control mechanisms if federal conditions are met. Both individual and general control mechanisms must be enforceable and contain, at a minimum, the conditions listed in 40 CFR 403.8(f)(1)(iii).
- Require the development of a compliance schedule by each IU for the installation of technology required to meet applicable pretreatment standards and requirements and the submission of all notices and self-monitoring reports from IUs as are necessary to assess and ensure compliance by IUs with pretreatment standards and requirements, including, but not limited to, the reports required in 40 CFR 403.12 – *Reporting requirements for POTW's and IUs*.
- Carry out all inspection, surveillance, and monitoring procedures necessary to determine, independent of information supplied by IUs, compliance or non-compliance with applicable pretreatment standards and requirements by IUs. Representatives of the Control Authority shall be authorized to enter any premises of any IU in which a discharge source or treatment system is located or in which records are required to be kept under 40 CFR 403.12(o) – *Reporting requirements for POTW's and industrial users, Record-keeping requirements*, to ensure compliance with pretreatment standards. Such authority shall be at least as extensive as the authority provided under section 308 of the Clean Water Act.

- Obtain remedies for non-compliance by any IU with any pretreatment standard and requirement. The Control Authority shall be able to seek injunctive relief for non-compliance by IUs with pretreatment standards and requirements. The Control Authority shall also have the authority to seek or assess civil or criminal penalties in at least the amount of $10,000 a day for each violation by IUs of pretreatment standards. The Control Authority shall have the authority and procedures to halt or prevent immediately and effectively a discharge of pollutants to the POTW that reasonably appears to present an imminent endangerment to the health or welfare of persons or the environment or threatens to interfere with the operation of the POTW.
- Comply with the confidentiality requirements set forth in 40 CFR 403.14 – *Confidentiality*.

2.2 STATE AUTHORITY

These regulations can be found in the following chapters of the WAC. State regulations pertaining to pretreatment programs provide additional legal authority.

- WAC 173-208 – *Grant of* Authority Sewerage Systems
- WAC 173-216 – *State Waste Discharge Permit Program*
- WAC 173-220 – *National Pollutant Discharge Elimination System Permit Program*
- WAC 173-240 – *Submission of Plans and Reports for Construction of Wastewater Facilities*

Copies of these chapters are included in Appendix B – State Regulations for Pretreatment.

In accordance with WAC 173-240 - *Submission of Plans and Reports for Construction of Wastewater Facilities*, all upgrades to existing industrial wastewater treatment devices or the construction of new industrial wastewater treatment devices that are required in order to meet local and federal pretreatment standards must undergo an engineering review and approval process by Ecology. As allowed under RCW 90.48.110(2) – *Plans and proposed methods of operation and maintenance of sewerage or disposal systems to be submitted to department – Exception – Time limitations*, Ecology has entered into a Memorandum of Agreement (MOA) with the Control Authority of Tacoma to delegate this review and approval process to the Control Authority on behalf of Ecology.

In accordance with the MOA, the Control Authority has been given full authority to review and approve of the design for industrial wastewater facilities including engineering reports, plans, and specifications and operations and maintenance manuals pursuant to WAC 173-240-110 – *Submission of Plans and Reports for Construction of Wastewater Facilities, Submission of plans and reports* through 173-240-180 – *Submission of Plans and Reports for Construction of Wastewater Facilities, Approval of construction changes*.

2.3 LOCAL AUTHORITY

The Control Authority's Pretreatment Ordinance, codified in TMC 12.08C, provides the legal authority for the Control Authority to perform its pretreatment responsibilities as required by 40 CFR 403.8(f)(1) – *Program Requirements: Development and Implementation by POTW, Legal Authority*.

2.4 PROGRAM MODIFICATIONS

The Control Authority may initiate pretreatment program modifications at any time to reflect changing conditions at the POTW. Program modifications are necessary whenever there is a significant change in the operation of the Control Authority's approved Pretreatment Program. Substantial modifications and non-substantial modifications shall be processed as described in this section.

All substantial and non-substantial program modifications proposed by the Control Authority must be submitted to Ecology for approval. These submittals must include the following:

- a detailed description of the proposed modification and rationale for the change
- a local determination/justification regarding whether the proposed modification is substantial or non-substantial
- a redline copy of revised legal authority or program modifications that shows deletions (e.g. strike-through) and additions (e.g. bold font), as well as a copy of the revised legal authority or program modifications in its final format.
- copies of new forms/procedures affected by the modification
- any additional documentation required by Ecology after its initial review of the proposed program modifications
- a copy of any public notices and affidavits of publication
- a concise description of the substantive issues, if any, that were raised during the public comment process, together with a brief explanation regarding how these issues were resolved or avoided in the final proposal
- a signature by the POTW Director or duly authorized designee.

Any submittal should be sent by certified mail to ensure Ecology receipt and to document the start date of the review period. Notice can also be accomplished using electronic mail (email) provided that the original email is managed according to Washington State Records Law. In either case, the review period begins upon receipt of the submittal by Ecology.

2.4.1 SUBSTANTIAL MODIFICATIONS

Substantial modifications may include any of the following:

- Modifications that relax POTW legal authorities, as described in 40 CFR 403.8(f)(1) – *POTW Pretreatment Requirements, Legal authority*, except for modifications that directly reflect a revision to 40 CFR 403 – *General Pretreatment Regulations for Existing and New Sources of Pollution*, or to 40 CFR Chapter I, Subchapter N – *Environmental Protection Agency, Effluent Guidelines and Standards*, and are reported pursuant to 40 CFR 403.18(c) – *Modification of POTW pretreatment programs, Approval procedures for substantial modifications*.
- Modifications that relax local limits, except for the modifications to local limits for pH and reallocations of the Maximum Allowable Industrial Loading (MAIL) of a pollutant that does not increase the total industrial loadings for the pollutant, which are reported pursuant to 40 CFR 403.18(d) *Modification of POTW pretreatment programs, Approval procedures for non-substantial modifications*.
- Changes to the Control Authority's type of control mechanism issued to SIUs, as described in 40 CFR 403.8(f)(1)(iii) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Legal authority.*
- A decrease in the frequency of self-monitoring or reporting required of IU's.
- A decrease in the frequency of IU inspections or sampling required by the Control Authority.
- Changes to the Control Authority's confidentiality procedures.

- Other modifications designated as substantial modifications by Ecology on the basis that the modification could have a significant impact on the operation of the Control Authority's pretreatment program, could result in an increase in pollutant loadings at the POTW, or could result in less stringent requirements being imposed on IUs of the POTW.
- Substantial modification of the Control Authority's legal authority shall be approved by the Tacoma City Council for adoption.

2.4.2 NON-SUBSTANTIAL MODIFICATIONS

Non-substantial modifications include changes to the Pretreatment Program documents, including the delegated program procedures, local program procedures, ERP, and appendices, that do not qualify as substantial modifications described in Section 2.4.1. Examples of non-substantial modifications include, but are not limited to, the following:

- corrections to spelling and grammatical errors
- contact information updates such as telephone numbers, Control Authority or other agency addresses
- updates to City or other logos on forms and other documents
- formatting of documents, provided that it does not affect the substantive content
- questions, statements, or items that are added to forms/procedures
- pretreatment program modifications that do not relax the program's control mechanisms and are not considered a substantial modification as described in section 2.4.1 of this document.

2.4.4 APPROVAL PROCEDURES FOR NON-SUBSTANTIAL MODIFICATIONS

The Control Authority shall notify Ecology of any non-substantial modification at least 45 days prior to implementation. The notifications should include the basis for the desired program modification, a modified program description, or such other documents Ecology determines to be necessary under the circumstances.

Within 45 days after the Control Authority's notification, Ecology shall notify the Control Authority of its decision to approve or disapprove the non-substantial modification.

If Ecology does not notify the Control Authority within 45 days of the Control Authority's notification of its decision to approve, disapprove, or to treat the modification as substantial the Control Authority may implement the modification.

2.4.5 MODIFICATIONS AND THE CITY'S NPDES PERMITS

All modifications shall be incorporated into the City's NPDES permits upon approval. The permit will be modified to incorporate the approved modification in accordance with 40 CFR 122.63 - *Minor modifications of permits*.

CHAPTER 3 – PROCEDURES

3.1 INTRODUCTION

This chapter outlines the minimum procedures and tasks the Control Authority's Pretreatment Program must develop and implement to ensure compliance with federally delegated, state, and local pretreatment requirements and addresses procedures that the Control Authority may follow to identify the character and volume of pollutants discharged by IUs. This is accomplished through the review of information provided by surveys, permit applications, site visits, and additional information submitted by the IUs.

This document provides guidance to staff and is intended to be used as a general framework towards implementation of the Control Authority's Pretreatment Program. The Control Authority's staff reserve the right to act at variance with the Pretreatment Program Document.

3.2 IDENTIFICATION AND EVALUATION OF NON-DOMESTIC DISCHARGES

3.2.1 PURPOSE

The purpose of this section is to outline the procedures used to identify all non-domestic or IU discharges to the City's POTW that are subject to federal, state, or local regulations.

3.2.2 FEDERAL, STATE, AND LOCAL REQUIREMENTS

To meet the federal requirement, the Control Authority must implement an industrial user survey program to identify, locate, and inventory all potential IUs, which may be subject to the Pretreatment Program's requirements. This inventory shall be made available to the Regional Administrator or State Director upon request (40 CFR 403.8(f)(2)(i) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Procedures)*. In addition, the Federal requirement states that the Control Authority must identify the character and volume of pollutants contributed to the POTW by identified IUs. Domestic users are exempt from this requirement through WAC 173-216-050(a) – *State Waste Discharge Permit Program, Discharges not subject to permits*.

In addition to the federal requirement, the state requirements are outlined in the City's NPDES permits (Appendix C). The City's NPDES permits (Section 6 of this document), require the Control Authority to develop and maintain an accurate inventory and classification of all sources of non-domestic wastewater discharges to the POTW and survey twenty percent of all non-domestic dischargers each year to ensure proper categorization. The Control Authority uses ongoing and periodic surveys of IUs to meet these requirements.

Control Authority regulations and authority to implement the Pretreatment Program are provided in TMC 12.08C. As stated in TMC 12.08C.140 - *Industrial user survey form*.

> *Any person whose activities may, in the judgement of the Control Authority, be a source of non-domestic wastewater to the POTW shall, upon request of the Control Authority, complete and submit an industrial user survey form. IUs who seek to modify or increase an existing discharge of non-domestic wastestream to the POTW shall submit an updated industrial user survey for to the Control Authority prior to modifying or increasing its discharge. Accurate completion of the industrial user survey form is a condition of initial and continued discharge to the POTW.*

3.2.3 PROCEDURE TO IDENTIFY INDUSTRIAL USERS

3.2.3.1 TYPES OF INDUSTRIAL USERS TO IDENTIFY

- new sources of potential non-domestic discharges

- existing sources not previously known, evaluated, or identified
- existing sources with a process change
- sources that have requested special discharges
- previously surveyed businesses identified as moderate concern

3.2.3.2 METHODS USED TO IDENTIFY AND LOCATE INDUSTRIAL USERS

Throughout the year Pretreatment Program staff systematically identify commercial businesses in the City's wastewater treatment service area that have the potential to discharge non-domestic wastewater to the treatment plants. This review includes information from City and other local agency departments provided on an ongoing basis regarding new or modified businesses that are planning to discharge non-domestic wastewater to the POTW.

Pretreatment staff conduct ongoing and periodic reviews of the following information during the ongoing survey process:

- Business license applications – New regulatory business license applications are reviewed weekly.
- Business inspections – The Control Authority and interlocal jurisdictions are divided and assigned to specific area inspectors. These inspectors conduct inspections for both wastewater and surface water concerns daily and ensure user survey forms are on file for all potential IUs inspected.
- Building and Construction Permits – City staff review building and construction permit applications and notify pretreatment staff of potential IUs.
- Windshield surveys – Staff perform periodic windshield surveys through normal inspection procedures.
- Water use records review – The City and other jurisdictions' water use records are reviewed on a monthly basis.
- Online review – Pretreatment staff periodically conduct an online search of potential categorical industries.
- Newspaper article review – Local newspapers are reviewed periodically by pretreatment staff for new businesses.
- Interlocal agreement area inspections – Staff conduct business inspections in outside jurisdictions to confirm the proper categorization of IUs.
- Wastewater New Customer Report – On a monthly basis Environmental Services provides the pretreatment group with all new sewer customers and associated NAICS codes for review.
- Source control investigations – If the Control Authority determines that the POTW appears to be impacted by a specific pollutant loading, potentially related to a non-domestic source, a survey or investigation looking for a specific business category or wastestream type may be initiated.

3.2.4 PROCEDURE TO SURVEY INDUSTRIAL USERS

3.2.4.1 CONDUCTING AN INDUSTRIAL USER SURVEY

Once a potential IU has been identified, they are sent an industrial user survey form (short form) and/or inspected to obtain additional information about the processes and potential discharges to the City's POTW. If the potential IU meets any of the following criteria based on their industrial user survey response, they are sent an industrial wastewater discharge permit

application (long form). Conditions that may require the IU to obtain an industrial wastewater discharge permit are as follows:

- The facility operations may be categorical in nature as designated in 40 CFR 403.6 – *National pretreatment standards: Categorical standards,* and 40 CFR Chapter I, Subchapter N – *Environmental Protection Agency, Effluent Guidelines and Standards*, or could cause negative impacts to the POTW and/or collection system.
- The facility has the potential to discharge an average of 25,000 gallons per day or more of process wastewater to the POTW and/or has indicated that their current water use is greater than 10,000 gallons per day.
- There is slug load or spill potential as indicated by the type or quantity of chemicals stored at the facility, which could adversely impact the POTW.
- The facility generates dangerous and/or hazardous wastes.

3.2.4.2 REVIEWING INDUSTRIAL USER SURVEY INFORMATION

Staff review returned surveys for completeness, accuracy, and authorized representative signature. If additional information is required, the business may be contacted by telephone or inspected.

The User Survey Program Manager conducts a monthly review of the Master List to determine if IU surveys have been returned or if additional follow-up is needed. Follow-up can consist of phone calls, additional correspondence, and/or inspections.

3.2.4.3 DOCUMENTING INDUSTRIAL USER SURVEYS

The Master List is maintained and updated electronically in a City database, posted to the City's website, and submitted annually to Ecology in the Industrial Wastewater Pretreatment Program annual report. The Control Authority tracks the following information for each survey:

- company name and address
- date survey sent
- date survey returned
- North American Industrial Classification System (NAICS) or Standard Industrial Code (SIC)
- additional actions conducted to receive completed survey (phone calls, inspections, etc.)
- assigned pretreatment category.

3.2.5 EVALUATION AND CATEGORIZATION OF INDUSTRIAL USERS

The Control Authority considers the criteria described in the following paragraphs to properly evaluate and categorize existing and potential IUs discharging to the POTW. The accurate categorization of IUs allows for proper oversight in the Pretreatment Program. The Pretreatment Program conforms to the following definitions of IUs, which are consistent with the definitions provided in TMC 12.08C.

3.2.5.1 SIGNIFICANT INDUSTRIAL USERS

SIUs have the greatest potential to cause harm to human health and/or the environment and/or the City's wastewater treatment system through the industry's wastewater discharge. SIU, except as provided in subparagraph three means:

- All IUs subject to Categorical Pretreatment Standards under 40 CFR 403.6 – *National pretreatment standards: Categorical standards* and 40 CFR Chapter I, Subchapter N – *Environmental Protection Agency, Effluent Guidelines and Standards*.
- Any other user, which discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding domestic, noncontact cooling, and boiler blowdown wastewater) or contributes a process wastestream, which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW, or is designated as such by the Control Authority on the basis that the user has a reasonable potential for adversely affecting the POTW's operation, or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(f)(6) - *Pretreatment Program Requirements: Development and Implementation by POTW*.
- Upon finding that an IU meeting the criteria in paragraph two has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirements, the Director may, at any time, on his or her own initiative or in response to a petition received from an IU, and in accordance with 40 CFR 403.8(f)(6) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, determine that such IU is not a SIU. The Control Authority is required to report all de-listed or reclassifications of SIUs to a lower designation and the justification for such classification in the pretreatment annual report.

New IUs are identified through the user survey process described in Section 3.2. of this document. Based on initial survey information, a determination is made whether the potential SIU should be sent a permit application.

Identified SIUs are permitted under the Control Authority's Industrial Wastewater Pretreatment Program (IWDP). Existing SIUs are sent a permit application approximately 210 days prior to the expiration of the current permit. Additionally, existing SIUs can be sent a permit application based on notification of a change in discharge from the SIU or based on other information regarding the SIU. See Section 3.5.3.4 of this document, which describes other reporting requirements for SIUs to submit adequate notice of a change in volume or characteristic of discharge.

3.2.5.1.1 Industrial Wastewater Pretreatment Program Permit Application

All IUs required to obtain an IWDP shall apply by using a form provided by the Control Authority. IUs shall submit the following information as part of their permit application unless waived by the Control Authority:

- **Identifying information**
  - The IU shall submit Identifying information as follows:
  - name, including the legal name and trade name, if any
  - physical address of the facility
  - owner(s), including mailing addresses and contact information for each person listed
  - operator(s), including mailing addresses and contact information for each person listed
  - duly authorized representative of the IU, including mailing addresses and contact information for each person listed
  - the facility manager including mailing addresses and contact information for each person listed

- **Permits**

  The IU shall submit a list of any environmental permits held by or for the facility.

- **Description of Operations**
  - The IU shall submit the following information regarding facility operations:
    - brief description of the nature and average rate of production, including each product produced by the type, amount, process, and rate of production
    - SIC and/or NAICS code(s) that applies to each specific operation
    - list of all raw materials and chemicals used (average and maximum rates) or stored at the facility that could be accidentally or intentionally discharged to the POTW
    - number of employees and a general description of the duties they perform
    - hours of operation
    - a description of each product produced by the type and amount, including the rate of production and the process used, for each product produced
    - types of wastes generated on a routine and periodic basis
    - times and durations that wastes will be discharged
    - sampling locations and provisions for monitoring discharges
    - The description shall also include a schematic process diagram showing each of the following:
      - each process step
      - wastestream treatment step
      - internal recycling process

- **Points of discharge to the POTW**

  The description will identify which wastestreams are subject to a categorical pretreatment standard.
  - The IU shall also submit the following:
    - site plans
    - floor plans
    - mechanical and plumbing plans with details showing
      - all sewers,
      - sewer connections,
      - floor drains,
      - inspection manholes, and
      - sampling chambers by size, location, and elevation.

- **Flow Data**

  The IU shall submit information showing the estimated or actual measured average daily and maximum daily flow, in gpd, to the POTW from regulated process streams and other wastestreams, if necessary, to allow the use of the combined wastestream formula set forth in 40 CFR 403.6(e) – *National pretreatment standards: Categorical standards, Combined wastestream formula*.

- **Pollutant Data**
  - The IU shall submit the following:
    - the categorical pretreatment standard applicable to each regulated process
    - the results of sampling and analysis, as required by the Control Authority, that identify the nature and concentration (or mass) of regulated pollutants in the discharge from each regulated process, and
    - the estimated peak instantaneous daily maximum and long-term average discharge concentrations (and mass) based on sampling results.
      - All samples taken shall be representative of daily operations and shall conform to the sampling collection and analytical procedures outlined in TMC 12.08C.800 - *Analytical and sampling requirements*, TMC 12.08C.810 - *Specific sampling requirements for IUs*, and applicable program guidance. Where an alternative concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) – *National pretreatment standards: Categorical standards, Combined wastestream formula for a categorical industrial user covered by a categorical pretreatment standard*, this adjusted limit, along with supporting data, shall be submitted as part of the application.

- **Slug Discharge Control Plan**

  Slug Discharge Control Plants (SDCP) for SIUs, as described in TMC 12.08C.670 - *Reports for IUs* shall be submitted. The Control Authority may require IUs regulated under TMC 12.08C.330 - *IUs* to also submit a SDCP.

- **Statement**

  The IU shall submit a statement that the IU acknowledges, understands, and agrees that the permittee facility will be subject, at reasonable times, to inspections and gathering of samples by the Control Authority to determine whether an IU is complying with the requirements of this chapter and any IWDP or other control mechanism issued thereunder.

- **Other information**

  The IU shall submit any other information the Control Authority deems necessary to prepare an IWDP.

- **Certification**

  The IU shall certify that the application was prepared under an Authorized Representative of the IU's direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted in accordance with TMC 12.08C.350 - *Certification requirements*.

- **Completed Applications**

  Completed applications are due, at a minimum, 180 days prior to discharge to allow for review, permit preparation, public comment period, and, if necessary, a review of engineering reports.

- **Incomplete Information**

  Incomplete or inaccurate information will not be processed and will be returned to the IU for revision.

3.2.5.1.2 SIGNIFICANT INDUSTRIAL USERS PERMIT APPLICATION REVIEW

The pretreatment permit application review process includes the following steps:

- Staff checks that all sections are complete. The term “not applicable” or “N/A” should be used by the applicant to show that items were considered but not pertinent to the IU.
- Staff checks that the information provided in the application is sufficient to allow an effective review of the applicant’s operations and discharge to the POTW.
- Staff checks that the appropriate person(s) signed and dated the certification statements.
- If the permit application is incomplete, staff contacts the applicant and requests additional information. Contact may be made by phone, written communication, electronic communication, or in person.
- If extensive corrections to the permit application are necessary, staff may require the applicant to complete a new application.
- Staff may conduct a facility inspection to verify information contained in the application.
- If an IU fails to return a permit application and is required to do so, staff may contact or perform an inspection of the IU to obtain any necessary information.

3.2.5.1.3 SIGNIFICANT INDUSTRIAL USER CLASSIFICATION

EPA established a classification system to categorize IUs based on the volume and character of wastewater discharged to the POTW. An IU subject to the Federally Delegated Pretreatment Program is designated as a SIU. SIUs can further be categorized as a CIU if subject to a categorical pretreatment standard. The Pretreatment Program conforms to the definitions for a SIU provided in TMC 12.08C.040 – *Definitions,* as described in Section 3.2.5.1 of this document.

3.2.5.1.4 MAINTAIN SIGNIFICANT INDUSTRIAL USER LIST

The Control Authority maintains master lists of all SIUs and CIUs and includes them in the annual report that is submitted to Ecology.

The master list contains the following information and are updated annually from the City’s database:

- company name
- contact name and phone number
- address
- applicable pretreatment standard
- primary activity

- NAICS/SIC code(s)
- water use and flow volumes
- need for pretreatment
- permitting status

3.2.5.2 NON-SIGNIFICANT CATEGORICAL INDUSTRIAL USERS

Non-Significant Categorical Industrial Users (NSCIUs) are industries that never discharge more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) to the POTW, never discharge any concentrated wastes and meet conditions as defined in 40 CFR 403.3(v)(2) – *Definitions, Significant Industrial User* and outlined below.

- The IU, prior to a finding by the Control Authority, has consistently complied with all applicable Categorical Pretreatment Standards and Requirements.
- The IU submits the certification statement as per the NSCIU definition listed in TMC 12.08C.300 - *Permits required*, signed by the Duly Authorized Representative of the IU together with an alternative report required by the Control Authority with any additional information necessary to support the certification statement to be submitted once per year.

NSCIUs are inspected and re-surveyed on a routine basis through the Control Authority's general business inspection program to ensure proper categorization and compliance with pretreatment regulations. The Control Authority will perform the minimum oversight of an NSCIU that is required for other facilities that are not SIUs, including notifying the NSCIU of its status and requirements, reviewing required reports, verifying that daily regulated flow rates do not exceed 100 gpd, and may perform random sampling and/or inspection and/or investigating noncompliance as necessary.

3.2.5.3 MINOR INDUSTRIAL USERS

Minor Industrial Users (MIUs) are industries that have some potential to discharge pollutants of concern to the POTW, but do not meet the criteria of a SIU. The Control Authority classifies the following users as MIUs:

- IUs having a letter of authorization stipulating conditions for a process wastewater discharge
- IUs that store or use chemicals in large quantities denoting concern and/or are known to generate waste that must be manifested for off-site disposal and could pose a significant threat to the POTW if there was a spill or slug discharge from their facility
- IUs that have some discharges of wastewater containing pollutants not typical of domestic wastewater, and potentially of concern to the POTW
- IUs that install and maintain active pretreatment equipment to meet local discharge requirements

MIUs are inspected and re-surveyed on a routine basis through the Control Authority's general business inspection program to ensure proper categorization and compliance with pretreatment regulations.

3.2.5.4 INDUSTRIAL USERS

The Control Authority uses the term Industrial User (IU) to describe a non-domestic source of an indirect discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the IU discharges non-domestic wastewater. The Control Authority considers the following facilities as IUs:

- businesses with passive pretreatment systems such as oil/water separators (OWS) or facilities with wash pads
- businesses that have some volume of high-strength wastewater, such as from producing beer or wine, baking, or preparing foods for offsite delivery
- businesses that generate little or no wastewater, but use chemicals of concern and might discharge non-domestic wastewater, such as dry cleaners, photo processors, chemistry labs, pharmacies, hospitals, dentists, jewelers, etc.
- businesses that store small volumes of chemicals such as petroleum, oil, lubricants, solvents, or other chemicals that could harm the sewer if spilled

3.2.5.5 DENTAL DISCHARGERS

The Control Authority requires dental facilities to implement BMPs and reporting requirements as per TMC 12.08C.520 - *Requirements for dental facilities*. Dental dischargers are not significant IUs unless the Control Authority designates the dental discharger as such. Dental dischargers are not CIUs as defined in TMC 12.08C.040 - *Definitions*. The required BMPs do not apply to dental dischargers that

- exclusively practice one or more of the following dental specialties:
  - oral pathology
  - oral and maxillofacial radiology
  - oral and maxillofacial surgery
  - orthodontics
  - periodontics
  - prosthodontics
- discharge wastewater from a mobile unit operated by a dental discharger
- do not discharge any amalgam process wastewater to a POTW, such as dental dischargers that collect all dental amalgam process wastewater for transfer to a Centralized Waste Treatment facility as defined in 40 CFR 437 – *Centralized Waste Pretreatment Point Source Category*
- do not place dental amalgam, and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, and that certify such to the Control Authority as required in 40 CFR 441.50 – *Reporting and recordkeeping requirements*.

3.2.5.6 SPECIAL APPROVED DISCHARGE AUTHORIZATION

Occasionally wastewaters are generated from special projects such as construction projects or environmental cleanup or maintenance activities that are limited in frequency, duration, and volume. The Control Authority may approve discharges to the POTW generally for a short-term duration as needed. Application for discharge approval must be accompanied by payment of any fixed administration/application fee(s) and be submitted at least 30 days prior to the

requested discharge date as noted in TMC 12.08C.360 - *Special Approved Discharge Authorization*. Additional information is provided in the attached SAD Program Document (Appendix F).

3.2.5.6.1 Special Approved Discharge Authorization Application

The Special Approved Discharge (SAD) application shall include all of the following information:

- discharge location
- project name
- identifying information including the applicant's and property owner's name(s), company, address, and contact information
- description of the proposed discharge including the following supporting documents:
    - site diagram
    - discharge source
    - suspected or known contaminants
    - sample methods used and analytical results for proposed discharge
    - pretreatment plan and equipment
    - expected volume (gallons)
    - method of discharge
    - method of discharge measurement and location of meter, if applicable
    - peak and average flow rates in gallons per minute (gpm)
    - time and duration of discharge (hours of operation)
- any other relevant information, including additional permits required
- a signed certification statement

3.2.5.6.2 Special Approved Discharge Authorization Application Review

The SAD authorization application review process includes the following steps:

- Staff checks that all sections are complete. The term "not applicable" or "N/A' should be used by the applicant to show that items were considered but not pertinent to the IU.
- Staff checks that the information provided in the application is sufficient to allow an effective review of the applicant's operations and discharge to the POTW.
- Staff checks that the appropriate person(s) signed and dated the certification statements.
- If the SAD application is incomplete, staff contacts the applicant and requests additional information. Contact may be made by phone, by written communication, by electronic communication, or in person.
- If extensive corrections to the SAD application are necessary, staff may require the applicant to complete a new application.
- Staff may conduct a site inspection to verify information contained in the application.

- If an IU fails to return a SAD application and is required to do so, staff may contact or perform an inspection of the IU to obtain any necessary information.

3.2.5.6.3 MAINTAIN SPECIAL APPROVED DISCHARGE LIST

The Control Authority maintains a list of all SAD authorizations, posts the list on the City's website, and includes it in the Annual Report that is submitted to Ecology. These discharges are evaluated and monitored through periodic site inspections, sample collection, and review of customer's analytical data and discharge monitoring report.

3.2.5.7 LETTER OF AUTHORIZATION

Industrial users that are not determined to be a SIU, but discharge wastewater in character and volume that may be of concern to the POTW, may be considered for a Letter of Authorization (LOA). The Control Authority's considerations to issue a LOA include, but are not limited to, the following:

- whether the IU could significantly contribute pollutants of concern to the POTW in the absence or failure of appropriate BMPs
- whether the IU operates passive or other simple pretreatment devices that require routine maintenance and care
- whether the IU may be required to conduct one-time or other limited-frequency sampling of its discharge
- whether other factors specific to an IU are a concern to the POTW and warrant the Control Authority's consideration to issue a LOA

In the effort to identify the character and volume of the discharge, the Control Authority may require an applicant to complete an IWDP application (see Section 3.2.5.1.1 of this document) or the Special Approved Discharge application (see Section 3.2.5.6.1 of this document). The Control Authority will review the applications as described in the respective sections. The Control Authority may also evaluate information from site inspections, notifications, or other inquiries to determine that an existing or potential IU should be issued a LOA.

3.2.5.8 HAULED WASTE

Hauled wastes can be domestic or non-domestic wastewaters that are generated in locations (including areas outside of the City's sewer services area) without easy access to sanitary sewer conveyance and that require containerized hauling to an approved discharge location.

In the effort to identify the character and volume of the discharge, the Control Authority may require an applicant to complete a hauled waste permit application, an IWDP application (see Section 3.2.5.1 of this document), or an SAD application (see Section 3.2.5.6 of this document). The Control Authority will review the applications as described in the respective sections. Additional information regarding the Control Authority's Hauled Waste Program is provided in the City of Tacoma Hauled Waste Program Policy (Appendix G).

3.2.5.8.1 HAULED WASTE PERMIT APPLICATION

The permit application is included in Appendix G. The application process shall include the following information:

- name and address of the hauler
- name, address, and telephone number for the point of contact
- dispatcher name and contact information

- information regarding the waste transport vehicles including volume, licensing, and permit information
- types and estimated annual volumes of wastes to be transported and discharged to the POTW
- additional insurance statement requiring the Control Authority be named as an additional insured on all haulers' general liability, umbrella, and excess insurance policies
- a certification statement verifying the information in the permit application to be true, accurate, and complete

3.2.5.8.2 HAULED WASTE PERMIT APPLICATION REVIEW

The hauled waste permit application review process shall include the following steps:

- Staff checks that all sections are complete. The term "not applicable" or "N/A' should be used by the applicant to show that items were considered but not pertinent to the IU.
- Staff checks that the information provided in the application is sufficient to allow an effective review of the applicant's operations and discharge to the POTW.
- Staff checks that the appropriate person(s) signed and dated the certification statements.
- If the permit application is incomplete, staff contacts the applicant and requests additional information. Contact may be made by phone, by written communication, by electronic communication, or in person.
- If extensive corrections to the permit application are necessary, staff may require the applicant to complete a new application.
- At times staff may conduct a site inspection to verify information contained in the application.
- If an IU fails to return a permit application and is required to do so, staff may contact or perform an inspection of the IU to obtain any necessary information.

3.2.5.9 SEPTAGE HAULERS

The Control Authority may allow septage haulers to discharge domestic septage at a designated location.

Septage or septic tank waste is typically associated with liquids and solids from domestic activities pumped from a septic tank serving one or more private residences. The Control Authority may also consider wastes from chemical toilets, campers, trailers, or cesspools to be septic tank waste so long as they do not contain chemicals at concentrations which might inhibit biological activity at the POTW.

In the effort to identify the character and volume of the discharge the Control Authority may require a hauler to complete a hauled waste permit application (see Section 3.2.5.8 of this document). The Control Authority will review the application as described in the respective section.

3.2.5.9.1 FOOD SERVICE ESTABLISHMENTS

Food service establishments are restaurants and other food preparation establishments that introduce or have the potential to introduce wastewater containing food-related FOG in quantities and concentrations that could cause blockages in the POTW. These IUs are typically identified in the City's development review process. This review includes facility proposals and

site and plumbing plans to authorize the installation and operation of FOG-removal devices and connections to the POTW. In addition, a final inspection of the grease device is conducted to ensure the device is installed per engineered specifications.

Once identified, oversight and enforcement for these facilities occurs through the Fats, Oils, and Grease Program as per TMC 12.08C.500 - *Requirements for food service establishments* and TMC 12.08C.1200 - *Violations, enforcement and penalties*. This program includes education and outreach to food service establishments, periodic on-site inspections, and compliance tracking through an online grease device management reporting system.

3.2.5.10 INTERLOCAL AGREEMENT AREAS

The Control Authority has interlocal agreements (ILA) with Pierce County and the Cities of Fife, Fircrest, and Ruston (Appendix D).

The ILA with Pierce County recognizes that Tacoma and Pierce County each have delegated pretreatment programs and requires each jurisdiction to provide pretreatment program coverage in those areas that discharge to the neighboring jurisdiction.

The ILAs with the contributing jurisdictions for the Cities of Fife, Fircrest and Ruston require the contributing jurisdiction to adopt a pretreatment ordinance that is substantially similar to the Control Authority's pretreatment ordinance and delegate to the Control Authority the authority to enforce the pretreatment ordinance and program.

The Control Authority will follow the same evaluation process identified in Section 3.2.3 of this document, for businesses in all jurisdictions discharging to the POTW.

3.3 NOTIFICATION OF PRETREATMENT REQUIREMENTS

3.3.1 PURPOSE

This section describes the procedures used by the Control Authority to notify IUs of applicable pretreatment standards, applicable CWA requirements, and any additional state and local regulations.

3.3.2 FEDERAL, STATE, AND LOCAL REQUIREMENTS

To meet the federal requirement, the Control Authority must notify IUs identified under 40 CFR 403.8(f)(2) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Procedures* of applicable pretreatment standards and any applicable requirements under CWA sections 204(b) and 405, and RCRA subtitles C and D. Within 30 days of approval, pursuant to 40 CFR 403.8(f)(6) *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*, the Control Authority must notify each SIU of its status as such and all requirements applicable to it as a result of such status (40 CFR 403.8(f)(2)(iii) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Procedures)*.

The pretreatment sections of the City's NPDES permits include requirements to notify appropriate IUs of their status, applicable pretreatment standards, and other requirements.

3.3.3 PROCEDURE FOR NOTIFICATION

The Control Authority shall attempt to notify, in writing, any IU that the Control Authority has reason to believe is subject to National Categorical Pretreatment Standard or other requirements promulgated by the EPA under the provisions of 40 CFR 403.8(f)(2) - *Procedures*.

3.3.3.1 Resource Conservation and Recovery Act and Dangerous Waste Notification

The Control Authority provides notification to all businesses surveyed regarding the applicable requirements for hazardous waste disposal, WAC 173-216-110(c) – *State Waste Discharge Permit Program, Permit terms and conditions*. This information is provided with the user survey or permit application cover letter to ensure that all IUs or potential IUs receive notification. The IU is responsible for notifying the Control Authority if it plans to discharge hazardous waste, as discussed in Section 3.5 of this document.

3.3.3.2 Clean Water Act and Pretreatment Standards Notification

When permit documents are issued, as discussed in Section 3.4 of this document, the Control Authority notifies the permittee of the federal and state regulations that must be met, which include applicable federal and state pretreatment standards of 40 CFR 403 – *General Pretreatment Regulations for Existing and New Sources of Pollution* and WAC 173-216 - *State Waste Discharge Program* respectively, and any applicable requirements under CWA Sections 204(b) and 405.

3.3.3.3 Rights to Appeal the Determination of Industrial User's Status

When permit documents are issued, as discussed in Section 3.4 of this document, the applicant may appeal the Control Authority's action to issue or deny a permit or the Control Authority's action to impose conditions or requirements in its permit pursuant to TMC 12.08C.020 – *Administration*.

3.3.3.4 Notification of New Categorical Pretreatment Standards

When EPA promulgates new categorical pretreatment standards, the Control Authority notifies applicable IUs that may be subject to the new standards.

3.4 Issuance of Permits and Other Control Mechanisms

3.4.1 Purpose

The purpose of this section is to describe the procedures that the Control Authority follows when issuing permits to control each IU's contribution to the POTW and to facilitate compliance with applicable pretreatment standards and requirements.

3.4.2 Federal, State, and Local Requirements

To meet the federal requirement, the Control Authority must control through permit, order, or similar means, each IU's contribution to the POTW to ensure compliance with applicable pretreatment standards and requirements. In the case of IUs identified as significant as defined in TMC 12.08C.040 – *Definitions*, this control shall be achieved through permits or equivalent individual control mechanisms issued to each such SIU (40 CFR 403.8(f)(1)(iii) - *Pretreatment Program Requirements: Development and Implementation by POTW, Legal authority)*.

RCW 90.48 and TMC require that AKART be applied to all discharges to waters of the state. AKART is a technology-based approach to limiting pollutants from wastewater discharges that requires an engineering judgment and an economic judgment. Discharge of any pollutant above domestic concentrations should trigger an evaluation of whether AKART applies. The Control Authority will use best professional judgment to evaluate, on a case by case basis, whether discharges to its system achieve AKART. AKART evaluations, as determined by best professional judgment, will be conducted under the Control Authority's regular permitting processes performed under this Pretreatment Program, including issuance of pretreatment permits and other authorizations, permit renewals and issuance of building permits for commercial facilities. The Control Authority's regular inspection and monitoring programs will assist with determining AKART compliance.

Any one of the following conditions may trigger an AKART evaluation when reviewing discharge applications:

- the discharge is a new source
- an IU is proposing new or changed processes that affect the characteristics of discharge
- an IU is proposing a production increase of greater than 10%
- an IU is proposing a production increase that requires an upgrade of a pretreatment system
- an IU employs a treatment system that has reached the end of its useful life and requires substantial upgrade
- an IU is not consistently meeting effluent limits or conditions of the permit related to effluent

The State Waste Discharge Permit Program requires that permits issued by the Control Authority specify conditions that are necessary to prevent and control waste discharges into the waters of the state (WAC 173-216-110 – *State Waste Discharge Permit Program, Permit terms and conditions).*

The pretreatment sections of the City's NPDES permits WA0037087 and WA0037214 require that permits satisfy the requirements of 40 CFR 403.8(f) - *Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements* and WAC 173-216 – *State Waste Discharge Permit Program* and that fact sheets be developed to document the rationale for how permit conditions and limits were derived (see Appendix C).

3.4.3 PROCEDURE

The Control Authority classifies IUs into categories using the procedures described in Section 3.2 of this document and issues permits and other control mechanisms to manage their contribution to the POTW as described below. The Control Authority develops permits and derives pretreatment standards and requirements in accordance with Ecology's "Industrial User Permitting Guidance Manual for POTWs."

3.4.3.1 SIGNIFICANT INDUSTRIAL USER – INDUSTRIAL WASTEWATER DISCHARGE PERMIT

The IWDP is the primary mechanism that the Control Authority uses to set controls on a SIU's contribution to the POTW.

3.4.3.1.1 INDUSTRIAL WASTEWATER DISCHARGE PERMIT CONTENT

The permit includes conditions that are determined necessary to prevent pass-through or interference in the POTW and implement the objectives of the Control Authority's pretreatment ordinance, (TMC 12.08C). Permits issued to SIUs must contain the following federal and state conditions:

- A statement that indicates permit duration, which in no case shall exceed five years.
- A statement that the permit is non-transferable without, at a minimum, prior notification to the Control Authority and provision of a copy of the permit to the new owner or operator.
- Effluent limits, including BMPs, based on applicable general pretreatment standards in 40 CFR 403 - *General Pretreatment Regulations for Existing and New Sources of Pollution,* categorical pretreatment standards, local limits, and state and local law.

- Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements include an identification of pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present nor expected to be present in the discharge, in accordance with 40 CFR 403.12(e)(2) – *Reporting requirements for POTW's and industrial users, Periodic reports on continued compliance or a specific waived pollutant in a permit*, sampling location, sampling frequency, and sample type, based on the applicable standards in 40 CFR 403 – *General Pretreatment Regulations for Existing and New Sources of Pollution.*
- Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedules may not extend the compliance date beyond the applicable federal deadlines.
- Requirements to control slug discharges if determined by the Control Authority to be necessary.

Permits also recognize Washington State requirements, as applicable (RCW 90.48 –*Water Pollution Control*, WAC 173-216 – *State Waste Discharge Permit Program*, WAC 173-240 – *State Waste Discharge Permit Program, Submission of Plans and Reports for Construction of Wastewater Facilities*, and WAC 173-208 - *Grant of authority sewerage systems*) and may include:

- Application of AKART- discharge of any pollutant above domestic concentrations triggers an evaluation of whether AKART applies.
- Pretreatment requirements.
- Requirements pursuant to other laws, including the state's Hazardous Waste Disposal Act, RCW 70.95 – *Solid Waste Management Reduction and Recycling,* RCW 70.105 – *Hazardous waste management,* RCRA, Public Law 95.190, or any other applicable ordinances, state or federal statute, to the extent that they pertain to the prevention or control of waste discharges into the waters of the state.
- Any conditions necessary to meet applicable water quality standards for surface waters or to preserve and protect beneficial uses for groundwaters.
- Requirements necessary to avoid conflict with a plan approved pursuant to Federal Water Pollution Control Act section 208(b).
- Any conditions necessary to prevent and control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw materials storage.
- Any appropriate monitoring, reporting, and record-keeping requirements as specified by Ecology, including applicable requirements under Federal Water Pollution Control Act sections 307 and 308.
- Requirements to submit plans for wastewater facilities according to WAC 173-240 – *Submission of Plans and Reports for Construction of Wastewater Facilities.*
- Schedules of compliance, including those required in Federal Water Pollution Control Act sections 301 and 307, which shall set forth the shortest reasonable time period to achieve the specified requirements.
- Prohibited discharge requirements as contained in TMC 12.08C.100 – *Prohibited discharge standards* and WAC 173-216-060 – *State Waste Discharge Permit Program, Prohibited discharges.*

- A statement that all required laboratory analyses of samples must be performed by an accredited laboratory, certified for the analyses by the State of Washington per WAC 173-50 – *State Waste Discharge Permit Program, Accreditation of environmental laboratories.*
- Requirements to provide public notice in accordance with TMC 12.08C and WAC 173-216-090 – *Public Notice*.
- Fixed permit terms not exceeding five years.

Permits should contain the following requirements and conditions as appropriate:

- A cover page that includes:
  - assigned permit number
  - user name and address
  - a statement authorizing the SIU to discharge industrial wastewater to the POTW in compliance with the pretreatment ordinance (TMC 12.08C); applicable federal, state, or local laws or regulations, and the terms set forth in the permit
  - permit effective date
  - expiration date
  - an authorization signature from the Director or designee
- Limits on the average and/or maximum rate of discharge and time of discharge and/or requirements for flow regulation and equalization.
- Discharge prohibitions.
- Requirements to install pretreatment technology and pollution controls or to construct appropriate containment devices to reduce, eliminate, or prevent the introduction of pollutants into the POTW, ground, or stormwater.
- Requirements to install flow metering devices or other discharge measuring method.
- Submittal of engineering plans and reports whenever a new or increased discharge or change in the nature of the discharge is proposed.
- Days before expiration that reapplication is due.
- Requirements to install and maintain inspection and sampling facilities and equipment, including flow measurement devices.
- Requirements for the submission of periodic self-monitoring or special notification reports.
- Requirements to maintain facility operations and maintenance logs and records.
- A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those that become effective during the term of the permit.
- Requirements for notification to the Control Authority when violations are detected.
- Requirements for the response and notification of spills, slug load discharges, pretreatment system upsets, or any other unauthorized discharges to the POTW.
- Requirement for prior notification of change in the character and volume of discharge.

- Requirement for prior notification of discharge of hazardous and dangerous wastes.
- Requirement for the retention of records that are required by permits.
- Provision for reports of confidential information.
- Requirements to conform to 40 CFR 136 – *Guidelines Establishing Test Procedures for the Analysis of Pollutants* for all sampling and analytical methods used to meet monitoring requirements. For pollutants not contained in 40 CFR 136 – *Guidelines Establishing Test Procedures for the Analysis of Pollutants*, requirements to use validated procedures or methods as directed in 40 CFR 403.12(b)(5)(vi) – *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard – baseline report, Measurement of pollutants*.
- Requirements to dispose of sludge and spent chemicals in accordance with CWA Section 405, RCRA subtitles C and D, applicable state dangerous waste regulations in WA 173-303 – *Minimum functional standards for solid waste handling,* and any local solid and hazardous waste regulations.
- Provision for the revocation of the permit.
- Prohibitions against falsifying information or tampering with monitoring equipment.
- Procedures for the modification or revision of permit.
- Other conditions as deemed appropriate by the Control Authority to ensure compliance with TMC 12.08C, and state and federal laws, rules, and regulations.

Each IWDP includes a fact sheet (fact sheet template included in Appendix H) that contains the basis for SIU or CIU designation and the rationale for how the permit conditions and limits were derived.

The IWDP permit template is included in Appendix I.

3.4.3.1.2 SIU – INDUSTRIAL WASTEWATER DISCHARGE PERMIT PROCESS

An overview of the permit process is show in Figure 3-1 and described in Table 3-1, which are located at the back of this chapter.

3.4.3.1.3 SPECIAL CONSIDERATIONS FOR EVALUATION OF SIGNIFICANT INDUSTRIAL USER DISCHARGES TO THE PUBLICLY OWNED TREATMENT WORKS

AKART – see Section 1.5.3 of this document.

Best Management Practices - as defined in 12.08C.040 - *Definitions* - "Best Management Practices" or "BMPs" include a broad range of activities, practices, prohibitions, treatment requirements, operational requirements, and other controls that may be applied in addition to pretreatment standards and conditions in a permit. Upon the determination for a BMP requirement, it shall be established as a pretreatment standard, and the permit shall include requirements to follow the BMPs, report on BMPs (when applicable) and to maintain proper records of BMPs. In cases where a local limit requires compliance with a BMP (or pollution prevention alternative), the permit must include a requirement for the permittee to submit documentation to demonstrate compliance with the BMP.

The requirements for BMPs may be derived from:

- categorical pretreatment standards (e.g. solvent management plans, pollutant, management plans, toxic organic management plans, pollution prevention plans),

- EPA, Ecology, or other governmental agency BMPs guidance documents,
- industry sector guidance documents, and
- best professional judgment.

Best Professional Judgment

Control Authority staff may rely on known industry practices, experience, and other knowledge to establish BMP requirements and other permit conditions that are designed to reduce threats to the POTW (slug loads, accidental discharges, unauthorized discharges). Best professional judgment is used to determine compliance with State AKART requirements.

Domestic Sewage Exclusion

The process of evaluating discharges of hazardous and dangerous wastes is described in Section 3.5 of this document. Written authorization from the Control Authority is required prior to these discharges. The authorization may be included in a permit.

Engineering Reports, Plans and Specifications, and O&M Manuals

The requirement to submit engineering reports, plans, and specifications prior to the new construction or modification of pretreatment facilities, in accordance with WAC 173-240 - *State Waste Discharge Permit Program, Submission of plans and reports for construction of wastewater facilities,* may be included as a requirement in a permit. Also, the requirement to submit O&M manuals prior to completing the construction of pretreatment facilities, in accordance with WAC 173-240-150 - *State Waste Discharge Permit Program, Operation and maintenance manual* may be included as a requirement in a permit.

Control Authority staff rely on information provided in permit applications, notifications from IUs and other means of gathering information, such as facility inspections, to establish the requirements in permits to submit these reports.

Mass-Based Limits

In certain circumstances, Control Authority staff may apply mass-based pollutant limits in lieu of, or in addition to, concentration-based limits in a permit. Factors to consider for mass-based limits can include, but are not limited to

- Whether the facility is undertaking water conservation efforts and not increasing mass pollutant discharge to the POTW.
- Applicable Categorical Pretreatment Standards that allow or prescribe mass-based limits.
- Whether it is more practical to measure for a pollutant at a location prior to the discharge to the POTW or whether it is impractical to measure for a pollutant at the point of discharge to the POTW.
- Best professional judgment.
- To the extent possible, mass-based limits should be applied at the discharge of a process or pretreatment system.

Permits by Rule

A SIU that meets any of the following conditions will have a dangerous waste Permit by Rule pursuant to WAC 173-303-802(5) – *State Waste Discharge Permit Program, Permits by rule, Totally enclosed treatment facilities or elementary neutralization or wastewater treatment units*, provided that the SIU

- has an industrial wastewater discharge permit with the Control Authority and is in compliance with it, and that the source of wastewater, its volume and characteristics, and whether the wastestream is a batch or continuous discharge are noted in the permit application,
- operates a totally enclosed treatment system or an elementary neutralization unit that treats state-only dangerous wastes generated on or off site,
- treats federally regulated hazardous wastes on site, or
- operates a wastewater treatment unit that treats state-only dangerous wastes on or off site.

3.4.3.1.4 SIU – ADMINISTRATIVE COMPONENTS OF INDUSTRIAL WASTEWATER DISCHARGE PERMIT

The Control Authority may modify or revise the terms and conditions in a permit for just cause, including, but not limited to, any of the following reasons:

- whenever TMC 12.08C is modified
- to incorporate special conditions whenever an order is issued
- whenever the EPA promulgates a new pretreatment standard
- whenever the SIU files a written request with the Control Authority in accordance with TMC 12.08C
- to reduce threats to the POTW
- to address permit violations
- to incorporate revisions or grant a variance pursuant to 40 CFR 403.13 - *Variances from categorical pretreatment standards for fundamentally different factors*
- to correct errors in permits
- to reflect transfer of facility ownership and/or operation

Industrial Wastewater Discharge Permit Transfer

Permits are not transferable without the written approval of the Control Authority. Permits may be assigned to a new owner and/or operator with advance notice and with the Control Authority's approval (Appendix J). Failure to provide advance notice shall cause the revocation of the permit as of the date of facility transfer to the new owner. Additional information can be found in the attached Industrial Wastewater Discharge Permit Transfer SOP (Appendix J).

Industrial Wastewater Discharge Permit Revocation

Permits or other control documents may be revoked by the Control Authority for good cause as identified in TMC 12.08C.

Industrial Wastewater Discharge Permit Expiration

Permits expire on the date set forth in the permit or upon notification of permanent cessation of operations (cessation for a period exceeding 12 months shall be considered permanent), or upon assignment of business ownership without advanced notice and Control Authority approval. All issued permits are void upon the effective dates of replacement permits.

Industrial Wastewater Discharge Permit Re-issuance

Existing permittees required to obtain a new permit shall apply for permit re-issuance at least 180 days prior to the expiration of the existing permit.

3.4.3.2 SIGNIFICANT INDUSTRIAL USER (CATEGORICAL) – ZERO DISCHARGE PERMIT

Facilities subject to a categorical pretreatment standard and/or facilities of concern that generate non-domestic wastewater but do not discharge to the POTW may be issued a zero discharge permit. The SIU or CIU facilities are evaluated for and issued zero discharge permits by following the procedures in Section 3.4.3.1 of this document.

3.4.3.3 SPECIAL APPROVED DISCHARGE AUTHORIZATION

Special approved discharge authorizations are control mechanisms that regulate the discharge of wastewaters from special projects, typically environmental cleanup, construction, or maintenance activities that are one-time or otherwise limited in frequency, duration, and volume. The Control Authority evaluates special approved discharge applications according to the following the procedures.

3.4.3.3.1 SPECIAL APPROVED DISCHARGE AUTHORIZATION CONTENT

The special approved discharge authorization allows an IU to discharge wastewater to the POTW in compliance with the Control Authority's Pretreatment Ordinance, TMC 12.08C.360 - *Special approved discharge authorization* and any applicable provisions of federal or state laws and regulations. The authorization may contain conditions that include, but are not limited to, the following:

- discharge conditions for flow and quality and associated monitoring requirements
- discharge of only listed or authorized wastewater streams to the POTW
- authorized discharge dates and times
- designated discharge location
- notification requirements prior to discharge
- maximum discharge flow rates
- pretreatment requirements
- sampling requirements
- record discharge volumes, dates, and times and reporting requirements
- cease discharge requirements
- prohibiting discharging a substance that exceeds local limits, violates a pretreatment prohibition or violates hazardous waste rules at 173-303-071 WAC
- ensure that the controls, including treatment, are consistent with other discharges to the POTW, and do not bypass otherwise appropriate treatment requirements

3.4.3.3.2 SPECIAL APPROVED DISCHARGE AUTHORIZATION PROCESS

3.4.3.4 LETTER OF AUTHORIZATION

Industrial users that are not determined to be SIU's, but discharge wastewater in character and volume that may be of concern to the POTW, may be considered for a Letter of Authorization. The Control Authority reviews LOA applications to determine the volume and character of pollutants in the applicant's discharge.

The Control Authority may evaluate the following factors to determine if a LOA is an appropriate control mechanism:

- flow volume

- multiple or recurring discharges
- discharge duration
- industry type

The Control Authority may also evaluate whether or not the proposed discharge adheres to prohibitions and safeguards of the pretreatment program such as not discharging a substance that exceeds local limits, violates a pretreatment prohibition or violates hazardous waste rules at WAC 173-303-071 – *State Waste Discharge Permit Program, Excluded categories of waste*.

3.4.3.4.1 Letter of Authorization Content

The LOA is a written authorization for an IU to discharge wastewater to the POTW in compliance with the Control Authority's pretreatment regulations, TMC 12.08C, and any applicable federal or state laws and regulations. The LOA includes the identity of the wastewater stream subject to the control mechanism and the associated BMPs used to control and prevent pollutants from discharging to the POTW. BMPs required in an LOA may include the following:

- specified pretreatment devices
- practices or procedures designed to minimize or eliminate pollutants from discharge to the POTW
- mitigating devices designed to contain or control pollutants from discharge to the POTW
- sampling/monitoring of effluent
- spill control measures

Other requirements of the LOA may include:

- requirements that the authorized user to maintain records related to BMP maintenance and operations,
- requirements that the authorized user to conduct monitoring of the discharge,
- the authorized user to submit periodic certification statements of compliance with the LOA,
- prohibitions for discharging a substance that exceeds local limits, violates a pretreatment prohibition, or violates hazardous waste rules at 173-303-071 WAC, and
- that the controls, including treatment, are consistent with other discharges to the POTW, and do not bypass otherwise appropriate treatment requirements.

3.4.3.4.2 Letter of Authorization Process

Table 3-3, which is located at the back of this chapter, outlines the procedure for issuing a LOA.

3.4.3.4.3 Hauled Waste

Hauled waste is hauled domestic and non-domestic wastewater that is generated in locations (including areas outside the City's sewer service area) without easy access to sanitary sewer drains and that require containerized hauling to an approved discharge location. Requirements for hauled waste are set forth in TMC 12.08C.510 - *Requirements for hauled waste*.

Based on the character and volume of pollutants to be discharged to the POTW, the Control Authority will issue the following control documents to waste haulers:

- 3.4.3.1 Significant Industrial User – Industrial Wastewater Discharge Permit

- 3.4.3.3 Special Approved Discharge Authorization
- 3.4.3.4 Letter of Authorization

In addition to requirements set forth in the control mechanism, waste haulers may be required to provide a waste-tracking form, or submit an online report to OnlineRME, that indicates any of the following information for each load:

- name and address of the waste hauler
- truck and driver identification
- names and addresses of the sources of waste
- type of industry, volume, brief description, known characteristics, and presumed constituents of the waste
- any wastes that are designated RCRA hazardous wastes

3.5 Receive and Analyze Self-monitoring Reports and Other Notices Submitted by Industrial Users

3.5.1 Purpose

This section describes the procedures the Control Authority follows to receive, review, and analyze self-monitoring reports and other reports and notifications that are required from IUs.

3.5.2 Federal, State and Local Requirements

To meet the federal requirement, the Control Authority must receive and analyze self-monitoring reports and other notices submitted by IUs in accordance with the self-monitoring requirements in 40 CFR 403.12 - *Reporting requirements for POTW's and industrial users* and other notification requirements in 40 CFR 403.8 - *Pretreatment program requirements: Development and implementation by POTW* (40 CFR 403.8(f)(2)(iv) - *Procedures*.)

The State Waste Discharge Permit Program (see Appendix B—State regulations for pretreatment) requires that, with exceptions, monitoring data submitted to the Control Authority be prepared by a laboratory accredited under the provisions of WAC 173-50 - *State Waste Discharge Permit Program, Accreditation of Environmental Laboratories* (WAC 173-216-125 - *State Waste Discharge Permit Program, Monitoring*).

The State Waste Discharge Permit Program requires that IUs submit engineering reports, plans and specifications, and O&M plans for the construction or modification of wastewater pretreatment facilities in accordance with WAC 173-240 - *State Waste Discharge Permit Program, Submission of Plans and Reports for Construction of Wastewater Facilities* (WAC 173-216-040 - *State Waste Discharge Permit Program, Authorization required*).

The State Waste Discharge Permit Program requires that the discharge restrictions and prohibitions of dangerous waste regulations, waste regulations, chapter 173-303 WAC - *Dangerous Waste Regulations*, apply to IUs (WAC 173-216-060(1) - *State Waste Discharge Permit Program, Prohibited discharges*). IUs are required to submit notifications to the Control Authority and receive written authorization prior to discharging dangerous wastes (WAC 173-303-071 - *State Waste Discharge Permit Program, Excluded categories of waste*).

3.5.3 Procedure

This section describes the types of reports and notifications required for IUs and the procedures that the Control Authority follows to receive and analyze them. The Control Authority will follow-up with the IU in regards to incomplete reports and notifications.

3.5.3.1 SELF-MONITORING REPORTS

The Control Authority may require IUs to submit periodic self-monitoring reports on a prescribed schedule. These reports may include descriptions of the wastewater flow, nature and concentration of the pollutants that required monitoring as specified in the permit or other control mechanism and a certification statement verifying information in the report is accurate and complete. All submittals required by the Control Authority shall be signed by an authorized representative.

The Control Authority may require SIUs and other IUs to submit one or more of the following self-monitoring reports:

- baseline monitoring reports
- final compliance reports
- ongoing self-monitoring reports
- batch discharge records

3.5.3.1.1 BASELINE MONITORING REPORTS

Baseline monitoring reports (BMR) may be included as part of the IWDP application process. BMR's provide the Control Authority with sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each process and is representative of daily operations and expected pollutant discharges to the POTW.

The Control Authority requires baseline monitoring reports be submitted from SIUs for the following reasons:

- **New Sources Becoming Subject to Categorical Pretreatment Standards**

  New sources, and sources that become IUs subsequent to the promulgation of an applicable categorical pretreatment standard, shall submit to the Control Authority a baseline monitoring report that contains the information in 40 CFR 403.12(b)(1) – (5) - *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard,* at least 120 days prior to commencement of discharge. New sources shall also include in the baseline report information on the method of pretreatment that the source intends to use to meet applicable pretreatment standards. Estimates may be used for the information required in 403.12(b)(4) and (5) - *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard*) (40 CFR 403.12(b) – *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard*).

- **Existing Industrial Users Becoming Subject to New or Existing Categorical Pretreatment Standards**

  Existing IUs and IUs scheduled to discharge to the POTW that are subject to a newly promulgated categorical pretreatment standard shall submit to the Control Authority a baseline monitoring report that contains the information in 40 CFR 403.12(b)(1) – (7) - *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard* within 180 days after the effective date of the categorical pretreatment standard, or 180 days after the final administrative decision made upon a category determination submission under 40 CFR 403.6(a)(4) – *Reporting requirements for POTW's and industrial user, Final decision*, whichever is later (40 CFR 403.12(b) - *Reporting requirements for POTW's and industrial*

users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard).

3.5.3.1.2 FINAL COMPLIANCE REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

CIUs are required to submit final compliance reports. Within 90 days following the date for final compliance with categorical pretreatment standards or, in the case of a new source, following commencement of discharge of permitted wastewater into the POTW, the CIU shall submit to the Control Authority a report containing the information identified in 40 CFR 403.12(b)(4)-(6) - *Reporting requirements for POTW's and industrial user, Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users upon effective date of categorical pretreatment standard*. The Control Authority uses this report to verify that the IU is meeting applicable categorical and local pretreatment standards for measurement of pollutants (40 CFR 403.12(d) – *Reporting requirements for POTW's and industrial users, Report on compliance with categorical pretreatment deadline*).

3.5.3.1.3 ONGOING SELF-MONITORING REPORTS

All SIUs, categorical and non-categorical, shall submit ongoing self-monitoring reports as specified in their individual permits. The Control Authority uses the self-monitoring reports to verify the IU's continued compliance with their discharge permit limitations. Ongoing self-monitoring reports include the following:

- **Periodic Reports on Continued Compliance**

  Any IU subject to a categorical pretreatment standard (CIU) after the compliance date of that standard or, in the case of a new source, following commencement of discharge to the POTW, shall submit to the Control Authority, during the months of January and July (unless the permit requires reports more frequently), a report indicating the nature and concentration of pollutants in the effluent that are limited by the permit. The report may also include a record of measured or estimated average and maximum daily flows for regulated process streams (40 CFR 403.12(e) – *Reporting requirements for POTW's and industrial users, Periodic reports on continued compliance*).

- **SIU Self-Monitoring Reports**

  All non-categorical SIUs must submit to the Control Authority, at least twice per year (unless the permit requires reports more frequently), a description of the flow, nature, and concentration of the pollutants that require monitoring as specified in the permit (40 CFR 403.12(h) – *Reporting requirements for POTW's and industrial users, Reporting requirements for industrial users not subject to categorical pretreatment standards)*.

3.5.3.1.4 BATCH DISCHARGE REPORTS

Some SIU's are required to batch discharge industrial wastewater to the POTW. To provide more control and oversight for SIU's with variable industrial wastewater discharges, the Control Authority may require batch discharges and provide oversight of these discharges. These SIU's shall provide a Discharge Request Form prior to each discharge. The report shall contain the following information:

- date
- tank identification number
- volume of proposed discharge
- person responsible for discharge

- analytical results
- rolling monthly average (as required)
- a copy of the Chain of Custody.

Control Authority staff verifies that all required information is submitted and reviews adherence to discharge limitations and chain of custody requirements. Pretreatment staff then either notifies the IU of approval, requests amendment or additional information, requests hold on discharge for sampling, or gives denial of discharge request.

3.5.3.2 MONITORING REPORTS – MONITORING AND ANALYSIS TO DEMONSTRATE CONTINUED COMPLIANCE

The baseline monitoring, final compliance reports, ongoing self-monitoring, and batch discharge reports shall contain sampling results and analysis of the discharge of permitted wastewater to the POTW, including the flow and the nature and concentration (or production and mass when requested by the Control Authority) of pollutants contained therein that are limited by applicable pretreatment standards (40 CFR 403.12(g) – *Reporting requirements for POTW's and industrial users, Monitoring and analysis to demonstrate continued compliance*).

- If sampling performed by the industrial user indicates a violation, the IU shall immediately notify the Control Authority within 24 hours of becoming aware of the violation, provide, within 5 days, a written report that includes the cause and preventative measures implemented, and repeat the sampling and submit the results of the repeat analysis to the Control Authority within 30 days of becoming aware of the violation.
- The reports must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report. Data submitted by IUs shall be representative of conditions occurring during the reporting period.
- The Control Authority requires a frequency of monitoring necessary to assess and ensure compliance by IUs with applicable pretreatment standards and requirements.
- Grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques unless time-composite or grab sampling is authorized by the Control Authority. When time-proportional composite sampling or grab sampling is authorized by the Control Authority, the samples must be representative of the discharge.
- For sampling required in support of baseline monitoring and final compliance reports a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities where historical data does not exist. For facilities with available historical sampling data, the Control Authority may authorize a lower minimum. (40 CFR 403.12(g)(4) - *Reporting requirements for POTW's and industrial users, Monitoring and analysis to demonstrate continued compliance)*.
- All analyses shall be performed in accordance with procedures contained in 40 CFR Part 136 – *Guidelines Establishing Test Procedures for the Analysis of Pollutants* as amended or with any other test procedures approved by the EPA Administrator.
- All required laboratory analyses shall be performed by an accredited lab certified for the analysis by the State of Washington, per chapter 173-50 WAC – *Accreditation of Environmental Laboratories*. This requirement does not apply to field pH measurements, field conductivity measurements, field turbidity measurements, flow, temperature, and

settleable solids measurements, or for parameters which are used solely for the user's internal process control.

- If an industrial user monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Control Authority, using the procedures prescribed in 40 CFR 403.12(g)(5) – *Reporting requirements for POTW's and industrial users, Monitoring and analysis to demonstrate continued compliance*, the results of the monitoring shall be included in self-monitoring reports per 40 CFR 403.12(g)(6).

3.5.3.3 PROCEDURES FOR RECEIVING AND ANALYZING SELF-MONITORING REPORTS

The Control Authority receives baseline monitoring reports, final compliance reports, self-monitoring reports and batch discharge reports on an ongoing basis.

Procedural steps for receiving and analyzing compliance reports are identified in Figure 3-2 and described in Table 3-4, which can be found at the back of this chapter.

3.5.3.4 OTHER REPORTS OR NOTICES

3.5.3.4.1 TYPES OF OTHER REPORTS AND NOTICES

Compliance Schedule for Meeting Categorical Pretreatment Standards

Industrial users are required to develop a compliance schedule if additional pretreatment and/or O&M is required to meet applicable categorical pretreatment standards. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment. No increment shall exceed nine months. Progress reports must be submitted to the Control Authority within 14 days following each date in the schedule (403.12(c) - *Reporting requirements for POTW's and industrial users, Compliance schedule for meeting categorical pretreatment standards*).

Notification of Potential Problems, Including Slug Loading

All categorical and non-categorical SIUs shall notify the Control Authority immediately of all discharges that could cause problems for the POTW, including any slug loadings that are specifically prohibited as defined in 40 CFR 403.5(a)(1) - *General prohibitions*, and (b) - *Specific prohibitions* (40 CFR 403.12(f) - *Notice of potential problems, including slug loading*). Such notification requirements are described in further detail in Section 3.7 of this document.

Notification of Change in Volume or Character of Pollutants in Discharge

All IUs shall promptly notify the Control Authority at least 30 days in advance of any substantial change in the volume or character of pollutants in their discharge, including listed or characteristic hazardous waste for which the IU has submitted initial notification under 40 CFR 403.12(p) - *Reporting requirements for POTW's and industrial users* (40 CFR 403.12(j) - *Reporting requirements for POTW's and industrial users*, *Notification of changed discharge).*

Notification of Facility Changes that Affect Accidental Discharge/Slug Discharge Control Plan

All IUs shall immediately notify the Control Authority of changes at the facility that affect the potential for a slug discharge (40 CFR 403.8(f)(2)(vi) - *Procedures*).

Notification of Hazardous Waste Discharge

If any IU proposes to dispose of any material into the POTW system that, if otherwise disposed of, would be considered hazardous waste under 40 CFR 261 - *Identification and Listing of Hazardous Waste*, the IU must notify the Control Authority, the EPA Regional Waste Management Division Director, and state hazardous waste authorities in writing prior to

discharging such materials. Additionally, notification shall be required for the discharge of a substance, which, if otherwise disposed of, would be a dangerous waste under chapter 173-303 WAC. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261 – *Identification and Listing of Hazardous waste*, the hazardous waste number, and the type of discharge (continuous, batch or other) (40 CFR 403.12(p) -*Reporting requirements for POTW's and industrial users*).

Notification of Dangerous Waste Discharge (Domestic Sewage Exclusion)

If an IU proposes to dispose of wastes that exhibit the dangerous waste characteristics for toxicity, ignitability, corrosivity, or reactivity or that meet the state dangerous waste criteria for toxic dangerous waste or persistent dangerous waste pursuant to WAC 173-303-100 - *State Waste Discharge Permit Program, Dangerous waste criteria*, the user must notify the Control Authority in writing and receive written approval prior to discharging such materials (WAC 173-216-060(1) - *State Waste Discharge Permit Program, Prohibited discharges*, WAC 173-303-071(3)(a)(ii)(D) - *State Waste Discharge Permit Program, Exclusions*).

Engineering Reports, Plans and Specifications, and O&M Manuals

Industrial users shall submit to the Control Authority engineering reports and plans and specifications prior to new construction or modification of pretreatment facilities that affects the facilities' capacity to treat existing or new pollutants. Industrial users should submit these documents to the Control Authority at least 60 days before the time approval is desired (WAC 173-240-130 - *State Waste Discharge Permit Program, Engineering report* and WAC 173-240-140 - *Plans and specifications*).

Industrial users shall prepare a detailed O&M manual prior to completing construction of pretreatment facilities. The manual must be submitted to the Control Authority for review and approval (WAC 173-240-150 - *State Waste Discharge Permit Program, Operation and maintenance manual*).

3.5.3.4.2 Procedures for Reviewing Other Reports or Notices

All submittals under this section will be reviewed by the Control Authority for the following criteria:

- The IU has identified the shortest schedule for providing additional pretreatment and/or O&M.
- The completion date is not later than the compliance date established for the applicable pretreatment standard.
- The schedule contains increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment.
- No increment of progress exceeds nine months.
- If all conditions are not adequately met, the Control Authority notifies the IU.

Compliance Schedule for Meeting Categorical Pretreatment Standards

Upon receipt of the compliance schedule the Control Authority will review the proposed pretreatment and O&M plans for completeness and accuracy. See sections regarding engineering report review and O&M manual review.

Notification of Change in Volume or Character of Pollutants in Discharge

Upon receipt of a notification of substantial changes in the volume or character of pollutants in the IU's discharge, the Control Authority will evaluate the notification. If the information in the notification is insufficient, the Control Authority may require the IU to submit a permit application (or a supplement to the previous notification). In such cases, the Control Authority will review the information using the procedures set forth in Section 3.2 of this document*)*.

The Control Authority will follow the applicable steps in Section 3.4.3.1 of this document to modify the fact sheet, and if necessary, change any effluent limits or conditions contained in the IU's permit.

Notice of Potential Problems Including Slug Discharges

The procedures for IUs to notify the Control Authority of discharges that could cause problems to the POTW are included in permits as described in Section 3.4 of this document. The procedure the Control Authority uses to evaluate these notices is described in Section 3.7 of this document.

Notification of Facility Changes that Affect Accidental Discharge/Slug Discharge Control Plan

Upon receipt of a notification of facility changes that may affect slug discharges, the Control Authority may require the IU to modify its slug discharge control plan using the procedures set forth in Section 3.7 of this document*.*

Notification of Change in Volume or Character of Pollutants in Discharge

Upon receipt of a notification of substantial changes in the volume or character of pollutants in the IU's discharge, the Control Authority will send the IU a permit application and review the information using the procedures set forth in Section 3.2 of this document.

Notification of Hazardous Waste Discharge

The Control Authority will evaluate these notifications using the steps described in the following paragraph —*Notification of Dangerous Waste Discharge (Domestic Sewage Exclusion)*.

- The waste discharge shall not be specifically prohibited under 40 CFR 403.5 - *National pretreatment standards: Prohibited discharges*.
- The waste discharge shall not be specifically prohibited under 40 CFR 266 - *Standards for the Management of Specific Hazardous Wastes*; any hazardous waste pharmaceutical that is a solid waste (includes liquid waste) as defined in 40 CFR 261.2 – *Identification and Listing of Hazardous Waste, Definition of solid waste* and exhibits one or more characteristics identified in 40 CFR 261 – *Identification and Listing of Hazardous Waste* subpart C - *Characteristics of Hazardous Waste,* or is a listed hazardous waste in 40 CFR 261 subpart D – *Lists of Hazardous Wastes*.
- The waste discharge prior to mixing with domestic waste shall not exhibit dangerous waste characteristics for ignitability, corrosivity, reactivity, or toxicity, as defined in WAC 173-303-090 - *State Waste Discharge Permit Program*, Dangerous waste characteristics, and shall not meet the state dangerous waste criteria for toxicity or persistence, as defined in WAC 173-303-100 *State Waste Discharge Permit Program*, *Dangerous waste criteria*, unless the waste will be treatable in the POTW treatment plant where it will be received.
- The IU shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

- If the submittal conditions are met, the IU must receive written authorization prior to discharging hazardous or dangerous wastes. If the submittal conditions are not met, the Control Authority notifies the IU that the discharge is prohibited.

Engineering Report, Plans and Specifications

The Control Authority conducts a review of the engineering report and plans and specifications submittals using the Engineering Report Checklist (Template in Appendix Q) to determine whether the applicable elements in WAC 173-240-130 - *State Waste Discharge Permit Program, Engineering report* and 140 - *Plans and specifications* are adequately addressed.

The Control Authority notifies the IU if

- any of the elements are not adequately addressed, or
- the engineering report and plans and specifications submittals are determined to address applicable elements adequately.

The IU may be required to provide submittals to Ecology for review and approval. The Control Authority may send the submittals to Ecology on behalf of the IU.

Operation & Maintenance Manual

The Control Authority reviews the O&M manual submittals using the Engineering Report Checklist (Appendix Q) to determine whether the applicable elements of WAC 173-240-150 - *State Waste Discharge Permit Program, Operation and maintenance manual* are adequately addressed. If the O&M manual submittals are determined to address applicable elements adequately, the Control Authority informs the IU. If any of the elements are not adequately addressed, the Control Authority notifies the IU of deficient elements and requires resubmittal.

3.6 SAMPLE, ANALYZE, AND INSPECT SIGNIFICANT INDUSTRIAL USERS

3.6.1 PURPOSE

The purpose of this section is to describe the procedures that the Control Authority follows to sample and analyze SIU discharges and SIU inspection procedures to determine ongoing compliance with pretreatment standards and requirements.

3.6.2 FEDERAL, STATE AND LOCAL REQUIREMENTS

To meet the federal requirement, the Control Authority must randomly collect, sample, and analyze the effluent from SIUs and conduct surveillance activities in order to identify, independent of information supplied by SIUs, occasional and continuing compliance with pretreatment standards. Effluent samples must be obtained and analyzed at least once a year (40 CFR 403.8(f)(2)(v) - *Procedures*).

The State Waste Discharge Permit Program requires that, with exceptions, monitoring data submitted to the Control Authority shall be prepared by a laboratory accredited under the provisions of WAC 173-50—*Accreditation of Environmental Laboratories* (WAC 173-216-125 - *State Waste Discharge Permit Program, Monitoring)*. Appendix B contains copies of the pertinent WAC chapters.

The pretreatment sections of the Control Authority's NPDES Waste Discharge Permits (see Appendix C*)* include the federal requirements for monitoring and inspecting SIUs. Additionally, the Control Authority is required to "track compliance and maintain data," including the development and maintenance of a data management system that maintains the status of the industrial user inventory, discharge characteristics, and present compliance status for a specified time period.

3.6.3 PROCEDURES

The procedures for the Control Authority to conduct compliance monitoring and inspections are shown in Figure 3-4, listed in Table 3-5, which are located at the back of this chapter and described below.

3.6.3.1 COMPLIANCE MONITORING

The Control Authority conducts compliance monitoring (sampling and analysis) of SIUs at least twice per year. Such monitoring may be conducted more frequently if the Control Authority determines that additional monitoring is needed. Sample collection is performed by Control Authority staff and analysis conducted by either the City of Tacoma Environmental Services Laboratory or a certified outside laboratory. Control Authority staff may refer to guidance found in EPA's Sampling and Inspection Manual for POTWs.

The City of Tacoma Environmental Services Laboratory has an integral role in the Control Authority's pretreatment program. The City's ES laboratory provides laboratory services for conventional chemistry, metals, and organic chemistry in support of the pretreatment compliance monitoring program. The ES laboratory is accredited by the Washington Department of Ecology under WAC 173-50 - *State Waste Discharge Permit Program, Accreditation of Environmental Laboratories* and operates under a formal quality assurance (QA) program. The Laboratory QA program and practices are formally described in the City of Tacoma Environmental Services Laboratory Quality Assurance Manual (v.8.0 August 2020).

Sampling and analysis are performed in accordance with the techniques prescribed in 40 CFR 136 – *Guidelines Establishing Test Procedures for the Analysis of Pollutants* (and amendments thereto), adhere to EPA's Sampling and Inspection Manual for POTWs and are conducted with sufficient care to produce data and evidence that could be admissible in enforcement proceedings or in judicial actions. The analytical reports are prepared by laboratories accredited under the provisions of Chapter 173-50 WAC - *Accreditation of Environmental Laboratories*.

The Control Authority's pretreatment staff reviews laboratory results to determine compliance with permit conditions.

Upon review of laboratory results if the IU has not met the permitted wastewater limitations, the Control Authority immediately notifies the IU of the requirement to conduct additional sampling and analysis and shall provide the IU written notification of the required actions. The SIU shall submit the results to the Control Authority within 30 days of the notification of the violation. Upon resubmittal, Control Authority staff will review for compliance with permitted wastewater limitations.

3.6.3.2 INSPECTIONS

Control Authority staff conducts permitted facility inspections and record reviews to determine whether facility activities are in compliance with the SIU's permit. The results of an inspection provide the basis for determining which corrective actions and/or enforcement actions are needed. Control Authority staff may refer to guidance found in EPA's Sampling and Inspection Manual for POTWs.

The Control Authority inspects permitted SIUs at least once each year. Additional facility inspections are conducted on an as-needed basis. Inspections may be announced or unannounced as determined by the Control Authority. Inspections are conducted for any of the following reasons:

- to identify and categorize industrial processes that may be subject to federal, state, or local pretreatment standards

- to verify process and other information noted in a user's wastewater discharge application or fact sheet
- to observe the operational status of pretreatment equipment and related records and logs
- to observe effluent and condition of outfalls
- to inspect sampling and monitoring facilities to determine whether samples collected are representative of discharge and whether dilution streams are present
- to determine compliance with standards regarding prohibited discharges and bypass
- to evaluate the accuracy of self-monitoring reports and an IU's compliance with special conditions of a permit
- to verify the completeness and accuracy of an IU's compliance records
- to update user survey information
- to evaluate the potential for spills and confirm the adequacy of a slug discharge control plan or other measures
- to develop a working rapport with SIU representatives

The Control Authority conducts in-person inspections at the SIU's facility. For scheduled annual inspections, the procedure for conducting site inspections is outlined in Figure 3-4 and described in Table 3-6, which are located at the back of this chapter. The Control Authority incorporates applicable elements of the facility inspection checklist into the inspection (see Appendix K).

Pretreatment staff performing inspections must be informed of hazardous conditions in an industrial environment and have adequate training to enter and inspect facilities safely.

Training requirements for pretreatment staff may include:

- 40-hour HAZWOPER certified training and annual eight hour refresher
- Right to Know (SDS review)
- Sacramento State College, Office of Water Programs, Pretreatment Facility Inspection Course

Prior to conducting an inspection pretreatment staff shall do the following:

- complete the pre-inspection checklist – (see Appendix R)
- complete file review for the following:
  - required PPE
  - safety plans
  - chemicals of concern
  - application and fact sheet
  - previous inspections
  - previous or current compliance issues

During inspections, Control Authority staff records observations and findings into a notebook or on a prepared form, electronic device, or camera. At the conclusion of an inspection, Control Authority staff may communicate a summary of preliminary observations and findings to facility representatives. Control Authority staff will prepare an electronic or written inspection report including observations, findings, non-compliance, and required corrective actions.

3.6.3.2.1 SCHEDULED INSPECTIONS

Scheduled inspections take place when the authorized representative of the IU is contacted beforehand, and the inspection is scheduled. Notice should be provided to the authorized representative a minimum of 24 hours prior to the desired time of the scheduled inspection. This type of inspection should be conducted when a detailed and thorough review of the industry is necessary. Scheduled inspections may be advantageous to ensure personnel knowledgeable of facility operations are present to answer the inspector's questions and provide quick access to records.

3.6.3.2.2 UNSCHEDULED INSPECTIONS

Unscheduled inspections may take place in lieu of scheduled inspections. It is not necessary to give notice of an unscheduled inspection. Pretreatment staff may determine unscheduled inspections are necessary based on the following:

- need for inspection
- monitoring the user
- self-monitoring reports received from the IU
- information received from other sources
- significant non-compliance
- not meeting pretreatment standards and requirements
- not meeting the conditions and terms of the IWDP
- prior notice of the inspection to the authorized representative of the IU may interfere with obtaining the required information

Pretreatment staff will document an unscheduled inspection by creating a written report following the same procedures as a scheduled inspection. If corrective action is required or an enforcement response is necessary, the Control Authority will follow the applicable steps shown in Fig. 3-5 and described in Table 3-6.

3.6.3.2.3 ON-DEMAND INSPECTIONS

On-demand inspections are usually performed in response to an emergency situation.

When the Control Authority is notified of an accidental discharge, spill, or slug discharge Control Authority staff will conduct appropriate inspections and/or sampling. City of Tacoma staff are always available to respond to such notifications. The on-call person, once notified, will assess the seriousness of the situation and will, if necessary, contact pretreatment program staff or other City staff members. The on-call person will have access to the equipment typically needed for on-demand inspections and sampling (vehicle, safety equipment, sampling devices, containers, etc.).

An on-demand inspection may require the following:

- a determination of the nature, duration, and hazard of the SIU's discharge
- collection of samples to verify the characteristics of the discharge
- identification of required corrective actions
- documentation of completion of corrective actions or compliance activities

Control Authority staff will document an on-demand inspection by creating a written report which may be an abbreviated version of the Industrial On-Site Inspection Report template (Appendix M). If action is required or enforcement response is necessary, the Control Authority will follow the steps shown in Figure 3-4 and described in Table 3-6, which are located at the back of this chapter.

3.6.3.2.4 Denial of Entry

If an inspector is refused entry into a facility or consent is withdrawn during an inspection, the inspector should try to come to a resolution to gain entry or continue the inspection. If consent is still refused or withdrawn, the inspector should leave the premises, contact their supervisor and, if necessary, consult with the POTW's legal counsel. Additional steps for staff to follow if refused entry are outlined in Appendix L.

3.6.3.2.4 Unusual Conditions at Treatment Plants – Investigative Analysis

When POTW workers detect immediate and significant unusual conditions or slug loads in the collection or treatment systems, an investigation shall be implemented. An investigation involves an analysis of the collection system sampling and recording of the conditions.

If treatment plant operators note gradual or ongoing adverse changes in process conditions that may be attributable to an industrial discharge, then the operators shall notify wastewater operations management and pretreatment staff. Pretreatment staff may need to develop a specific investigation plan which may include inspections and sampling of IUs to address the noted adverse changes in process conditions.

3.7 Slug Discharge Control Plan Requirements

3.7.1 Purpose

The purpose of this section is to describe the procedures the Control Authority follows to evaluate SIU's, and/or IU's having potential for spills and slug discharges. Upon evaluation, the Control Authority may determine that facilities with the potential for spills and slug discharges be required to develop and maintain a written Slug Discharge Control Plan (SDCP), or other BMPs. The Control Authority will review SDCPs upon submittal to determine whether the plan contains the required elements to control slug discharges effectively.

3.7.2 Federal, State, and Local Requirements

To meet the federal requirement, the Control Authority must evaluate whether each such IU needs a plan or other action to control spills and slug discharges. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge that has a reasonable potential to cause interference or pass-through, or in any other way violate the Control Authority's regulations, local limits, or permit conditions. Plans, logs, records, and actions related to such activities shall be available to the Control Authority upon request. A SIU is required to notify the Control Authority immediately of any changes at its facility that increase the potential for a slug discharge (40 CFR 403.8(f)(2)(vi) - *Procedures*).

The State Waste Discharge Permit Program requires permits to specify conditions necessary to prevent and control waste discharges, including discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw material storage (WAC 173-216-110(1)(f) - *State Waste Discharge Permit Program, Permit terms and conditions,* (Appendix B) contains copies of pertinent WAC chapters.

The pretreatment sections of the City's NPDES Permits *(Appendix C)* require that the Control Authority evaluate, at least once every two years, whether each SIU needs a plan to control

spills and slug discharges. When a plan is needed, it shall contain, at a minimum, the elements described in 40 CFR 403.8(f)(2)(v)(A) through (D) - *Procedures*.

3.7.3 PROCEDURES

The procedures for implementing the SDCP program are described below.

3.7.3.1 CRITERIA FOR REQUIRING A SLUG DISCHARGE CONTROL PLAN

All IUs with a reasonable potential to discharge a chemical to the POTW that could cause pass through or interference, violate the Control Authority's regulations, local limits, or cause the POTW to violate its permit conditions are required to develop and maintain a SDCP in accordance with a schedule established by the Control Authority. Other additional actions to control spills and slug discharges may be required or authorized by the Control Authority. Permits for SIUs will include the requirement to develop, update when conditions change, and comply with approved SDCP's as enforceable permit conditions.

3.7.3.2 SLUG DISCHARGE CONTROL PLAN CONTENT

The Control Authority requires that a SDCP address the prevention and control of spills and slug discharges. A SDCP must contain at a minimum, the following elements:

- Basic facility information.
- Facility plot plan/maps.
- Description of discharge practices, including non-routine batch discharges.
- Description/inventory of stored chemicals.
- Procedures for immediate verbal notification and follow-up written notification within five days to POTW personnel of spills or slug discharges, including any discharge that would violate any prohibitions in 40 CFR 403.5(a)(1) - *General prohibitions* and 40 CFR 403.5(b) - *Specific prohibitions* or TMC 12.08C. IUs are required to post, visibly throughout their facility, the list of individuals, including POTW personnel, to be contacted in the event of a spill or slug discharge.
- Procedures to prevent adverse impact from accidental spills, including descriptions of the following:
  - inspection and maintenance of storage areas
  - handling and transfer of materials
  - loading and unloading operations
  - control of facility site run-off
  - worker training
  - building of containment structures or equipment
  - measures for containing toxic organic pollutants (including solvents)
  - measures and equipment for emergency response
  - steps that facility personnel will take in response to spills in an effort to remove the material or minimize adverse impact to the POTW

The Control Authority may require other elements in the plan or other actions to control spills or slug discharges.

3.7.3.3 NOTIFICATIONS, REVIEWS, AND APPROVALS FOR SLUG DISCHARGE CONTROL PLANS

The Control Authority will notify IUs that are required to prepare SDCPs by issuing a letter that directs an IU to complete and submit the required SDCP by a specific date to the Control Authority for approval. The Control Authority may provide a checklist and a template to aid the IU in preparing the plan.

Upon receipt of a SDCP, the Control Authority will review it for completeness using the SDCP checklist (see Appendix N). The Control Authority then will review the SDCP contents to determine whether the SDCP sufficiently addresses the required elements. The Control Authority will prepare comments and any requests for further information during the review.

If a SDCP is incomplete, the Control Authority will send written comments, requests for further information, and require the IU to submit the updated SDCP, by a specific date, for Control Authority approval.

Upon approval of a SDCP, the Control Authority will send the IU a written approval letter stating that the plan meets the SDCP requirements of 40 CFR 403.8(f)(2)(v) - *Procedures*. The approved SDCP will be placed in the IU's file.

The requirements for developing and maintaining an updated SDCP are outlined in TMC 12.08C.660 – *Slug discharge – Notification and plan development* and are included in each approval letter.

3.7.3.4 SPILL REPORTING

Permitted IUs are required to report any spills to the Control Authority. Industrial users must verbally notify POTW personnel at the earliest possible time (and no later than 24 hours) and follow up with written correspondence within five days. Initial notification must include the following information, as applicable:

- facility contact information including name of person, facility name, and facility address
- date and time when discharge began
- receiving wastewater treatment plant
- identity of material discharged to sewer and its known hazards
- concentrations of pollutants or materials, if known
- volume or volumetric flow rate of material(s) discharged to sewer
- pH of sewer discharge from facility, if known
- any other known hazards of sewer discharge (e.g., indicate whether toxic or flammable gas meter alarms were triggered)
- response action under way to stop or mitigate discharge

Written follow-up reports of spills must include the following information:

- facility contact information including name of person, facility name, and facility address
- date and time when discharge began and ceased
- date and time of notification
- names of Control Authority POTW personnel notified
- receiving POTW

- identity of material(s) discharged to sewer and its (their) known hazards
- concentrations of pollutants or materials, if known
- volume or volumetric flow rate of material(s) discharged to sewer
- pH of sewer discharge from facility, if known
- any other known hazards of sewer discharge (e.g., indicate whether toxic or flammable gas meter alarms were triggered)
- indication of whether samples of discharge were taken and any available analytical or laboratory results
- actions taken to stop or mitigate discharge
- analysis of elements in the SDCP related to the spill event and recommendations for improvements in management practices or engineering controls

The Control Authority reviews the information collected from the verbal and written notifications and takes action in accordance with the ERP (see Chapter 6 of this document). Records and reports from these notifications are placed in the IU's file.

3.8 INVESTIGATE SIGNIFICANT INDUSTRIAL USER NON-COMPLIANCE

3.8.1 PURPOSE

The purpose of this section is to describe the procedures that the Control Authority follows to investigate SIU non-compliance and to initiate enforcement proceedings if necessary.

3.8.2 FEDERAL, STATE, AND LOCAL REQUIREMENTS

To meet the federal requirements, the Control Authority must investigate instances of non-compliance with pretreatment standards and requirements, as indicated in the reports and notices required under 40 CFR 403.12—*Reporting requirements for POTW's and* IU*s* or as indicated by analysis, inspection, and surveillance activities described in 40 CFR 403.8(f)(2)(v) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements Procedures*. Sampling, analysis, and the collection of other information shall be performed with sufficient care to produce defensible evidence admissible in enforcement proceedings or in judicial actions (40 CFR 403.8(f)(2)(vi) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements Procedures*).

The State Waste Discharge Permit Program and TMC 12.08C provides the Control Authority the right to enter any IU for the purposes of conducting an inspection and investigating conditions relating to the pollution or possible pollution of any waters of the state. The program also provides for access to records required to be kept under terms and conditions of a permit (WAC 173-216-110(3) - *State Waste Discharge Permit Program, Permit terms and conditions*). (See Appendix B.*)*

The pretreatment sections of the City's NPDES permits include the requirement that the Control Authority has the authority to conduct non-compliance investigation activities (Appendix C).

3.8.3 PROCEDURES

The Control Authority developed an Enforcement Response Plan (ERP) based on information contained in the EPA Pretreatment Compliance Monitoring and Enforcement Guidance manual as well as 40 CFR 403.8 – *Pretreatment Program Requirements: Development and Implementation by POTW*.

The Control Authority follows procedures in the ERP to enforce regulatory requirements and compel SIU/IU compliance. Self-monitoring reports (SMRs) submitted by the SIU are date stamped when received and checked for timeliness by pretreatment staff. Pretreatment staff also check the report contents for completeness as related to the permit requirements. Sampling results are examined for compliance with sampling protocol, constituent permit limits, compliance schedule milestone requirements, and/or any other reporting requirement specified in the SIU permit. Any instance of non-compliance is noted and compared with the SIU's historical compliance record.

The Enforcement Response Matrix is consulted to determine the appropriate enforcement response. Each instance of noncompliance requires a response appropriate to the nature of the violation. Enforcement response levels are assigned based on an evaluation of the incident including severity, repetitiveness, cooperativeness, and responsiveness. These levels are encompassed in an enforcement response matrix in the ERP.

The ERP also addresses procedures for investigation of non-compliance issues as it relates to non-permitted industries. See Chapter 6 of this document.

3.9 PUBLIC NOTICE FOR SIGNIFICANT NON-COMPLIANCE

3.9.1 PURPOSE

The purpose of this section is to describe the procedures that the Control Authority follows to notify the public of IUs that were in significant non-compliance with applicable pretreatment requirements.

3.9.2 FEDERAL REQUIREMENTS

To meet the federal requirements, the Control Authority must comply with the public participation requirements of 40 CFR 25 – *Public Participation in Programs Under the Resource Conservation and Recovery Act, The Safe Drinking Water Act, and the Clean Water Act* in the enforcement of national pretreatment standards. These procedures shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the Control Authority of IUs that, at any time during the previous 12 months, were in significant non-compliance with applicable pretreatment requirements. For the purposes of this provision, a SIU (or any IU which violations paragraphs C, D, or H of this section) is in significant noncompliance if its violation meets one or more of the following criteria:

A. chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all of the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(I) – *Definitions*

B. Technical Review Criterial (TRC) violations, defined here as those in which 33% or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by 40 CFR 403.3(I) – *Definitions* multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS fats, oil, and grease, and 1.2 for all other pollutants except pH)

C. any other violation of a pretreatment standard or requirement as defined by 40 CFR 403.3(I) – *Definitions* (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with

other discharges, interference or pass through (including endangering the health of POTW personnel or the general public)

D. any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge

E. failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance

F. failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules

G. failure to accurately report noncompliance

H. any other violation or group of violations, which may include a violation of best management practices, which the POTW determines will adversely affect the operation or implementation of the local pretreatment program

3.10 PRETREATMENT ANNUAL REPORTING REQUIREMENTS

In accordance with 40 CFR 403.12– *Reporting requirements for POTW and industrial users*, and National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permits WA0037087 and WA0037214, the Control Authority shall provide to Ecology, an annual report that briefly describes the Control Authority's pretreatment program activities during each 12-month period. The annual report shall include, at a minimum, the following:

- An updated IU survey, including names and address of all IUs subject to pretreatment standards or requirements. This list shall identify the IU's categorization, and the standards applied (categorical standards, local limits, or both).
- A summary of the status of SIU compliance over the reporting period.
- A summary of compliance and enforcement activities (including inspections) conducted by the POTW during the reporting period. The summary shall include:
  - list of SIUs that failed to submit baseline monitoring reports, or any other reports required under the conditions of their permit
  - list of SIUs that were, at any time during the reporting period, not complying with federal, state, or local pretreatment standard or with applicable compliance schedules for achieving those standards, and the duration of noncompliance
- A summary of changes to the Control Authority's pretreatment program that have not been previously reported to Ecology.
- Wastewater sampling results from the City's POTWs, as specified by the monitoring requirements in the pretreatment subsections of the City's NPDES permits. This summary shall include calculated removal rates for each pollutant.
- An evaluation of existing local limits in TMC 12.08C to determine their adequacy in the prevention of treatment plant interference, pass through of pollutants that could affect receiving water quality, and biosolids contamination. The evaluation should also assess

historical trends of results of local limits parameters from wastewater sampling at the City's POTWs.

- Status of pretreatment program implementation, including
  - any substantial program modifications as originally approved by Ecology, including staffing and funding levels,
  - any interference, upset, or permit violations experienced at the POTW that are directly attributable to wastes from IUs,
  - list of SIUs inspected and/or monitored, and a summary of the results,
  - list of SIUs scheduled for inspection and/or monitoring for the next year and expected frequencies,
  - list of SIUs issued IWDPs, and
  - planned changes in the Control Authority's pretreatment program.

3.11 PUBLIC REVIEW OF INFORMATION

3.11.1 RELEASE OF RECORDS

All records maintained by the Control Authority regarding the pretreatment program are available for public review except where such records are protected by law. Those seeking the information can contact the City and make a verbal or written request. The Control Authority will honor the requests consistent with the City's public disclosure guidelines. The request should be specific as to the type and nature of the records to be reviewed.

3.11.2 CONFIDENTIAL INFORMATION

Information and data on an IU obtained from reports, questionnaires, permit applications, permits, and monitoring programs, as well as from Control Authority inspection and sampling activities, shall be available to the public without restriction. If a public disclosure request is made and if the IU has specifically requested that certain information be kept confidential - and can demonstrate to the Control Authority's satisfaction that the release of such information would divulge information, process, or methods of production entitled to protection as trade secrets under applicable state laws - then the Control Authority would notify the IU that a disclosure request has been made and inform the IU that they must file an injunction to prevent the release of that information. However, the information shall be made available immediately upon request to governmental agencies for uses related to this document, the NPDES program, and enforcement proceedings involving the person furnishing the information or data.

Wastewater constituents and characteristics and other "effluent data," as defined by 40 CFR 2.302 -*Special rules governing certain information obtained under the Clean Water Act*, will not be recognized as confidential information and will be available to the public without restriction.

Information that is deemed confidential will be maintained in accordance with TMC 12.08C.910 – *Public Disclosure and Confidentiality.*

3.11.3 RECORDS RETENTION

The Industrial Wastewater Pretreatment Coordinator and IU's will retain all pretreatment records and reports in accordance with the Secretary of State's Local Government General Records Retention Schedule in the Washington State Archives and record-keeping requirements under EPA and Ecology regulations. This period may be extended if an enforcement action has been initiated or by request of the Control Authority, the EPA, or Ecology at any time.

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Figure 3-1. Procedure Flowchart for Issuance of Permits to SIUs

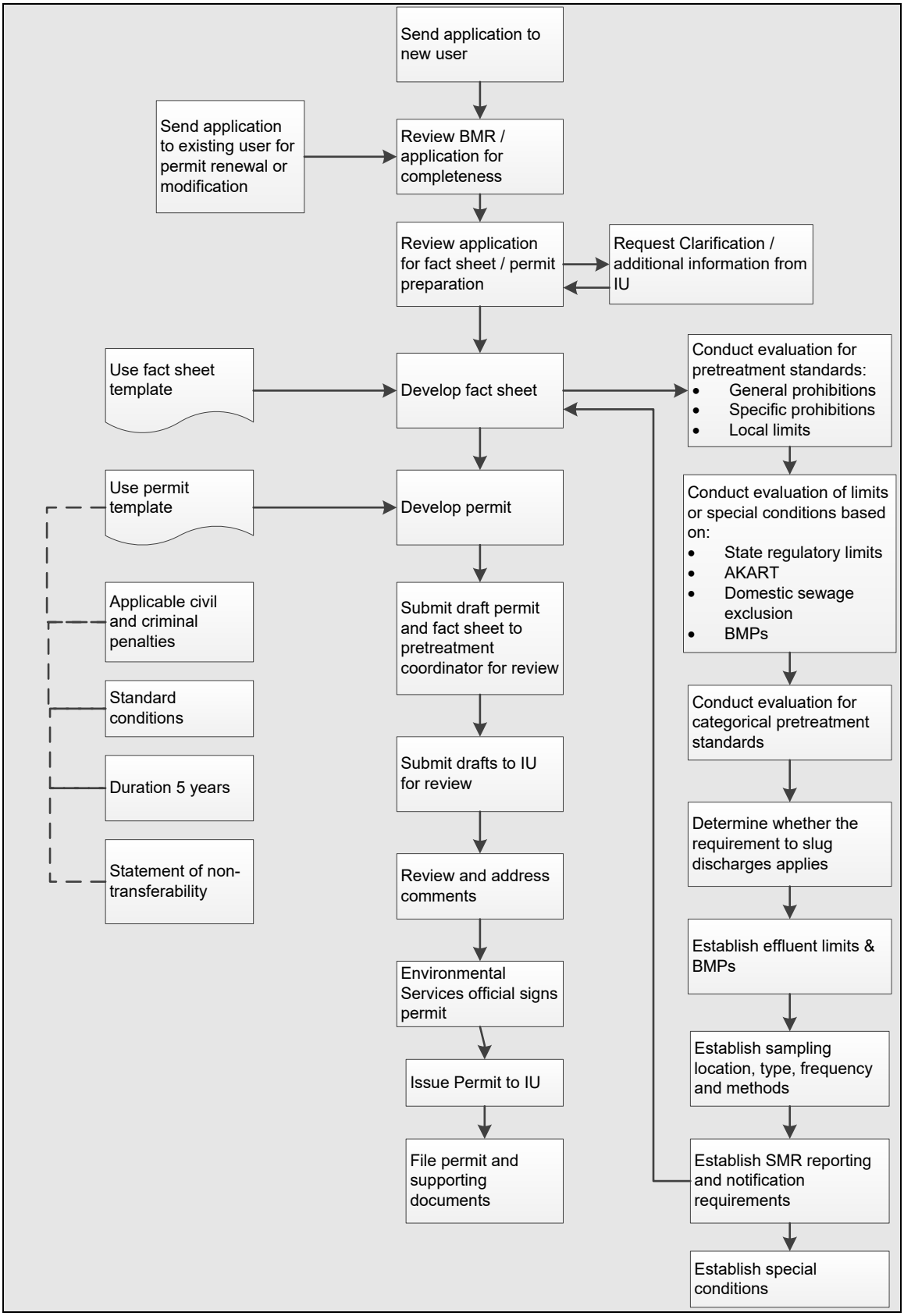

Figure 3-2 Procedure for Receiving and Analyzing Submittals

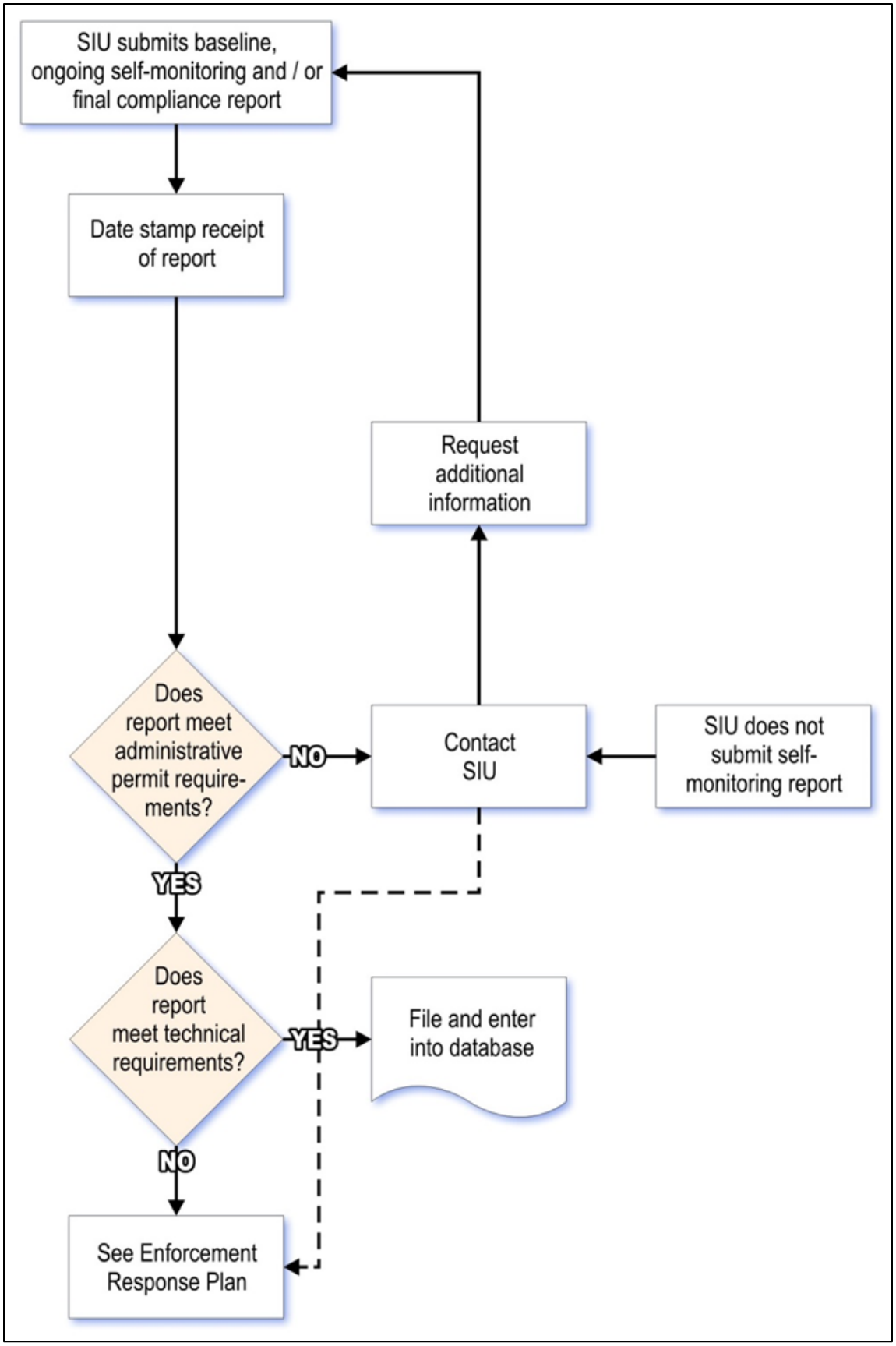

Figure 3-3 Procedure for Control Authority Compliance Monitoring

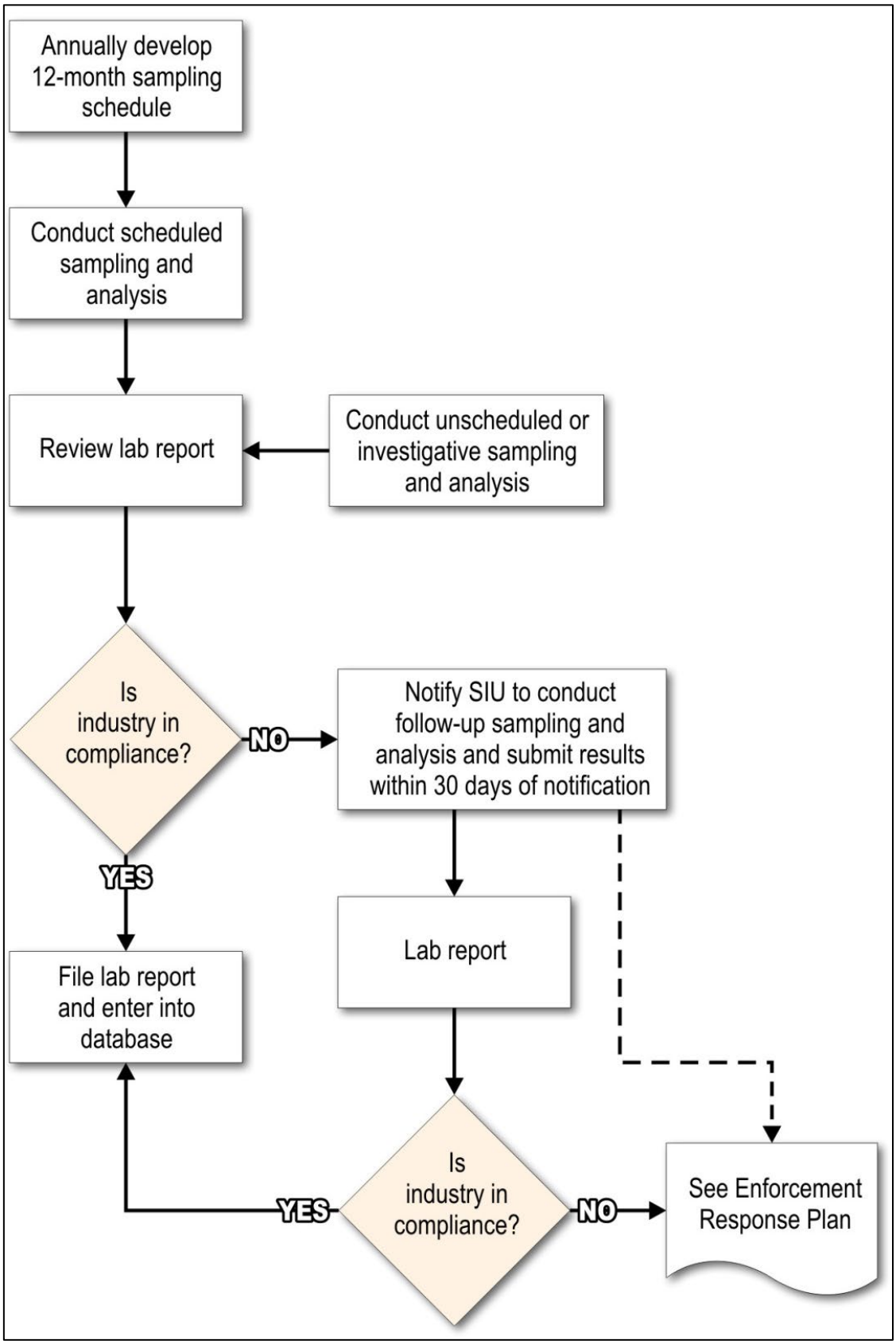

Figure 3-4 Procedure for Conducting Inspections

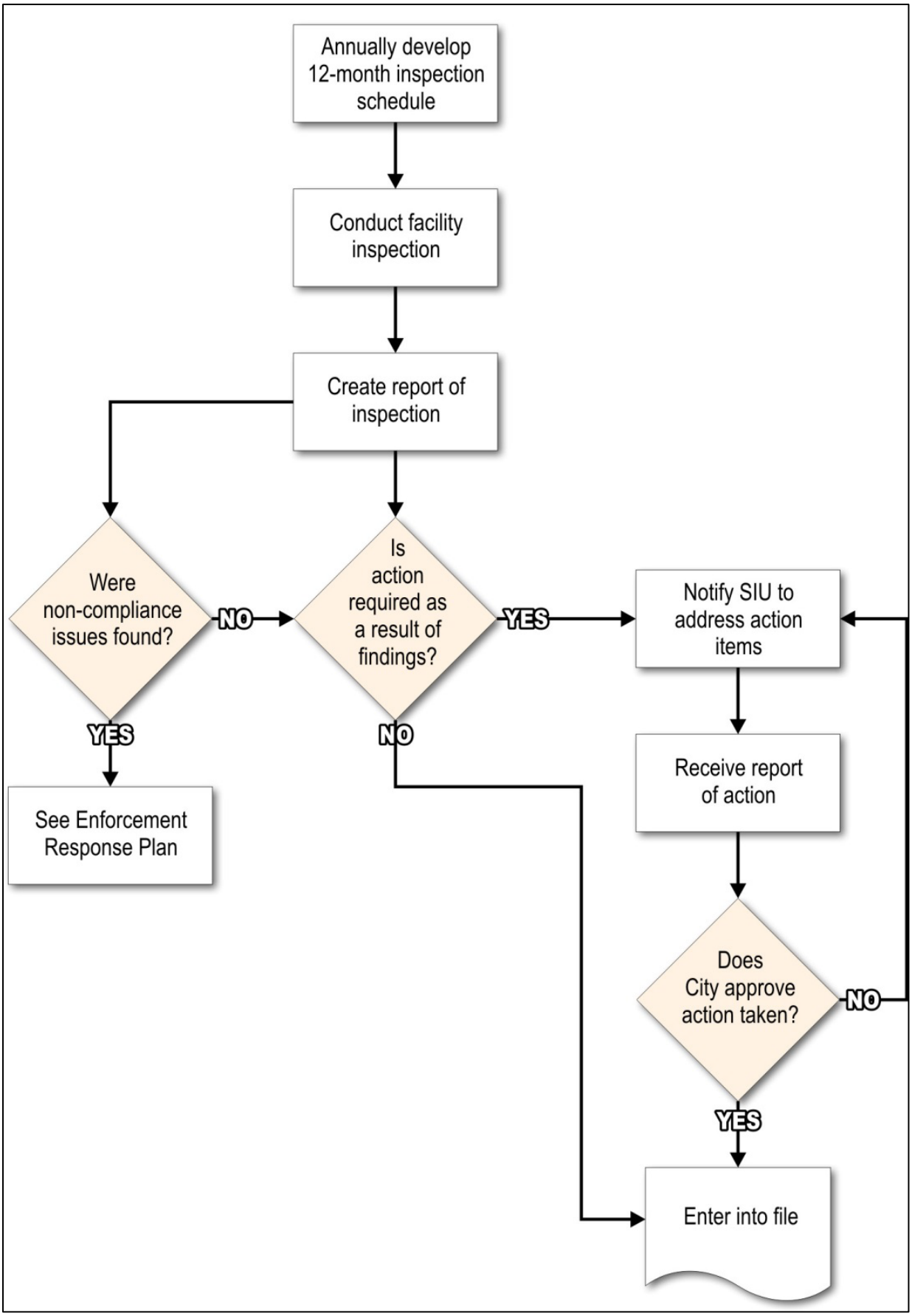

Table 3-1 Procedure for Issuance of Permits to Significant Industrial Users	
Send Application to SIUs	The process of sending applications to new and existing SIUs is described in Section 3.2.
Review Permit Application for Completeness	The process of reviewing permit applications for completeness is described in Section 3.2.5.1.
Review Application for Fact Sheet/Permit Preparation	During the course of reviewing the permit application for developing the fact sheet and permit, the Control Authority may request clarification or additional information from the SIU.
Develop Fact Sheet	Based on information provided by the SIU in the permit application, the Control Authority develops a fact sheet that includes information relevant to identifying the character and volume of pollutants in the SIU's wastewater and establishing controls on the contribution to the POTW. The fact sheet is based on a template (Appendix H) and can be expanded to include any relevant information about the SIU's site and discharge.
Develop Permit	The Control Authority uses the permit template (Appendix I) to draft an IWDP that includes the following sections and topics: *Cover Page:* The cover page of the permit includes the permit number, SIU name and address, effective and expiration dates, a statement that authorizes discharge of industrial wastewater to the POTW in compliance with applicable federal, state, and local laws and with conditions in the permit, and an authorization signature by the Director or designee.
	Section I: Outfall and Monitoring Points*:* descriptions and locations
	Section II: Wastewater Discharge Limitation*s**:* This section defines specific limits and authorized wastestreams. It also contains prohibited wastestreams, local limits, additional requirements, TOMP requirements, stormwater prohibitions, SDCP requirements, allowable discharges, and additional requirements.
	Section III: Self-Monitoring*:* This section contains sampling and analysis requirements, reporting requirements, required O&M, monitoring requirements and other optional language.
	Section IV: Reporting and Notification Requirements*:* This section contains requirements for self-monitoring/reporting, sample documentation, specific limit reporting, pH reporting, hauled waste reporting, certification statements, change of authorized representative, no discharge reporting, submittal dates, additional monitoring reports, notification of violation, facility plans/schematics, changes that affect SDCP, change in production level, hazardous waste notification and other optional language.
	Section V: Standard Conditions: This section contains requirements regarding general prohibitions, specific prohibitions, local limits, max daily limits, alternate standards, dilution prohibition, wastewater monitoring facilities, record keeping, confidential information, right of entry, permit modification/revocation/suspension, change in discharge or production level, accidental discharges, SDCP requirements, enforcement, suspension of service, penalties, notification of upset condition, operating upset, affirmative defense to enforcement actions, burden of proof and permit charges.
	Section VI: Glossary/Definitions
Conduct Internal Review of Draft Permit and Fact Sheet	The draft permit and fact sheet are reviewed by the Control Authority's Industrial Wastewater Pretreatment Coordinator and staff. The Director or designee may also review these documents.

Table 3-1 Procedure for Issuance of Permits to Significant Industrial Users	
	Modifications are made to the draft permit and fact sheet based on comments from the internal review.
Send Draft Permit and Fact Sheet to SIU for Review	For new permits the Control Authority sends a draft of the permit and fact sheet to the SIU and to Ecology for preliminary review. The SIU and Ecology are typically allowed two weeks to review the drafts. The SIU is required to submit comments in writing. The Control Authority considers all written comments from the SIU and Ecology. The Control Authority modifies the draft permit and fact sheet as appropriate.
Publish 30-Day Public Notice	A 30-day public notice period is required prior to issuing a permit to a new SIU. The notice is also required for a renewed or modified permit when there are substantial permit modifications required. The SIU is responsible for ensuring that public notices are published in accordance with WAC 173-216-090 - *State Waste Discharge Permit Program, Public Notice*. Interested parties are invited to submit written comments regarding the proposed permit within thirty (30) calendar days of the date of the public notice. The application, proposed permit and related documents are available for review between 8:00 a.m. and 4:30 p.m. weekdays.
Review Comments from 30-Day Public Notice Period	The Control Authority considers all written comments from the public and may addresses comments in writing and modify the permit and fact sheet as appropriate.
Director or Designee Signs Permit	Control Authority staff submits the final permit and the fact sheet to the Director or their designee for an authorization signature.
Issue Permit to SIU	Control Authority staff provides copies of the final permit, fact sheet, and related documents to the SIU and the Department of Ecology.
File Permit and Supporting Documents	The permit with the original authorization signature and the fact sheet are stored in a controlled file storage area. Control Authority staff creates and maintains files that include the SIU's permit and fact sheet, application, required reports and plans, enforcement action reports, affidavit of public notice, and any communication and supporting documents related to permit requirements. The documents in the files are maintained as required by Washington State public record laws.

Table 3-2 Procedure for Issuing Special Approved Discharge Authorizations	
Review Special Approved Discharge Application	The process of reviewing special approved discharge applications is described in this section
Develop Special Approved Discharge Authorization	Using the template, the Control Authority prepares a special approved discharge authorization. See Appendix F.
Conduct Internal Review of Special Approved Discharge Authorization	The Control Authority staff reviews the special approved discharge authorization for correct user name, facility address, and mailing address. Staff also reviews the conditions in the authorization to determine that they are adequate and appropriate for the user.
Director Signs Special Approved Discharge Authorization	Control Authority staff submits the final control mechanisms to the Director or designee for an authorization signature.
Issue Special Approved Discharge Authorization	Control Authority staff issues a copy of the special approved discharge authorization to the user.
File Special Approved Discharge Authorization and Supporting Documents	Copies of the special approved discharge authorization, application, and any technical or administrative evaluations are stored in pretreatment files.

Table 3-3 Procedure for Issuing Letter of Authorization	
Review Application	The process of reviewing applications is described in Section 3.2.5.1.2 SIU Permit Application Review and 3.2.5.6.2 SAD Authorization Application Review.
Develop LOA	The Control Authority prepares a LOA containing the elements identified in Section 3.4.3.4.1.
Conduct Internal Review of Draft LOA	The Control Authority staff reviews the LOA to confirm user name, facility address, and mailing address. Staff also reviews the LOA conditions to determine that they are adequate and appropriate for the IU.
Director Signs LOA	Control Authority staff submits the final control mechanisms to the Director or designee for an authorization signature.
Issue LOA	Control Authority staff issues a copy of the LOA to the IU.
File LOA and Supporting Documents	Copies of the LOAs, survey, and any technical or administrative evaluations are stored in a controlled file storage area.

Table 3-4 Procedures for Receiving and Analyzing Monitoring Reports	
Date Stamp Receipt of Report	The Control Authority documents the receipt of the report with a date stamp or handwritten date.
Administrative Completeness	The Control Authority reviews the report and checks it for administrative completeness using the Industrial User Self-Monitoring Report Checklist, including • entries contain required information, • proper signature(s) obtained, • monitoring period dates included on report, • appropriate laboratory reports and related attachments submitted, and • certification statement. If additional information is needed to complete a report, the Control Authority notifies the IU and requests the submission of updated information.
Technical Completeness	The Control Authority conducts a technical review of the report to determine the IU's compliance with the following requirements: • Sample(s) shall be taken within the designated reporting period. • Sample(s) shall be taken at the designated sampling location. • Sample(s) shall be representative of discharge during the reporting period. • Monitoring data shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC - *Accreditation of environmental laboratories*. However, the following parameters may not need to be accredited: flow, temperature, settleable solids, conductivity, and pH (WAC 173-216-125 - *State Waste Discharge Permit Program, Monitoring*). • Sampling and analytical methods shall meet the requirements of 40 CFR Part 136 - *Guidelines for Establishing Test Procedure for the Analysis of Pollutants*. • All required parameters shall be sampled and analyzed. • Results from all sampling during the reporting period shall be reflected in the monitoring report. • Analytical results shall meet the permit limits. • Other required information on the report shall meet permit limits and conditions. • The Control Authority enters monitoring data and other required information into the data management system. • If the IU is meeting monitoring report requirements, the review is complete, and the monitoring report and attachments are placed in the IU's files after review. • If the user is not meeting monitoring report requirements, the Control Authority immediately notifies the IU of requirements to conduct monitoring or perform other action and may provide written notification of the required actions. The SIU shall complete the required actions and resubmit the report to the Control Authority within 30 days. Upon resubmittal, Control Authority staff will review for compliance with monitoring report requirements.

Table 3-4 Procedures for Receiving and Analyzing Monitoring Reports	
Enforcement Response Plan	The Control Authority uses the Enforcement Response Plan (ERP) for all non-compliance conditions, including permit limit exceedances, late or incomplete reports, and violations of permit conditions. Enforcement actions are described in Chapter 6 of this document.

Table 3-5 Procedures for Control Authority Compliance Monitoring	
Develop Sampling Schedule	The Control Authority develops a 12-month sampling schedule each year. SIU dischargers are sampled at least twice per year. The sampling schedule is not shared with SIUs.
Conduct Scheduled Sampling and Analysis	Following the 12-month sampling schedule, Control Authority sampling staff conduct scheduled monitoring and analysis of SIU discharges. Sampling and analytical methods shall be performed in accordance with the techniques prescribed in 40 CFR 136—*Guidelines for Establishing Test Procedures for the Analysis of Pollutants* (as amended). Sample analysis shall be completed by a certified laboratory meeting the requirements of WAC 173-50 - *State Waste Discharge Permit Program, Accreditation of environmental laboratories*.
Review Lab Report	Control Authority laboratory staff reviews laboratory reports to determine whether they have met the following criteria: • all required parameters were analyzed • appropriate sampling and preservation methods were used • appropriate analytical methods were used • chain of custody form is attached and complete • minimum reporting limits are acceptable to determine compliance • QA/QC control data are provided to ensure valid analytical results • special notes in the laboratory report have been reviewed and addressed Laboratory staff submits the analytical results to Control Authority pretreatment staff. Control Authority pretreatment staff reviews the laboratory's report against the SIU's permits to determine compliance.
File Laboratory Data	The analytical results are stored in the Control Authority's Laboratory Data Management System (LIMs) and the Pretreatment Information Management System (iPACs) and reported to Control Authority pretreatment staff. A copy of the laboratory report is placed in the SIU's file.
Respond to Non-Compliance	If the Control Authority determines that the SIU is exceeding effluent limits, the Control Authority notifies the SIU to conduct follow-up sampling and analysis and provide results within 30 days of the Control Authority's notification. Enforcement action is taken in accordance with the ERP (see Chapter 6—*Enforcement Response Plan)*. When the follow-up sampling and analysis results are received, Control Authority pretreatment staff review the laboratory's report against the SIU's permit to determine compliance. If the SIU is not in compliance with the permit's effluent limits or conditions, then enforcement action is taken in accordance with the ERP (see Chapter 6 of this document).
Conduct Unscheduled and Investigative Sampling and Analysis	The Control Authority may conduct unscheduled sampling and analysis of a SIU or IU as part of the Control Authority's pretreatment program at any time. The Control Authority may conduct sampling and analysis at a sewer location immediately downstream of an SIU's facility if an unpermitted discharge of process wastewater is suspected.

Table 3-6 Procedure for Conducting Inspections	
Develop Schedule	SIUs are inspected at least once per year. Additional inspections can be performed at the Control Authority's discretion.
Prepare for Inspection	The Control Authority contacts the user representative to schedule an inspection. Prior to conducting an inspection, Control Authority pretreatment staff reviews the user's files and completes a pre-inspection checklist (see Appendix R). The following items are reviewed: • current permit and fact sheet • the status of any compliance schedule • compliance history and status • results of recent sampling and inspection • completeness of permit file • name of authorized representative or other contact • required safety and security measures • the user's pretreatment requirements
Conduct Facility Inspection	The Control Authority conducts inspections of SIUs. See example checklist in Appendix K.
Create Report of Inspection	The Control Authority summarizes findings from the inspection in a data management system. A report is created from the data management system based on inspection findings.
Is Action Required as a Result of Findings?	If action is determined to be necessary, the SIU is directed to address action items and provide a response within a specified time. If the Control Authority does not approve of actions taken, additional action may be required until the issue is resolved. All written correspondence is maintained in the SIU's file.
Were Non-Compliance Issues Found?	If non-compliance issues are found during the inspection, the Control Authority initiates enforcement action in accordance with the ERP (see Chapter 6 of this document). The SIU is directed to address non-compliance issues and provide a response within a specified time. If the Control Authority does not approve of actions taken, additional action may be required until the issue is resolved. All enforcement related correspondence is maintained in the SIU's file.
File Inspection Report	Dates of inspections are entered into the data management system. Inspection reports are placed in SIU files.

CHAPTER 4 PROGRAM ORGANIZATION AND FUNDING

4.1 INTRODUCTION

Environmental Services operates as a utility, covering operations and maintenance for stormwater, wastewater, and solid waste activities in the City. Pretreatment program activity is driven by the need to protect the wastewater collection and treatment system and ensure a viable biosolids utilization program. The City's Environmental Services, Environmental Compliance staff are responsible for the administration of the pretreatment program. Additional Environmental Services staff discussed below directly contribute to the effectiveness of the pretreatment program.

This document provides guidance to staff and is intended to be used as a general framework towards implementation of the Control Authority's pretreatment program. The Control Authority's staff reserves the right to act at variance with the City of Tacoma Wastewater Pretreatment Program Document.

The following sections describe the pretreatment program's organizational structure and shows how the Control Authority meets the funding requirements set forth in 40 CFR 403.9(b)(3) - *POTW pretreatment programs and/or authorization to revise pretreatment standards: Submission for approval, Notification where submission is defective* and 403.8(f)(3) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Procedures.*

4.2 ORGANIZATION

See Figure 4.1 located at the back of this chapter.

4.2.1 MAYOR/CITY COUNCIL

The City Council is comprised of a Mayor and eight elected Council Members who have general legal authority over City business. The City has adopted a comprehensive pretreatment ordinance, which is codified in Tacoma Municipal Code (TMC) 12.08C.

4.2.2 CITY MANAGER

The City Manager is appointed by the City Council and is responsible for implementation of City policies as set forth by the City Council.

4.2.3 ENVIRONMENTAL SERVICES DIRECTOR

The Director of the Environmental Services Department manages and operates three utilities for the City of Tacoma. The Wastewater, Surface Water, and Solid Waste utilities employ over 500 employees with a biennial operating and capital budget in excess of $500 million with total fund assets of $700 million.

4.2.4 BUSINESS OPERATIONS DIVISION

The Environmental Services' Business Operations Division supports, facilitates, and manages the Environmental Services Department utilities through the creation and maintenance of standards for billing processes, purchasing, and Customer Service Agreements, and meets environmental regulations through education and inspection programs and the reuse of material.

4.2.5 ENVIRONMENTAL COMPLIANCE GROUP

The Environmental Compliance group works closely with the Customer Service, Asset Management, and the Environmental Programs Section in Environmental Services. The Environmental Compliance Group implements the Pretreatment Program, the Business Inspections Program, and Regulatory Compliance and Enforcement.

4.2.6 PRETREATMENT PROGRAM STAFF

There are 12.35 full-time equivalent (FTE) positions dedicated to the Pretreatment Program. These positions include administrative and program support, core pretreatment staff, and support from the

business inspections group. The following table outlines the FTEs and essential job functions needed to fully implement all aspects of the pretreatment program.

These positions are responsible for implementing the elements of the pretreatment program outlined in this document including the following:

- write and monitor industrial wastewater discharge permits
- manage and implement the Special Approved Discharge Program
- perform sampling events and inspections at permitted industries
- conduct enforcement actions
- implement the Industrial User Survey Program to identify potential IUs
- implement the Fats, Oils, and Grease (FOG) Program
- review engineering plans and AKART evaluations
- conduct local limits evaluations
- annual reporting
- manage and implement the Mobile Washer Program
- manage and implement the Septage/Hauled Waste Program
- assist with program technical and development activities

Assistance may also be acquired from other City departments, including the City Attorney's Office and/or Planning and Development Services, when needed. The Control Authority Attorney supports the Pretreatment Program staff by providing legal assistance in pretreatment program activities, including enforcement. The City's Site Development Group within the Planning and Development Services Department provides information on new business activities and reviews engineered pretreatment systems as part of the site development permit process. The Environmental Programs Group and Asset Management Group provides engineering support for the review of pretreatment systems, engineering plans and AKART evaluations. Other support staff includes Customer Service, Operations and Maintenance, and the Environmental Services' Laboratory.

4.3 PROGRAM FUNDING RESOURCES

The pretreatment program is funded by the City's wastewater collection rates and fees and covers City employee labor, contract labor, sample collection and analysis, training and other supported costs. The Control Authority uses a sewer rate model program that includes appropriate rates and fees for IUs based on discharge volume and conventional and other pollutant loading. Rates are calculated periodically and updated if necessary.

Figure 4-1. Program Organization

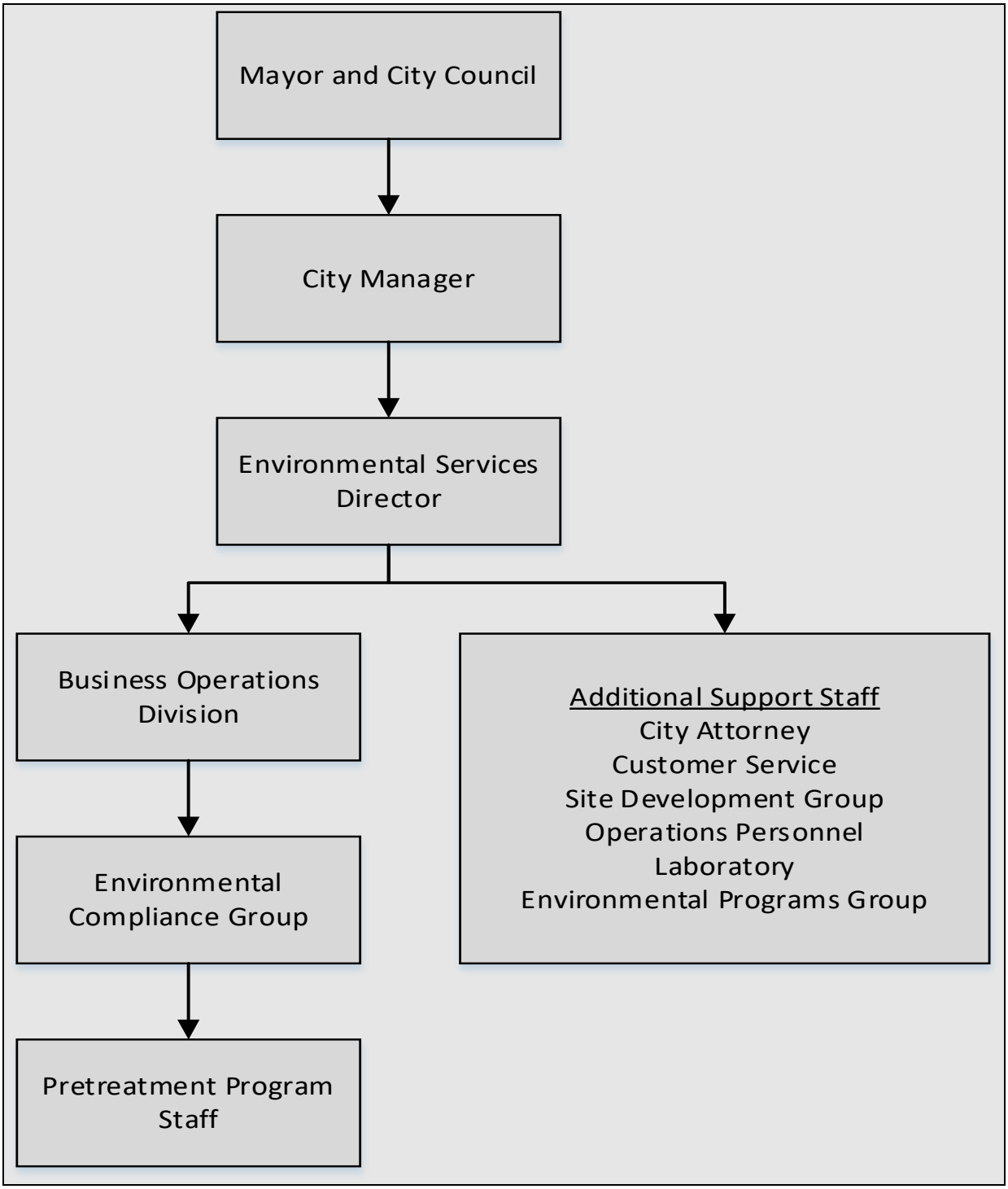

Table 4-1 City of Tacoma Pretreatment Program FTE Resource Allocation		
Position	Function	FTE
Administrative & Program Support		
Assistant Division Manager	Management of EC	0.5
Administrative Assistant	Administrative Support	0.5
Senior Environmental Specialist	Pretreatment Database Program Support	0.5
Environmental Specialist	Policy & Enforcement	0.5
Core Pretreatment Program		
Senior Environmental Specialist	Pretreatment Program Coordinator	1.0
Senior Environmental Specialist	User Survey; Plan Review and FOG Program	1.0
Senior Source Control Representative	Permit Management - Issuance & oversight of SIUs	1.0
Senior Source Control Representative	Permit Management - Issuance & oversight of SIUs	1.0
Senior Source Control Representative	Permit Management - Issuance & oversight of SIUs; Submeter Program	1.0
Senior Source Control Representative	Inter-local Inspector; Permit Management	1.0
Senior Source Control Representative	Permit Management - Issuance & oversight of SIUs; SAD Program; Mobile Washer Program	0.8
Environmental Technician	Industrial Compliance Sampling	0.5
Business Inspection Program		
Senior Environmental Specialist	General Business Inspection Supervisor - Provide support to area inspectors	0.25
Source Control Representative	Area Inspector	0.5
Source Control Representative	Area Inspector	0.5
Source Control Representative	Area Inspector and Septage Program	0.5
Source Control Representative	Area Inspector	0.5
TOTAL		**12.35**

CHAPTER 5 LOCAL LIMITS

- Local discharge limits are developed to protect wastewater treatment plant operations and ensure that effluent discharges meet state and federal discharge requirements. 40 CFR 403.8(f)(4) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements, Local Limits,* states that the POTW shall develop local limits as required in 40 CFR 403.5(c)(1) – *National pretreatment standards: Prohibited discharges*. These regulations require the Control Authority to develop and enforce specific limits and implement general and specific prohibitions. This requirement is codified in the City's Municipal Code (TMC), Chapter 12.08.C.100 – *Prohibited discharge standards*. The Local Limits Report for the Central Treatment Plant can be found in Appendix S.
- The Local Limits Report for the North End Treatment Plant can be found in Appendix T.

Local limits and the General and Specific Prohibitions are included in Tacoma Municipal Code (TMC) Chapter 12.08C (Pretreatment Regulations) and the Industrial Wastewater Discharge Permit. In certain cases, a permitted industrial user may discharge a pollutant that is not controlled by local limits. TMC 12.08C.300 authorizes the Control Authority to issue permits and apply applicable standards. TMC 12.08C also provides the Control Authority with the authority to develop and apply pretreatment standards and requirements as needed. For permit specific limits the Control Authority follows the "Calculating Permit Specific Limits SOP" found in Appendix U

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CHAPTER 6 ENFORCEMENT RESPONSE PLAN

6.1 INTRODUCTION

In accordance with 40 CFR 403.8(f)(5) - *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements,* the Control Authority has developed and implements an Enforcement Response Plan (ERP). The plan contains detailed procedures indicating how the Control Authority investigates and responds to instances of IU non-compliance. The plan contains the following elements:

i. description of how the Control Authority will investigate instances of noncompliance

ii. description of the types of escalating enforcement responses the Control Authority will take in response to all anticipated types of IU violations and the time periods within which responses will take place

iii. identify (by title) the officials responsible for each type of response

iv. an adequate reflection of the Control Authority's primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8(f)(1) and (f)(2) – *Pretreatment Program Requirements: Development and Implementation by POTW, POTW pretreatment requirements*

Additionally, the Control Authority's NPDES permits (Appendix C) requires the Control Authority to enforce and obtain remedies for noncompliance by IUs with applicable pretreatment standards and requirements and to address identified non-compliance with a timely and appropriate enforcement action. The Control Authority documents all such actions to show adherence with the Control Authority's approved ERP.

In accordance with TMC 12.08C.1200 – *Violations, enforcement and penalties*, the Control Authority may assess supplemental fees to recover costs that the Control Authority incurs to respond to such violation in accordance with the liability for supplemental fees section set forth in TMC 12.08B.280 – *Connection charge-in-lieu-of-assessment*.

The ERP provides guidance to staff and is intended to be used as a general framework for responding to violations. The Control Authority's staff reserves the right to act at variance with the ERP.

The Control Authority's ERP is presented in Appendix O.

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APPENDICES

APPENDIX A

Tacoma Letter of Legal Authority
Tacoma Municipal Code Chapter 12.08C

City of Tacoma
Office of the City Attorney

March 16, 2020

Dave Knight, P.E.
Department of Ecology
SW Regional Office
PO Box 47775
Olympia, WA 98504-7775

RE: City of Tacoma Industrial Pretreatment Program – Legal Authority Statement

Mr. Knight:

I am a Chief Deputy City Attorney representing the City of Tacoma through its Environmental Services Department, which administers the City's industrial pretreatment program. This legal authority statement is provided pursuant to 40 CFR 403.9(b)(1), and in accordance with Department of Ecology draft "Legal Authority Guidance."

This submittal includes a new chapter to be codified at TMC Ch. 12.08C that sets forth the City's pretreatment standards and requirements. It is my opinion that the legal authority contained within proposed TMC 12.08C, which is attached as Appendix A to this letter, is adequate to carry out the applicable pretreatment programs described in 40 CFR §403.8, and in Chapter 173-216 WAC. The ordinance enacting TMC Ch. 12.08C will be adopted by the Tacoma City Council following Ecology's approval of the City's POTW Pretreatment Program.

This statement provides a brief overview of Tacoma's POTW organization and its general legal authority to administer its pretreatment program. It also describes the City's legal authority under proposed TMC 12.08C to administer its industrial pretreatment program in accordance with 40 CFR §403.8 and Chapter 173-216 WAC pretreatment program requirements. Finally, this section discusses the City's authority to enter into agreements with jurisdictions that contribute wastewater discharges to the City's POTW.

I. Tacoma's Pretreatment Program.

Tacoma operates municipal wastewater treatment plants under two NPDES permits issued by the Department of Ecology; Permit No. WA0037087, which applies to City of Tacoma (Central) Treatment Plant #1, and Permit No. WA003721, which applies to North End Wastewater Plant #3.

Tacoma manages a federal and state delegated industrial pretreatment program through its Environmental Services Department. Tacoma's pretreatment program was approved by the Environmental Protection Agency on November 30, 1984. Ten years later, the Department of Ecology issued Tacoma Order No. DE 94WQ-S358 on October 7, 1994, which authorized the City to "fully implement the provisions of the Federal Pretreatment Program of 40 CFR part 403

and the State Waste Discharge Permit program of Chapter 173-216 of Washington's Administrative Code (WAC)."

An estimated 10.6 full-time equivalent positions devote their time to the Wastewater Pretreatment Program including a Senior Environmental Specialist and five Senior Source Control Representatives. These positions, led by the Senior Environmental Specialist, write and monitor Industrial Wastewater Permits, perform sampling events and inspections at permitted industries, are responsible for permit enforcement actions, implement the Industrial User Survey Program to identify potential industrial users and assist with program development activities.

Four additional Source Control Representatives conduct general business inspections, addressing discharges to both the wastewater and stormwater collections systems. Approximately 50% of their time is spent on sanitary pretreatment issues. When potential significant industrial users (SIUs) are identified the Wastewater Pretreatment Program staff follows up with the identified SIUs. Two Senior Source Control Representatives manage the Special Approved Discharges (SAD) Program.

Additional Environmental Services Divisions, such as the Science and Engineering Division and the Operations and Maintenance Division, allocate staff time to assist with the administration of the Wastewater Pretreatment Program. Other City departments, including the City Attorney's Office and Planning and Development Services, also assist when necessary.

II. Tacoma's Legal Authority to Administer its Pretreatment Program.

The City of Tacoma is a first class charter city organized and established pursuant to Article XI § 10 of the Washington State Constitution and RCW Chapter 35.22. Cities of the first class are vested with very extensive powers and are established as self-governing bodies subject to and controlled by general laws of the state.[1] Any city adopting a charter under Article XI § 10 Wa. Const. shall have all of the powers conferred upon incorporated cities and all such powers as are usually exercised by municipal corporations of like character. RCW 35.22.195. The legislative power of the City of Tacoma is vested in the mayor and the city council. RCW 35.22.200. All cities in Washington are constitutionally empowered to make and enforce within their local limits, all such police, sanitary and other regulations as are not in conflict with the general laws of the State. Article XI § 11, Wa. Const. This is a direct delegation of police power as ample within its limits as that possessed by the legislature and requires no legislative sanction for its exercise so long as the subject matter is local, and the regulations enacted are reasonable and consistent with the general laws.[2]

This legal authority authorizes the City to enact Chapter 12.08C TMC, adopt necessary guidelines and policies, and administer an enforceable pretreatment program for industrial users of the City's POTW to assure that federal, state and local pretreatment standards and requirements are met.

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[1] Ayers v Tacoma, 6 Wn. 2d 545, 553 (1940).
[2] Weden v San Juan County, 135 Wn. 2d 678, 690-691 (1998).

III. Tacoma's Legal Authority - Federal Requirements.

This section shows where the City's legal authority to administer applicable program requirements in 40 CFR Part 403.8(f)(1) can be found within proposed TMC 12.08C:

1. 403.8(f)(1)(i). This section requires POTWs to have legal authority to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants to the **POTW by Industrial Users...or which caused the POTW to violate its NPDES permit.**

- TMC 12.08C.640 requires industrial users to file a written notification with the Control Authority ("City") prior to any significant change in the volume or character of pollutants in its discharge. TMC 12.08C.640 C., authorizes the City to issue, reissue, or modify an industrial user's industrial wastewater discharge permit in response to notice under this section. TMC 12.08C.100.15 prohibits the discharge of any substance that causes the City to violate its NPDES wastewater permits.

2. 403.8(f)(1)(ii). This section requires POTWs to be able to require Industrial Users to comply with applicable Pretreatment Standards and Requirements.

- TMC 12.08C.040 defines "pretreatment standards" and "pretreatment requirements" broadly to capture the federal and state meanings of these terms.
- TMC 12.08C.100 captures the general and specific discharge prohibitions in 40 CFR §403.5(a) and (b).
- TMC 12.08C.110 requires compliance with the National Categorical Pretreatment Standards found at 40 CFR Chapter I, Subpart N, Parts 405 – 471.
- TMC 12.08C.100 F. requires compliance with local discharge limitations technically developed by the City.
- TMC 12.08C.120 requires industrial users to comply with all applicable requirements set forth in Chapter 173-216 WAC.
- TMC 12.08C140 authorizes the City to require any source of non-domestic wastewater discharge to the POTW to submit an industrial user form to determine the proper level of regulation under Chapter 12.08C. TMC.

3. 403.8(f)(1)(iii). This section requires POTWs to be able to: Control through permit, order, or similar means, the contribution to the POTW by each Industrial User to ensure compliance with applicable Pretreatment Standards and Requirements. In the case of Industrial Users identified as significant under §403.3(v), this control shall be achieved through individual permits.

- TMC 12.08C.300 A. requires all significant industrial users proposing to connect to or discharge to the POTW to obtain an industrial wastewater discharge permit.
- TMC 12.08C.310 requires existing industrial users to apply for a new permit by submitting a complete permit application at least one hundred and eighty (180) days prior to expiration of the industrial user's existing industrial wastewater permit.
- TMC 12.08C.320 requires a new source or new industrial user proposing to begin or recommence a discharge to the POTW to obtain an industrial wastewater discharge

permit, special approved discharge authorization or other control mechanism prior to discharging wastewater to the POTW.

- TMC 12.08C.330 authorizes the City to require any industrial user to apply for and obtain an industrial wastewater discharge permit or other control mechanism prior to discharging to the POTW.

4. 403.8(f)(1)(iii)(B). This section requires POTWs to have authority to enforce both individual and general control mechanisms and for them to contain, at least the following conditions:

(a) Statement of duration (in no case more than five years);

- TMC 12.08C.400 requires an industrial wastewater permit issued by the City not to exceed five (5) years from the effective date of the permit.

(b) Statement of non-transferability without, at a minimum, prior notification to the POTW and a copy of the existing control mechanism to the new owner or operator;

- TMC 12.08C.430 A. requires the City's approval before a permittee can transfer an industrial wastewater permit to a new owner or operator. Persons seeking approval for a permit transfer must submit a request to the City at least thirty (30) days in advance of the scheduled transfer.

(c) Effluent limits, including best Management Practices, based on applicable general Pretreatment Standards in §403, categorical Pretreatment Standards, local limits, and State and local law;

- TMC 12.08C.410 B.6. authorizes the City to require persons with industrial wastewater discharge permits to comply with effluent limits and best management practices based on applicable pretreatment standards and pretreatment requirements.

- TMC 12.08C.100 F. requires industrial users with industrial wastewater discharge permits to comply with local limits.

- TMC 12.08C.120 requires industrial users to comply with all applicable requirements set forth in Chapter 173-216 WAC.

- TMC 12.08C.360 authorizes the City to issue special approved discharge authorizations or other control mechanisms that include discharge requirements, limitations and conditions that the City determines are necessary to comply with Chapter 12.08C TMC.

- TMC 12.08C.440 A.13. makes it a violation of the chapter to violate an applicable pretreatment standard or requirement, or any term of an industrial wastewater discharge permit or control mechanism issued by the City.

(d) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored (including the process for seeking a waiver for a pollutant neither present, not expected to be present in the discharge in accordance with §403.12(e)(2), or a specific waived pollutant in the case of an individual control mechanism), sampling location, sampling frequency, and sample type, based on the applicable general Pretreatment Standards in part 403 of this chapter, local limits, and State and local law;

- TMC 12.08C.410 B.7. authorizes the City to require persons with industrial wastewater discharge permits to comply with self-monitoring, sampling, reporting, notification and recordkeeping requirements.

- TMC 12.08C.800 requires all pollutant sampling required by Chapter 12.08C TMC to be performed in accordance with the techniques prescribed in 40 CFR §136, unless otherwise specified in an applicable categorical pretreatment standard, and to have sampling data analyzed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, unless otherwise directed by the City.

- TMC 12.08C.820 imposes recordkeeping requirements on industrial users subject to the reporting requirements of Chapter 12.08C TMC.

(e) Statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedules may not extend beyond applicable federal deadlines;

- TMC 12.08C.1200 8. makes it a violation to violate an applicable pretreatment standard, pretreatment requirement or local limit, subjecting the violator to a civil penalty not to exceed $10,000 for each violation on a per day basis.

- TMC 12.08C.1200 F. makes it a gross misdemeanor punishable by a fine of not more than $10,000, or by imprisonment in jail for up to three hundred sixty-five (365) days, or both for any person to willfully violate any provision of Chapter 12.08C TMC, or any control mechanism issued pursuant to the chapter.

- A violation of a compliance schedule issued as part of an industrial wastewater permit would be a violation of a permit under TMC 12.08C.1200 A. and C., subjecting the violator to the enforcement authorized by TMC 12.08C.1200. A violation of a compliance schedule issued under a different control mechanism would be subject to enforcement under TMC 12.08C.1200 A.

(f) Requirements to control slug discharges, if determined by the POTW to be necessary.

- TMC 12.08C.340 A.6. requires significant industrial users to submit a slug discharge control plan with a permit application. The City also may require any Industrial User to submit a slug control plan under the same section.

- TMC 12.08C.660 A. requires each Industrial User to establish protective measures at their facility to avoid and prevent slug discharges.

- TMC 12.08C.660 C. authorizes the City to require any Industrial User to prepare and implement a slug control plan and impose minimum plan elements.

- TMC 12.08C.660 D. and E. requires an Industrial User to immediately notify the City when a slug discharge occurs, and follow-up with a written report five days later.

5. 5403.8(f)(1)(iv)(A) This section requires the development of a compliance schedule by each Industrial User for the installation of technology required to meet applicable Pretreatment Standards and Requirements.

- TMC 12.08C.340 A.7. authorizes the City to issue compliance schedules when additional pretreatment and/or operation and maintenance is required to meet a pretreatment standard, and imposes timelines on progress and completion of actions identified by a compliance schedule.

6. 403.8(f)(1)(iv)(B). This section requires the submission of all notices and self-monitoring reports from Industrial Users as are necessary to assess and assure compliance by Industrial Users with Pretreatment Standards and Requirements, including but not limited to the reports required in §403.12.

Proposed Chapter 12.08C TMC authorizes the City to require Industrial Users to submit the following reports and notices as necessary to assess and assure compliance with pretreatment standards and requirements:

- TMC 12.08C.600 — Baseline monitoring reports.
- TMC 12.08C.610 — Compliance schedules.
- TMC 12.08C.620 — Reports on compliance with categorical pretreatment standard deadline.
- TMC 12.08C.630 — Periodic self-monitoring reports.
- TMC 12.08C.640 — Notification of change in discharge or operations.
- TMC 12.08C.65 — Notification and reports of potential problems.
- TMC12.08C.660 — Slug discharge – Notification and plan development.
- TMC 12.08C.670 — Reports for Industrial Users.
- TMC 12.08C.680 — Notice of noncompliance.
- TMC 12.08C.690 — Notification of the discharge of hazardous waste.
- TMC 12.08C.700 — Other requests for information.

- TMC 12.08C.1110 C. Bypass notifications.

7. 403.8(f)(1)(v). This section requires POTWs to have the authority to: Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by Industrial Users. Representatives of the POTW shall be authorized to enter any premises of any Industrial User in which a discharge source or treatment system is located or in which records are required to be kept under §403(12)(o) to assure compliance with Pretreatment Standards. Such authority shall be at least as extensive as the authority provided under section 308 of the Act.

- TMC 12.08C.900 authorizes the City to enter the facility of any Industrial User at reasonable times to conduct inspections and gather samples to determine compliance with the requirements of Chapter 12.08C TMC.

8. 403.8(f)(1)(vi)(A). This section requires POTWs to have the authority to: Obtain remedies for noncompliance by any Industrial User with any Pretreatment Standard and Requirement. All POTWs shall be able to seek injunctive relief for noncompliance by Industrial Users with Pretreatment Standards and Requirements. All POTWs shall also have the authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.

- TMC 12.08C.1200 D.8. makes it a civil violation to violate any pretreatment standard, pretreatment requirement or local limit, which subjects the violator to a civil penalty not to exceed $10,000 for each violation on a per day basis.
- TMC 12.08C.1200 F. makes it a gross misdemeanor punishable by a fine of not more than $10,000, or by imprisonment in jail for up to three hundred sixty-five (365) days, or both for any person who willfully violates any provision of Chapter 12.08C TMC, or any control mechanism issued pursuant to such chapter.
- TMC 12.08C.1210 authorizes the City to seek injunctive relief against an Industrial User who violates Chapter 12.08C TMC.

9. 403.8(f)(1)(vi)(B). This section requires POTWs to have the authority to enforce certain pretreatment requirements: Pretreatment requirements which will be enforced through the remedies set forth in paragraph (f)(1)(vi)(A) of this section, will include but not be limited to, the duty to allow or carry out inspections, entry, or monitoring activities; any rules, regulations, or orders issued by the POTW; any requirements set forth in control mechanisms issued by the POTW; or any reporting requirements imposed by the POTW or these regulations in this part; the POTW shall have authority and procedures (after informal notice to the discharger) immediately and effectively to halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health and welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected Industrial Users and an opportunity to respond) to halt or prevent any discharge to the POTW which presents or may present any endangerment to the environment or which threatens to interfere with the operation of the POTW.

- See City's response to item I.V.H below.

- TMC 12.08C.1200 A. makes non-compliance with any term or condition included in a pretreatment permit, control mechanism, directive or compliance order a violation of Chapter 12.08C TMC.
- TMC 12.08C.1200 D. sets forth a non-exclusive list of specific violations of Chapter 12.08C TMC, which includes, among other things: (i) failure to submit any report or notice required by Chapter 12.08C TMC (TMC 12.08C.1200 D.2.); (ii) unreasonably withholding consent for City access to conduct compliance inspections (TMC 12.08C.1200 D.7.); and (iii) violating any applicable pretreatment standard, pretreatment requirement or local limit (TMC 12.08C.1200 D.8.).
- TMC 12.08C.1220 authorizes the City to immediately suspend an Industrial User's actual or threatened discharge whenever the City has a reasonable belief that such discharge presents an imminent danger or threat to the health and welfare of persons or the environment, or threatens to cause pass through or interference at the POTW.

10. 403.8(f)(1)(vii). This section requires that POTWs comply with the confidentiality requirements set forth in §403.14.

- TMC 12.08C.910 addresses confidential information and subjects the submittal of any information identified as confidential by an Industrial User to the provisions of the state Public Records Act, Chapter 42.56 RCW.

IV. <u>Tacoma's Legal Authority – State Requirements.</u>

This section identifies the Chapter 12.08C. TMC provisions that satisfy the Chapter 173-216 WAC program requirements set forth on the first and second pages of Ecology's draft Legal Authority Guidance:

A. WAC 173-216-020. This section requires the use of all known, available and reasonable methods to prevent and control the discharge of wastes into waters of the state.

- TMC 12.08C.130 requires AKART as required by Chapter 90.48 RCW.

B. WAC 173-216-040. This section imposes requirements on sources of non-domestic wastewater, and requires plans for construction and modification of wastewater facilities to comply with the submittal regulations in Chapter 173-240 WAC.

- TMC 12.08C.120 A. requires all pollutants discharged from commercial or industrial facilities to satisfy the requirements of Chapter 173-216 WAC.
- TMC 12.08C.120 B. requires persons who construct or modify wastewater treatment facilities, or who proposed to do so, to comply with the submittal requirements in Chapter 173-340 WAC.

C. WAC 173-216-070. This section imposes permit application requirements.

- TMC 12.08C.340 requires all Industrial Users subject to industrial wastewater permitting requirements to apply for a permit.

D. WAC 173-216-050(2). This section requires any source subject to pretreatment standards to obtain a permit.

- TMC 12.08C.300 A. requires all significant Industrial Users proposing to connect to or discharge wastewater to the POTW to apply for and obtain an industrial wastewater discharge permit from the City.

E. WAC 173-216-060. This section imposes prohibited discharge standards.

- TMC 12.08C.100 A. and B. includes the prohibited discharge standards referenced by WAC 173-216-060.

F. WAC 173-216-080. This section addresses claims of confidentiality for information submitted pursuant to Chapter 173-216 WAC.

- TMC 12.08C.910 addresses confidential information and subjects the submittal of any information identified as confidential by an Industrial User to the provisions of the state Public Records Act, Chapter 42.56 RCW.

G. WAC 173-216-090. This section addresses public notice requirements.

- TMC 12.08C.470 provides a public notice process that conforms to WAC 173-216-090.

H. WAC 173-216-110. This section describes permit terms and conditions.

- TMC 12.08C.410 contains permit terms and conditions that capture many of the requirements addressed in WAC 173-216-110. When drafting permits, the City will also rely on other relevant sections of Chapter 12.08C TMC, such as AKART (TMC 12.08C.130), prohibited discharge standards (TMC 12.08C.100), permit duration (TMC 12.08C.400), compliance schedules (TMC 12.08C.340 7. and TMC 12.08C.600), hazardous waste notifications (TMC 12.08C.690), permit modifications (TMC 12.08C.420), permit transfers (TMC 12.08C.430), permit revocations (TMC 12.08C.440), permit re-issuance (TMC 12.08C.450), slug discharges (TMC 12.08C.660), and suspension of service (TMC 12.08C.1220), among others.

I. WAC 173-216-125. This section requires the use of registered or accredited laboratories.

- TMC 12.08C.800 requires sampling data submitted to the City to be analyzed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, unless otherwise directed by the City.

J. WAC 173-216-130. This section authorizes the state to modify, suspend, or revoke permits.

- TMC 12.08C.420 authorizes the City to amend any permit for good cause.
- TMC 12.08C.1220 authorizes the City to suspend service to an Industrial User. The City may also suspend an Industrial User's authorization to discharge under TMC 12.08C.900 G. if an Industrial User unreasonably interferes with the City's access to inspect and sample.

- TMC 12.08C.440 authorizes the City to revoke a permit based on a variety of circumstances. The City may also revoke an Industrial User's permit under TMC 12.08C.900 G. if an Industrial User unreasonably interferes with the City's access to inspect and sample.

K. WAC 173-216-150. This section requires qualified cities, towns and other municipal corporations who administer a local permit program to fulfill the requirements of Chapter 173-208 WAC.

- The City operates a properly delegated program to issue industrial wastewater permits as required by Chapter 173-208 WAC. Ecology delegated authority to the City to issue waste disposal permits pursuant to Ecology Order No. DE 94WQ-S358

V. Pretreatment Interlocal Agreements.

The City is not authorized under its constitutional police power authority to enforce the City's regulatory requirements beyond its jurisdictional limits. Brown v. Cle Elum, 145 Wash. 588 (1927). However, the City is empowered to enter into service agreements under RCW 35.67.300 that authorizes the City to enter contracts to allow wastewater from another jurisdiction to be discharged to the City's POTW. In addition, Chapter 39.34 RCW authorizes the City to enter interlocal agreements to perform any governmental service that could otherwise be lawfully performed individually by each of the contracting cities.

The City has included in the Proposed POTW Pretreatment Program a form pretreatment interlocal agreement attached to this letter submittal as Appendix B ("Pretreatment Interlocal Agreement"). The purpose of the Pretreatment Interlocal Agreement is to implement a pretreatment program in contributing jurisdictions that is compliant with applicable federal and state law regulations, establish the City of Tacoma as the control authority for purposes of issuance of Industrial Wastewater Permits, and delegate authority to Tacoma to enforce the requirements of the pretreatment program.

Upon Ecology approval of the Proposed POTW Pretreatment Program, the City will require each contributing jurisdiction that, (a) receives discharges into their wastewater systems from Industrials Users, and (b) does not administer its own delegated POTW pretreatment program, to approve and implement a pretreatment interlocal agreement in substantially the form of Appendix B. The Pretreatment Interlocal Agreement will supplement or replace existing service agreements and includes the following requirements:

- The contributing jurisdiction shall adopt an ordinance (Pretreatment Ordinance) establishing and implementing Wastewater Pretreatment Standards and Requirements that are no less stringent and are as broad in scope as Tacoma's applicable Pretreatment Standards and Requirements as set forth in TMC Ch. 12.08C[3];
- The contributing jurisdiction must designate Tacoma as its agent, and delegate to Tacoma full power and authority to implement and enforce the Pretreatment Ordinance for and on behalf of the contributing jurisdiction;
- The contributing jurisdiction shall adopt Tacoma's enforcement response plan;

- The Pretreatment Ordinance must be enforceable as to all Industrial Users located in the contributing jurisdiction's Service Area and shall include provisions for enforcement of Industrial Wastewater Discharge Permits issued by Tacoma to Commercial/Industrial Users within the Service Area;
- The contributing jurisdiction must adopt pollutant specific local limits which address as least the same pollutant parameters and are at least as stringent as the local limits enacted by Tacoma;
- Tacoma shall be delegated authority to perform technical and administrative duties necessary to implement and enforce the Pretreatment Ordinance, including:(1) updating the industrial waste survey; (2) issuing Industrial Wastewater Permits to all industrial users required to obtain a permit; (3) conducting inspections, taking enforcement action, performing sampling and analysis; and (4) taking all appropriate enforcement response planned and provided for in the Pretreatment Ordinance and any adopted policies and procedures;
- The contributing jurisdiction will allow Tacoma to inspect and copy records that are relevant to the obligations and duties of the contributing jurisdiction under this Agreement for any user;
- The contributing jurisdiction will provide notice to Tacoma before an industrial user located outside the jurisdictional boundaries of the contributing jurisdiction is authorized to discharge to the POTW. The contributing jurisdiction will not authorize discharges without the prior written consent of Tacoma;

The City will enter into a separate pre-treatment interlocal agreement with jurisdictions that have a delegated pre-treatment program to ensure compliance with the City's NPDES permit(s). Adoption and implementation of the requirements of the Pretreatment Interlocal Agreement will ensure that the City has adequate authority to meet the content requirements of 40 C.F.R. § 403.9(b)(1).

I trust this letter provides the Department of Ecology with the statement it is seeking with respect to the City's legal authority to administer its pretreatment program consistent with applicable federal and state pretreatment program laws and regulations.

Sincerely,

Chris Bacha
Chief Deputy City Attorney
City of Tacoma

CHAPTER 12.08C
INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM

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12.08C.010 Purpose and application.

This chapter sets forth uniform requirements for industrial users of the POTW to comply with all applicable state and federal laws, including Chapter 90.48 RCW, Chapter 173-216 WAC, Chapter 90.48 RCW, the Federal Clean Water Act (33 U.S.C., Section 1251 et seq.), the General Pretreatment Regulations (40 CFR Part 403), and this chapter. This chapter shall apply to all industrial users of the POTW and all other persons responsible for compliance with any requirement of this chapter. The purpose of this chapter is:

A. To protect the POTW by preventing the introduction of pollutants into the POTW that may interfere with its operation, or be incompatible with, or otherwise cause damage to, the POTW;

B. To prevent the introduction of pollutants into the POTW that will pass through if inadequately treated prior to discharge into receiving waters;

C. To protect personnel who may be affected by wastewater and biosolids in the course of their employment and to protect the general public;

D. To promote reuse and recycling of industrial wastewater and biosolids derived from the POTW; and

E. To require persons regulated by this chapter to pay applicable rates and fees to reasonably distribute the cost to operate, and to maintain and improve the POTW.

F. To enable the City to comply with its NPDES Permit conditions, federal and state requirements applicable to biosolids use and disposal, and any other federal or state laws or regulations to which the POTW is subject.

12.08C.020 Administration.

A. Administration. The City will administer this chapter in accordance with the purposes set forth herein and in accordance with the authority set forth in Chapter 35.67 RCW, and other applicable federal, state and local laws and regulations, its state pretreatment delegation, and its Pretreatment Program policies and procedures. In the event there is a conflict between a requirement of this chapter and: (a) a provision contained within it; (b) a provision of a permit issued under this chapter; or (c) a provision of an applicable federal or state law or regulation, the requirement(s) that are more protective of the environment shall apply.

B. Responsibility for Compliance. It is the intent of this chapter to place the responsibility for complying with its requirements, and any policies, regulations, manuals, procedures and guidance adopted pursuant to this chapter, and any permit, authorization or approval granted pursuant to this chapter, upon the permittee, the person granted an authorization or approval, the facility operator, the facility manager, the facility owner, the owner and operator of any food service establishment or other business subject to regulation under this chapter, and any other person when that person's action or failure to take action causes or contributes to a violation of this chapter or any permit, authorization or approval made or given pursuant to this chapter. It is further the intent of this chapter that, whenever a facility constitutes an industrial user, the permittee, facility operator, facility manager, and facility owner shall be responsible for compliance with all requirements, obligations, limitations and prohibitions made applicable to an industrial user pursuant to this chapter. It is further the intent of this chapter that the permittee, operator, facility manager, and owner of a facility that constitutes a new source or existing source shall be responsible for compliance with all requirements, obligations, limitations and prohibitions made applicable to a new source or existing source pursuant to this chapter.

C. Appeals of Decisions and Determinations. Appeals of decisions or determinations made by the Control Authority pursuant to this chapter are governed by 12.08A.140; provided that, appeals of enforcement actions taken pursuant to this chapter are governed by TMC Chapter 1.82

D. Liberal Construction. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application and shall be liberally construed to serve the purposes of this chapter.

12.08C.030 Abbreviations.

The following abbreviations, when used in this chapter, shall have the designated meanings:

AWWA	American Water Works Association
BMPs	Best Management Practices
BOD_5	5-Day Biochemical Oxygen Demand
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
ºC	degrees Celsius
COD	Chemical Oxygen Demand
CFR	Code of Federal Regulations
EPA	U.S. Environmental Protection Agency
ERP	Enforcement Response Plan
ºF	degrees Fahrenheit
FOG	Fats, Oil and Grease
gpd	gallons per day
GGI	Gravity Grease Interceptor
HMGI	Hydromechanical Grease Interceptor
LEL	Lower Explosive Limit
MAIL	Maximum Allowable Industrial Loading
mgd	million gallons per day
mg/L	milligrams per liter
MIU	Minor Industrial User
NAICS	North American Industry Classification System
NPDES	National Pollutant Discharge Elimination System
O&M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act
RCW	Revised Code of Washington
SDCP	Slug Discharge Control Plan
SIC	Standard Industrial Classification
SNC	Significant Noncompliance
TMC	Tacoma Municipal Code
TRC	Technical Review Criteria
TSS	Total Suspended Solids
UPC	Uniform Plumbing Code
U.S.C.	United States Code
WAC	Washington Administrative Code

12.08C.040 Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein unless a different meaning is otherwise plainly required. Words not defined herein shall have the meaning given pursuant to TMC 1.82.010. Words not otherwise defined in this chapter or TMC 1.82.010 shall have the meaning given in such federal and state statutes, rules, or regulations that apply to the activity being regulated. Words not otherwise defined, shall be given their common and ordinary meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The words "shall" and "will" are always mandatory and not merely directory and the word "may" is permissive. References to governmental entities (whether persons or entities) refer to those entities or their successors in authority.

"Amalgam process wastewater." Any wastewater generated and discharged by a dental discharge facility through the practice of dentistry that may contain dental amalgam.

"Amalgam separator." A collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a dental discharge facility.

"Amalgam waste." Any non-contact and contact scrap amalgam waste or wastestream containing mercury or residues from the preparation, use or removal of amalgam. This includes, but is not limited to, any mercury waste generated or collected by chair-side traps, screens, filters, vacuum systems filters, amalgam separators, elemental mercury, amalgam capsules and autoclaves or other equipment that comes in contact with mercury.

"Applicable pretreatment standard." The most restrictive federal or state pretreatment limit or prohibitive standard, or local limit, contained in or referenced by this chapter with which an industrial user is required to comply.

"Authorized representative" or "duly authorized representative of the industrial user."

A. If the industrial user is a corporation:

1. The 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

2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including: having the explicit or implicit duty of making major capital investment recommendations; initiating and directing comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; ensuring that the necessary systems are established or actions are taken to gather complete and accurate information for reporting requirements established by the Control Authority, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

B. If the industrial user is a partnership or sole proprietorship: a general partner or proprietor, respectively;

C. If the industrial user is a limited liability company, the managing member(s) of the limited liability company;

D. If the industrial user is a federal, state, or local governmental facility: a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or the designee of such official; and

E. The individuals described in paragraphs A through D above may designate another duly authorized representative if the authorization is in writing, the authorization specifies the individual or position

responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Control Authority.

"Batch discharge." A special method of discharging wastewater defined in and authorized by an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism.

"Best Management Practices" or "BMPs." A schedule(s) of activities, treatment practices, prohibitions of practices, maintenance procedures, and other management practices based on applicable Pretreatment Standards in 40 CFR Part 403, federal categorical effluent standards and applicable state and local pretreatment requirements including local limits which are implemented by an industrial user to prevent or reduce pollutants from entering a facility's waste stream and causing "interference" and/or "pass through" and/or damage to biosolids.

"Biochemical Oxygen Demand, 5-Day" or "BOD_5." The quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees (20°) Celsius, expressed in parts per million or milligrams per liter (mg/L) by weight, using methods approved under 40 CFR Part 136.

"Bypass." The intentional diversion of a wastestream from any portion of an industrial user's treatment facility prior to being discharged to the POTW.

"Categorical Industrial User." An industrial user subject to national categorical pretreatment standards.

"Categorical pretreatment standard" or "categorical standard." Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with 33 U.S.C. Section 1317 that apply to a specific category of industrial users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"City." The City of Tacoma, a municipal corporation organized and existing under and by virtue of the laws of the state of Washington. The phrase "within the City" means within the City boundaries as now or hereafter constituted.

"Complete written instrument" means an instrument which is fully drawn with respect to every essential feature thereof; "incomplete written instrument" means an instrument which contains some matter by way of content or authentication but which requires additional matter in order to render it a complete written instrument.

"Color." The optical density at the visual wave length of maximum absorption, relative to distilled water.

"Composite sample." Multiple grab samples collected over time, either by continuous sampling or by mixing discrete samples and are reported as the average wastewater characteristic concentration for the period of time during which the composite sample was collected.

"Contributing jurisdiction." A municipality other than the City that contributes wastewater to the POTW.

"Control Authority." The City's Environmental Services Department, its Director and its authorized representatives and their successors.

"Control mechanism." An industrial wastewater discharge permit, a special approved discharge authorization, a letter, an authorization to discharge, or any other written notice of discharge requirements issued by the Control Authority.

"Cooling water." Cooling water shall mean contact cooling water or noncontact cooling water which have the following meanings:

A. Contact: Water used for cooling purposes which comes in contact with any raw material, intermediate product, waste product or finished product; and

B. Noncontact: Water used for cooling purposes which does not comes in contact with any raw material, intermediate product, waste product or finished product and the only pollutant added is heat.

“Daily maximum discharge limit.” The maximum allowable discharge limit of a pollutant that may be discharged during a twenty-four (24) hour period or as specified in an industrial user’s industrial wastewater discharge permit. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the sampling period. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken during that sampling period.

“Days.” Unless otherwise indicated, “days” means calendar days.

“Dental amalgam.” An alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.

“Dental discharge facility.” A facility where the practice of dentistry is performed and wastewater is discharged to the POTW.

“Dilute.” A wastestream that has been reduced in strength by the addition of water or another solution.

“Director.” The City of Tacoma’s Director of the Environmental Services Department, or successor department, who is designated to supervise the implementation and enforcement of this chapter or the Director’s duly authorized designee.

“Domestic wastewater.” Water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments and other places, which is similar in volume or chemical composition to wastewater discharged from a residential dwelling unit.

“Environmental permit.” An authorization, order or equivalent control mechanism issued by a federal or state agency, or local jurisdiction to implement the requirements of an environmental law, regulation or ordinance.

“Exempt dental discharge facility.” Any dental facility in which amalgam is not placed, removed, or used at any time in the dental practice or a dental facility that does not discharge amalgam process wastewater to the POTW.

“Existing source.” Any industrial user that is not a new source.

“Extra jurisdictional industrial user.” An industrial user located outside the City limits that contributes wastewater to the POTW.

“Facility.” A building, structure, equipment, installation, land, or any combination thereof, that is a source or potential source of an indirect discharge of wastewater to the POTW. This term shall not mean or include pretreatment facilities, wastewater pretreatment facilities, or food service establishment facilities, as those terms are used in this chapter.

“Facility manager.” The person in the position of the most senior corporate officer, executive, leader or administrator in charge of the daily supervision and operation of a facility. The facility manager may or may not be a duly authorized representative of the industrial user.

“Falsely alter.” To falsely alter a written instrument means to change, without authorization by anyone entitled to grant it, a written instrument, whether complete or incomplete, by means of erasure, obliteration, deletion, insertion of new matter, transposition of matter, or in any other manner.

“Falsely complete.” To falsely complete a written instrument means to transform an incomplete written instrument into a complete one by adding or inserting matter, without the authority of anyone entitled to grant it; and, to “

“Falsely make.” To falsely make a written instrument means to make or draw a complete or incomplete written instrument which purports to be authentic, but which is not authentic either because the ostensible maker is fictitious or because, if real, the maker did not authorize the making or drawing thereof.

“Federal Clean Water Act.” The Federal Water Pollution Control Act, as amended and codified at 33 U.S.C. 1251 et seq.

"Food service establishment." Any non-mobile facility, which serves, prepares, processes, manufactures, or packages food for consumption such as a restaurant, commercial kitchen, caterer, hotel, school, hospital, detention facility, food caterer, convenience store, grocery store, manufacturing facility or care institution.

"Grab sample." A sample which is taken from a wastestream on a one-time basis with no regard to the flow in the wastestream over a period of time not to exceed fifteen (15) minutes.

"Hauled waste." Any domestic or non-domestic wastes delivered by tanker truck for discharge to the POTW.

"Hauler." Any person that delivers domestic or non-domestic waste by tanker truck for discharge to the POTW.

"Hazardous waste." Any waste designated as hazardous under the provisions of 40 CFR Part 261 or a dangerous waste under Chapter 173-303 WAC.

"Hazardous waste pharmaceuticals." Pharmaceuticals that are considered RCRA hazardous by the EPA. Excluded are non-prescription pharmaceuticals that have a reasonable expectation of being used/reused or reclaimed.

"Healthcare facility." Any person that is lawfully authorized to:

A. Provide preventative, diagnostic, therapeutic, rehabilitative, maintenance or palliative care, and counseling, service, assessment or procedure with respect to the physical or mental condition, or functional status, of a human or animal or that affects the structure or function of the human or animal body; or

B. Distribute, sell, or dispense pharmaceuticals, including over-the-counter pharmaceuticals, dietary supplements, homeopathic drugs, or prescription pharmaceuticals.

"Holding tank waste." Sewage, including typically associated solids, from domestic activities pumped from a septic tank serving one or more private residences or a chemical toilet, or tanks within recreational vehicles, campers, trailers, and vessels.

"Indirect discharge." The discharge or the introduction of pollutants into the POTW from any source regulated under Section 307(b), (c) or (d) of the Federal Clean Water Act (33 U.S.C. 1317), or this chapter, including holding tank waste discharged by a non-domestic industrial user to the POTW.

"Industrial waste" or "Non-domestic waste." A liquid or solid waste from industrial manufacturing processes, or trade or business activities distinct from domestic wastewater.

"Industrial user." A non-domestic source of an indirect discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the industrial user discharges non-domestic wastewater.

"Industrial wastewater discharge permit." A control mechanism issued by the Control Authority to an industrial user that allows, limits and/or prohibits the discharge of pollutants or flow to the POTW.

"Interference." A discharge which alone or in combination with other discharges:

A. Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and

B. Causes a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Federal Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the

Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

"Interlocal agreement." An agreement entered into pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW.

"Instantaneous discharge limit." The maximum or minimum concentration of a pollutant or a pollutant property based on a grab sample or direct measurement allowed to be discharged at any time.

"Local limits." Discharge limits developed by the Control Authority in accordance with 40 CFR Section 403.5(c) and (d) which are set forth in this chapter.

"New source." Shall be defined as set forth in 40 CFR Section 403.3(m).

"New source dental discharge facility." A dental discharge facility that discharges to the POTW for the first time on or after July 15, 2017, or a dental discharge facility that transfers ownership on or after July 15, 2017.

"Normal domestic strength wastewater." Wastewater, when analyzed in accordance with procedures established in 40 CFR Part 136, as amended, that contains no more than two hundred (200) mg/L of 5-Day Biochemical Oxygen Demand (BOD_5) or two hundred and twenty-five hundred (225) mg/L of Total Suspended Solids.

"North American Industry Classification System Code" or "NAICS Code." An industrial classification system developed by the United States Office of Management and Budget to classify business establishments for the collection, tabulation, presentation, and analysis of statistical data describing the U.S. economy. Also, see Standard Industrial Classification Code.

"NPDES Permit." Waste discharge permits issued by the Washington State Department of Ecology to the City pursuant to Chapter 90.48 RCW and Section 402 of the Federal Clean Water Act that establish special and general conditions for discharging effluent from the City's Central and North End treatment plants into waters of the state.

"Operator" Any person or group of persons, other than a facility manager, in control of or otherwise responsible for, through any arrangement, the management and operation of a facility or an entity or business enterprise subject to regulation under this chapter.

"Owner." Any person holding title to, or an ownership interest in, a facility. It shall be presumed that the person identified in records of the Pierce County Assessor as the taxpayer is the owner of any such real property that constitutes a facility or upon which a facility is located.

"Pass through." A discharge which exits the POTW into waters of the United States or the state in quantities or in concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of the City's NPDES Permit, including an increase in the magnitude or duration of a violation.

"Permittee." Any person to whom an industrial wastewater discharge permit has been issued pursuant to this chapter.

"Person." Any individual, partnership, co-partnership, firm, company, association, joint stock company, trust, estate, society, corporation, group, government, governmental agency or other legal entity, and their legal representatives, agents or assigns. The definition includes all federal, state and local government entities.

"pH." The negative logarithm of the effective hydrogen-ion concentration or hydrogen activity in gram equivalents per liter used in expressing both acidity and alkalinity on a scale with values from 0 to 14, with 7 representing neutrality. Values lower than 7 are more acidic, and higher values are more alkaline.

"Pharmaceutical." Any drug or dietary supplement for use by humans or other animals; any electronic nicotine delivery system (*e.g.*, electronic cigarette or vaping pen), or any liquid nicotine (e-liquid)

packaged for retail for use in electronic nicotine delivery systems (*e.g.*, pre-filled cartridges or vials). This definition includes, but is not limited to dietary supplements, as defined by the Federal Food, Drug and Cosmetic Act; prescription drugs, as defined by 21 CFR 203.3(y); OTC drugs; homeopathic drugs; compounded drugs; investigational new drugs; pharmaceuticals remaining in nonempty containers; personal protective equipment contaminated with pharmaceuticals; and clean-up material from spills of pharmaceuticals. This definition does not include dental amalgam or sharps.

"Pollutant." Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive materials, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS turbidity, color, BOD_5, COD, toxicity or odor).

"POTW." Means a treatment works, as defined by 33 U.S.C. Section 1292 (2), which is owned and operated by the City. The term generally refers to any devices and systems used in the conveyance, storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature. A reference to the POTW means and refers to the POTW owned or operated by the City, unless a different meaning is otherwise plainly required.

"POTW Treatment Plant." That portion of the POTW known as the Central and North-End treatment plants that provides treatment of municipal wastewater.

"Pretreatment." The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW through physical processes, biological processes, or by other processes or means, except as prohibited by 40 CFR Section 403.6(d).

"Pretreatment facilities." Wastewater treatment equipment, units, devices, facilities or portions thereof designed to provide pretreatment of wastewater.

"Pretreatment program." A federal, state and local program administered by the City that requires industrial and commercial sources of non-domestic wastewater to treat wastewater prior to discharging it to the POTW.

"Pretreatment interlocal agreement." An interlocal agreement entered into by and between the City and another jurisdiction that is administered under TMC 12.08C.460.

"Pretreatment requirements." Any substantive or procedural requirement related to pretreatment of wastewater, other than a pretreatment standard imposed on an industrial user.

"Pretreatment standard." Any regulation containing pollutant limitations promulgated by the EPA in accordance with Section 307(b) and(c) of the Federal Clean Water Act or promulgated by the Washington State Department of Ecology in accordance with Chapter 90.48 RCW which applies to industrial users. The term includes prohibited discharge limits established pursuant to 40 CFR Section 403.5 and other standards, BMPs, local limits and specific prohibitions established by the Control Authority. See also, definition of "Applicable pretreatment standard."

"Private side sewer" and "side sewer." Shall have the same meaning as that term is given pursuant to TMC 12.08B.

"Responsible person." Any person made responsible for compliance with the provisions of this chapter, any regulations established pursuant to this chapter, or any conditions of a permit, authorization or approval made or given pursuant to this chapter. Responsible persons are generally set forth at TMC 12.08C.020.B.

"Reverse distributor." Any person that receives and accumulates prescription pharmaceuticals that are potentially creditable hazardous waste pharmaceuticals for the purpose of facilitating or verifying

manufacturer credit. Any person, including forward distributors, third-party logistics providers, and pharmaceutical manufacturers, that processes prescription pharmaceuticals for the facilitation or verification of manufacturer credit is considered a reverse distributor.

"Septic tank waste" or "Domestic septage." Liquid or solid material removed from a septic tank, cesspool, holding tank, or a similar system that receives only domestic waste (household, non-commercial, non-industrial sewage).

"Significant industrial user" means:

A. All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and

B. Any other industrial user that discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding domestic, noncontact cooling and boiler blowdown wastewater); or contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation; or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(F)(6), as found in 55 FR 30128, July 24, 1990).

"Slug discharge." Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or Permit conditions. This includes a discharge which exceeds the hydraulic or design of an industrial user's treatment system or any part of the treatment unit.

"Stormwater." That portion of precipitation, including snowmelt, that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a receiving water or stormwater facility.

"Supplemental fees." Expenses and costs the Control Authority incurs to address and respond to a violation of TMC 12.08C, and which shall include, but not be limited to: (i) personnel costs, both direct and indirect; (ii) costs to investigate, contain, and abate the discharge, including cleaning up any contamination caused by the discharge that may be present within the POTW, at the point of discharge, or in the receiving environment; (iii) costs to respond to a discharge causing pass through or interference; (iv) costs to document and enforce a violation of TMC 12.08C; (v) costs to hire a contractor(s) or consultant(s) to respond to such violations; (vi) laboratory costs and analytical expenses; (vii) costs for equipment, materials, and supplies; (viii) mobilization, transportation, treatment, storage, and disposal costs; (ix) attorney's fees, when authorized; (x) costs required for printing or mailings; and (xi) costs to collect unpaid supplemental fees.

"Tampering" or "tamper." Any action taken to alter, bypass, damage or disable a monitoring device that would render it inaccurate.

"Threatened discharge." The existence of any condition or practice which reasonably could be expected to lead to an unauthorized discharge of wastewater, that may present an imminent danger or threat to the health and welfare of persons or the environment, or that threatens to interfere with the operation of the POTW.

"Total suspended solids" or "TSS." Solids that either float on the surface of or are suspended in water, sewage, or other liquid, and which are removable by laboratory filtering in accordance with procedures approved in 40 CFR Part 136, as amended.

"Toxic pollutant." Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under Section 307(a) of the Federal Clean Water Act or as otherwise listed in 40 CFR Part 122, Appendix D.

"Upset." An exceptional incident in which there is unintentional and temporary noncompliance with the applicable pretreatment standards because of factors beyond the reasonable control of the industrial user. The term "upset" does not include noncompliance to the extent it is caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

"Wastewater" or "Wastestream." Liquid and water-carried industrial wastes, holding tank waste, and domestic wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated.

"Written instrument" means any paper, document, or other instrument containing written or printed matter or its equivalent, or any stamp, seal, certification, trademark, or other evidence or symbol of value, right, privilege, or identification.

GENERAL SEWER USE REQUIREMENTS

12.08C.100 Prohibited discharge standards.

A. General Prohibitions. No industrial user shall introduce to the POTW any pollutant which causes pass through or interference. These general prohibitions apply to all industrial users of the POTW whether they are subject to pretreatment standards, or any other national, state, or local pretreatment requirements.

B. Specific prohibitions. No industrial user shall introduce or cause to be introduced to the POTW the following substances or combination of substances:

1. Any substance which either alone or by interaction with other substances create a fire or explosive hazard in the POTW, including, but not limited to wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test method specified in 40 CFR Section 261.21. The discharge restrictions and prohibitions of dangerous waste regulations set forth in Chapter 173-303 WAC shall apply to discharges under this chapter;

2. Wastewater having a pH of less than 5.0, or more than 11.0, or any wastewater capable of causing corrosive structural damage to the POTW or equipment except as authorized by an industrial wastewater discharge permit, special approved discharge authorization, or other control mechanism issued by the Control Authority;

3. Solid or viscous pollutants or substances in amounts which cause obstruction to the flow in the POTW or other interference;

4. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause pass through or interference;

5. Any pollutant, including oxygen-demanding pollutants released in a discharge at a flow rate and/or concentration which will cause interference;

6. Wastewater entering the POTW that exceeds 100 degrees Fahrenheit. The Control Authority may authorize a discharge above 100 degrees Fahrenheit if it determines such discharge will not cause interference or influent temperature at the POTW treatment plant to exceed 104 degrees Fahrenheit.

7. Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity which may cause acute worker health and safety problems or pollutants which alone or in combination with other pollutants, or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent or interfere with entry into the POTW for maintenance and repair;

8. Trucked or hauled pollutants, except at discharge points as authorized by an industrial wastewater discharge permit, special approved discharge authorization, or other control mechanism issued by the Control Authority, as set forth in this chapter;

9. Wastewater which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius);

10. Wastewater generated as a result of wastes pumped from gravity grease interceptors, hydromechanical grease interceptors or grease traps, sand-oil separators or other storage tanks or treatment units without the approval of the Control Authority;

11. Wastewater which imparts color to the POTW's effluent such as, but not limited to, dye wastes and vegetable tanning solutions;

12. Wastewater containing radioactive wastes or isotopes except in compliance with applicable state or federal regulations;

13. Medical wastes that cause or contribute to pass through or interference;

14. Unless approved by the Control Authority under extraordinary circumstances, such as lack of direct discharge alternatives or need to augment sewage flows due to septic conditions (as required under WAC 173-216-050):

a. Non-contact cooling water in significant volumes;

b. Stormwater or other direct inflow sources; and

c. Wastewater significantly affecting system hydraulic loading, which does not require treatment or would not be afforded a significant degree of treatment by the POTW;

15. Any substance that causes the City to violate its NPDES Permit(s) or applicable federal or state water quality standards;

16. Sludge, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes except as authorized by an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism issued by the Control Authority;

17. Any slug discharge;

18. Any substance which may cause the POTW's effluent or treatment residues, sludge or sludge products or scums, to be unsuitable for reclamation or reuse, or which otherwise interferes with the reclamation process;

19. Any discharge containing a substance which is regulated under Chapter 173-303 WAC, unless authorized by an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism issued by the Control Authority. Control mechanisms issued under this subsection shall comply with applicable discharge requirements set forth in Chapter 173-303 WAC; and

20. Any pesticides, herbicides or fungicides that cause or contribute to pass through, interference or negative impact to the POTW. Industrial users shall not discharge wastewater to the POTW that is generated from the rinsing of any container that contains or contained any concentrated or formulated pesticide, herbicide or fungicide unless approved by the Control Authority.

C. Hazardous waste pharmaceuticals. Healthcare facilities that generate, accumulate or otherwise handle hazardous waste pharmaceuticals, and reverse distributors engaged in the management of prescription hazardous waste pharmaceuticals, shall not discharge pharmaceuticals to the POTW which are listed as hazardous waste under the federal Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq., and its implementing regulations), or which are regulated as hazardous waste under the same law based on the characteristics of ignitability, corrosivity, reactivity, or toxicity.

D. Storage. No chemicals, materials, or other substances, including but not limited to, paints, solvents, boiler or water treatment chemicals, sludges, chemicals, or wastes shall be stored in proximity to a floor drain or other openings used to collect and convey, directly or indirectly, wastewater to the POTW unless secondary containment is provided. The requirement for secondary containment is waived if physical

barriers exist that will prevent entry of chemicals, materials or other substances to floor drains or other openings used to collect and convey wastewater.

E. Dilution prohibited. Dilution is prohibited as a substitute for wastewater treatment except where authorized by an applicable pretreatment standard or requirement. No industrial user shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The Control Authority may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations is appropriate.

F. Local limits.

1. No industrial user issued an industrial wastewater discharge permit shall discharge, or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Table 12.08C.100.F - 1

Pollutant	Daily Maximum Discharge Limits[a] for IUs discharging to Central Treatment Plant	Daily Maximum Discharge Limits[a] for IUs discharging to North End Treatment Plant
Arsenic	0.23	0.56
Cadmium	0.103	0.251
Chromium	4.74	4.54
Copper	1.46	2.27
Lead	0.427	1.20
Mercury	0.033	0.097
Molybdenum	0.55	1.46
Nickel	1.12	2.79
Selenium	0.14	0.437
Silver	0.64	1.55
Zinc	2.44	5.54
5-Day Biochemical Oxygen Demand (BOD_5), lbs/day[b]	No Limit	449
Total Suspended Solids (TSS), lbs/day[b]	No Limit	2153
Ammonia, lbs/day[b]	5,082.6	No Limit
Bis-2(ethylhexyl)phthalate	No Limit	<0.0005

[a] All Pollutants as Total and in mg/L unless otherwise specified.

[b] This limit is the total mass in pounds per day (lbs/day) that are available to allocate to all significant industrial users and other designated and permitted non-significant industrial users.

G. The Control Authority may implement local limits through allocation of the Maximum Allowable Industrial Load to significant industrial users and specific permitted non-significant industrial users that correspond to the uniform concentration local limits shown in table 12.08C.100.F - 1.

H. The following limits shall apply to wastewaters that are discharged from:

1. Groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants;

2. Discharges where one or more of these pollutants are present; or

3. Where these pollutants are appropriate surrogates.

It shall be unlawful for any industrial user to discharge or cause to be discharged any waste or wastewater to the POTW that exceeds the following limits:

Table 12.08C.100.H - 1

Pollutant	Daily Maximum Limit (mg/L)
Benzene	0.050
BTEX	0.750

I. The Control Authority may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, or additional pretreatment requirements when, in the judgment of the Control Authority, such limitations, practices or requirements are reasonably necessary to ensure compliance with the provisions of this chapter.

12.08C.110 Categorical pretreatment standards.

A. Industrial users shall comply with the categorical pretreatment standard(s) found at 40 CFR Chapter I, Subchapter N, Parts 405-471.

B. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Control Authority may impose equivalent concentration or mass limits in accordance with this section and 40 CFR Part 403.6(c).

C. When categorical pretreatment standards are expressed only in terms of a mass of pollutant per unit of production, the Control Authority may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration when calculating effluent limitations applicable to individual industrial users. The industrial user shall supply appropriate actual or projected long-term production rates for the unit of production specified in order to facilitate this process pursuant to 40 Part CFR 403.6(c)(2), as required by the Control Authority.

D. The Control Authority may allow wastewater subject to a categorical pretreatment standard to be mixed with other wastewaters prior to treatment. In such cases, the industrial user shall identify all categorically regulated wastestreams and provide sufficient information for each non-categorical wastestream to determine whether it should be considered dilute for each pollutant. In such situations, the Control Authority shall apply the appropriate formula as found at 40 CFR Part 403.6(e) to determine appropriate limits.

E. Equivalent mass limits.

1. When a categorical pretreatment standard is expressed only in terms of pollutant concentrations, an industrial user may request that the Control Authority convert the limits to equivalent mass limits. The determination to convert concentration limits to mass limits is within the discretion of the Control Authority. The Control Authority may establish equivalent mass limits if the industrial user meets all of the following conditions:

a. Employ, or demonstrate that it will employ, water conservation methods and technologies that substantially reduce water use during the term of its control mechanism;

b. Currently use control and treatment technologies adequate to achieve compliance with the applicable categorical pretreatment standard, and not have used dilution as a substitute for treatment;

c. Provide sufficient information to establish the facility’s actual average daily flow rate for all wastestreams, based on data from a continuous effluent flow monitoring device, as well as the facility’s

long-term average production rate. Both the actual average daily flow rate and the long-term average production rate must be representative of current operating conditions;

d. Not have daily flow rates, production levels, or pollutant levels that vary so significantly that, in the judgement of the Control Authority, are not appropriate for application of equivalent mass limits; and

e. Demonstrate that it has consistently complied with all applicable categorical pretreatment standards during the period prior to the industrial user's request for equivalent mass limits.

2. An industrial user subject to equivalent mass limits shall:

a. Maintain and effectively operate control and treatment technologies adequate to achieve compliance with the equivalent mass limits;

b. Continue to record the facility's flow rates by a continuous effluent flow monitoring device;

c. Continue to record the facility's production rates;

d. Notify the Control Authority if production rates are expected to vary by more than twenty percent (20%) from the submitted baseline production rates. The Control Authority may reassess and revise equivalent limits as necessary to reflect changed conditions; and

e. Continue to employ the same or comparable water conservation methods and technologies so long as it discharges under its equivalent mass limit.

3. Equivalent mass limits:

a. Shall not exceed the product of the actual average daily flow rate of the regulated process(es) of the industrial user and the applicable concentration-based daily maximum and monthly average standards (and the appropriate unit conversion factor);

b. Shall, upon notification of a revised production rate, be reassessed and recalculated as necessary to reflect changed conditions at the facility; and

c. May be retained in subsequent industrial wastewater discharge permits if the industrial user's actual average daily flow rate was reduced solely as a result of the implementation of water conservation methods and technologies, and the actual average daily flow rates used in the original calculation of the equivalent mass limit were not based on the use of dilution as a substitute for treatment pursuant to TMC 12.08C.100.E. The industrial user shall also be in compliance with 40 CFR Section 403.17.

F. The Control Authority may convert the mass limits of the categorical pretreatment standards at 40 CFR parts 414, 419, and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. When converting such limits to concentration limits, the Control Authority must use the concentrations listed in the applicable subparts of 40 CFR parts 414, 419, and 455 and document that dilution is not being substituted for treatment as prohibited by this chapter.

G. Equivalent limitations are deemed pretreatment standards for the purposes of this chapter and Section 307(d) of the Federal Clean Water Act. The Control Authority must document how the equivalent limits were derived and make this information publicly available. Once incorporated into its industrial wastewater discharge permit, an industrial user shall comply with the equivalent limitations in lieu of the promulgated categorical standards from which the equivalent limitations were derived.

H. When a categorical pretreatment standard specifies one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average, or 4-day average, the same production or flow figure shall be used in calculating both the average and the maximum equivalent limitation.

I. Any industrial user operating under an industrial wastewater discharge permit that incorporates equivalent mass or concentration limits calculated from a production-based standard shall notify the Control Authority within two (2) business days after the industrial user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any industrial user that

fails to notify the Control Authority of such anticipated change will be required to meet the mass or concentration limits in its control mechanism that were based on the original estimate of the long-term average production rate.

12.08C.120 State requirements.

A. All pollutants discharged from a commercial or industrial operation to the POTW shall satisfy all applicable requirements set forth in Chapter 173-216 WAC.

B. Any person who constructs or modifies or proposes to construct or modify wastewater treatment facilities shall comply with the submittal requirements set forth in Chapter 173-240 WAC. No person may commence construction or modification of a wastewater treatment facility covered under Chapter 173-340 WAC without first submitting engineering reports and plans and specifications to the Control Authority for its review and written acceptance. The City, acting through the Control Authority, is authorized as a delegated unit of local government under RCW 90.48.110(2) to review such submittals.

C. Industrial users shall apply to the Control Authority for an industrial wastewater discharge permit at least ninety (90) days prior to the discharge of any pollutants other than domestic wastewater, or wastewater the Control Authority has determined to be similar in character and strength to domestic wastewater, and that there is no potential for such discharge to adversely affect the POTW.

D. All significant industrial users shall apply for, obtain, and maintain compliance with, an industrial wastewater discharge permit from the Control Authority, or approval of the Control Authority of a transfer of an existing permit to the industrial user, prior to discharging pollutants.

E. Claims of confidentiality shall be governed by TMC 12.08C.910.

F. Applicants for a new industrial wastewater discharge permit, or permit reissuance or modification, which allows a new or increased pollutant loading shall publish notice for each application in the format provided by the Control Authority, and in accordance with the public notice requirements set forth in TMC 12.08C.470.

G. The Control Authority may require the applicant to also mail this public notice to persons who have expressed an interest in being notified, and to state agencies and local governments with a regulatory interest, and to post the public notice on the facility. If the Control Authority determines there is sufficient public interest, it will hold a public meeting following the requirements of WAC 173-216-100. The Control Authority may, in its discretion, assume responsibility for public notice requirements for any applicant, and may waive the requirements of this section for any industrial user who is not classified as a significant industrial user.

H. Discharge restrictions set forth in Chapter 173-303 WAC (Dangerous Waste) shall apply to all industrial users.

I. All required monitoring data shall be analyzed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, except for flow, temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters. However, if the laboratory analyzing samples for conductivity, pH, or turbidity must otherwise be accredited, it shall also be accredited for these parameters.

12.08C.130 AKART.

Industrial users shall apply all known, available, and reasonable methods of prevention, control and treatment to wastewater discharges as required by Chapter 90.48 RCW.

12.08C.140 Industrial user survey form.

Any person whose activities may, in the judgement of the Control Authority, be a source of nondomestic wastewater to the POTW shall, upon request of the Control Authority, complete and submit an industrial user survey form. Industrial users who seek to modify or increase an existing discharge of a nondomestic

waste stream to the POTW shall submit an updated industrial user survey form to the Control Authority prior to modifying or increasing its discharge. Accurate completion of the industrial user survey form is a condition of initial and continued discharge to the POTW. Information contained within the industrial user survey form shall be used by the Control Authority to categorize a business operation and determine the proper level of regulation under this chapter, including whether an industrial user is a significant industrial user. Failure to comply with this section is a violation of this chapter subject to the enforcement provisions of TMC 12.08C.1200.

12.08C.150 Payment of rates and fees**.**

Persons regulated by this chapter shall pay the applicable rates and fees for use of the POTW as set forth in TMC 12.08B.

PRETREATMENT AND MONITORING FACILITIES

12.08C.200 Treatment required.

An industrial user shall provide wastewater treatment. Such treatment shall comply with this chapter and shall also achieve compliance with all applicable federal, state and local pretreatment standards and requirements, within the time limitations specified by the EPA, the Washington State Department of Ecology, or the Control Authority, whichever is more stringent. The wastewater treatment can be obtained by physical process, biological process, or by other process or means, except as prohibited by 40 CFR Section 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug discharges that might interfere with or otherwise be incompatible with the POTW. Where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR Section 403.6(e). Any pretreatment facilities necessary for compliance with this chapter shall be provided, operated and maintained at the industrial user's expense and satisfy applicable requirements for content, review and acceptance of engineering reports, plans and specifications for construction and modification of pretreatment facilities, including an operation and maintenance manual as set forth in Chapter 173-240 WAC.

The Control Authority may, in its sole discretion, waive the requirement for a three-step submission of documents and require instead conceptual plans with such information from the engineering report and operation manual that the Control Authority determines will demonstrate compliance with this chapter. Construction or modification of a pretreatment facility shall not commence until engineering reports, plans and specifications for the project have been submitted to and approved by the Control Authority. Unless waived by the Control Authority, such reports shall be prepared under the supervision of, and bear the seal of, a professional engineer licensed in accordance with Chapter 18.43 RCW. The review and acceptance of the engineering reports, plans and specifications, and operation and maintenance manual, shall in no way relieve the industrial user from its obligation to comply with the provisions of this chapter, including modification of its pretreatment facility as necessary to produce a discharge acceptable to the Control Authority under the provisions of this chapter.

12.08C.210 Proper operation and maintenance.

Industrial users 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 industrial user. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by an industrial user when the operation is necessary to achieve or assure compliance with conditions of its industrial wastewater discharge permit. Calibration of meters and monitoring equipment shall be performed in accordance with manufacturer specifications.

12.08C.220 Monitoring facilities.

The Control Authority may require an industrial user to install at the industrial user's expense, monitoring facilities or equipment that allow for the representative sampling and accurate observation of wastewater discharges. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Control Authority's requirements and all applicable City construction standards and specifications. Monitoring equipment and structures shall be maintained in proper working order, calibrated as required by manufacturer's specifications and kept safe and accessible at all times for inspection by the Control Authority. The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building footprint unless otherwise approved by the Control Authority. The monitoring facility shall include an enclosure that can be locked during sampling or monitoring or other inspection with a lock provided by the Control Authority. When such a location would be impractical, the Control Authority may allow such facility to be constructed in the public street or easement area, with the approval of the City department having jurisdiction over street occupancy according to such terms and conditions as it may impose. No industrial user shall cover any manhole, sewer cleanout, or other openings in the wastewater collection system with earth, paving, or otherwise render it inaccessible.

12.08C.230 Operating pretreatment facilities.

The Control Authority may require an industrial user to provide confirmation that treatment facility operators have been properly trained regarding treatment facility operation and maintenance (O&M) practices.

12.08C.240 Wastewater discharge control.

The Control Authority may require an industrial user to restrict discharge during peak flow periods, designate that certain wastewater be discharged to the POTW at designated locations, relocate and/or consolidate points of discharge, separate domestic wastestreams from industrial wastestreams, and require such other conditions as may be necessary to protect the POTW.

12.08C.250 Flow equalization.

The Control Authority may require any industrial user discharging to the POTW to install and maintain, on its property and at its expense, a suitable storage and flow control facility to ensure equalization of flow. An industrial wastewater discharge permit may be issued solely for flow equalization.

12.08C.260 Multitenant buildings.

When more than one industrial user is able to discharge into a common service line, the Control Authority may require installation of separate monitoring equipment or structures for each industrial user.

12.08C.270 Flow, pH, LEL and other meters and equipment.

If the Control Authority determines an industrial user is required to measure and report: (1) wastewater flow; (2) discharge process wastewaters necessitating continuous pH measurement; or (3) discharge wastewater that may contain flammable substances or other pollutants of concern, the Control Authority may require the industrial user to install and maintain, at the industrial user's expense, approved meters and equipment.

12.08C.280 Tampering with water metering devices prohibited.

No person shall install, change, bypass, adjust, remove, alter, or otherwise tamper with any water metering device or any piping arrangement connected to a metering device to show the quantity of water used at or discharged from the facility is more or less than the actual quantity used or discharged.

INDUSTRIAL WASTEWATER DISCHARGE PERMITTING

12.08C.300 Permits required.

A. All significant industrial users proposing to connect to or discharge wastewater to the POTW shall apply for and obtain an industrial wastewater discharge permit from the Control Authority. An existing significant industrial user that has filed a timely wastewater permit application in accordance with this chapter may continue to discharge if authorized by the Control Authority.

B. The Control Authority may determine that an industrial user subject to categorical pretreatment standards under 40 CFR Section 403.6 and 40 CFR chapter I, subchapter N is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

1. The industrial user has consistently complied with all applicable categorical pretreatment standards and requirements;

2. The industrial user annually submits the certification statement required in Section 6.14 B [see 40 CR 403.12(q)], together with any additional information necessary to support the certification statement; and

3. The industrial user does not and never has discharged untreated concentrated wastewater to the POTW.

C. Upon finding that an industrial user meeting the criteria in subsection B above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirements, the Control Authority may, at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

12.08C.310 Industrial wastewater discharge permitting – Existing industrial users.

An industrial user with an expiring industrial wastewater discharge permit shall apply for a new permit by submitting a complete permit application at least one hundred eighty (180) days prior to the expiration of the industrial user's existing industrial wastewater discharge permit. The industrial user shall file a permit application on forms provided by the Control Authority containing the information required pursuant to this chapter. A permit application containing incomplete or inaccurate information will not be processed and will be returned to the industrial user for revision.

12.08C.320 Industrial wastewater discharge permitting – New sources and new industrial users.

A new source or new industrial user proposing to begin or recommence a discharge to the POTW and who is required to obtain an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism, shall submit an industrial wastewater discharge permit application to the Control Authority. A new source or new industrial user shall not discharge wastewater to the POTW without first receiving an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism issued by the Control Authority. Applications for an industrial wastewater permit shall be filed at least one hundred eighty (180) days prior to the desired date of discharge unless otherwise specified by the Control Authority, and include the information required pursuant to this chapter. A permit application containing incomplete or inaccurate information will not be processed and will be returned to the industrial user for revision.

12.08C.330 Industrial users.

The Control Authority may require any industrial user to apply for and obtain an industrial wastewater discharge permit, a zero discharge industrial wastewater discharge permit or other control mechanism with conditions necessary to assure compliance with this chapter.

12.08C.340 Industrial wastewater discharge permitting – Application contents.

A. All industrial users required to obtain an industrial wastewater discharge permit shall apply by using a form provided by the Control Authority. Industrial users shall submit the following information as part of their permit application unless waived by the Control Authority:

1. Identifying Information. The industrial user shall submit the name and physical address of the facility, including the legal name and trade name, if any, of the owner(s), operator(s), duly authorized representative of the industrial user, and, if different than the duly authorized representative of the industrial user, the facility manager, and mailing address and contact information for each person listed;

2. Permits. The industrial user shall submit a list of any environmental permits held by or for the facility;

3. Description of Operations. The industrial user shall submit the following information regarding facility operations: (i) a brief description of the nature and average rate of production (including each product produced by type, amount, process, and rate of production); (ii) the Standard Industrial Classification(s) (SIC Code) and/or the NAICS Code that applies to each operation; (iii) a list of all raw materials and chemicals used (average and maximum rates) or stored at the facility that could be accidentally or intentionally discharged to the POTW; (iv) the number of employees and a general description of the duties they perform; (v) the hours of operation; (vi) a description of each product produced by type and amount, including the rate of production, and the process used for each product produced; (viii) the types of wastes generated on a routine and periodic basis; (ix) the times and durations when wastes will be discharged; and (x) sampling locations and provisions for monitoring discharges. The description shall also include a schematic process diagram showing each process step, wastestream, treatment step, internal recycling process, and points of discharge to the POTW. This diagram shall identify which wastestreams are subject to a categorical pretreatment standard. The industrial user shall also submit site plans, floor plans, mechanical and plumbing plans and details showing all sewers, sewer connections, floor drains, inspection manholes, and sampling chambers by size, location, and elevation;

4. Flow Data. The industrial user shall submit information showing the estimated or actual measured average daily and maximum daily flow, in gpd, to the POTW from regulated process streams and other wastestreams, if necessary to allow the use of the combined wastestream formula set forth in 40 CFR 403.6(e);

5. Pollutant Data. The industrial user shall submit: (i) the categorical pretreatment standard applicable to each regulated process; (ii) the results of sampling and analysis, as required by the Control Authority, that identify the nature and concentration (or mass) of regulated pollutants in the discharge from each regulated process; and (iii) the estimated peak instantaneous, daily maximum and long-term average discharge concentrations (and mass) based on sampling results. All samples taken shall be representative of daily operations and shall conform to the sampling collection and analytical procedures outlined in TMC 12.08C.800 and TMC 12.08C.810 and applicable program guidance. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) for a categorical industrial user covered by a categorical pretreatment standard, this adjusted limit, along with supporting data, shall be submitted as part of the application;

6. Slug discharge control plan for significant industrial users as described in Section 12.08C.670 shall be submitted. The Control Authority may require industrial users regulated under TMC 12.08C.330 to also submit a slug discharge control plan;

7. A statement that the industrial user acknowledges, understands, and agrees that the permittee facility will be subject at reasonable times to inspections and gathering of samples by the Control Authority to determine whether an industrial user is complying with the requirements of this chapter and any industrial wastewater discharge permit or other control mechanism issued thereunder;

8. Other Information. Any other information the Control Authority deems necessary to prepare an industrial wastewater discharge permit;

9. Certification. The industrial user shall certify that the application was reviewed by an authorized representative of the industrial user in accordance with TMC 12.08C.350; and

10. Incomplete Information. Incomplete or inaccurate information will not be processed and will be returned to the industrial user for revision.

12.08C.350 Certification requirements.

All industrial wastewater discharge permit applications, including applications for transfer, modification or reissuance, industrial user reports, survey forms and any other submittals required by this chapter shall be signed by an authorized representative of the industrial user and contain at a minimum the following certification:

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

12.08C.360 Special approved discharge authorization.

A. The Control Authority may, at its discretion, issue a special approved discharge authorization or other control mechanism for a short-term discharge to the POTW, but in no event to exceed 365 days for each special approved discharge. Such authorizations may include discharge requirements, limitations and conditions that the Control Authority determines are necessary to comply with this chapter. The Control Authority shall provide the industrial user with an application form that requires specific information and data to be provided to allow the Control Authority to evaluate and determine whether or not a special approved discharge to the POTW will be authorized. The information and data required shall be provided to the Control Authority no later than thirty (30) days prior to the date that discharge is being proposed unless an alternative submittal date is authorized by the Control Authority. The rates and fees for a special approved discharge authorization shall be as set forth in TMC 12.08B.250. The Control Authority may revoke or suspend the special approved discharge authorization at its discretion.

B. The Control Authority may require a proposed or authorized discharger, at their cost, to gather representative samples for total suspended solids (TSS), biochemical oxygen demand (BOD), total petroleum hydrocarbons (TPH) or any other pollutants suspected to be present in the wastewater, stormwater or ground water. The proposed or authorized discharger shall have such samples analyzed at a state accredited laboratory, and submit the results to the control authority. The control authority will determine sampling frequency.

INDUSTRIAL WASTEWATER DISCHARGE PERMIT ISSUANCE

12.08C.400 Industrial wastewater discharge permit duration.

An industrial wastewater discharge permit shall be issued for a specified period of time, not to exceed five (5) years from the effective date of the permit. An industrial wastewater discharge permit may be issued for a period of less than five (5) years at the discretion of the Control Authority. Each industrial wastewater discharge permit shall include an expiration date, subject to the provisions of TMC 12.08C.450. Approval of a modification or transfer of an industrial wastewater discharge permit shall not modify the duration of the permit.

12.08C.410 Industrial wastewater discharge permit contents.

A. Industrial wastewater discharge permits shall include conditions deemed necessary by the Control Authority to prevent pass through or interference, protect the quality of the water body receiving the

treatment plant's effluent, protect worker health and safety, protect against damage to the POTW, and satisfy the requirements of this chapter.

B. Industrial wastewater discharge permits issued to significant industrial users and categorical industrial users shall contain all the conditions and information set forth below in TMC 12.08C.410.B.1 – B.10; provided that, control mechanisms issued to other industrial users may contain some or all of the same conditions, as determined by the Control Authority to ensure compliance with this chapter:

1. The industrial wastewater discharge permit issuance date, expiration date, and effective date;

2. The legal name, and trade name if any, and address for corporate offices of the owner(s) and operator(s);

3. The name and contact information of the duly authorized representative of the industrial user, the mailing address at which such representative may receive notice(s) from the Control Authority, and the name and contact information for the facility manager, if different than the duly authorized representative of the industrial user;

4. A statement that the industrial wastewater discharge permit is nontransferable without prior notification to and approval by the Control Authority in accordance with TMC 12.08C.430, and provisions for furnishing the new owner or operator with a copy of the existing industrial wastewater discharge permit;

5. A statement that the permittee facility is subject at reasonable times to inspections and gathering of samples by the Control Authority to determine whether an industrial user is complying with the requirements of this chapter and any industrial wastewater discharge permit or other control mechanism issued thereunder;

6. Effluent limits and best management practices based on applicable pretreatment standards and pretreatment requirements;

7. Self-monitoring, sampling, reporting, notification, and recordkeeping. These requirements shall, at a minimum include the pollutants to be monitored, sampling locations and sampling frequency, the sample type required to be monitored under this chapter, types of reports and when they are due, and the various notifications and when they are required;

8. A statement of applicable enforcement remedies for violating the conditions in the industrial wastewater discharge permit, including pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, and local law;

9. Requirements to control slug discharges, including developing, updating, and implementing slug discharge control plans if determined by the Control Authority to be necessary; and

10. Reapplication requirements.

C. Industrial wastewater discharge permits may, as determined by the Control Authority, contain the following additional conditions:

1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

2. Requirements to install and maintain pretreatment facilities and technology, pollution control, including requirements to use best management practices to prevent accidental, unanticipated, or non-routine discharges, and construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;

3. Requirements to develop and implement waste minimization plans to reduce the amount of pollutants discharged to the POTW;

4. Requirements to pay rates and fees for wastewater discharged to, and managed and treated by the POTW;

5. Requirements to install and maintain inspection and sampling facilities and equipment, including flow measurement devices, and provide access to the Control Authority to conduct inspections and sampling at reasonable times;

6. A statement that compliance with the industrial wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, and local limits, including those which become effective during the term of the industrial wastewater discharge permit; and

7. Other conditions determined by the Control Authority to ensure compliance with this chapter, including regulations issued by the Control Authority pursuant to this chapter, and applicable requirements set forth in federal and state laws and regulations.

12.08C.420 Industrial wastewater discharge permit modification.

A. The Control Authority may amend any industrial wastewater discharge permit for good cause, including, but not limited to the following reasons:

1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

2. To address significant alterations or additions to the industrial user's operation, processes, or wastewater volume or character after the industrial user's industrial wastewater discharge permit is issued;

3. To address a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

4. To respond to information indicating that a permitted discharge poses a threat to the health and safety of POTW personnel and the public, and/or receiving waters;

5. In response to a violation(s) of any term or condition of an industrial wastewater discharge permit;

6. When an industrial user misrepresents or fails to fully disclose all relevant facts in the industrial wastewater discharge permit application, or in any report required under this chapter;

7. When there is a revision of, or a variance is granted from, categorical pretreatment standards pursuant to 40 CFR 403.13;

8. When there has been a change in the legal or trade name of the industrial user, the duly authorized representative of the industrial user, or the name of the facility manager, and the permittee has submitted a request for a modification of the permit;

9. To correct typographical or other errors in the industrial wastewater discharge permit; and

10. To reflect an approved transfer of the facility ownership or operation to a new owner or operator.

B. The industrial user shall file a written request for a modification of an industrial wastewater discharge permit whenever there has been a change in the legal name or trade name of the industrial user or a change in the name or mailing address of the duly authorized representative or the industrial user or facility manager. The request shall be submitted to the Control Authority as soon as practicable but no later than 60 days following implementation of the change. A permit will be non-transferable and subject to revocation if such request is not timely filed.

12.08C.430 Industrial wastewater discharge permit transfer.

A. Industrial wastewater discharge permits may be transferred to a new owner or operator subject to approval by the Control Authority. A permittee and new owner or operator seeking such transfer shall submit a joint or concurrent written request(s) to the Control Authority at least thirty (30) days in advance of the scheduled transfer date requesting the Control Authority to approve the transfer and modify the

industrial wastewater discharge permit as needed to reflect the new owner or operator. Failure to provide a request for transfer in accordance with this section shall operate to revoke any and all rights granted under the industrial wastewater discharge permit to discharge to the POTW effective as of the date of the facility transfer to the new owner or operator. The joint or concurrent request(s) to the Control Authority under this section shall (each) include a written certification by a duly authorized representative of permittee and the new owner or operator which:

1. States that there is no immediate intent to change the facility's operations and processes;

2. Identifies the specific date on which the facility transfer will occur;

3. Identifies the legal name and trade name, if any, of the new owner and operator, and the address of its corporate offices;

4. Identifies the name and contact information of the duly authorized representative of the new industrial user, the mailing address at which such representative may receive notice(s) from the Control Authority, and the name and contact information for the facility manager, if different than the duly authorized representative of the industrial user; and

5. Acknowledges and agrees that:

a. The new owner or operator has a legal, valid and binding obligation to comply with all requirements of the transferred industrial wastewater discharge permit;

b. Such transfer is within the power and authority of the permittee and the new owner or operator without consent of any other party and has been authorized by all requisite corporate or partnership action on the part of the permittee and new owner or operator;

c. Neither the transfer nor the Control Authority's approval of the transfer shall relieve the permittee of any obligation or liability arising under the industrial wastewater discharge permit occurring prior to the transfer;

d. The Control Authority waives none of its rights with respect to the permittee's or the new owner's or operator's compliance with the terms and conditions of the permit;

e. The Control Authority grants its approval of the transfer in reliance upon the representations, documents, and information provided by the permittee and new owner or operator in connection with the request for transfer; and that the approval of the transfer shall not in any way be deemed a representation by the Control Authority that the permittee or new owner or operator are in full compliance with the terms and conditions of the industrial wastewater discharge permit; and

f. The facility is subject at reasonable times to inspections and gathering of samples by the Control Authority to determine whether an industrial user is complying with the requirements of this chapter and any industrial wastewater discharge permit or other control mechanism issued thereunder.

12.08C.440 Industrial wastewater discharge permit revocation.

A. The Control Authority may revoke an industrial wastewater discharge permit or other control mechanism for cause, which includes, but is not limited to:

1. Failure to notify the Control Authority of a new waste stream or any changes to wastewater loading and wastewater characteristics prior to discharging such waste stream;

2. Failure to notify the Control Authority of significant production changes, as required by TMC 12.08C.640;

3. Misrepresenting or failing to disclose all relevant facts in an industrial wastewater discharge permit application, report, or other submittal required under this chapter;

4. Falsifying self-monitoring reports or certification statements;

5. Tampering with monitoring equipment;

6. Unreasonably refusing, or interfering with, entry by Control Authority authorized representatives seeking to conduct inspections and/or gather samples at the facility, as required by the industrial user's industrial wastewater discharge permit or other control mechanism, or TMC 12.08C.900;

7. Failure to meet effluent limitations or the conditions in the industrial wastewater discharge permit or other control mechanism;

8. Failure to pay monetary penalties imposed by the Control Authority, or supplemental fees it assesses;

9. Failure to meet compliance schedules imposed by the Control Authority in an industrial wastewater discharge permit or other control mechanism;

10. Cessation of operations;

11. Failure to obtain the Control Authority's approval under TMC 12.08C.430 prior to transferring the facility to a new owner or operator;

12. Failure to request a modification of an industrial wastewater discharge permit in accordance with TMC 12.08C.420.B;

13. Any violation of this chapter, including, a violation of any applicable pretreatment standard or requirement, or any term of an industrial wastewater discharge permit or control mechanism issued pursuant to this chapter;

14. An error by the Control Authority in issuing an industrial wastewater discharge permit; and

15. Discharging wastewater to the POTW that does or is likely to:

a. Cause pass through or interference;

b. Cause the City to violate the terms of its NPDES Permit(s); or

c. Pose a health and safety threat to POTW personnel and the public.

B. An existing un-expired industrial wastewater discharge permit is deemed revoked on the effective date of a new industrial wastewater discharge permit issued for the same industrial user.

12.08C.450 Industrial wastewater discharge permit reissuance.

An industrial user with an industrial wastewater discharge permit due to expire shall apply for an industrial wastewater discharge permit reissuance by submitting a complete permit application, in accordance with TMC 12.08C.410, at least one hundred eighty (180) days prior to expiration of the industrial user's existing industrial wastewater discharge permit, unless the Control Authority approves a different submittal deadline.

12.08C.460 Industrial wastewater discharge permitting – Extra jurisdictional industrial users.

A. The Control Authority may allow an industrial user located outside the City's jurisdictional boundary to discharge industrial wastewater into the POTW if the Control Authority determines that it has available capacity and treatment capability and that there is legal authority to regulate and control such discharges pursuant to a pretreatment interlocal agreement with the contributing jurisdiction where the industrial user is located. Such agreement shall affix responsibilities in an enforceable manner to assure that the Control Authority's Pretreatment Program is fully and equitably administered in all contributing jurisdictions and to ensure that the Control Authority has adequate legal authority to enforce pretreatment requirements; provided that, in the event that the contributing jurisdiction has a delegated pretreatment program, the interlocal agreement shall specify the distribution of responsibility such that the Control Authority can ensure that the contributing jurisdiction adequately implements and enforces a pretreatment program in a manner that complies with the City's NPDES Permit.

B. Prior to entering into a pretreatment interlocal agreement, the Control Authority shall obtain the following information from the contributing jurisdiction:

1. A description of the quality and volume of wastewater discharged to the POTW by the contributing jurisdiction;

2. An inventory of all industrial users located within the contributing jurisdiction that are discharging to, or seek to discharge to, the POTW through the jurisdiction; and

3. Such other information the Control Authority may deem necessary.

C. A pretreatment interlocal agreement under this section shall, at a minimum, contain the following provisions:

1. A requirement for a contributing jurisdiction that does not have a delegated pretreatment program to adopt a pretreatment ordinance which establishes pretreatment standards, requirements and enforcement provisions at least as stringent as this chapter, along with a requirement to revise such ordinance to reflect any amendments to this chapter that contain more stringent pretreatment standards and within a reasonable time frame, but not to exceed nine (9) months from the date of such amendments, and delegating authority to the Control Authority to implement and enforce the pretreatment program for extra jurisdictional users located within the contributing jurisdiction that meet the definition of an industrial user;

2. A requirement for the contributing jurisdiction to submit a revised industrial user inventory on an annual basis, or more frequently if requested by the Control Authority;

3. A provision specifying which pretreatment implementation activities, including, but not limited to, issuing industrial wastewater discharge permits, conducting compliance inspections, sampling, and enforcement will be conducted by the contributing jurisdiction and which activities will be conducted by the Control Authority;

4. A requirement for the contributing jurisdiction to provide the Control Authority with access to all information that the contributing jurisdiction obtains as part of its pretreatment activities;

5. A requirement to enforce limits on the nature, quality, and volume of the contributing jurisdiction's wastewater at the point where it discharges to the POTW;

6. A provision ensuring the Control Authority's access to the facilities of all industrial users within a contributing jurisdiction that does not have a delegated pretreatment program, for the purpose of inspection, sampling, and confirming that the City's pretreatment program is properly administered and that industrial users are properly categorized;

7. Provisions ensuring that a contributing jurisdiction with a delegated pretreatment program adequately implements and enforces a pretreatment program in a manner that complies with the City's NPDES Permit; and

8. Provisions for addressing any breach of the terms of the pretreatment interlocal agreement.

D. Existing pretreatment interlocal agreements. Existing pretreatment interlocal agreements that are not in compliance with the provisions of this section, shall be amended to conform, or shall be superseded by a pretreatment interlocal agreement that conforms, to the requirements of this section within a reasonable time frame, but not to exceed nine (9) months following the effective date. For purposes of this section, "existing pretreatment interlocal agreement" means a pretreatment interlocal agreement in effect on the effective date. For purposes of this section, "effective date" means the effective date of the ordinance adopting this chapter.

12.08C.470 Public notice.

A. Industrial users applying for an industrial wastewater discharge permit, or an industrial wastewater discharge permit reissuance or modification which allows a new or increased pollutant loading, shall publish notice for each application in a form provided and prescribed by the Control Authority, which shall conform to the requirements of WAC 173-216-090. Public notice requirements shall not apply to

reissuance of industrial wastewater discharge permits if there are no increases in volume or changes in the characteristics of discharge from those previously authorized. Publication, at applicant's expense, shall be at least once each week, for two consecutive weeks, in a newspaper of general circulation in Pierce County.

B. Public comment on permit applications will be accepted for a 30-day period following the second publication. If the Control Authority determines that there is a significant public interest, then the Control Authority shall hold a public hearing after the 30-day comment period, at a time and place deemed appropriate by the Control Authority. The Control Authority may require the applicant to mail the notice to persons who have expressed an interest in being notified. The Control Authority may also require the applicant to post the notice of the public hearing on the applicant's facility.

REQUIRMENTS FOR FOOD SERVICE ESTABLISHMENTS, HAULED WASTE AND DENTAL FACILITIES

12.08C.500 Requirements for food service establishments.

A. Best management practices for fats, oil and grease (FOG) for food service establishments. The BMPs set forth below establish requirements for owners and operators of any food service establishment that has the potential to discharge floatable or settleable material.

1. Unless otherwise approved by the Control Authority, food service establishments shall install, and properly operate and maintain, a grease removal device in compliance with the requirements as set forth in this chapter, the Uniform Plumbing Code and the City's Side Sewer and Sanitary Sewer Availability Manual, as adopted and amended by the City.

2. Food service establishments shall not discharge or cause to be discharged any wastewater in violation of 12.08C.100.

3. If the Control Authority determines at any time that an existing grease removal device is incapable of adequately retaining the floatable and settleable material, or if it was installed in such a manner that it cannot be inspected or properly maintained, the food service establishment shall install a grease removal device that complies with this chapter, and the requirements of the Uniform Plumbing Code and the City's Side Sewer and Sanitary Sewer Availability Manual as adopted, and amended, within ninety (90) days after being notified by the Control Authority of such requirement unless an alternative schedule is approved by the Control Authority.

4. General control requirements. The following general requirements apply to all food service establishments that install, or are required to install, a grease removal device.

a. A grease removal device shall be required for the proper handling of liquid wastes which may be harmful to, or cause obstruction in, the POTW or cause or contribute to pass through or interference.

b. It shall be the responsibility of the food service establishment and owner of the property to obtain any necessary permits from the appropriate regulatory authority prior to installing a grease removal device or modifying a facility's plumbing system to accommodate the installation of a grease removal device. The timing of review and approval of any permits that may be required shall in no way relieve the food service establishment from the responsibility of producing a discharge that complies with the provisions of this chapter.

c. The grease removal device shall be designed, sized, installed, maintained and operated to accomplish the intended purpose of intercepting pollutants from the food service establishment's wastewater and preventing the discharge of such pollutants to the POTW, including pollutants that result in toxic, noxious or malodorous conditions that create a public nuisance or unsafe working conditions, which endanger life or the environment.

d. Upon change of ownership or operator of any existing food service establishment required to have an approved grease removal device under this section, the applicant for sanitary sewer service shall have the

burden to demonstrate that a properly sized, maintained and functioning grease removal device is installed.

e. All sinks connected to a grease removal device shall be equipped with a fixed or removable mesh or screen to catch garbage and food debris and prevent it from entering the grease removal device.

f. The industrial user and food service establishment shall ensure all grease removal devices are easily accessible for inspection, cleaning, and removal of FOG.

g. The food service establishment shall maintain grease removal devices at its expense to ensure the device operates as designed to remove accumulated FOG. All such maintenance shall meet the requirements under the uniform plumbing code as adopted, and amended, by the City.

h. Food service establishments required to use and maintain a grease removal device shall maintain a written record every time the device is pumped, cleaned or repaired. This record shall include the date, the name of the company that pumped, cleaned or repaired the device, and the amount of waste that was removed. Such records shall be maintained for a period of three (3) years, unless a longer retention period is specified in writing by the Control Authority, and made available to the Control Authority upon request. The removed contents from any GGI and other approved grease removal devices shall be handled by a person licensed to haul such waste and shall be disposed of in accordance with applicable federal and state regulations and local ordinances.

5. Required maintenance.

a. All grease removal devices shall be regularly cleaned so that the devices operate as designed to intercept fats, oil and grease from the food service establishment's wastewater and prevent the discharge of such materials into the POTW. All grease removal devices shall be serviced in accordance with manufacturer instructions at a minimum of every ninety (90) days or more frequently if the combined thickness of the floating greases and settled solids is greater than 25% of the hydraulic working capacity of the grease removal device or if toxic, noxious, malodorous conditions create a public nuisance or endanger worker or public health. The Control Authority may require more frequent cleaning if the minimum cleaning period is inadequate to meet the purpose and intent of this chapter, or less frequent cleaning if the industrial user can demonstrate to the Control Authority's satisfaction that less frequent cleaning is sufficient.

b. Biological treatment or enzyme treatment shall not be a substitute for the servicing of a grease removal device. Use of enzymes or other chemical or biological treatment or product that emulsifies or acts to emulsify FOG is prohibited unless approved by the Control Authority.

c. The food service establishment shall document the volume removed and the disposal of each pump-out with a waste manifest or disposal receipt, which shall be maintained by the food service establishment on site for at least three (3) years. The Control Authority may require food service establishments to submit that information electronically to the Control Authority.

6. Variance.

a. A variance from the requirements of this section may be granted by the Control Authority when the installation of the required size GGI may be impractical due to limited space or other factors. The food service establishment may request a variance by submitting a proposed alternative grease removal system for attaining FOG protection for the POTW. The food service establishment shall demonstrate through data and other reliable information that the proposed alternative system, its overall design, including size and location, will satisfy and result in compliance with the intent, and discharge requirements, of this chapter. The design plans must be signed and sealed by a Washington State licensed professional engineer with experience in interceptor design. If approved, the design professional must certify that the site plan and the alternative grease removal system design meets the intent, and discharge requirements, of this chapter. In no case shall a variance result in violation of any pretreatment standard or requirement

specified in this chapter and applicable to the discharge, cause or contribute to, an obstruction, pass through or interference with the POTW.

b. A variance may be revoked if the Control Authority determines, in its sole and reasonable discretion, that the food service establishment is in violation of the conditions set forth in the variance, the request for a variance was procured through fraud or materially false information, the reasons for granting the variance have materially changed, or the conditions set forth in the variance are inadequate to control specific pollutants as necessary to meet the purpose and intent of this chapter.

c. If a variance is granted, the food service establishment shall implement the approved alternative grease removal system and any BMPs and other mitigation measures that may be specified by the Control Authority. These BMPs may include, but are not limited to:

(1) Allowing the installation of a Hydromechanical Grease Interceptor (HMGI), or continuing to allow the use of a HMGI in lieu of installing a GGI, where the HMGI is shown to be effective. If a HMGI is not shown to be effective, the Control Authority may require the food service establishment to install a GGI;

(2) A requirement that all sinks and drains which are connected to the POTW be equipped with a fixed or removable mesh or screen which shall catch garbage and food debris and prevent it from entering the POTW;

(3) A requirement that biological treatment or enzyme treatment shall not be used unless approved by the Control Authority. Use of enzymes or other chemical or biological treatment or product that emulsifies or acts to emulsify FOG is prohibited;

(4) If requested by the Control Authority, an employee training program on FOG waste management instituted by the food service establishment on a periodic basis and for all new employees;

(5) A requirement that the food service establishment clean its private side sewer quarterly to prevent the buildup of FOG or as otherwise specified by the Control Authority; and

(6) A requirement that the food service establishment submit records of the private side sewer cleaning if requested by the Control Authority.

12.08C.510 Requirements for hauled waste.

A. Best management practices for the acceptance of hauled waste. The requirements established in this section shall apply to haulers. If the Control Authority elects to accept hauled waste, the following conditions shall apply:

1. Hauled wastes may be discharged to the POTW only at locations and at such times designated by the Control Authority;

2. The Control Authority shall have the right to refuse the discharge of any hauled waste load to the POTW if the Control Authority determines, in its sole discretion, that such discharge may contribute to or cause a pass through, upset or interference with the POTW, may damage or cause harm to the POTW, contains constituents that are unknown or unverified, may not comply with applicable pretreatment standards, pollution limitations or requirements set forth in this chapter, or that the discharge will not meet the purpose and intent of this chapter;

3. Haulers are prohibited from discharging wastes that would violate any provision in TMC 12.08C.100;

4. Haulers shall comply with specific pollutant limitations established by the Control Authority under this chapter which are specific to the hauled waste to be discharged;

5. The Control Authority may sample and analyze the hauled wastes or require the hauler to perform such sampling and analysis to verify that each hauled load complies with any applicable pretreatment standards and requirements regulated by this chapter. Wastes approved for discharge to the POTW shall be representative of what the hauler disclosed in the manifest or trip ticket. The Control Authority may sample and analyze the contents of any hauled waste tank or container prior to the discharge of hauled

waste to the POTW to determine compliance with the conditions of any discharge approval granted under this chapter. The Control Authority may assess and collect a charge to recover such sampling and analytical costs as a pre-condition to determining if a discharge will be authorized;

6. The Control Authority may require haulers to sample and analyze hauled waste, including at the location where the hauled waste is generated;

7. Haulers shall receive prior approval from the Control Authority prior to discharging hauled waste to the POTW. The Control Authority may require a hauler to obtain a control mechanism prior to discharging hauled waste to the POTW;

8. Haulers shall notify the Control Authority of any new commercial or industrial customers, or changes in the nature of hauled waste originating from existing customers;

9. The Control Authority may restrict the maximum number of loads that a hauler may discharge during a specific period of time, and the discharge rate and volume of each load;

10. If requested by the Control Authority, a hauler shall provide a manifest form or similar trip ticket for every load prior to discharging hauled waste to the POTW. The manifest form or ticket shall include, at a minimum:

a. The name and address of each customer or source of waste;

b. The permit number;

c. The truck identification;

d. The volume of wastewater from each source;

e. The type of waste to be discharged;

f. Known or suspected pollutants present in load(s);

g. Signatory Certification; and

h. Certification that the hauled waste is not hazardous;

11. The Control Authority may impose rates and fees for hauled wastes as established by ordinance or resolution of the City Council;

12. Haulers shall maintain tanks, pumps, valves, hoses, racks, cylinders, diaphragms, pipes, connections, and other appurtenances on a vehicle in good repair to avoid leaks and spills at discharge locations designated by the Control Authority;

13. Hauled waste disposed of to the POTW shall only be disposed of at a location designated by the Control Authority;

14. Each hauler shall maintain its hauled waste vehicle to prevent leaks and spills at the designated discharge location. Any leaks or spills shall be promptly cleaned up by the hauler causing such leak or spill;

15. The Control Authority may require haulers to obtain a performance bond in an amount as specified by the Control Authority as a condition of discharging hauled waste to the POTW. When required, proof of bonding, in a form acceptable to the City Attorney, shall be provided to the City prior to discharging hauled waste to the POTW; and

16. The Control Authority may revoke or suspend the authorization to discharge hauled waste when the Control Authority has determined that a hauler has violated any provision of this chapter or when it determines that revocation or suspension is necessary to protect the POTW.

12.08C.520 Requirements for dental facilities.

A. Best Management Practices for Dental Facilities.

1. Applicability. These BMPs apply to dental dischargers. Dental dischargers are not significant industrial users unless designated as such by the Control Authority. Dental dischargers are not categorical industrial users. These BMPs do not apply to dental dischargers that:

a. Exclusively practice one or more of the following dental specialties: oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics;

b. Discharge wastewater from a mobile unit operated by a dental discharger;

c. Do not discharge any amalgam process wastewater to the POTW (e.g., a dental discharger that collects dental amalgam process wastewater for transfer to a centralized waste treatment facility as defined in 40 CFR Part 437); and

d. Do not place or remove dental amalgam except in limited emergency or unplanned, unanticipated circumstances that are reported and certified to the Control Authority as required in 40 CFR Section 441.50.

2. Reporting.

a. The duly authorized representative of a dental discharge facility shall submit a dental user survey and certification to the Control Authority on a form provided by the Control Authority.

b. A new source dental discharger shall submit the dental user survey and certification within ninety (90) days of discharge to the sanitary sewer system.

c. A dental discharger existing on the effective date of the ordinance adopting this chapter, shall submit the dental user survey and certification to the Control Authority by July 30, 2021.

d. Exempt dental dischargers shall submit the dental user survey and certification by July 30, 2021, or within ninety (90) days of operation if a new facility.

3. Amalgam Separator Requirements.

a. A new source dental discharger shall install, operate, and maintain an amalgam separator or device compliant with 40 CFR Section 441.30 prior to discharge to the POTW.

b. All dental facilities that discharge amalgam process wastewater to the POTW shall install an amalgam separator or device and implement the required best management practices in accordance with this section.

c. Existing source dental dischargers shall install, operate, and maintain an amalgam separator compliant with 40 CFR Section 441.30 by July 14, 2020. Existing facilities with non-compliant amalgam separators shall comply by June 14, 2027, unless replaced earlier due to malfunction.

4. Amalgam Separator Required Best Management Practices.

a. All amalgam separators required under this chapter shall meet and comply with the following BMPs:

(1) The amalgam separator shall be compliant with 40 CFR Section 441.30(1) and certified to meet at least a 95% solids removal efficiency as specified by federal or state regulations per 40 CFR Section 441.30(1)(i);

(2) The amalgam separator shall allow the dental discharge facility to make direct observations as to the level of solids in the collection container, proper solid and liquid separation, and the condition of all plumbing connections;

(3) The amalgam separator shall be installed so that all amalgam contaminated wastewater passes through the unit before being discharged to the POTW;

(4) The amalgam separator shall be installed so that it is accessible for cleaning and inspection;

(5) The amalgam separator shall be serviced at a minimum of once every twelve (12) months, in accordance with the manufacturer's instructions or more frequently if visual inspections indicate that the level of solids is at or over 85% of the recommended maximum level, whichever is more stringent; and

(6) Amalgam waste removed from the amalgam separator shall be collected and handled in accordance with the manufacturer's instructions and applicable federal and state regulations, and local ordinances.

b. Each dental discharge facility shall ensure dental amalgam wastestreams from chair side traps, screens, vacuum pump filters, dental tools, cuspidors, or collection devices discharge through an appropriate amalgam separator.

c. Each dental discharge facility shall operate and maintain all equipment in accordance with the manufacturer's instructions.

d. Each dental discharge facility shall use disinfecting line cleaners that are non-acidic and non-oxidizing with a pH between 6-8 Standard Units. Prohibited cleaning chemicals include but are not limited to: bleach; chorine; iodine; and peroxide chemicals and other oxidizing cleaners.

e. All water containing amalgam waste shall be plumbed through the amalgam separator. When cleaning, ensure all filters or traps are rinsed over sinks or drains that discharge to the amalgam separator.

f. The dental discharge facility shall not cause or contribute to pass through or interference, or violate TMC 12.08C.100.

5. Record Keeping. All records required pursuant to this chapter shall be kept on site for a minimum of three (3) years, unless a longer retention period is specified in writing by the Control Authority, and shall be made available to the Control Authority as required by this chapter. Each dental discharge facility shall maintain records of:

a. Amalgam disposal: Records shall include the date, name and address of the facility where amalgam waste is shipped, and the amount shipped;

b. Visual inspections: Inspection logs shall include the date and time of the visual inspection, name and initials of person conducting the inspection, level of solids, maintenance needed, or other identified problems (e.g., leaks); and

c. Amalgam separator: Records shall include all maintenance and service completed on the amalgam separator.

6. Business Modifications. The owner and operator of a dental discharge facility shall inform the Control Authority in writing prior to:

a. Sale or transfer of ownership of the dental discharge facility;

b. Change in the trade name under which the dental discharge facility is operated;

c. Change in the nature of the services provided at the dental discharge facility that affects the potential to discharge amalgam; and

d. Remodel of the dental discharge facility that may result in an increase in flow or pollutant loading or that otherwise requires the owner or operator of the dental discharge facility to submit plans or specifications for approval through a building, land use, permitting or zoning department, or any other formal approval process by the City.

7. Inspections and Data Collection. The Control Authority may conduct inspections as authorized by this chapter, and/or require an additional or updated dental user survey for any dental discharge facility.

REPORTING AND NOTIFICATION REQUIREMENTS

12.08C.600 Baseline monitoring reports.

A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing industrial users currently discharging to or scheduled to discharge to the POTW shall submit a report which contains the information listed in subsection B below. At least ninety (90) days prior to commencement of their discharge, the owners, operators, permittees, and facility

managers of new sources and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical pretreatment standard, shall submit to the Control Authority a report which contains the following:

1. The information listed in subsection B below;

2. The method of pretreatment intended to be used to meet applicable pretreatment standards; and

3. Estimates of anticipated flow and quantity of pollutants to be discharged from regulated process streams and other non-process streams.

B. Baseline monitoring reports shall include the following information:

1. All information listed in TMC 12.08C.340.A.1 through TMC 12.08C.340.A.11; and

2. Measurement of pollutants:

a. The industrial users shall take a minimum of one (1) representative sample to compile the data necessary to comply with the requirements of this paragraph;

b. Samples shall be taken immediately downstream from pretreatment facilities if such facilities exist or immediately downstream from the regulated processes if no pretreatment facilities exist. Industrial users shall measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR Section 403.6(e) if other wastewaters are mixed with the regulated wastewater prior to pretreatment. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR Section 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority. Both daily maximum and average concentrations (where determined) shall be reported;

c. Sampling and analysis shall be performed in accordance with the sampling techniques described in this chapter and 40 CFR 136;

d. The Control Authority may allow the submission of a baseline monitoring report which uses historical data only, provided the data is sufficient to determine the need for industrial pretreatment measures;

e. The baseline report shall indicate the time, date and place of sampling, and the methods of analysis. Industrial users shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW; and

f. All baseline monitoring reports shall be certified in accordance with TMC 12.08C.350.

12.08C.610 Compliance schedules.

A. When a compliance schedule is granted by the Control Authority under TMC 12.08C.410.B.8, or other provision of this chapter, the following conditions shall apply:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable pretreatment standard. Such major events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operations;

2. No increment referred to in subsection A.1 above shall exceed nine (9) months. The date of final compliance shall not extend beyond the final compliance date established for the applicable pretreatment standard;

3. The industrial user shall submit a progress report to the Control Authority no later than fourteen (14) days following each date in the schedule and the final date for compliance with the schedule. The industrial user shall report, at a minimum, whether or not it timely complied with progress increments to be met on such date and, if not, the date on which it expects to comply with such progress increments, the reason for the delay, and the steps being taken by the industrial user to return to the established schedule and

4. In no event shall more than nine (9) months elapse between submittal of progress reports to the Control Authority.

12.08C.620 Reports on compliance with categorical pretreatment standard deadline.

A. Existing sources and new sources subject to a categorical pretreatment deadline shall submit a report to the Control Authority stating whether compliance has been achieved by the deadline date. An existing source shall submit a report within ninety (90) days after the final compliance date established by an applicable pretreatment standard. A new source shall submit a report within ninety (90) days after first discharging wastewater to the POTW.

B. Reports submitted by existing sources and new sources under this section shall contain the information described in TMC 12.08C.340.A.1 through TMC 12.08C.340.A.11, and indicate whether the applicable pretreatment standards are being met on a consistent basis. If the report indicates that the pretreatment standards are not being met on a consistent basis, the report shall state what additional operation and maintenance and/or pretreatment is necessary to bring the industrial user into compliance with the applicable pretreatment standards and requirements. Reports submitted under this section shall be certified in accordance with TMC 12.08C.350.

12.08C.630 Periodic self-monitoring reports.

A. Any industrial user with an industrial wastewater discharge permit shall submit periodic self-monitoring reports to the Control Authority at dates specified in its industrial wastewater discharge permit. Such reports shall compile the results of all effluent sampling required by the industrial user's industrial wastewater discharge permit during the previous reporting period. At a minimum, such industrial users shall sample their discharge twice a year unless otherwise specified in the industrial wastewater discharge permit, or by the Control Authority.

B. The periodic compliance report shall include a record of the nature and concentrations (and mass if specified in the industrial user's industrial wastewater discharge permit) of the pollutants in the effluent, subject to a pretreatment standard, that were measured, including a record of measured or estimated average and maximum daily flows taken at the industrial user's designated sampling location. Flows shall be reported based on an actual measurement. If actual measurements are not feasible, the Control Authority may allow an industrial user to report average and maximum flows by other techniques that are acceptable to the Control Authority.

C. The periodic compliance report shall also include monitoring records and any sampling information required by the industrial user's industrial wastewater discharge permit, including information necessary to determine compliance with applicable best management practices, pollution prevention alternatives, maintenance, treatment, and record keeping requirements. Production data shall be reported if required by the industrial user's industrial wastewater discharge permit, or when an industrial user is subject to a unit production-based concentration limit established by an applicable categorical pretreatment standard. Sampling and analysis that is conducted by the industrial user at the designated sampling location more frequently than is required by this section shall be included in the report.

D. The Control Authority may require industrial users to report other sampling and analysis as needed to determine compliance with this chapter.

E. Industrial users shall certify all periodic self-monitoring reports in accordance with TMC 12.08C.350.

12.08C.640 Notification of change in discharge or operations.

A. Permitted industrial users shall file a written notification with the Control Authority a minimum of thirty (30) days prior to any significant change either in the volume or character of pollutants in its discharge, or a change in any manufacturing process or pretreatment modifications that may alter the volume or character of pollutants in its wastewater discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under 40 CFR 403.12(p).

A significant change shall be a change equal to or greater than twenty percent (20%) in the mass of a pollutant or volume of flow discharged to the POTW. For purposes of this subsection, an industrial user becomes aware when it knows, or reasonably should have known, the facts giving rise to a reporting obligation.

B. Permitted industrial users with a permit condition that imposes wastewater concentration limits based on production levels shall notify the Control Authority in writing within two (2) days of when the industrial user becomes aware that production levels will significantly change during the next calendar month.

C. The Control Authority may require permitted industrial users to submit information needed to evaluate the changed discharge, including submission of a new or revised industrial wastewater discharge permit application. The Control Authority may issue, reissue, or modify an industrial user's industrial wastewater discharge permit in response to the notice under this section.

D. Permitted industrial users shall notify the Control Authority at least thirty (30) days prior to facility shutdown or closure which might alter the character, nature, quality or volume of its wastewater.

12.08C.650 Notification and reports of potential problems.

A. An industrial user causing a discharge to the POTW that has the potential to cause pass through or interference, including but not limited to, discharges of a non-routine and episodic nature, non-customary batch discharges, and slug loads, shall, upon first becoming aware of such discharge(s) immediately notify the Control Authority by telephone of the incident. This notification shall include the location of the discharge, type of waste discharged, concentration and volume, if known, and any corrective actions taken by the industrial user. For purposes of this subsection, an industrial user becomes aware when it knows, or reasonably should have known, the facts giving rise to a notification obligation.

B. Within five (5) days following a discharge described above in subsection A, the industrial user shall submit a written report to the Control Authority describing the causes of the discharge and the actions taken by the industrial user to prevent a recurrence of the discharge. Such report shall also indicate whether the discharge caused violations of any pretreatment prohibition, pretreatment standard, pretreatment requirements, and permit-specific or local limits. Notifications and reports made and submitted under this section shall not relieve the industrial user of any expense, loss, or damage to persons or property, natural resource damages, or other liability, including the assessment of supplemental fees, nor shall such notification or reporting relieve the industrial user from any enforcement action authorized by this chapter.

C. Industrial users shall post a notice in a prominent place at their facility that makes employees aware of the notification obligation in this section. Such notice shall include the point of contact and telephone number to call at the POTW to report a discharge covered by this section.

D. Industrial users shall notify the Control Authority immediately of any changes at its facility affecting the potential for a slug discharge.

12.08C.660 Slug discharge - Notification and plan development.

A. Each industrial user shall establish protective measures at their facility to avoid and prevent spills and slug discharges of pollutants and prohibited substances to the POTW. BMPs to prevent the discharge of spill or slug discharges shall be implemented and maintained at the industrial user's expense.

B. Each industrial user shall report all spills to the Control Authority that occur within the boundaries of the industrial user's facility whether or not the spill results in a discharge to the POTW.

C. The Control Authority may require any industrial user to prepare and implement a Slug Discharge Control Plan (SDCP). The Control Authority's acceptance of such plan shall not relieve an industrial user from the responsibility to modify its SDCP, as necessary, to meet the requirements of this chapter. SDCP's shall address, at a minimum, the following:

1. A description of all discharge practices, including non-routine discharge practices;

2. A description of all stored chemicals, disclosing all ingredients in formulations which could violate this chapter if discharged to the POTW;

3. A description of potential discharge pathways to the POTW;

4. The procedures for ensuring immediate notification to the Control Authority of any slug discharge; and

5. The procedures to prevent adverse impacts from any slug discharge. Such procedures shall address the inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building or use of existing containment structures or equipment, measures for containing pollutants, and measures and equipment for emergency response.

D. Industrial users shall immediately notify the Control Authority when a slug discharge to the POTW occurs. This notification shall include the location of the discharge, date and time of the discharge, type of substances discharged, the concentration of contaminants, to the extent known, the volume of the discharge, and any corrective actions taken. In addition to enforcement under this chapter, industrial users responsible for a slug discharge shall be liable for all supplemental fees incurred by the Control Authority caused by and in response to such event.

E. Within five (5) days following a slug discharge, the industrial user shall submit a written report to the Control Authority describing the cause of the discharge, including any information that has become available to supplement the industrial user's initial notice. The written notice shall also include measures taken by the industrial user to prevent similar events in the future.

F. Industrial users shall review their SDCP's annually, or sooner if a change is made at an industrial user's facility that may require modifications to the SDCP. Modifications to the SDCP shall be submitted to the Control Authority for review and acceptance.

G. Industrial users subject to this section shall post signs in conspicuous locations on the industrial user's facility notifying employees about the procedures for reporting a slug discharge to the Control Authority.

12.08C.670 Reports for industrial users.

If the Control Authority deems it reasonably necessary in order to assure compliance with provisions of this chapter, it may require any industrial user to submit an industrial wastewater discharge permit application, questionnaire, a report on BMP implementation, or other reports and notifications authorized by this chapter in a format and timeframe as specified by the Control Authority.

12.08C.680 Notice of noncompliance.

If sampling and analysis performed by, or on behalf of, an industrial user indicates a violation of this chapter has occurred or is occurring, the industrial user shall notify the Control Authority within twenty-four (24) hours of becoming aware of the violation. Unless otherwise directed by the Control Authority, the industrial user shall repeat the sampling and analysis within five (5) days and submit the results to the Control Authority no later than thirty (30) days after becoming aware of the violation. For purposes of this section, an industrial user becomes aware when it knows, or reasonably should have known, the facts giving rise to a notification obligation.

12.08C.690 Notification of the discharge of hazardous waste.

A. Any industrial user shall notify the Control Authority, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261 or a dangerous waste under Chapter 173-303 WAC. Such notification shall be made within the appropriate time frames specified in TMC 12.08C.650 or within twenty-four (24) hours of becoming aware of the discharge, whichever is shorter. Such notification shall include:

1. The name of the hazardous waste as set forth at 40 CFR Part 261 or the name of the dangerous waste in Chapter 173-303 WAC;

2. The EPA hazardous waste number;

3. The type of discharge (continuous, batch, or other);

4. An identification of the hazardous constituents contained in the wastes;

5. An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month;

6. An estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months;

7. A statement that the industrial user has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical; and

8. Certification as required by TMC 12.08C.350.

B. Any industrial user shall additionally notify the EPA Regional Waste Management Division Manager and the Washington State Department of Ecology, Hazardous Waste & Toxics Reduction program, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261 or a dangerous waste under Chapter 173-303 WAC and meets the reporting criteria specified at 40 CFR Section 403.12(p). Notification to the State and EPA is the responsibility of the industrial user and shall be made as required under 40 CFR Section 403.12(p). The industrial user shall provide the Control Authority with copies of all notifications made to the Washington State Department of Ecology and EPA.

C. In the case of any new regulation under Section 3001 of the Resource Conservation and Recovery Act (RCRA) identifying additional characteristics of hazardous waste or listing any additional substance as hazardous waste, the industrial user shall notify the Control Authority, the EPA Regional Waste Management Waste Division Director and the Washington State Department of Ecology, Hazardous Waste & Toxics Reduction program of the discharge of such substance within ninety (90) days of the effective date of such regulations.

D. The requirements of this section do not create a right or privilege to discharge any substance not otherwise allowed to be discharged by this chapter, a permit issued hereunder, or any applicable federal or state regulation.

12.08C.700 Requests for information.

A. Permittees and other persons subject to regulation under this chapter shall timely submit the following to the Control Authority upon request:

1. Information requested by the Control Authority to determine whether an industrial wastewater discharge permit or other control mechanism should be issued, modified, revoked, reissued, or terminated, or to determine compliance with such permit, control mechanism, or this chapter; and

2. Copies of any records that are required by its industrial wastewater discharge permit, or other control mechanism, including but not limited to, information regarding industrial processes, the nature and characteristics of wastes and wastewaters generated at the industrial facility, and the method of disposal of wastes.

B. Failure to provide information within the timeframe specified by the Control Authority shall be a violation of this chapter.

COMPLIANCE MONITORING AND RECORD KEEPING

12.08C.800 Analytical and sampling requirements.

All pollutant sampling and analysis required by this chapter shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for a pollutant subject to sampling under this chapter, sampling and analysis shall be performed in accordance with procedures approved by the Control Authority. Unless specified below or otherwise specified by the Control Authority, data submitted to the Control Authority shall be analyzed by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC. This requirement shall not apply to the following data submitted to the Control Authority: flow; temperature; settleable solids; conductivity; pH; turbidity; and internal process control parameters used solely for internal process control.

12.08C.810 Specific sampling requirements for industrial users.

A. Industrial users shall certify that all samples required to be collected under this chapter are representative of normal work cycles and the expected pollutant discharges from the industrial user's facility occurring during the reporting period. Industrial users shall also ensure that samples are collected during the period(s) specified in their industrial wastewater discharge permit, or as otherwise required by the Control Authority. In addition, industrial users shall comply with the following sampling protocols:

1. Use proper sample containers appropriate for sample analysis and sample collection and preservation as specified by the protocols in 40 CFR Part 136;

2. Obtain samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds using grab sample techniques;

3. For certain pollutants identified in an industrial user's industrial wastewater discharge permit, an industrial user may composite multiple grab samples taken over a twenty-four (24) hour period, unless a different time period is specified by the Control Authority. Industrial users may composite grab samples for cyanide, total phenols, and sulfides either in the laboratory or in the field, and may composite grab samples for volatile organics and oil and grease in the laboratory prior to analysis;

4. For all other pollutants, industrial users shall employ twenty-four (24) hour flow-proportional composite samplers unless the Control Authority authorizes or requires an alternative sample collection method. Time-proportional sampling may be approved or used by the Control Authority where time-proportional samples are believed representative of the discharge;

5. The Control Authority may authorize composite samples for parameters unaffected by the compositing procedures, as appropriate;

6. The Control Authority may require grab samples either in lieu of or in addition to composite sampling to show compliance with instantaneous discharge limits;

7. Industrial users conducting sampling activities to complete baseline monitoring and ninety (90) day compliance reports required by TMC 12.08C.600 and TMC 12.08C.620 shall collect at least four (4) grab samples for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds. Industrial users may composite samples prior to analysis if allowed under subsection 3 above. When historical sampling data exists, the Control Authority may authorize fewer samples if it determines that use of such samples will satisfy the requirements of this section;

8. For industrial users conducting sampling to complete periodic self-monitoring reports under TMC 12.08C.630, the Control Authority may specify the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements; and

9. Industrial users shall properly operate, clean, and maintain sampling and flow metering facilities and devices and ensure they function properly.

12.08C.820 Monitoring – Recordkeeping.

In addition to any recordkeeping requirements set forth in an industrial user's industrial wastewater discharge permit or other control mechanism, all industrial users subject to the reporting requirements of this chapter shall retain and make available for inspection and copying by the Control Authority at its facility all records the industrial user generates when conducting monitoring activities required by this chapter. Such industrial users shall also retain records associated with best management practices when such practices are required by the Control Authority. Monitoring records shall include chain-of-custody information including, at a minimum, the date, time, place and method of sampling, and the name of the person(s) conducting the sampling; the quality control and quality assurance procedures used and the name of the person(s) with control of the sample prior to analysis; the place and date where the sampling analysis was completed, the analytical technique(s) used, and the name of the person conducting the analysis; and the results of the sampling analysis. Industrial users shall retain the records described in this section at its permitted facility for inspection and copying by the Control Authority for three (3) years, unless a longer retention period is specified in writing by the Control Authority. The industrial user's obligation to maintain records under this section shall be automatically extended for the duration of any administrative enforcement or litigation action brought by the Control Authority against the industrial user.

RIGHT OF ENTRY AND CONFIDENTIALITY

12.08C.900 Right of entry - Inspection and sampling.

A. Authorized representatives of the Control Authority bearing proper credentials and identification shall have the right to enter the facility of any industrial user at reasonable times to conduct inspections and gather samples to determine whether an industrial user is complying with the requirements of this chapter and any industrial wastewater discharge permit or other control mechanism issued thereunder. Reasonable times shall include normal business hours, hours during which production, treatment, or discharge occurs, or times when the Control Authority has reasonable cause to believe that a violation has occurred or is occurring requiring immediate inspection.

B. Access shall include all parts of the facility for the purpose of inspection, and may include, but not be limited to surveillance, sampling discharges or materials likely to be discharged, examination and copying of records related to compliance with this chapter, evaluating pretreatment facilities, and the performance of additional duties relating to the compliance inspection.

C. Where an industrial user has security measures in force which require proper identification and clearance before entry into the facility, the industrial user shall make necessary arrangements with its security personnel so that Control Authority representatives bearing proper credentials and identification will be permitted to enter without delay for the purpose of conducting compliance inspection duties.

D. The Control Authority may require installation of devices necessary to sample and monitor industrial wastewater discharges as required by this chapter. The Control Authority may, with the industrial user's consent, temporarily install devices to sample and monitor discharges on an industrial user's premises when existing sampling and monitoring devices are inadequate to determine whether an industrial user's discharge is complying with the requirements of this chapter.

E. The Control Authority shall have access to and use of all monitoring facilities within an industrial user's facility to evaluate the industrial user's compliance with this chapter.

F. Industrial users shall maintain unobstructed, safe and convenient access to the areas of the facility to be inspected or sampled. Upon request by the Control Authority, an industrial user shall remove, at its own expense, any obstructions that prevent the Control Authority from undertaking its inspection or sampling activity.

G. Any unreasonable interference with the Control Authority's access under this section shall be a violation of this chapter, and may result in revocation of an industrial wastewater discharge permit, suspension or termination of authorization to discharge nondomestic wastewater to the POTW, or other enforcement authorized by this chapter.

12.08C.910 Public Disclosure and Confidentiality.

Information submitted to and maintained by the Control Authority pursuant to this chapter is subject to public disclosure pursuant to the provisions of Chapter 42.56 RCW. Financial, commercial and proprietary information submitted by an industrial user which it identifies as confidential may be exempt from public disclosure pursuant to the provisions of Chapter 42.56 RCW.

PUBLICATION OF INDUSTRIAL USERS IN SIGNIFICANT NONCOMPLIANCE

12.08C.1000 Publication of industrial users in significant noncompliance.

A. The Control Authority shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the POTW, a list of the industrial users which, at any time during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and met any of the criteria below:

1. Chronic violations of wastewater discharge limits in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period exceed by any magnitude a numeric pretreatment standard or requirement, including instantaneous limits;

2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits multiplied by the applicable TRC, which is 1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH;

3. Any other violation(s) of a pretreatment standard or requirement, including daily maximum, long-term average, instantaneous limit or narrative standard that the Control Authority determines to have caused, alone or in combination with other discharges, pass through or interference, including endangering the health of the general public or the health of POTW personnel;

4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Control Authority exercising its emergency authority to halt or prevent such discharge;

5. Failure to meet a compliance schedule milestone contained in an industrial wastewater discharge permit or compliance order for starting construction, completing construction, or attaining final compliance within ninety (90) days after the milestone schedule date;

6. Failure to provide, within forty-five (45) days after the due date, any required report, including a baseline monitoring report, 90-Day compliance report, periodic self-monitoring reports, and reports on compliance with compliance schedules;

7. Failure to accurately report non-compliance; or

8. Any other violation or group of violations, which may include a violation of best management practices, which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

12.08C.1100 Upsets.

A. An upset shall constitute an affirmative defense to an enforcement action brought for noncompliance with categorical pretreatment standards if the requirements of subsection B below are met.

B. An industrial user who wishes to establish the affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant and reliable evidence that:

1. An upset occurred and the industrial user can identify the cause(s) of the upset;

2. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;

3. The industrial user has submitted the following information to the Control Authority within twenty-four (24) hours of becoming aware of the upset; for purposes of this subsection, an industrial user becomes aware when it knows, or reasonably should have known, the facts giving rise to a reporting obligation:

a. A description of the indirect discharge and cause of noncompliance;

b. The period of noncompliance, including exact dates and times or, if not corrected at the time information is submitted under this subsection, the anticipated time the noncompliance is expected to continue, and why;

c. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. If the upset was caused by a reduction, loss, or failure of the power supply to the treatment facility, an industrial user shall take steps to control production of all wastestreams to the extent necessary until the treatment facility is restored or an alternative method of treatment is provided, or until such wastestreams can be temporarily stored for future treatment, or taken off-site for treatment and disposal; and

d. If an industrial user provides the information required by this subsection orally within twenty-four (24) hours, the industrial user shall also provide the same information to the Control Authority in writing within five (5) days thereafter.

C. In any enforcement proceeding, the industrial user seeking to establish the occurrence of an upset shall have the burden of proof.

12.08C.1110 Bypass.

A. Causing a bypass by intentionally diverting wastestreams from any portion of a treatment facility is a violation of this chapter unless such bypass is specifically authorized by this section and the industrial user responsible for the bypass complies with all applicable requirements in this section.

B. If approved by the Control Authority, an industrial user may allow a bypass to occur if it does not cause a violation of a pretreatment standard or requirement, or local limit, but only if the bypass is for essential maintenance to assure efficient operation. Bypasses under this subsection B are not subject to subsections C or D below, provided the bypass is compliant with this subsection.

C. Any other bypass, whether planned or unanticipated, shall meet the following requirements as applicable:

1. Industrial users knowing in advance of the need for a bypass shall submit written notice to the Control Authority, at least ten (10) days before the date of the bypass for approval by the Control Authority, if possible. Such notice shall include a description of the planned bypass (expected volume, pollutants, etc.), its expected duration, and the reason for such bypass. The Control Authority may approve such bypass, after considering its adverse effects, if it determines that the bypass will meet all conditions set forth in subsection D below.

2. Industrial users shall notify the Control Authority of any unanticipated bypass that exceeds an applicable pretreatment standard or requirement, or a local limit, within twenty-four (24) hours of becoming aware of such bypass. For purposes of this subsection, an industrial user becomes aware when it knows, or reasonably should have known, of the facts giving rise to a notification obligation. Industrial users shall provide a written follow-up report within five (5) days of such bypass, unless waived by the Control Authority based on its determination that the industrial user's oral report was timely and

complete. Unless waived by the Control Authority, written bypass reports shall contain the following information:

a. A description of the bypass (volume, pollutants, etc.) and its cause;

b. The date(s) and time(s) when the bypass started and ended;

c. If the bypass has not been corrected, the anticipated time it is expected to continue; and

d. The steps the industrial user has taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

D. The Control Authority may initiate an enforcement action authorized under this chapter against an industrial user for any bypass that violates this section; provided that, it shall be an affirmative defense to such an enforcement action if the industrial user can demonstrate that:

1. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance, and the industrial user submitted notices as required under subsection C above.

E. In any enforcement proceeding, the industrial user seeking to establish an affirmative defense shall have the burden of proof.

F. The Control Authority may approve an anticipated bypass, after considering its adverse effects, if the Control Authority determines that it will meet the requirements of this section.

ENFORCEMENT AND REMEDIES

12.08C.1200 Violations, enforcement and penalties.

A. The provisions of this chapter together with any standards, requirements and procedures promulgated under authority of this chapter or otherwise made subject to enforcement under this chapter, and all terms and conditions of any permit, control mechanism, directive or compliance order issued under authority of this chapter, are subject to enforcement pursuant to and under authority of TMC 1.82, the Uniform Enforcement Code, which code is made a part of this chapter. The control authority is authorized to exercise all powers and authority granted pursuant to TMC 1.82, including by way of example and not limitation, the power to issue compliance orders, corrective action notices, and notices of violation, assess monetary penalties, approve voluntary correction agreements, and develop, promulgate, revise, and implement policies and procedures governing enforcement actions under TMC 1.82 and 12.08C. The Director is further empowered to delegate enforcement authority under TMC 1.82 and 12.08C to such persons as may be determined by the Director. Any such power and authority authorized pursuant to TMC 1.82 is in addition to the power and authority granted pursuant to TMC 12.08C and any other applicable state or federal law or regulation.

B. Except as otherwise provided herein, the maximum monetary penalty that may be assessed for each violation per day or portion thereof, and each continuing day or portion thereof, shall not exceed $10,000. The maximum monetary penalties set forth at TMC 1.82.050.F are not applicable to violations of this Chapter. Monetary penalties shall be assessed in accordance with the most recent version of the Environmental Services Enforcement Response Plan as promulgated by the Director pursuant to TMC Chapter 12.08A.

C. Compliance with the requirements of this chapter is mandatory except as may be otherwise provided in this chapter. Except as otherwise provided herein, any act or omission by a responsible person in noncompliance with any duty, requirement, or obligation set forth in this chapter, set forth in any

standard, requirement or procedure promulgated under authority of this chapter or otherwise made subject to enforcement under this chapter, or set forth in a term or condition of any permit, authorization, control mechanism, directive or compliance order issued under authority of this chapter, shall constitute a violation of this chapter and is subject to enforcement by the Control Authority.

D. Violations of this chapter may include, by way of example, but are not limited to the following acts or omissions:

1. Failure to accurately report the wastewater constituents and characteristics of a discharge;

2. Failure to submit any report or notices required by this chapter;

3. Failure to report known or reasonably anticipated changes in wastewater constituents or characteristics, including increased flows, prior to the changed discharge;

4. Misrepresenting or intentionally failing to disclose all relevant facts in an industrial wastewater discharge permit application, report, or other submittal required under this chapter;

5. Falsifying self-monitoring reports;

6. Tampering with monitoring equipment;

7. Unreasonably withholding consent for access by authorized City representatives to conduct a compliance inspection and other activities described in TMC 12.08C.900;

8. Violating any applicable pretreatment standard, pretreatment requirement or local limit; and

9. Violating any provision of this chapter, including the terms of a permit, order, authorization or other control mechanism issued under the authority of this chapter.

E. Policies and procedures governing enforcement of violations of this chapter and assessment of monetary penalties are set forth in the Environmental Services Enforcement Response Plan. The Enforcement Response Plan, and all amendments thereto, shall be issued by the Director or Director's designee, a copy of which shall be made available to the public pursuant to such requirements and procedures as are issued by the Director pursuant to TMC Ch. 12.08A.030 to ensure public notice.

F. Any responsible person who willfully violates any provision of this chapter, or any permit, order, control mechanism or other written authorization or directive issued by the Control Authority thereunder shall, upon conviction, be guilty of a gross misdemeanor punishable by a fine of not more than $10,000, or by imprisonment in jail for up to three hundred sixty-five (365) days, or both. Each day upon which a willful violation of this chapter, or any permit, order, control mechanism or other written authorization or directive issued by the City thereunder occurs may be deemed a separate and additional violation.

G. Any person who knowingly and falsely makes, completes, or alters a written instrument required to be submitted to the Control Authority pursuant to this chapter, or requirement or procedure promulgated under this chapter, or a term or condition of any permit, control mechanism, directive or compliance order issued under authority of this chapter, shall be guilty of a gross misdemeanor and subject to a fine of not more than $5,000 or by imprisonment in jail for up to three hundred sixty-five (365) days, or both. Proof of intent to defraud or injure is not required.

H. Persons, whether inside or outside the City, that discharge substances in violation of this chapter to the POTW, including but not limited to persons that cause pass through or interference, shall be liable to pay any supplemental fees the Control Authority incurs to respond to such violation in accordance with the liability for supplemental fees section set forth in TMC 12.08B.

12.08C.1210 Remedies non-exclusive.

The enforcement provisions in this chapter are not exclusive remedies. The Control Authority may take any, all, or any combination of the enforcement actions described in this chapter against an industrial user in violation of this chapter. Furthermore, the Control Authority may pursue any other available remedies that exist in law or equity, including but not limited to, injunctive relief against an industrial user in

violation of this chapter. Enforcement of violations will generally be in accordance with TMC 1.82 and the Environmental Services Enforcement Response Plan.

12.08C.1220 Suspension of service.

A. Suspension of Service - Emergency. In addition to any other authority set forth in this chapter, the Control Authority may, pursuant to a stop-use order, immediately suspend an industrial user's actual or threatened discharge to the POTW whenever the Control Authority has reasonable cause to believe that, an actual or threatened discharge, or other violation of this chapter, either:

1. Presents an imminent threat or substantial danger to the health and welfare of persons or the environment, or

2. Presents an imminent threat to, or does cause, cause pass through or interference.

Depending on the emergent circumstances, the Control Authority may provide either verbal or written notice to suspend an industrial user's actual or threatened discharge.

B. Suspension of Service – Other Violations. The Control Authority may, pursuant to a stop-use order, suspend wastewater services at a premises where a connection to the POTW has been made in violation of this chapter, the Control Authority's NPDES permit, or any authorization, control mechanism, directive or compliance order issued under authority of this chapter.

C. Suspension of Service – Access. Unreasonable refusal to allow Control Authority representatives to access a premises pursuant to TMC 12.08C.900 (Right of Entry) to determine compliance with this Chapter may, pursuant to a stop-use order, result in the suspension of discharges to the POTW.

D. Any industrial user receiving a notice to suspend its discharge shall suspend discharging to the POTW in accordance with the requirements contained in the notice. If an industrial user fails to immediately comply with the terms of a notice to suspend an actual or threatened discharge, the Control Authority may take steps it deems reasonably necessary to protect the health and welfare of persons, the environment or the POTW, which may include, but is not limited to, severing the industrial user's sanitary sewer connection at any accessible location. As a condition of allowing the industrial user to recommence its discharge, the Control Authority may require the industrial user to submit a written statement describing the corrective action it has implemented to prevent discharges that presented an imminent danger or threat to the health and welfare of persons, the environment, or threatened to interfere with the operation of the POTW.

E. Nothing in this section prevents the Control Authority from taking any other enforcement action authorized by this chapter or otherwise available at law.

MISCELLANEOUS PROVISIONS

12.08C.1300 Severability.

If any portion of this chapter, as now or hereafter amended, or its application to any person or circumstances, is held invalid, unenforceable or unconstitutional, such adjudication shall not affect the validity of this chapter, as now or hereafter amended, or any section, provision or part hereof or thereof not adjudicated to be invalid, unenforceable or unconstitutional, and its application to other persons or circumstances shall not be affected.

APPENDIX B

State Regulations for Pretreatment

Chapter 173-216 WAC

STATE WASTE DISCHARGE PERMIT PROGRAM

Last Update: 1/3/06

WAC

173-216-010	Purpose.
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173-216-080	Confidentiality of information.
173-216-090	Public notice.
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173-216-110	Permit terms and conditions.
173-216-120	Transfer of a permit.
173-216-125	Monitoring.
173-216-130	Modification, suspension, and revocation of permits.
173-216-140	Relationship with NPDES permits.
173-216-150	Delegation of authority to issue permits for discharges into sewer systems.

WAC 173-216-010 Purpose. (1) The purpose of this chapter is to implement a state permit program, applicable to the discharge of waste materials from industrial, commercial, and municipal operations into ground and surface waters of the state and into municipal sewerage systems. However, this regulation does not apply to the following:

(a) The point source discharge of pollutants into navigable waters of the state which are regulated by the National Pollutant Discharge Elimination System (NPDES) Permit Program, chapter 173-220 WAC.

(b) The discharge of pollutants into waters of the state which are regulated by the Waste discharge general permit program, chapter 173-226 WAC.

(2) Permits issued under this chapter are designed to satisfy the requirement for discharge permits under the Water Pollution Control Act, chapter 90.48 RCW and to implement applicable pretreatment requirements under section 307 of the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.).

[Statutory Authority: Chapters 43.21A and 90.48 RCW. 06-02-065 (Order 01-10), § 173-216-010, filed 1/3/06, effective 2/3/06. Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-010, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-010, filed 3/4/86. Statutory Authority: RCW 43.21A.445. 84-06-023 (Order DE 84-02), § 173-216-010, filed 2/29/84. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-010, filed 11/18/83. Formerly chapter 372-24 WAC.]

WAC 173-216-020 Policy enunciated. (1) It shall be the policy of the department in carrying out the requirements of this chapter, to maintain the highest possible standards to ensure the

purity of all waters of the state and to require the use of all known, available and reasonable methods to prevent and control the discharge of wastes into the waters of the state. Notwithstanding that standards of quality established for the waters of the state would not be violated, wastes and other materials shall not be allowed to enter such waters which will reduce the existing quality thereof, except in those situations where it is clear that overriding considerations of public interest will be served.

(2) Consistent with this policy, the discharge of waste materials into municipal sewerage systems which would interfere with, pass through, or otherwise be incompatible with such systems or which would contaminate the sludge will not be permitted.

(3) Consistent with this policy, the department will act to prevent the disposal of wastes that present a risk to human health, including the potential, chronic effects of lifetime exposure to waste materials.

[Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-020, filed 3/4/86. Statutory Authority: RCW 43.21A.445. 84-06-023 (Order DE 84-02), § 173-216-020, filed 2/29/84. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-020, filed 11/18/83.]

WAC 173-216-030 Definitions. For the purposes of this chapter the following definitions shall be applicable:

(1) "Beneficial uses" shall include, but not be limited to, use for domestic water, irrigation, fish, shellfish, game, and other aquatic life, municipal, recreation, industrial water, generation of electric power, and navigation.

(2) "Dangerous wastes" means any discarded, useless, unwanted, or abandoned nonradioactive substances, including but not limited to certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

(a) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

(b) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means (Hazardous Waste Disposal Act, chapter 70.105 RCW).

(3) "Department" means department of ecology.

(4) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such ground water infiltration or surface waters as may be present (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(5) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat,

reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from:

(a) A septic tank with subsurface sewage treatment and disposal and an ultimate design capacity exceeding fourteen thousand five hundred gallons per day at any common point; or

(b) A mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity exceeding three thousand five hundred gallons per day at any common point (submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(6) "FWPCA" means Federal Water Pollution Control Act as amended by 1981 amendment (33 U.S.C. § 466 et seq.).

(7) "General permit" means a permit which covers multiple dischargers within a designated geographical area, in lieu of individual permits being issued to each discharger.

(8) "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities (Submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(9) "Interfere with" means a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the FWPCA, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

(10) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.

(11) "NPDES" means National Pollutant Discharge Elimination System permit program under section 402 of FWPCA.

(12) "New source" means any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced; after proposal of Pretreatment Standards under section 307(c) of the FWPCA which are applicable to such sources.

(13) "Pass through" means the discharge of pollutants through a municipal sewerage system into waters of the state in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of water quality standards for waters of state of Washington, chapter 173-201 WAC, or of the NPDES or state waste discharge permit, including an increase in the magnitude or duration of a violation (section 307 of FWPCA). Failure to obtain approval of an application for a new or increased discharge or change in the nature of the discharge according to WAC 173-216-110(5) would constitute such a violation.

(14) "Person" includes any political subdivision, local, state or federal government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatsoever.

(15) "Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW.

(16) "Pretreatment requirements" means any substantive or procedural state, local, or federal requirements or standards developed under chapter 90.48 RCW and sections 307 and/or 402 of the FWPCA.

(17) "Pretreatment standards," "categorical standards," or "standards," means any pollutant discharge limitations, including those developed under section 307 (b) and (c) of the FWPCA and implemented through regulations in 40 CFR Subchapter N, that apply to the discharge of nondomestic wastes to POTWs. This term includes prohibitive discharge limits established pursuant to WAC 173-216-060.

(18) "Subsurface sewage treatment and disposal" means the physical, chemical, or biological treatment and disposal of domestic wastewater within the soil profile by placement beneath the soil surface in trenches, beds, seepage pits, mounds, or fills (Submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC).

(19) "Waste materials" means any discarded, abandoned, unwanted or unrecovered material(s), except the following are not waste materials for the purposes of this chapter:

(a) Discharges into the ground or ground water of return flow, unaltered except for temperature, from a ground water heat pump used for space heating or cooling: Provided, That such discharges do not have significant potential, either individually, or collectively, to affect ground water quality or uses.

(b) Discharges of stormwater that is not contaminated or potentially contaminated by industrial or commercial sources.

(20) "Waters of the state" means all lakes, rivers, ponds, streams, inland waters, ground waters, salt waters, and all other waters and water courses within the jurisdiction of the state of Washington.

(21) In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR Part 403.3 shall

be used for circumstances concerning the discharge of waste into sewerage systems.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-030, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-030, filed 3/4/86. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-030, filed 11/18/83.]

WAC 173-216-040 Authorization required. (1) No waste materials may be discharged from any commercial or industrial operation into waters of the state, or into any municipal sewerage system, nor may waste materials be discharged from any municipal sewerage system into waters of the state, except as authorized pursuant to this chapter, chapter 173-220 or 173-226 WAC.

(2) Any person who constructs or modifies or proposes to construct or modify wastewater facilities must first comply with the regulations for submission of plans and reports for construction of wastewater facilities, chapter 173-240 WAC.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-040, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-040, filed 11/18/83.]

WAC 173-216-050 Discharges not subject to permits. (1) The following discharges are not subject to permits under this chapter:

(a) Discharges to municipal sewerage systems of domestic wastewater from residential, commercial, or industrial structures.

(b) Any industrial or commercial discharge to a municipal sewerage system for which authority to issue permits has been granted to the municipality under RCW 90.48.165.

(c) Any industrial or commercial discharge to a municipal sewerage system operating under, and in compliance with, the applicable requirements of a local pretreatment program approved under section 307 of FWPCA and WAC 173-216-150. In the event of noncompliance, this exemption no longer applies and the discharger is immediately subject to enforcement action under chapter 90.48 RCW for discharging without a waste discharge permit.

(d) Discharges to municipal sewerage systems of wastes from industrial or commercial sources whose wastewater is similar in character and strength to normal domestic wastewater: Provided, That such discharges do not have the potential to adversely affect performance of the system. Examples of this type of discharge sources may include hotels, restaurants, laundries and food preparation establishments.

(e) Discharges for which an NPDES permit from the department

is required pursuant to chapter 173-220 WAC.

(f) Discharges which are otherwise subject to the permit requirements of this chapter but which are covered under a general permit issued pursuant to chapter 173-226 WAC.

(g) Discharges of domestic wastewater from a septic tank with subsurface sewage treatment and disposal and an ultimate design capacity less than or equal to fourteen thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter 246-272 WAC which is administered by the Washington state department of health.

(h) Discharges of domestic wastewater from a mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity less than or equal to three thousand five hundred gallons per day. These systems are governed by on-site sewage disposal systems, chapter 246-272 WAC which is administered by the Washington state department of health.

(2) A permit is required for any source subject to pretreatment standards promulgated under section 307 of FWPCA, unless exempted under subsections (1)(b) and (c) of this section.

(3) These exemptions shall not relieve any discharger from the requirement to apply all known, available, and reasonable methods to prevent and control waste discharges to the waters of the state, nor the requirement to obtain approval of plans and reports for the construction of wastewater facilities. Nothing herein shall limit the authority of the department to take enforcement action for any unlawful discharge of waste materials or other violations of the Water Pollution Control Act, chapter 90.48 RCW.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-050, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-050, filed 3/4/86. Statutory Authority: Chapter 90.48 RCW. 85-04-006 (Order 84-51), § 173-216-050, filed 1/25/85. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-050, filed 11/18/83.]

WAC 173-216-060 Prohibited discharges. (1) The discharge restrictions and prohibitions of dangerous waste regulations, chapter 173-303 WAC shall apply to this chapter.

(2) In addition, the following are prohibited:

(a) The discharge into a municipal sewerage system of substances prohibited from such discharge by section 307 of FWPCA.

(b) All of the following discharges to a municipal sewerage system:

(i) Waste materials that pass through the treatment works untreated or interfere with its operation or performance.

(ii) Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction to cause fire or explosion or be capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair or be

injurious in any other way to the operation of the system or the operating personnel.

(iii) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the system.

(iv) Any wastewater having a pH less than 5.0 or greater than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system, unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter.

(v) Wastewater which would cause the influent temperature to exceed 40°C (104°F), unless the system is specifically designed to accommodate such discharge and the discharge is authorized by a permit under this chapter. In any case, any wastewater having a temperature which will interfere with the biological activity in the system is prohibited.

(vi) Any waste materials, including oxygen demanding waste materials (BOD, etc.), released in either a slug load or continuous discharge of such volume or strength as to cause interference to the system.

(vii) Any of the following discharges unless approved by the department under extraordinary circumstances, such as lack of direct discharge alternatives due to combined sewer service or need to augment sewage flows due to septic conditions:

(A) Noncontact cooling water in significant volumes.

(B) Stormwater, and other direct inflow sources.

(C) Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.

[Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-060, filed 3/4/86. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-060, filed 11/18/83.]

WAC 173-216-070 Application for a permit. (1) Any person not exempt under WAC 173-216-050, who proposes to discharge waste materials into waters of the state or into a municipal sewerage system, must file an application with the department at least sixty days prior to discharging, or in the case of an expiring permit, at least sixty days prior to the expiration of the permit.

(2) Applications for permits shall be on forms as prescribed by the department.

(3) The applicant must pay applicable fees pursuant to Wastewater discharge permit fees, chapter 173-224 WAC.

(4) The requirement for a permit application will be satisfied, if the discharger files:

(a) A completed permit application;

(b) When applicable, signature of approval by an authorized representative of the municipal sewerage system; and

(c) Any other information determined as necessary by the

department.

(5) The application shall be signed in case of:

(a) Corporations, by a principal executive officer of at least the level of vice-president;

(b) A partnership, by a general partner;

(c) A sole proprietorship, by the proprietor;

(d) A municipal, state, federal, or other public facility, by either a principal executive officer or ranking elected official.

(6) In the case of application by a corporation, the principal executive officer shall personally examine the application and certify its truth, accuracy, and completeness.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-070, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-070, filed 3/4/86. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-070, filed 11/18/83.]

WAC 173-216-080 Confidentiality of information. (1) Any information submitted pursuant to this chapter may be claimed as confidential by the applicant. Any such claim must be asserted at the time of application or notification by placing the words "confidential business information" or similar words, on each page containing such information. If no claim is made, the department may make the information available to the public without further notice. Claims of confidentiality for the following information will be denied:

(a) Name and address of applicant;

(b) Description of proposal;

(c) Description of proposed receiving waters;

(d) Description of quality and quantity of receiving water; and

(e) Description of project's environmental impacts as provided in the State Environmental Policy Act, chapter 43.21C RCW;

(f) Description of quantity and characteristics of the effluent.

(2) Claims of confidentiality will be handled in accordance with the provisions of Disclosure--Campaign finances--Lobbying--Records, chapter 42.17 RCW, Public records, chapter 173-03 WAC, and Request for certification of records as confidential--Procedure, RCW 43.21A.160.

[Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-080, filed 11/18/83.]

WAC 173-216-090 Public notice. (1) The applicant shall publish notice for each application in such a manner to inform and seek comments from interested and potentially interested persons.

(2) The public notice shall be in a form provided by the department and shall include at least the following:

(a) Name, address, and phone number of the office of the department issuing the public notice;

(b) Name and address of the applicant, and if different, of the facility or activity to be permitted;

(c) Brief description of the applicant's activities or operations which result in the discharge described in the application (e.g. municipal waste treatment plant, steel manufacturing, drainage from mining activities);

(d) A brief description of the discharge point(s);

(e) A statement of any tentative determination to issue or deny a permit for the discharge described in the application;

(f) A brief description of the procedures for the formulation of final determinations, including the thirty-day comment period required by subsection (6) of this section and any other means by which interested persons may influence or comment upon those determinations; and

(g) Address and phone number of the office of the department at which interested persons may obtain further information.

(3) Circulation of public notice shall include at least publishing once each week for two consecutive weeks, at applicants' expense, a public notice in a newspaper of general circulation in the county of the proposal. The department shall also, in the case of a discharge into a municipal sewerage system, notify the municipality of the intent to issue or deny a permit.

(4) The department may require the following additional public notification requirements:

(a) Mailing the notice to persons who have expressed an interest in being notified;

(b) Mailing the notice to other state agencies and local governments with a regulatory interest in the proposal;

(c) Posting the notice on the premises.

(5) The public notification requirements do not apply for permit renewal, if there are no increases in volume or changes in characteristics of discharge beyond those previously authorized.

(6) The public notice shall include a statement that any person may express their views in writing to the department within thirty days of the last date of publication.

(7) Any person submitting written comment or any other person may, upon request, obtain a copy of the department's final decision.

(8) The applicant shall provide the department with an affidavit of publication.

(9) The department shall add the name of any person, upon request, to a mailing list to receive copies of notices for all applications within the state or within a geographical area.

[Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-090, filed 11/18/83.]

WAC 173-216-100 Public hearings. (1) Any interested person

may request a public hearing with respect to permit applications for which notice is required pursuant to WAC 173-216-090. Any such request for a public hearing shall be filed within the thirty-day period prescribed in WAC 173-216-090(6) and shall indicate the interest of the party filing such request and the reasons why a hearing is warranted.

(2) The department shall hold a hearing if it determines there is a significant public interest.

(3) Any hearing held pursuant to this subsection shall be held at a time and place deemed appropriate by the department.

(4) Public notice of any hearing held pursuant to this section shall be circulated at least as widely as was the notice of the application.

(5) Procedures for the circulation of public notice for hearings held shall include at least the following:

(a) Notice shall be published, at the applicant's expense, in at least one newspaper of general circulation within the area of the discharge;

(b) Notice shall be sent to all persons who received a copy of the notice given under WAC 173-216-090;

(c) Notice shall be mailed to any person upon request;

(d) Notice shall be given at least thirty days in advance of the hearing.

(6) The contents of public notice of any hearing held pursuant to this section shall include at least the following:

(a) Name, address, and phone number of the office of the department holding the public hearing;

(b) The purpose of the hearing;

(c) Name and address of the applicant;

(d) A brief description of the point(s) of discharge;

(e) Information regarding the time and location for the hearing;

(f) A brief description of the nature of the hearing;

(g) A concise statement of the issues raised by the persons requesting the hearing, when applicable;

(h) A brief reference to the public notice issued for each application, including identification number and date of issuance; and

(i) Address and phone number of premises at which interested persons may obtain information.

[Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-100, filed 11/18/83.]

WAC 173-216-110 Permit terms and conditions. (1) Any permit issued by the department shall specify conditions necessary to prevent and control waste discharges into the waters of the state, including the following, whenever applicable:

(a) All known, available, and reasonable methods of prevention, control, and treatment;

(b) Pretreatment requirements;

(c) Requirements pursuant to other laws, including the state's Hazardous Waste Disposal Act, chapter 70.105 RCW, the

Solid waste management--Recovery and recycling, chapter 70.95 RCW, the Resource Conservation and Recovery Act of 1976, Public Law 95.190 or any other applicable local ordinances, state, or federal statute, to the extent that they pertain to the prevention or control of waste discharges into the waters of the state;

(d) Any conditions necessary to meet applicable water quality standards for surface waters or to preserve or protect beneficial uses for ground waters;

(e) Requirements necessary to avoid conflict with a plan approved pursuant to section 208(b) of FWPCA;

(f) Any conditions necessary to prevent and control pollutant discharges from plant site runoff, spillage or leaks, sludge or waste disposal, or raw material storage;

(g) Any appropriate monitoring, reporting and record keeping requirements as specified by the department, including applicable requirements under sections 307 and 308 of FWPCA;

(h) Schedules of compliance, including those required under sections 301 and 307 of FWPCA, which shall set forth the shortest reasonable time period to achieve the specified requirements; and

(i) Prohibited discharge requirements as contained in WAC 173-216-060.

(2) The permits shall be for a fixed term, not exceeding five years.

(3) Representatives of the department shall have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times shall include normal business hours, hours during which production, treatment, or discharge occurs, or times when the department suspects a violation requiring immediate inspection. Representatives of the department shall be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit, to inspect any monitoring equipment or method required in the permit and to sample the discharge, waste treatment processes, or internal waste streams.

(4) The permittee shall at all times be responsible for the proper operation and maintenance of any facilities or systems of control installed by the permittee to achieve compliance with the terms and conditions of the permit. Where design criteria have been established, the permittee shall not permit flows or waste loadings to exceed approved design criteria or approved revisions thereto.

(5) A new application, or supplement to the previous application, shall be submitted, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by the current permit. Such application shall be submitted at least sixty days prior to any proposed changes.

(6) In the event the permittee is unable to comply with any of the permit terms and conditions due to any cause, the permittee shall:

(a) Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;

(b) Immediately notify the department of the failure to comply; and

(c) Submit a detailed written report to the department within thirty days, unless requested earlier by the department, describing the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, and any other pertinent information.

(7) In the case of discharge into a municipal sewerage system, the department shall consider in the final permit documents the requirements of the municipality operating the system.

(8) Permits for domestic wastewater facilities shall be issued only to a public entity, except in the following circumstances:

(a) Facilities existing or approved for construction with private operation on or before the effective date of this chapter, until such time as the facility is expanded;

(b) Facilities that serve a single nonresidential, industrial, or commercial establishment. Commercial/industrial complexes serving multiple owners or tenants and multiple residential dwelling facilities such as mobile home parks, apartments, and condominiums are not considered single commercial establishments for the purpose of the preceding sentence.

(c) Facilities that are owned by nonpublic entities and under contract to a public entity shall be issued a joint permit to both the owner and the public entity.

[Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-110, filed 3/4/86. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-110, filed 11/18/83.]

WAC 173-216-120 Transfer of a permit. (1) A permit is automatically transferred to a new owner or operator if:

(a) A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the department; and

(b) The department does not notify the permittee of the need to modify, or revoke and reissue the permit.

(2) Unless a permit is automatically transferred according to subsection (1) of this section, a permit may be transferred only if modified or revoked and reissued to identify the new permittee and to incorporate such other requirements as determined necessary by the department.

[Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-120, filed 11/18/83.]

WAC 173-216-125 Monitoring. Use of registered or accredited laboratories:

(1) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory accredited under the provisions of chapter 173-50 WAC no later than July 1, 1993, for all state permittees with a permitted average flow rate greater than five million gallons per day.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(2) Except as established in subsection (3) of this section, monitoring data submitted to the department in accordance with this chapter shall be prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC no later than July 1, 1994, for all state permittees not covered under subsection (1) of this section.

These requirements are effective and binding on all permittees under the authority of rule, regardless of whether they have been included as conditions of a permit.

(3) The following parameters need not be accredited or registered:

(a) Flow;

(b) Temperature;

(c) Settleable solids;

(d) Conductivity, except that conductivity shall be accredited if the laboratory must otherwise be registered or accredited;

(e) pH, except that pH shall be accredited if the laboratory must otherwise be registered or accredited;

(f) Turbidity, except that turbidity shall be accredited if the laboratory must otherwise be registered or accredited; and

(g) Parameters which are used solely for internal process control.

[Statutory Authority: RCW 90.48.035. 02-05-055 (Order 01-08), § 173-216-125, filed 2/15/02, effective 3/18/02. Statutory Authority: RCW 43.21A.230. 93-20-011 (Order 92-53), § 173-216-125, filed 9/22/93, effective 10/23/93; 90-21-090 (Order 90-21), § 173-216-125, filed 10/19/90, effective 11/19/90.]

WAC 173-216-130 Modification, suspension, and revocation of permits. (1) Any permit issued under this chapter can be modified, suspended, or revoked, in whole or in part by the department for the following causes:

(a) Violation of any permit term or condition;

(b) Obtaining a permit by misrepresentation or failure to fully disclose all relevant facts;

(c) A material change in quantity or type of waste disposal;

(d) A material change in the condition of the waters of the state; or

(e) Nonpayment of permit fees assessed pursuant to RCW 90.48.610.

(2) The department may modify a permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, which includes promulgation or revisions of categorical standards.

(3) Any permit issued under this chapter shall remain in effect until terminated in writing by the department, except that continuation of an expired permit (pursuant to RCW 90.48.200), shall terminate upon coverage under a general permit issued pursuant to chapter 173-226 WAC.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-130, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapter 43.21A RCW. 88-12-035 (Order 88-8), § 173-216-130, filed 5/26/88, effective 7/1/88; 86-06-040 (Order 86-03), § 173-216-130, filed 3/4/86. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-130, filed 11/18/83.]

WAC 173-216-140 Relationship with NPDES permits. For a given facility, permit requirements under this chapter and NPDES permit requirements under Water Pollution Control Act, RCW 90.48.260, shall under normal circumstances, be contained in a single permit document.

[Statutory Authority: Chapter 90.48 RCW. 93-10-099 (Order 92-55), § 173-216-140, filed 5/5/93, effective 5/19/93. Statutory Authority: Chapters 43.21A and 90.48 RCW. 83-23-073 (Order DE 83-29), § 173-216-140, filed 11/18/83.]

WAC 173-216-150 Delegation of authority to issue permits for discharges into sewer systems. Qualified cities, towns, and other municipal corporations who administer a local permit program shall fulfill the requirements of chapter 173-208 WAC and 40 CFR Part 403.

[Statutory Authority: Chapter 43.21A RCW. 86-06-040 (Order 86-03), § 173-216-150, filed 3/4/86.]

APPENDIX C

Control Authority of Tacoma NPDES Permits

Issuance Date: October 6, 2010
Effective Date: November 1, 2010
Expiration Date: October 31, 2015

DEPARTMENT OF
ECOLOGY
State of Washington

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT NO. WA0037087

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

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 1251 et seq.

City of Tacoma

2201 Portland Avenue

Tacoma, WA 98421

Plant Location: City of Tacoma Treatment Plant #1 2201 Portland Avenue Tacoma, WA 98421	Receiving Water: Commencement Bay, Puget Sound
Water Body I.D. No.: 1224819475188	Discharge Location: Latitude: 47.27825 N Longitude: -122.42183 W
Plant Type: Secondary – Activated Sludge (Pure Oxygen) with sodium hypochlorite disinfection	

is authorized to discharge in accordance with the special and general conditions that follow.

Garin Schrieve, P.E.
Southwest Regional Manager
Water Quality Program
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
S1.B.	Peak Wet Weather Flow Treatment System Report	Once	June 30, 2014
S1.B.	Annual Peak Wet Weather Flow Treatment System Progress Report	Annually	June 30th if a flow blending event occurred in the previous calendar year
S3.	Discharge Monitoring Report	Monthly	December 15, 2010
S3.E	Reporting Permit Violations	As necessary	
S4.B.	Plans for Maintaining Adequate Capacity	As necessary	
S4.C.	Notification of New or Altered Sources	As necessary	
S4.E.	Infiltration and Inflow Evaluation	Annually	March 15, 2011
S4.F.	Wasteload Assessment	Annually	March 15, 2011
S5.G.	Operations and Maintenance Manual	1/permit cycle	July 30, 2012
S5.G.	Operations and Maintenance Manual Update or Review Confirmation Letter	Annually	July 30, 2013
S5.G.	Operations and Maintenance Manual Update	As necessary	
S6.A.5.	Pretreatment Report	Annually	March 15, 2011
S8.B.	Acute Toxicity Compliance Monitoring Reports	Quarterly	December 15, 2010
S8.C	Acute Toxicity: “Causes and Preventative Measures for Transient Events.”	As necessary	
S8.C	Acute Toxicity TI/TRE Plan	As necessary	
S9.A	Chronic Toxicity Effluent Characterization with Permit Renewal Application	2/permit cycle if there is no permit limit for chronic toxicity	Conduct test in July 2014 & January 2015; Submit results with renewal application May 1, 2015
S10.	Sanitary Sewer Overflow Elimination Progress Report	Annually	March 15, 2011
S11.	Outfall Evaluation	1/permit cycle	December 15, 2014
G1.	Notice of Change in Authorization	as necessary	
G4.	Reporting a Cause for Modification	As necessary	

Permit Section	Submittal	Frequency	First Submittal Date
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	May 1, 2015
G21.	Notice of Planned Changes	As necessary	
G22.	Reporting Anticipated Non-compliance	As necessary	
G23.	Reporting Other Information	As necessary	

SPECIAL CONDITIONS

S1. DISCHARGE LIMITS

A. Effluent Limits

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee may discharge municipal wastewater at the permitted location subject to compliance with the following limitations:

	EFFLUENT LIMITATIONS[a]: OUTFALL # 001	
Parameter	**Average Monthly [a]**	**Average Weekly [b]**
Biochemical Oxygen Demand (5 day)	30 mg/L; 15,012 lbs/day 85% removal of influent BOD	45 mg/L; 22,518 lbs/day
Total Suspended Solids	30 mg/L; 15,012 lbs/day 85% removal of influent TSS	45 mg/L; 22,518 lbs/day
Fecal Coliform Bacteria [c]	200 cfu/100 mL	400 cfu/100 mL
pH [d]	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0	
Parameter	**Average Monthly [a]**	**Maximum Daily [e]**
Total Residual Chlorine	0.109 mg/L	0.286 mg/L
Acute Toxicity	No acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC).	
Flow Blending [f]	Flow splitting and blending shall only be allowed to occur when the hourly flow to the headworks equals or exceeds 60 MGD[g].	

[a] Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured. See footnote c for fecal coliform calculations.

The average monthly effluent concentration for BOD_5 and Total Suspended Solids shall not exceed 30 mg/L or 15 percent of the respective monthly average influent concentrations, whichever is more stringent.

Headworks loadings received from other NPDES permitted facilities or internal return flows shall not be included in the calculation to determine compliance with minimum removal requirements.

[b] Average weekly discharge limitation means the highest allowable average of “daily discharges” over a calendar week, calculated as the sum of all “daily discharges” measured during a calendar week divided by the number of “daily discharges” measured during that week. See footnote c for fecal coliform calculations.

[c] To calculate the average monthly and average weekly values for fecal coliforms you must use the geometric mean. Ecology gives directions to calculate this value in publication No. 04-10-020, *Information Manual for Treatment Plant Operators* available at: http://www.ecy.wa.gov/pubs/0410020.pdf
[d] Indicates the range of permitted values. The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.
[e] Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH.
[f] For the purposes of this permit, flow blending is defined as the intentional routing of high, wet-weather flows around the biological secondary treatment system, treatment of such flows through the peak flow treatment system and recombination of these flows with those from the biological secondary treatment system for disinfection and discharge through the outfall. All flows blended in this manner are subject to the same effluent limitations as flows from the biological secondary treatment system.
[g] During the manufacturer warranty period, the Permittee may operate the Actiflo peak wet weather treatment (PWWT) system: • when hourly flows are greater than 60 MGD; and • once per month at hourly flows less than 60 MGD for a maximum period of three hours for each operation. After the warranty period had expired, the Permittee may operate the PWWT system: • when hourly flows are greater than 60 MGD; and • twice a year at hourly flows less than 60 mgd for a maximum period of three hours for each operation to test the functionality and proper operation of the system. The Permittee must exercise caution during these events so that all effluent limitations are met and there are no permit violations. Termination of a flow blending event: When a flow blending event has started at 60 MGD, the Permittee may continue to operate the PWWT system for at least three hours. For events greater than three hours, the Permittee may operate the PWWT system until the hourly flow at the headworks is 55 MGD if all effluent limitations are met.

B. Peak Wet Weather Flow Treatment System Report

The Permittee shall also prepare annual progress reports and submit to Ecology by **June 30th** of each year if a flow blending event occurred during the previous calendar year.

The annual progress report shall contain information on: total and soluble BOD_5 removal, TSS removal, and priority pollutant metals removal, on a concentration and total mass basis for the peak wet weather flow treatment system and the conventional secondary treatment system while flow blending. The report shall compare the acute and chronic toxicity results of final blended flow with the acute and chronic toxicity results of the final effluent when flow blending was not occurring.

By **June 30, 2014**, the Permittee shall submit a peak wet weather flow treatment system report to the Department of Ecology (Ecology). The peak wet weather flow treatment system report shall include: monthly and annual total mass loadings to the receiving water for BOD_5, TSS, and priority metals; the performance of the peak wet weather flow treatment system and the conventional secondary treatment system; and the frequency and magnitude (volume) of sanitary sewer overflows due to wet weather. The report shall compare results with similar peak flow periods before and after the peak wet weather flow treatment system was installed.

C. Mixing Zone Authorization

The following paragraphs define the maximum boundaries of the mixing zones:

MIXING ZONE FOR OUTFALL No. 001

Chronic Mixing Zone

WAC 173-201A-400(7)(b)(i) specifies mixing zones in an estuary must not extend in any horizontal direction from the discharge ports for a distance greater than 200 feet plus the depth of water over the discharge ports as measured during mean lower low water (MLLW). Given a MLLW water depth of 110 feet (33.5 meters) for the Permittee's outfall, the horizontal distance therefore is 310 feet (94.5 meters). The mixing zone is a circle with radius of 310 feet (94.5 meters) measured from the center of each discharge port. The outfall diffuser is 290 feet (88.4 meters) long and it has 30 discharge ports spaced 10 feet apart. 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.

Acute Mixing Zone

WAC 173-201A-400(8)(b) specifies that in estuarine waters a zone where acute criteria may be exceeded must not extend beyond 10 percent 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 31.0 feet (9.4 meters) measured from the center of each discharge port. The outfall diffuser is 290 feet (88.4 meters) long and it has 30 discharge ports spaced 10 feet apart. 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.

Available Dilution (dilution factor)	
Acute Aquatic Life Criteria	22
Chronic Aquatic Life Criteria	145
Human Health Criteria - Carcinogen	186
Human Health Criteria - Non-carcinogen	145

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule[1]

Category	Parameter	Units	Minimum Sampling Frequency	Sample Type
Wastewater Influent	Flow	MGD	Continuous[2]	Record daily totalizer
Wastewater Influent	BOD_5	mg/L lbs/day	3/week; and daily while flow blending	24-hour flow weighted composite
Wastewater Influent	TSS	mg/L lbs/day	4/week; and daily while flow blending	24-hour flow weighted composite
Wastewater Influent	Total Ammonia as N	mg/L	Monthly	24-hour flow weighted composite
Wastewater Influent	Nitrate + Nitrite as N	mg/L	Monthly	24-hour flow weighted composite
Wastewater Influent	Total Kjeldahl Nitrogen (TKN) as N	mg/L	Monthly	24-hour flow weighted composite
Wastewater Influent	Ortho-phosphate (PO_4) as P	mg/L	Monthly	24-hour flow weighted composite
Wastewater Influent	Total Phosphorus as P	mg/L	Monthly	24-hour flow weighted composite
Wastewater Influent	Oil & Grease, Cyanide, and Total Phenols	mg/L	Quarterly[3]	Grab
Wastewater Influent	Priority Pollutant Metals (See S6.B)	mg/L	Quarterly[3]	24-hour flow weighted composite
Wastewater Influent	Priority Pollutant Organics (See S6.B)	mg/L	Yearly[4]	24-hour flow weighted composite
Wastewater Effluent	Flow	MGD	Continuous[2]	Record daily totalizer
Wastewater Effluent	Temperature	^oC	Daily	Grab/meter
Wastewater Effluent	BOD_5	mg/L lbs/day	3/week; and daily while flow blending	24-hour flow weighted composite
Wastewater Effluent	TSS	mg/L lbs/day	4/week; and daily while flow blending	24-hour flow weighted composite

Category	Parameter	Units	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	Fecal Coliform	cfu/100ml	Daily; and at least three per event[5] while flow blending	Grab
Wastewater Effluent	pH	Standard Units	Daily; and at least three per event[5] while flow blending	Grab
Wastewater Effluent	Total Residual Chlorine	mg/L	Daily; and at least three per event[5] while flow blending	Grab
Wastewater Effluent	Total Ammonia as N	mg/L	1/week; and at least three per event[(5)] while flow blending	Grab or 24-hour flow weighted composite
Wastewater Effluent	Nitrate + Nitrite as N	mg/L	Monthly	24-hour flow weighted composite
Wastewater Effluent	Total Kjeldahl Nitrogen (TKN) as N	mg/L	Monthly	24-hour flow weighted composite
Wastewater Effluent	Ortho-phosphate (PO_4) as P	mg/L	Monthly	24-hour flow weighted composite
Wastewater Effluent	Total Phosphorus as P	mg/L	Monthly	24-hour flow weighted composite
Wastewater Effluent	Dissolved Oxygen	mg/L	Daily; and at least three per event[5] while flow blending	Grab
Wastewater Effluent	Oil & Grease, Cyanide, and Total Phenols	mg/L	Quarterly[3]	Grab
Wastewater Effluent	Priority Pollutant Metals (See S6.B)	mg/L	Quarterly[3]; and once per year while flow blending	24-hour flow weighted composite
Wastewater Effluent	Priority Pollutant Organics (See S6.B)	mg/L	Yearly[4]; and once per year while flow blending	24-hour flow weighted composite
Biosolids	Cyanide, and Total Phenols	mg/Kg	Quarterly[3]	Grab
Biosolids	Priority Pollutant Metals (See S6.B)	mg/Kg	Quarterly[3]	Grab

Category	Parameter	Units	Minimum Sampling Frequency	Sample Type
Biosolids	Priority Pollutant Organics (See S6.B)	mg/Kg	Yearly[4]	Grab
Wastewater Effluent	Acute Toxicity Compliance Monitoring		Quarterly[3]; and once per year while flow blending	24-hour flow weighted composite
Wastewater Effluent	Chronic Toxicity Screening Test		2/permit (see S9.A); and once per year while flow blending	24-hour flow weighted composite
Blended Final Effluent	Total Flow	MGD	once for each flow blending event[6]	Calculate
Blended Final Effluent	Duration of Discharge	Hours	Once for each flow blending event[6]	Calculate
Peak Flow Treatment System Effluent	Flow	MGD	Once for each flow blending event[6]	Calculate
Peak Flow Treatment System Effluent	BOD_5	mg/L lbs	Once for each flow blending event[6]	Flow weighted composite samples
Peak Flow Treatment System Effluent	Soluble BOD_5	mg/L lbs	Once for each flow blending event[6]	Flow weighted composite samples
Peak Flow Treatment System Effluent	TSS	mg/L lbs	Once for each flow blending event[6]	Flow weighted composite samples

[1] For all monitoring, the Permittee shall use methods that can achieve a method detection level (MDL) equal to 0.1 times the effluent limitation or the most sensitive EPA approved method (see Appendix A), whichever is greater. If the analytical result for any sample is below the MDL, the Permittee shall report "less than {numeric MDL}" on the DMR. For purposes of averaging results, the Permittee shall use actual values for all values above the MDL and zero for values below the MDL.

[2] Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken every four hours when continuous monitoring is not possible.

Category	Parameter	Units	Minimum Sampling Frequency	Sample Type
[3] Quarterly is defined as: January through March – First Quarter (report within 45 days following monitoring) April through June – Second Quarter (report within 45 days following monitoring) July through September – Third Quarter (report within 45 days following monitoring) October through December – Fourth Quarter (report within 45 days following monitoring)				
[4] Yearly is defined as calendar year January through December (report within 45 days following monitoring)				
[5] A minimum of three samples shall be collected during each flow blending event, a sample shall be taken at the beginning, middle, and end of the discharge. If the duration of a flow blending event is less than three hours, the Permittee may collect two samples (one at the beginning and another near the end of the discharge). If more than one sample per day is collected the daily value reported is the arithmetic average of the results from the individual tests except for pH, which shall be reported as maximum or minimum. The individual results from a flow blending event along with the flow at the time each sample was collected, and the date and time each sample was collected, shall be reported on a separate sheet and submitted with the DMR.				
[6] The total volume of flow and the date and time of the start and termination of each flow blending event shall be reported on a separate sheet and submitted with the DMR.				

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of 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 shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136 or to the latest approved revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by Ecology.

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 Washington Administrative Code (WAC). Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

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

A. Reporting

The first monitoring period begins on the effective date of the permit. The Permittee must:

1. Submit monitoring results each month.

2. Summarize, report, and submit monitoring data obtained during each monitoring period on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology.

3. Submit DMR forms monthly whether or not the facility was discharging. If the facility did not discharge during a given monitoring period, submit the form as required with the words "NO DISCHARGE" entered in place of the monitoring results.

4. Ensure that DMR forms are postmarked or received by Ecology no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit.

5. Submit priority pollutant analysis data no later than forty-five (45) days following the monitoring.

6. Send report(s) to Ecology at:

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

All laboratory reports providing data for organic and metal parameters must include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected. Analytical

results from samples sent to a contract laboratory must include information on the chain of custody, the analytical method, QA/QC results, and documentation of accreditation for the parameter.

B. Records Retention

The Permittee must retain records of all monitoring information for a minimum of three 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.

C. 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.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by 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.

E. Reporting Permit Violations

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

- Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.

- If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to Ecology within 30 days of sampling.

1. Immediate Reporting

The Permittee must report any failure of the disinfection system immediately to the Department of Ecology's Regional Office 24-hour number listed below:

Southwest Regional Office 360-407-6300

The Permittee must report any failure of the disinfection system, any collection system overflows which may reach surface waters or any plant bypass discharging to a shellfish area immediately to the Department of Ecology and the Department of Health, Shellfish Program at the numbers listed below:

Southwest Regional Office	360-407-6300
Department of Health, Shellfish Program	360-236-3330 (business hours) 360-786-4183 (24 hours)

2. Twenty-Four (24)-Hour Reporting

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at 360-407-6300, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

a. Any noncompliance that may endanger health or the environment, unless previously reported under subpart 1, above.

b. Any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S4.B., “Bypass Procedures”).

c. Any **upset** that exceeds any effluent limitation in the permit (See G.15, “Upset”).

d. Any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in Section S1.A of this permit.

e. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

3. Report Within Five Days

The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subparts 1 or 2, above. The written submission must contain:

a. A description of the noncompliance and its cause.

b. The period of noncompliance, including exact dates and times.

c. The estimated time noncompliance is expected to continue if it has not been corrected.

d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. Waiver of Written Reports

Ecology may waive the written report required in subpart 3, above, on a case-by-case basis upon request if a timely oral report has been received.

5. 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 paragraph E.3, 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.

6. Report Submittal

The Permittee must submit reports to the address listed in S3.

F. Other Reporting

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.

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.

The Permittee must submit a new application or supplement at least 180 days prior to commencement of discharges, resulting from the activities listed below, which may result in permit violations. These activities include: any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility.

G. 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. FACILITY LOADING

A. Design Criteria

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

Wet season peak day flow:	150 MGD
Average flow for the maximum month:	60 MGD
BOD_5 influent loading for maximum month:	127,000 lbs/day
TSS influent loading for maximum month:	114,000 lbs/day

B. Plans for Maintaining Adequate Capacity

When the actual flow or waste load reaches 85 percent of any one of the design criteria in S4.A for three consecutive months, or when the projected increases would reach design capacity within five years, whichever occurs first, the Permittee shall submit to Ecology, a plan and a schedule for continuing to maintain capacity at the facility sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet this objective.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.

3. Limitation on future sewer extensions or connections or additional waste loads.

4. Modification or expansion of facilities necessary to accommodate increased flow or waste load.

5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or waste load.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by Ecology prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

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

D. Notification of New or Altered Sources

The Permittee shall submit written notice to Ecology whenever any new discharge or a substantial change in volume or character of an existing discharge into the Publicly Owned Treatment Works (POTW) is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the POTW; (2) is not part of an approved general sewer plan or approved plans and specifications; or (3*)* would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the POTWs ability to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the POTW, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

E. Infiltration and Inflow Evaluation

1. The Permittee shall conduct an infiltration and inflow evaluation. Refer to the U.S. EPA publication, *I/I Analysis and Project Certification*, available as Publication No. 97-03 at: Publications Office, Department of Ecology, P.O. Box 47600, Olympia, Washington 98504-7600. Plant monitoring records may be used to assess measurable infiltration and inflow.

2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the first report based on equivalent rainfall, the report shall contain a plan and a schedule for: (1) locating the sources of infiltration and inflow; and (2) correcting the problem.

3. The report shall be submitted by **March 15, 2011**, and **annually** thereafter.

F. Wasteload Assessment

The Permittee shall conduct an annual assessment of their flow and waste load and submit a report to Ecology by **March 15, 2011**, and **annually** thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average flow for the maximum month, peak flows, BOD and total suspended solids loadings; and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if Ecology determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and 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 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 a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Certified Operator

An operator certified for at least a Class IV plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class III plant shall be in charge during all regularly scheduled shifts.

B. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to Ecology, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of their obligations under this permit.

D. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes. The Permittee shall maintain Reliability Class II (EPA 430-99-74-001) at the wastewater treatment plant, which requires primary sedimentation and disinfection.

E. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

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

Note: Flow splitting and blending as allowed under this permit and described in Ecology approved Facility Plan is not considered a bypass under this section.

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 limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee shall submit prior notice, if possible at least 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:

   a. 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.

   b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

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

3. Bypass which is anticipated and has the potential to result in noncompliance of this permit

   The Permittee shall notify Ecology at least 30 days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with State Environmental Policy Act (SEPA); (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is

anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

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

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled 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. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under Revised Code of Washington (RCW) 90.48.120.

G. Operations and Maintenance Manual

The Permittee must:

1. Update the Operations and Maintenance (O&M) Manual in accordance with 173-240-080 WAC and submit it to Ecology by **July 30, 2012**.

2. Review the O&M Manual at least annually and confirm this review by letter to Ecology. The first letter is due **July 30, 2013**, and **annually** thereafter.

3. Submit to Ecology for review 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 173-240-080 (1) through (5), the O&M Manual must include:

1. Emergency procedures for cleanup in the 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. The treatment plant process control monitoring schedule.

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

S6. PRETREATMENT

A. General Requirements

1. The Permittee shall implement the Wastewater Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the Permittee's approved pretreatment program submittal entitled "Industrial Pretreatment Program" and dated October 7, 1994; as amended; and the General Pretreatment Regulations (40 CFR Part 403). At a minimum, the following pretreatment implementation activities shall be undertaken by the Permittee:

   a. Enforce categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Federal Clean Water Act (hereinafter, the Act), prohibited discharge standards as set forth in 40 CFR 403.5, local limitations specified in Section 12.08.040 of Ordinance 27003, any approved revisions thereto, or state standards, which ever are most stringent or apply at the time of issuance or modification of a local industrial waste discharge permit. Locally derived limitations shall be defined as pretreatment standards under Section 307(d) of the Act and shall not be limited to categorical industrial facilities.

   b. Issue wastewater discharge permits to all significant industrial users [SIUs, as defined in 40 CFR 403.3(t)(i)(ii)] contributing to the treatment system, including those from other jurisdictions. Industrial waste discharge permits shall contain as a minimum, all the requirements of 40 CFR 403.8 (f)(l)(iii).

c. Maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by industrial users to the POTW. Records shall be maintained for at least a three-year period.

d. Perform inspections, surveillance, and monitoring activities on industrial users to determine and/or confirm compliance with applicable pretreatment standards and requirements. A thorough inspection of SIUs shall be conducted annually. Frequency of regular local monitoring of SIU wastewaters shall normally be commensurate with the character and volume of the wastewater but shall not be less than once per year. Sample collection and analysis shall be performed in accordance with 40 CFR Part 403.12(b)(5)(ii)-(v) and 40 CFR Part 136.

e. Enforce and obtain remedies for noncompliance by any industrial users with applicable pretreatment standards and requirements. Once violations have been identified, the Permittee shall take timely and appropriate enforcement action to address the noncompliance. The Permittee's action shall follow its enforcement response procedures and any approved amendments, thereof.

f. Publish, annually in the largest daily newspaper in the Permittee's service area, a list of all industrial users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii).

g. If the Permittee elects to conduct sampling of a SIU's discharge in lieu of the user self-monitoring, it shall sample and analyze for all regulated pollutants in accordance with 40 CFR Part 403.12(b)(5)(ii)-(v), 40 CFR 403.12(g), and 40 CFR Part 136. The character and volume of the samples shall be representative of the discharge and shall provide adequate data to determine compliance, but in no case should sampling occur less than two times per year.

h. Once per permit cycle (by December 15, 2014, if not on a rotating basis of 20 percent/year) confirm the proper categorization of each non-domestic source of pollutants following Ecology guidance “Conducting an Industrial User Survey.” Also, develop and maintain a database which includes the categorization of each non-domestic discharger which is either an SIU or a minor industrial user [including all SIUs which have been downgraded in accordance with 403.3(t)(2)]. The database shall include a list of those industries for which a signed IU Survey form has been determined to be necessary in order to ensure that potential sources of pollution are aware of their requirements under the pretreatment program. The database shall include the information necessary to demonstrate compliance with each requirement of 403.8(f)(6) and 403.12(i)(1).

i. Maintain adequate staff, funds, and equipment to implement its pretreatment program.

j. Establish, where necessary, contracts or legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements by commercial or industrial users within these jurisdictions. These contracts or agreements shall identify the agency responsible for the various implementation and enforcement activities to be performed in the contributing jurisdiction. In addition, the Permittee shall be required to develop a Memorandum of Understanding (or Interlocal Agreement) that outlines the specific roles, responsibilities, and pretreatment activities of each jurisdiction.

2. The Permittee shall implement the Accidental Spill Prevention Program described in the approved Industrial Pretreatment Program dated October 7, 1994.

3. The Permittee shall periodically evaluate whether each Significant Industrial User needs a plan to control slug discharges. For purposes of this subsection, a slug discharge is any discharge of a non-routine, episodic nature not specifically authorized by the pretreatment permit, such as an accidental spill or unauthorized batch discharge. The results of such activities shall be available to Ecology upon request. If the Permittee decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

   a. Description of discharge practices, including non-routine batch discharges.

   b. Description of stored chemicals.

   c. Procedures for immediately notifying the Permittee of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days.

   d. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment necessary for emergency response.

4. Whenever it has been determined, on the basis of information provided to or obtained by Ecology, that any waste source contributes pollutants to the Permittee's treatment works in violation of Subsection (b), (c), or (d) of Section 307 of the Act, and the Permittee has not taken adequate corrective action, Ecology shall notify the Permittee of this determination. Failure by the Permittee to commence an appropriate enforcement action within 30 days of this notification may result in appropriate enforcement action by Ecology against the source and/or the Permittee.

5. Pretreatment Report

The Permittee shall provide to Ecology an annual report that briefly describes its program activities during the previous calendar year. This report shall be submitted no later than **March 15th**, of each year to: Washington Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

The report shall include the following information:

a. The updated industrial user inventory as described in section S6.A.1.h.

b. Results of wastewater sampling at the treatment plant as specified in Section S2. The Permittee shall calculate removal rates for each pollutant and evaluate the adequacy of the existing local limitations in Section 12.08.040 of Ordinance 27003 in prevention of treatment plant interference, pass through of pollutants that could affect receiving water quality, and sludge contamination.

c. Status of program implementation, including:

(1) Any substantial modifications to the pretreatment program as originally approved by Ecology, including staffing and funding levels.

(2) Any interference, upset, or permit violations experienced at the POTW that are directly attributable to wastes from industrial users.

(3) Listing of industrial users inspected and/or monitored, and a summary of the results.

(4) Listing of industrial users scheduled for inspection and/or monitoring for the next year, and expected frequencies.

(5) Listing of industrial users notified of promulgated pretreatment standards and/or local standards as required in 40 CFR 403.8(f)(2)(iii). Indicate which industrial users are on compliance schedules and the final date of compliance for each.

(6) Listing of industrial users issued industrial wastewater discharge permits.

(7) Planned changes in the pretreatment program implementation plan. (See subsection A.6. below.)

d. Status of compliance activities, including:

(1) Listing of industrial users that failed to submit baseline monitoring reports or any other reports required under 40 CFR 403.12 and Chapter 12.08 of the Permittee's industrial wastewater pretreatment program, dated October 7, 1994.

(2) Listing of industrial users that were at any time during the reporting period not complying with federal, state, or local pretreatment standards or with applicable compliance schedules for achieving those standards, and the duration of such noncompliance.

(3) Summary of enforcement activities and other corrective actions taken or planned against non-complying industrial users. The Permittee shall supply to Ecology a copy of the public notice of facilities that were in significant noncompliance.

6. The Permittee shall request and obtain approval from Ecology prior to implementing any significant changes to the local pretreatment program as approved. The procedure of 40 CFR 403.18 (b) & (c) shall be followed.

B. Monitoring Requirements

The Permittee shall monitor its influent, effluent, and biosolids for the priority pollutants identified in Tables II and III of Appendix D of 40 CFR Part 122 as amended and any other pollutants expected from non-domestic sources using U.S. EPA-approved procedures for collection, preservation, storage, and analysis. Influent, effluent, and sludge samples shall be tested for the priority pollutant metals (Table III, 40 CFR 122, Appendix D) on a quarterly basis throughout the term of this permit. Influent, effluent, and sludge samples shall be tested for the organic priority pollutants (Table II, 40 CFR 122, Appendix D) on an annual basis.

1. The POTW influent and effluent shall be sampled on a day when industrial discharges are occurring at normal to maximum levels. Samples for the analysis of acid and base/neutral extractable compounds and metals shall be 24-hour composites. Samples for the analysis of volatile organic compounds shall be collected using grab sampling techniques at equal intervals for the total of four grab samples per day.

   A single analysis for volatile pollutants (Method 624) may be run for each monitoring day by compositing equal volumes of each grab sample directly in the GC purge and trap apparatus in the laboratory, with no less than 1 ml of each grab included in the composite.

   Unless otherwise indicated, all reported test data for metals shall represent the total amount of the constituent present in all phases, whether solid, suspended, or dissolved, elemental or combined including all oxidation states.

   Wastewater samples must be handled, prepared, and analyzed by GC/MS in accordance with the latest revision of the U.S. EPA Methods 624 and 625.

2. A sludge sample shall be collected concurrent with a wastewater sample and may be taken as a single grab of residual sludge. Sampling and analysis shall conform to U.S. EPA Methods 624 and 625 unless the Permittee requests an alternate method and it has been approved by Ecology.

3. Cyanide, phenols, and oils shall be taken as grab samples. Oils shall be hexane soluble or equivalent, and should be measured in the influent and effluent only.

C. Reporting of Monitoring Results

The Permittee shall include a summary of monitoring results in the Annual Pretreatment Report.

D. Local Limit Development

As sufficient data becomes available, the Permittee shall, in consultation with Ecology, reevaluate their local limits in order to prevent pass through or interference. Upon determination by Ecology that any pollutant present causes pass through or interference, or exceeds established biosolids standards, the Permittee shall establish new local limits or revise existing local limits as required by 40 CFR 403.5. In addition, Ecology may require revision or establishment of local limits for any pollutant discharged from the POTW that has a reasonable potential to exceed the Water Quality Standards, Sediment Standards, or established effluent limits, or causes whole effluent toxicity. The determination by Ecology shall be in the form of an Administrative Order.

Ecology may modify this permit to incorporate additional requirements relating to the establishment and enforcement of local limits for pollutants of concern. Any permit modification is subject to formal due process procedures pursuant to state and federal law and regulation.

S7. RESIDUAL SOLIDS

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

S8. ACUTE TOXICITY

A. Effluent Limit for Acute Toxicity

The effluent limit for acute toxicity is no acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC).

The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the zone of acute criteria exceedance assigned pursuant to WAC 173-201A-400. The zone of acute criteria exceedance is authorized in Section S1.C of this permit. **The ACEC equals 4.5 percent effluent**.

In the event of failure to pass the test described in subsection B. of this section for compliance with the effluent limit for acute toxicity, the Permittee is considered to be in compliance with all permit requirements for acute whole effluent toxicity as long as the requirements in subsection C. are being met to the satisfaction of Ecology.

B. Monitoring for Compliance With an Effluent Limit for Acute Toxicity

The Permittee shall conduct monitoring to determine compliance with the effluent limit for acute toxicity. The acute toxicity tests shall be performed using at a minimum 100% effluent, the ACEC, and a control. Acute toxicity testing shall follow protocols, monitoring requirements, and quality assurance/quality control procedures specified in this Section. Testing shall begin within 60 days of the permit effective date. A written report shall be submitted to Ecology within 60 days after the sample date. The percent survival in 100 percent effluent shall be reported along with all compliance monitoring results.

Compliance monitoring shall be conducted once every year while flow blending is occurring and shall also be conducted quarterly with the first report due by **December 15, 2010**, at times when flow blending is not occurring using the species and protocols listed below:

1. Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48 hour static test, method: EPA/600/4-90/027F).

   In the event the permit is extended after the five year permit term and no acute test has shown less than 65 percent survival in 100 percent effluent during the permit term, the Permittee may petition Ecology to reduce the monitoring frequency to once per year.

   The Permittee is in violation of the effluent limit for acute toxicity in subsection A. and shall immediately implement subsection C. if any acute toxicity test conducted for compliance monitoring determines a statistically significant difference in survival between the control and the ACEC using hypothesis testing at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in survival between the control and the ACEC is less than 10 percent, the hypothesis test shall be conducted at the 0.01 level of significance.

C. Response to Noncompliance With an Effluent Limit for Acute Toxicity

If a toxicity test conducted for compliance monitoring under subsection B. determines a statistically significant difference in response between the ACEC and the control, the Permittee shall begin additional compliance monitoring within one week from the time of receiving the test results. This additional monitoring shall be conducted weekly for four consecutive weeks using the same test and species as the failed compliance test. Testing shall be conducted using a series of at least five effluent concentrations and a control in order to be able to determine appropriate point estimates. One of these effluent concentrations shall equal the ACEC and be compared statistically to the nontoxic control in order to determine compliance with the effluent limit for acute toxicity as described in subsection B. The discharger shall return to the original monitoring frequency in subsection B. after completion of the additional compliance monitoring.

If the Permittee believes that a test indicating noncompliance will be identified by Ecology as an anomalous test result, the Permittee may notify Ecology that the compliance test result might be anomalous and that the Permittee intends to take only one additional sample for toxicity testing and wait for notification from Ecology before

completing the additional monitoring required in this subsection. The notification to Ecology shall accompany the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous. The Permittee shall complete all of the additional monitoring required in this subsection as soon as possible after notification by Ecology that the compliance test result was not anomalous. If the one additional sample fails to comply with the effluent limit for acute toxicity, then the Permittee shall proceed without delay to complete all of the additional monitoring required in this subsection. The one additional test result shall replace the compliance test result upon determination by Ecology that the compliance test result was anomalous.

If all of the additional compliance monitoring conducted in accordance with this subsection complies with the permit limit, the Permittee shall search all pertinent and recent facility records (operating records, monitoring results, inspection records, spill reports, weather records, production records, raw material purchases, pretreatment records, etc.) and submit a report to Ecology on possible causes and preventive measures for the transient toxicity event which triggered the additional compliance monitoring.

If toxicity occurs in violation of the acute toxicity limit during the additional compliance monitoring, the Permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to Ecology within 60 days after the sample date. The TI/RE plan shall be based on WAC 173-205-100(2) and shall be implemented in accordance with WAC 173-205-100(3).

D. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into Ecology's database, then the Permittee shall send the disk to Ecology along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A. and Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by Ecology, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. The whole effluent toxicity tests shall be run on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29 percent as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

S9. CHRONIC TOXICITY

A. Testing When There Is No Permit Limit for Chronic Toxicity

The Permittee must:

1. Continue chronic toxicity testing once every year while flow blending is occurring in accordance with the procedures and protocols outlined in subsections A and B of this section. Submit the results to Ecology per section S3.A of this permit.

2. Conduct chronic toxicity testing on final effluent during **July 2014** and **January 2015** (once in the last summer and once in the last winter prior to submission of the application for permit renewal). Submit the results to Ecology with the permit renewal application by **May 1, 2015**.

3. Conduct chronic toxicity testing on a series of at least five concentrations of effluent and a control. This series of dilutions must include the acute critical effluent concentration (ACEC). **The ACEC equals 4.5 percent effluent**.

4. Compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

5. Perform chronic toxicity tests with all of the following species and the most recent version of the following protocols:

Saltwater Chronic Test	Species	Method
Topsmelt survival and growth	*Atherinops affinis*	EPA/600/R-95/136
Mysid shrimp survival and growth	*Mysidopsis bahia/ Americamysis bahia*	EPA-821-R-02-014

B. Sampling and Reporting Requirements

1. The Permittee must submit all reports for toxicity testing in accordance with the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. Reports must contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data in electronic format for entry into Ecology's database, then the Permittee must send the data to Ecology along with the test report, bench sheets, and reference toxicant results.

2. The Permittee must collect 24-hour composite effluent samples for toxicity testing. The Permittee must cool the samples to 0 - 6 degrees Celsius during collection and send them to the lab immediately upon completion. The lab must begin the toxicity testing as soon as possible but no later than 36 hours after sampling was completed.

3. The laboratory must conduct water quality measurements on all samples and test solutions for toxicity testing, as specified in the most recent version of Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*.

4. All toxicity tests must meet quality assurance criteria and test conditions specified in the most recent versions of the EPA methods listed in subsection A. and the Department of Ecology Publication # WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If Ecology determines any test results to be invalid or anomalous, the Permittee must repeat the testing with freshly collected effluent.

5. The laboratory must use control water and dilution water meeting the requirements of the EPA methods listed in subsection A. or pristine natural water of sufficient quality for good control performance.

6. The Permittee must conduct whole effluent toxicity tests on an unmodified sample of final effluent.

7. The Permittee may choose to conduct a full dilution series test during compliance testing in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the CCEC and the ACEC. The CCEC and the ACEC may either substitute for the effluent concentrations that are closest to them in the dilution series or be extra effluent concentrations. **The CCEC equals 0.7 percent effluent. The ACEC equals 4.5 percent effluent.**

8. All whole effluent toxicity tests that involve hypothesis testing must comply with the chronic statistical power standard of 39 percent as defined in WAC 173-205-020. If the test does not meet the power standard, the Permittee must repeat the test on a fresh sample with an increased number of replicates to increase the power.

9. Reports of individual characterization or compliance test results must be submitted to Ecology within 60 days after each sample date.

S10. SANITARY SEWER OVERFLOW ELIMINATION PROGRAM

Discharges from the Tacoma Central Wastewater Treatment Plant sanitary sewer collection system are not permitted and must be reported as noncompliance in accordance with Special Condition S3.E of this permit. The Permittee shall continue its sanitary sewer overflow (SSO) elimination program to attain compliance with this NPDES Permit, the federal Clean Water Act, 90.48 RCW and 90.52 RCW, and Chapter 173-221 WAC. The program involves the replacement and rehabilitation of the City's wastewater collection system.

A. Sanitary Sewer Collection System Rehabilitation and Replacement Program

The Permittee shall continue the collection system replacement and rehabilitation program to eliminate excessive infiltration and inflow. This rehabilitation program shall be based upon achieving the following goals:

1. No raw sewage overflows or bypasses.

2. Removal of all excessive infiltration and inflow (I/I).

3. Eliminating bottlenecks in the collection system that are preventing the conveyance of flow to the treatment plant during high flow events.

4. The wastewater treatment plant routinely and consistently meets the effluent concentration limits contained in Condition S1of this permit.

5. All water collected in the collection system must be conveyed to the treatment plant and receive secondary treatment in order to meet the effluent standards in Section S1 prior to discharge through the permitted discharge point.

B. Progress Reports

The Permittee shall provide Ecology an **annual** progress report by **March 15th**, of each year, with the first report due by **March 15, 2011**, that briefly describes its SSO elimination program activities during the previous calendar year. Each progress report shall include a description of the activities conducted during the previous year that work toward achieving the goals stated above and problems anticipated or encountered which might place the Permittee out of compliance with the terms of this permit.

The progress report shall provide the location and volume of each sanitary sewer overflow and the corresponding precipitation amount (inches prior to the overflow), and the total number and volume of sanitary sewer overflows (and corresponding precipitation amounts, both those amounts causing overflows, and seasonal totals) in the previous calendar years. The City may include additional data and information as it deems appropriate.

The City may submit a single report for the city-wide collection system, and the report will satisfy both this permit's submittal requirement, and a similar submittal requirement in the North End Treatment plant discharge permit.

S11. OUTFALL EVALUATION

The Permittee shall inspect, once per permit, the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in the report. The inspection shall be conducted and the inspection report submitted to Ecology by **December 15, 2014**.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

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

A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.

B. All reports required by this permit and other information requested by Ecology 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 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 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 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 shall 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 A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports whenever a material change to the facility or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. 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 relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

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

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

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

G7. DUTY TO REAPPLY

The Permittee shall apply for permit renewal by **May 1, 2015**.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge 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 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 30 days in advance of the proposed transfer date.

2. The notice includes a written agreement between the existing and new Permittees 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 this 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.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall 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.

G10. REMOVED SUBSTANCES

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

G11. DUTY TO PROVIDE INFORMATION

The Permittee shall 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 shall also

submit to Ecology upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].

G12. OTHER REQUIREMENTS OF 40 CFR

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

G13. ADDITIONAL MONITORING

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

G14. PAYMENT OF FEES

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

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

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

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

G16. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of 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 limitations if the requirements of the following paragraph are met.

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 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 S5 of this permit.

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

G17. PROPERTY RIGHTS

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

G18. DUTY TO COMPLY

The Permittee shall 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.

G19. TOXIC POLLUTANTS

The Permittee shall 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.

G20. 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 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 by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both.

G21. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, 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, 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 of the terms and conditions of this permit.

G22. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to Ecology by submission of a new application or supplement thereto at least 180 days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by Ecology.

G23. REPORTING OTHER INFORMATION

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

G24. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

APPENDIX A

EFFLUENT CHARACTERIZATION FOR POLLUTANTS
THIS LIST INCLUDES EPA REQUIRED POLLUTANTS (PRIORITY POLLUTANTS) AND SOME ECOLOGY PRIORITY TOXIC CHEMICALS (PBTs)

The following table specifies analytical methods and levels to be used for effluent characterization in NPDES and State waste discharge permits. This appendix specifies effluent characterization requirements of the Department of Ecology unless other methods are specified in the body of this permit.

This permit specifies the compounds and groups of compounds to be analyzed. Ecology may require additional pollutants to be analyzed within a group. The objective of this appendix is to reduce the number of analytical "non-detects" in permit-required monitoring and to measure effluent concentrations near or below criteria values where possible at a reasonable cost. If a 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)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
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
NONCONVENTIONALS			
Total Alkalinity	SM2320-B		5 mg/L as CaCo3
Chlorine, Total Residual	4500 Cl G		50.0
Color	SM2120 B/C/E		10 color unit
Fecal Coliform	SM 9221D/E,9222	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-		300

Pollutant & CAS No. ***(if available)***	**Recommended Analytical Protocol**	**Detection (DL)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
	C/E/FG		
Ortho-Phosphate (PO_4 as P)	4500- PE/PF	3	10
Phosphorus, Total (as P)	4500-PE/PF	3	10
Oil and Grease (HEM)	1664A	1,400	5,000
Salinity	SM2520-B		3 PSS
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
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)	200.7	12.5	50
Magnesium, Total (7439-95-4)	200.7	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
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 (18540-29-9)	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 (57-12-5)	335.4	2	10
Cyanide, Weak Acid Dissociable	SM4500-CN I	2	10
Phenols, Total	EPA 420.1		50
DIOXIN			
2,3,7,8-Tetra-Chlorodibenzo-P-	1613B	1.3 pg/L	5 pg/L

Pollutant & CAS No. ***(if available)***	**Recommended Analytical Protocol**	**Detection (DL)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
Dioxin (176-40-16)			
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
Bromoform (75-25-2)	624	1.0	2.0
Carbon tetrachloride (56-23-5)	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
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

Pollutant & CAS No. ***(if available)***	**Recommended Analytical Protocol**	**Detection (DL)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
Trichloroethylene (79-01-6)	624	1.0	2.0
Vinyl chloride (75-01-4)	624/SM6200B	1.0	2.0
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
Phenol (108-95-2)	625	2.0	4.0
2,4,6-Trichlorophenol (88-06-2)	625	2.0	4.0
BASE/NEUTRAL COMPOUNDS (compounds in bold are Ecology PBTs)			
Acenaphthene (83-32-9)	625	0.2	0.4
Acenaphthylene (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 (39638-32-9)	625	0.3	0.6

Pollutant & CAS No. ***(if available)***	**Recommended Analytical Protocol**	**Detection (DL)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
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
Nitrobenzene (98-95-3)	625	0.5	1.0
N-Nitrosodimethylamine (62-75-9)	607/625	2.0	4.0

Pollutant & CAS No. ***(if available)***	**Recommended Analytical Protocol**	**Detection (DL)**[1] ***µg/L unless specified***	**Quantitation Level (QL)** [2] ***µg/L unless specified***
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
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. Detection level (DL) or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR part 136, Appendix B.

2. 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.

Issuance Date: June 4, 2009
Effective Date: July 1, 2009
Expiration Date: June 30, 2014
Modification Date: July 9, 2009

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT NO. WA0037214

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7775

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 1251 et seq.

City of Tacoma

North End Wastewater Plant No. 3

2201 Portland Avenue

Tacoma, WA 98421-2711

Plant Location: 4002 North Waterview Street Tacoma, WA 98407-5706	Receiving Water: Outer Commencement Bay
Water Body I.D. No.: Old ID # WA-10-0010, New ID # 47122C418	Discharge Location: Latitude: 47° 17' 16" N Longitude: 122° 29' 00" W
Plant Type: Physical/Chemical with a biological tower and chlorine disinfection	

is authorized to discharge in accordance with the special and general conditions that follow.

Garin Schrieve, P.E.
Southwest Regional Manager
Water Quality Program
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.	Discharge Monitoring Report	Monthly	August 15, 2009
S3.E	Reporting Permit Violations	As necessary	
S3.F	Other Reporting	As necessary	
S4.B.	Preliminary Engineering Report for Re-Rating Study	Once	August 1, 2009
S4.B.	Final Re-Rating Study Engineering Report	Once	August 1, 2012
S4.B.	Plans for Maintaining Adequate Capacity	As necessary Thereafter	
S4.D.	Notification of New or Altered Sources	As necessary	
S4.E.	Infiltration and Inflow Evaluation	Annually	March 15, 2010
S4.F.	Wasteload Assessment	Annually	March 15, 2010
S5.G.	Operations and Maintenance Manual Update or Review Confirmation Letter	As necessary	
S6.A.5.	Pretreatment Report	Annually	March 15, 2010
S7.	Residual Solids Management Plan	Annually	March 15, 2009
S8.B.	Acute Toxicity Compliance Monitoring Reports	Once every three months	November 1, 2009
S8.C	Acute Toxicity: “Causes and Preventative Measures for Transient Events.”	As necessary	
S8.C	Acute Toxicity TI/TRE Plan	As necessary	
S9.A	Chronic Toxicity Characterization Data	Once every two months	September 1, 2010
S9.A	Chronic Toxicity Tests Characterization Summary Report	1/permit cycle	December 1, 2010
S9.C	Chronic Toxicity Compliance Monitoring Reports (When there is a limit for Chronic Toxicity)	Once every two months	January 1, 2011
S9.D	Chronic Toxicity: “Causes and Preventative Measures for Transient Events.”	As necessary	
S9.D	Chronic Toxicity TI/TRE Plan	As necessary	

Permit Section	Submittal	Frequency	First Submittal Date
S9.E	Chronic Toxicity Effluent Characterization with Permit Renewal Application	1 report/permit cycle (two sample events)	Report Due: December 15, 2013 (Sample Once in the Last Summer & Once in the Last Winter Prior to Submission of the Renewal Application)
S10.B	Sewer Overflow Elimination Report	Annually	March 15, 2010
S11.	Outfall Evaluation	1/permit cycle	November 15, 2010
G1.	Notice of Change in Authorization	As necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	January 1, 2014
G21	Notice of Planned Changes	As necessary	
G22	Reporting Anticipated Non-compliance	As necessary	

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS

A. Effluent Limitations

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date the Permittee is authorized to discharge municipal wastewater at the permitted location subject to complying with the following limitations:

EFFLUENT LIMITATIONS[a]: OUTFALL # 001		
Parameter	**Average Monthly**	**Average Weekly**
Biochemical Oxygen Demand[b] (5 day) (BOD_5)	30 mg/L	45 mg/L
	1,332 lbs/day	1,998 lbs/day
	Shall not exceed more than 15% of influent concentration	
Total Suspended Solids[b] (TSS)	30 mg/L	45 mg/L
	1,705 lbs/day	2,557 lbs/day
	Shall not exceed more than 15% of influent concentration	
Fecal Coliform Bacteria	200 col/100 ml	400 col/100 ml
Parameter	**Average Monthly**	**Maximum Daily[d]**
Total Residual Chlorine[e]	0.22 mg/L	0.59 mg/L
pH[c]	Daily minimum is equal to or greater than 6.0 and the daily maximum is less than or equal to 9.0.	
Whole Effluent Toxicity	Acute limit: No statistically significant difference in test organism survival between the acute critical effluent concentration (ACEC), 2.2 percent of the effluent, and the control. Permittee should note that there also may be additional effluent limits in S8 Acute Toxicity and S9 Chronic Toxicity	
[a] The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
[b] The average monthly effluent concentration for BOD_5 and Total Suspended Solids shall not exceed 30 mg/L or 15 percent of the respective monthly average influent concentrations, whichever is more stringent.		

[c] Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations. The instantaneous maximum and minimum pH shall be reported monthly.
[d] The maximum daily effluent limitation is defined as the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day or a 24-hour period. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day.
[e] This effluent limit applies whenever chlorine is used in the facility. If no chlorine is used during the monitoring period enter "no discharge of chlorine" on the DMR for the period.

B. Mixing Zone Descriptions

The following paragraphs define the maximum boundaries of the mixing zones:

Chronic Mixing Zone

Washington Administrative Code (WAC) 173-201A-400(7)(b)(i) specifies mixing zones must not extend in any horizontal direction from the discharge ports for a distance greater than 200 feet plus the depth of water over the discharge ports as measured during mean lower low water (MLLW). Given a MLLW water depth of 125 feet (38.1 meters) for the Permittee's outfall, the horizontal distance therefore is 325 feet (99.1 meters). The mixing zone is a circle with radius of 325 feet (99.1 meters) 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.

Acute Mixing Zone

WAC 173-201A-400(8)(b) specifies that in estuarine waters a zone where acute criteria may be exceeded must not extend beyond 10 percent 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 32.5 feet (9.9 meters) 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.

Available Dilution (dilution factor)	
Acute Aquatic Life Criteria	45
Chronic Aquatic Life Criteria	101

S2. MONITORING REQUIREMENTS

A. Monitoring Schedule

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Influent	Flow	mgd	Parshall flume	Continuous[a]	Recording On-line
Wastewater Influent	BOD_5	mg/L, lbs/day	Influent	3/week	24-hour Composite
Wastewater Influent	TSS	mg/L, lbs/day	Influent	3/week	24-hour Composite
Wastewater Influent	pH	Standard Units	Influent	Daily	Grab
Wastewater Influent	Total Ammonia	mg/L N	Influent	Monthly	24-hour Composite
Wastewater Influent	Nitrate+Nitrite Nitrogen	mg/L N	Influent	Monthly	24-hour Composite
Wastewater Influent	Total Nitrogen	mg/L N	Influent	Monthly	24-hour Composite
Wastewater Influent	Ortho-Phosphate (PO4)	mg/L P	Influent	Monthly	24-hour Composite
Wastewater Influent	Total Phosphorus	mg/L P	Influent	Monthly	24-hour Composite
Wastewater Effluent	BOD_5	mg/L, lbs/day	Effluent	3/week	24-hour Composite
Wastewater Effluent	TSS	mg/L, lbs/day	Effluent	3/week	24-hour Composite
Wastewater Effluent	pH	Standard Units	Effluent	Continuous[a]	Recording On-line
Wastewater Effluent	Total Residual Chlorine	mg/L	Final Effluent	Daily	Grab

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Wastewater Effluent	Fecal Coliform	Col./100ml	Final Effluent	Daily[b]	Grab
Wastewater Effluent	Total Ammonia	mg/L N	Final Effluent	Monthly	24-hour Composite
Wastewater Effluent	Nitrate+Nitrite Nitrogen	mg/L N	Final Effluent	Monthly	24-hour Composite
Wastewater Effluent	Total Nitrogen	mg/L N	Final Effluent	Monthly	24-hour Composite
Wastewater Effluent	Ortho-Phosphate (PO4)	mg/L P	Final Effluent	Monthly	24-hour Composite
Wastewater Effluent	Total Phosphorus	mg/L P	Final Effluent	Monthly	24-hour Composite
Pretreatment[d]	Oil and Grease		Influent Effluent	Quarterly[c]	Grab
Pretreatment[d]	Priority pollutant metals, and cyanide		Influent, Effluent, sludge[d]	Quarterly[c]	24-hour Composite except for sludge which is a Grab sample
Pretreatment[d]	Priority pollutant organics and other toxic pollutants likely to be present		Influent, Effluent, sludge[d]	Annually[c]	24-hour Composite except for sludge which is a grab sample
Wastewater Effluent	Acute Toxicity Testing		Final Effluent	As specified in section S8	
Wastewater Effluent	Chronic Toxicity Testing		Final Effluent	As specified in section S9	

[a] Continuous means uninterrupted except for brief lengths of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. Sampling shall be taken four times per day when continuous monitoring is not possible.
[b] Sampled concurrently with total residual chlorine (applies when chlorine is sampled by grab, before dechlorination if applicable).
[c] The days selected for sampling shall be rotated annually or quarterly (e.g., first quarter sample Monday, second quarter sample Tuesday, etc.). If the facility has undergone screening and prioritization for human health criteria the testing must be done during a wet season and a dry season.
[d] See section S6.B for sampling and analysis of priority pollutants.

B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of 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 shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 Code of Federal Regulations (CFR) Part 136 or to the latest approved revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Ecology).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by Ecology shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow, temperature, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. Conductivity and pH shall be accredited if the laboratory must otherwise be registered or accredited. Ecology exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

S3. REPORTING AND RECORDKEEPING REQUIREMENTS

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

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by Ecology. DMR forms shall be received by Ecology no later than the 15th day of the month following the completed monitoring period, unless otherwise specified in this permit. Priority pollutant analysis data shall be submitted no later than 45 days following the monitoring period. Unless otherwise specified, all toxicity test data shall be submitted within 60 days after the sample date. The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P.O. Box 47775, Olympia, Washington 98504-7775.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected.

DMR forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall 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. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

C. Recording of Results

For each measurement or sample taken, the Permittee shall 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; and 6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of such

monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Reporting Permit Violations

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

- Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.

- If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to Ecology within 30 days of sampling.

1. Immediate Reporting

The Permittee must report any failure of the disinfection system immediately to the Department of Ecology's Regional Office 24-hour number listed below:

Southwest Regional Office	360-407-6300

The Permittee must report any failure of the disinfection system, any collection system overflows which may reach surface waters or any plant bypass discharging to a shellfish area immediately to the Department of Ecology and the Department of Health, Shellfish Program at the numbers listed below:

Southwest Regional Office	360-407-6300
Department of Health, Shellfish Program	360-236-3330 (business hours) 360-786-4183 (24 hours)

2. Twenty-four-hour Reporting

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology at 360-407-6300, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

a. Any noncompliance that may endanger health or the environment, unless previously reported under subpart 1, above.

b. Any unanticipated **bypass** that exceeds any effluent limitation in the permit (See Part S5.F., “Bypass Procedures”).

c. Any **upset** that exceeds any effluent limitation in the permit (See G.16, “Upset”).

d. Any violation of a maximum daily or instantaneous maximum discharge limitation for any of the pollutants in Section S1.A of this permit.

e. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

3. Report Within Five Days

The Permittee must also provide a written submission within five days of the time that the Permittee becomes aware of any event required to be reported under subparts 1 or 2, above. The written submission must contain:

a. A description of the noncompliance and its cause.

b. The period of noncompliance, including exact dates and times.

c. The estimated time noncompliance is expected to continue if it has not been corrected.

d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

4. Waiver of Written Reports

Ecology may waive the written report required in subpart 3, above, on a case-by-case basis upon request if a timely oral report has been received.

5. 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 paragraph E.3, 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.

6. Report Submittal

The Permittee must submit reports to the address listed in S3.

F. Other Reporting

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of Revised Code of Washington (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 .

G. 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. FACILITY LOADING

A. Design Criteria

Ecology has approved the following design criteria for the North End Treatment Plant:

Average flow for the maximum month:	7.2 mgd
Maximum daily flow:	15.8 mgd
BOD_5 loading for maximum month:	8,882 lbs/day
TSS loading for maximum month:	11,366 lbs/day
Design population:	54,300

Flows or waste loadings of the above design criteria for the permitted treatment facility shall not be exceeded except as discussed in paragraph B below.

B. Plans for Maintaining Adequate Capacity

The Permittee shall submit to Ecology a plan and a schedule for continuing to maintain capacity when:

1. The actual flow or waste load reaches 85 percent of any one of the design criteria in S4.A for three consecutive months; or

2. When the projected increase would reach design capacity within five years,

Whichever occurs first. If such a plan is required, it shall contain a plan and schedule for continuing to maintain capacity. The capacity as outlined in this plan must be sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet the objective of maintaining capacity.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph A above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.

3. Limitation on future sewer extensions or connections or additional waste loads.

4. Modification or expansion of facilities necessary to accommodate increased flow or waste load.

5. Reduction of industrial or commercial flows or waste loads to allow for increasing sanitary flow or waste load.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by Ecology prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

The City has exceeded its design capacity and is preparing a Preliminary Engineering Report for a Re-Rating Study to assess the treatment plant's capacity and examine improvements to increase that capacity. The Preliminary Engineering Report must contain the following elements:

- The technical basis for the proposed re-rating.
- An evaluation of the proposed re-rating for each treatment process in the facility's treatment train.
- The evaluation method and monitoring (study plan) proposed to demonstrate performance and reliability of the facility at the rerated capacity.

The City must submit the Preliminary Engineering Report for Ecology's review and approval by **August 1, 2009**.

After Ecology approval, the City will conduct the re-rating study per the study plan. After conducting the study through the verification period 2009-2012, the city must prepare and submit a Final Re-rating Study Engineering Report. The report, containing study findings and recommendations, is due to Ecology by **August 1, 2012**. The Permittee must demonstrate to Ecology's satisfaction that it can accommodate additional loadings to the plant.

As part of its study of the plant's design capacity, beginning on the effective date of this permit, the Permittee may accept loadings of BOD_5 and TSS up to the following amounts:

BOD_5 loading for maximum month:	10,600 lbs/day
TSS loading for maximum month:	12,000 lbs/day

C. <u>Duty to Mitigate</u>

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

D. Notification of New or Altered Sources

The Permittee shall submit written notice to Ecology whenever any new discharge or a substantial change in volume or character of an existing discharge into the Publicly Owned Treatment Works (POTW) is proposed which: 1) would interfere with the operation of, or exceed the design capacity of, any portion of the POTW; 2) is not part of an approved general sewer plan or approved plans and specifications; or 3) would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the POTWs ability to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the POTW, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

E. Infiltration and Inflow Evaluation

1. The Permittee shall conduct an infiltration and inflow evaluation. Refer to the U.S. EPA publication, *I/I Analysis and Project Certification*, available as Publication No. 97-03 at: Publications Office, Department of Ecology, P.O. Box 47600, Olympia, Washington 98504-7600. Plant monitoring records may be used to assess measurable infiltration and inflow.

2. A report shall be prepared which summarizes any measurable infiltration and inflow. If infiltration and inflow have increased by more than 15 percent from that found in the previous reports from the last five years based on equivalent rainfall, the report shall contain a plan and a schedule for: 1) locating the sources of infiltration and inflow; and 2) correcting the problem.

3. The report shall be submitted by **March 15, 2010**, and **annually** thereafter. This report may be packaged with the Sewer Overflow Elimination Report listed in S10 of this permit.

F. Wasteload Assessment

The Permittee shall conduct an assessment of their flow and waste load and submit a report to Ecology by **March 15, 2010**, and **annually** thereafter. The report shall contain the following: an indication of compliance or noncompliance with the permit effluent limitations; a comparison between the existing and design monthly average dry weather and wet weather flows, peak flows, BOD, and total suspended solids loadings; and (except for the first report) the percentage increase in these parameters since the last annual report. The report shall also state the present and design population or population equivalent, projected population growth rate, and the estimated date upon which the design capacity is projected to be reached, according to the most restrictive of the parameters above. The interval for review and reporting may be modified if Ecology determines that a different frequency is sufficient.

S5. OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and 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 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 a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Certified Operator

An operator certified for at least a Class III plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class II plant shall be in charge during all regularly scheduled shifts.

B. O & M Program

The Permittee shall institute an adequate operation and maintenance program for their entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

C. Short-term Reduction

If a Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to Ecology, if possible, 30 days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of their obligations under this permit.

D. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes.

The Permittee shall maintain Reliability Class II (EPA 430-99-74-001) at the wastewater treatment plant, which requires a backup power source sufficient to operate all vital components and critical lighting and ventilation during peak wastewater flow conditions

E. Prevent Connection of Inflow

The Permittee shall strictly enforce their sewer ordinances and not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

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

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 limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee shall submit prior notice, if possible at least ten 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:

   a. 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.

   b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.

   c. Ecology is properly notified of the bypass as required in condition S3E of this permit.

3. Bypass which is anticipated and has the potential to result in noncompliance of this permit

   The Permittee shall notify Ecology at least 30 days before the planned date of bypass. The notice shall contain: 1) a description of the bypass and its cause; 2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; 3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; 4) the minimum and maximum duration of bypass under each alternative; 5) a recommendation as to the preferred alternative for conducting the bypass; 6) the projected date of bypass initiation; 7) a statement of compliance with State Environmental Policy Act

(SEPA); 8) 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; and 9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

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

a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.

b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

c. If the bypass is planned and scheduled 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. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

G. Operations and Maintenance Manual

The approved Operations and Maintenance (O&M) Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this manual.

Substantial changes or updates to the O&M Manual shall be submitted to Ecology for review and approval whenever they are incorporated into the manual.

S6. PRETREATMENT

A. General Requirements

1. The Permittee shall implement the Industrial Pretreatment Program in accordance with the legal authorities, policies, procedures, and financial provisions described in the Permittee's approved pretreatment program submittal entitled: "Industrial Pretreatment Program" and dated August 23, 1994; any approved revisions thereto including Revisions to Chapter 12.08 Tacoma Municipal Code of February, 1995; the State Waste Discharge Permit program of Chapter 173-216 WAC; and the General Pretreatment Regulations (40 CFR Part 403).

   At a minimum, the following pretreatment implementation activities shall be undertaken by the Permittee:

   a. Enforce categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Federal Clean Water Act (hereinafter, the Act), prohibited discharge standards as set forth in 40 CFR 403.5, local limitations specified in Tacoma Municipal Code, Chapter 12.08 or state standards, which ever are most stringent or apply at the time of issuance or modification of a local industrial waste discharge permit. Locally derived limitations shall be defined as pretreatment standards under Section 307(d) of the Act and shall not be limited to categorical industrial facilities.

   b. Issue industrial waste discharge permits to all significant industrial users [SIUs, as defined in 40 CFR 403.3(t)(i)(ii)] contributing to the treatment system, including those from other jurisdictions. Industrial waste discharge permits shall contain as a minimum, all the requirements of 40 CFR 403.8 (f)(l)(iii). The Permittee shall coordinate the permitting process with Ecology regarding any industrial facility, which may possess a state waste discharge permit issued by Ecology. Once issued, an industrial waste discharge permit will take precedence over a state-issued waste discharge permit.

   c. Maintain and update, as necessary, records identifying the nature, character, and volume of pollutants contributed by industrial users to the POTW. Records shall be maintained for at least a three-year period.

   d. Perform inspections, surveillance, and monitoring activities on industrial users to determine and/or confirm compliance with applicable pretreatment standards and requirements. A thorough inspection of SIUs shall be conducted annually. Frequency of regular local monitoring of SIU wastewaters shall normally be commensurate with the character and volume of the wastewater but shall not be less than once per year. Sample collection and analysis shall be performed in accordance with 40 CFR Part 403.12(b)(5)(ii)-(v) and 40 CFR Part 136.

   e. Enforce and obtain remedies for noncompliance by any industrial users with applicable pretreatment standards and requirements. Once

violations have been identified, the Permittee shall take timely and appropriate enforcement action to address the noncompliance. The Permittee's action shall follow its enforcement response procedures and any amendments, thereof.

f. Publish, at least annually in the largest daily newspaper in the Permittee's service area, a list of all non-domestic users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8(f)(2)(vii).

g. If the Permittee elects to conduct sampling of a SIUs discharge in lieu of the user self-monitoring, it shall sample and analyze for all regulated pollutants in accordance with 40 CFR Part 403.12(b)(5)(ii)-(v), 40 CFR 403.12(g), and 40 CFR Part 136. The character and volume of the samples shall be representative of the discharge and shall provide adequate data to determine compliance, but in no case should sampling occur less than two times per year.

h. Develop and maintain a data management system designed to track the status of the Permittee's industrial user inventory, industrial user discharge characteristics, and compliance status.

i. Maintain adequate staff, funds, and equipment to implement its pretreatment program.

j. Establish, where necessary, contracts or legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements by commercial or industrial users within these jurisdictions. These contracts or agreements shall identify the agency responsible for the various implementation and enforcement activities to be performed in the contributing jurisdiction. In addition, the Permittee shall be required to develop a Memorandum of Understanding (or Inter-local Agreement) that outlines the specific roles, responsibilities, and pretreatment activities of each jurisdiction.

2. The Permittee shall periodically evaluate whether each Significant Industrial User needs a plan to control slug discharges in keeping with its approved program procedures. For purposes of this subsection, a slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch discharge. The results of such activities shall be available to Ecology upon request. If the Permittee decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

a. Description of discharge practices, including non-routine batch discharges.

b. Description of stored chemicals.

c. Procedures for immediately notifying the Permittee of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days.

d. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment necessary for emergency response.

3. Whenever it has been determined, on the basis of information provided to or obtained by Ecology, that any waste source contributes pollutants to the Permittee's treatment works in violation of Subsection (b), (c), or (d) of Section 307 of the Act, and the Permittee has not taken adequate corrective action, Ecology shall notify the Permittee of this determination. Failure by the Permittee to commence an appropriate enforcement action within 30 days of this notification may result in appropriate enforcement action by Ecology against the source and/or the Permittee.

4. Pretreatment Report

The Permittee shall provide to Ecology an annual report that briefly describes its program activities during the previous calendar year. The Permittee may include the North End reporting with the Central Plant pretreatment report. However, the data from the North End Plant should be distinguished from Central Plant data in the report as much as possible. This report shall be submitted no later than **March 15, 2010**, and **annually** thereafter to: Washington Department of Ecology, Southwest Regional Office, P.O. Box 47775 Olympia, Washington 98504-7775.

The report shall include the following information:

a. An updated non-domestic inventory.

b. Results of wastewater sampling at the treatment plant as specified in section S2 of this permit under pretreatment priority pollutant scan. The Permittee shall calculate removal rates for each pollutant and evaluate the adequacy of the existing local limitations in prevention of treatment plant interference, pass-through of pollutants that could affect receiving water quality, and sludge contamination.

c. Status of program implementation, including:

i. Any substantial modifications to the pretreatment program as originally approved by Ecology, including staffing and funding levels.

ii. Any interference, upset, or permit violations experienced at the POTW that are directly attributable to wastes from industrial users.

iii. Listing of industrial users inspected and/or monitored, and a summary of the results.

iv. Listing of industrial users scheduled for inspection and/or monitoring for the next year, and expected frequencies.

v. Listing of industrial users notified of promulgated pretreatment standards and/or local standards as required in 40 CFR 403.8(f)(2)(iii). Indicate which industrial users are on compliance schedules and the final date of compliance for each.

vi. Listing of industrial users issued industrial waste discharge permits.

vii. Planned changes in the pretreatment program implementation plan. (See subsection A.5. below.)

d. Status of compliance activities, including:

i. Listing of industrial users that failed to submit baseline monitoring reports or any other reports required under 40 CFR 403.12.

ii. Listing of industrial users that were at any time during the reporting period not complying with federal, state, or local pretreatment standards or with applicable compliance schedules for achieving those standards, and the duration of such noncompliance.

iii. Summary of enforcement activities and other corrective actions taken or planned against non-complying industrial users. The Permittee shall supply to Ecology a copy of the public notice of facilities that were in significant noncompliance.

5. The Permittee shall request and obtain approval from Ecology prior to implementing any significant changes to the local pretreatment program as approved. The procedure of 40 CFR 403.18 (b) & (c) shall be followed.

B. Monitoring Requirements

The Permittee shall monitor its influent, effluent, and sludge for the priority pollutants identified in Tables II and III of Appendix D of 40 CFR Part 122 as amended, any compounds identified as a result of Condition S6.B.4, and any other pollutants expected from non-domestic sources using U.S. EPA-approved procedures for collection, preservation, storage, and analysis. Influent, effluent, and sludge samples shall be tested for the priority pollutant metals (Table III, 40 CFR 122, Appendix D) on a quarterly basis

throughout the term of this permit. Influent, effluent, and sludge samples shall be tested for the organic priority pollutants (Table II, 40 CFR 122, Appendix D) on an annual basis.

1. The POTW influent and effluent shall be sampled on a day when industrial discharges are occurring at normal to maximum levels. Samples for the analysis of acid and base/neutral extractable compounds and metals shall be 24-hour composites. Samples for the analysis of volatile organic compounds shall be collected using grab sampling techniques at equal intervals for the total of four grab samples per day.

   A single analysis for volatile pollutants (Method 624) may be run for each monitoring day by compositing equal volumes of each grab sample directly in the GC purge and trap apparatus in the laboratory, with no less than 1 ml of each grab included in the composite.

   Unless otherwise indicated, all reported test data for metals shall represent the total amount of the constituent present in all phases, whether solid, suspended, or dissolved, elemental or combined including all oxidation states.

   Wastewater samples must be handled, prepared, and analyzed by GC/MS in accordance with the latest revision of the U.S. EPA Methods 624 and 625.

2. A sludge sample shall be collected concurrent with a wastewater sample and may be taken as a single grab of residual sludge. Sampling and analysis shall conform to U.S. EPA Methods 624 and 625 unless the Permittee requests an alternate method and it has been approved by Ecology.

3. Cyanide, phenols, and oils shall be taken as grab samples. Oils shall be hexane soluble or equivalent, and should be measured in the influent and effluent only.

4. In addition to quantifying pH, oil and grease, and all priority pollutants, a reasonable attempt should be made to identify all other substances and quantify all pollutants shown to be present by gas chromatograph/mass spectrometer (GC/MS) analysis per 40 CFR 136, Appendix A, Methods 624 and 625. Determinations of pollutants should be attempted for each fraction, which produces identifiable spectra on total ion plots (reconstructed gas chromatograms). Determinations should be attempted from all peaks with responses five percent or greater than the nearest internal standard. The five percent value is based on internal standard concentrations of 30 μg/l, and must be adjusted downward if higher internal standard concentrations are used or adjusted upward if lower internal standard concentrations are used. Non-substituted aliphatic compounds may be expressed as total hydrocarbon content. Identification shall be attempted by a laboratory whose computer data processing programs are capable of comparing sample mass spectra to a computerized library of mass spectra, with visual confirmation by an experienced analyst. For all detected substances which are determined to be pollutants, additional sampling and appropriate testing shall be conducted to determine concentration and variability, and to evaluate trends.

C. Reporting of Monitoring Results

The Permittee shall include a summary of monitoring results in the Annual Pretreatment Report.

S7. RESIDUAL SOLIDS

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters. A residual solids management plan is due by **March 15, 2010**, and **annually** after that.

S8. ACUTE TOXICITY

A. Effluent Limit for Acute Toxicity

The effluent limit for acute toxicity is: "no acute toxicity detected in a test concentration representing the acute critical effluent concentration (ACEC)."

The ACEC means the maximum concentration of effluent during critical conditions at the boundary of the zone of acute criteria exceedance assigned pursuant to WAC 173-201A-400. The zone of acute criteria exceedance is authorized in Section 1 of this permit. The **ACEC equals 2.2 percent effluent**.

In the event of failure to pass the test described in subsection B of this section for compliance with the effluent limit for acute toxicity, the Permittee is considered to be in compliance with all permit requirements for acute whole effluent toxicity as long as the requirements in subsection C are being met to the satisfaction of Ecology.

B. Monitoring for Compliance with an Effluent Limit for Acute Toxicity

The Permittee shall conduct monitoring to determine compliance with the effluent limit for acute toxicity. The acute toxicity tests shall be performed using at a minimum 100 percent effluent, the ACEC, and a control. Acute toxicity testing shall follow protocols, monitoring requirements, and quality assurance/quality control procedures specified in this Section. Testing shall begin within 60 days of the permit effective date. A written report shall be submitted to Ecology within 60 days after the sample date. The percent survival in 100 percent effluent shall be reported along with all compliance monitoring results.

Compliance monitoring shall be conducted quarterly (4/year) with the first report by **November 1, 2009,** using each of the species and protocols listed below on a rotating basis:

(1) Fathead minnow, *Pimephales promelas* (96-hour static-renewal test, method: EPA/600/4-90/027F)

(2) Daphnid, *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48-hour static test, method: EPA/600/4-90/027F).

If the permit is not rewritten after five years and no acute test has shown less than 65 percent survival in 100 percent effluent, then the monitoring frequency will be reduced to once per year upon written request from the Permittee.

The Permittee is in violation of the effluent limit for acute toxicity in subsection A and shall immediately implement subsection C if any acute toxicity test conducted for compliance monitoring determines a statistically significant difference in survival between the control and the ACEC using hypothesis testing at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in survival between the control and the ACEC is less than ten percent, the hypothesis test shall be conducted at the 0.01 level of significance.

C. Response to Noncompliance With an Effluent Limit for Acute Toxicity

If a toxicity test conducted for compliance monitoring under subsection B determines a statistically significant difference in response between the ACEC and the control, the Permittee shall begin additional compliance monitoring within one week from the time of receiving the test results. This additional monitoring shall be conducted weekly for four consecutive weeks using the same test and species as the failed compliance test. Testing shall be conducted using a series of at least five effluent concentrations and a control in order to be able to determine appropriate point estimates. One of these effluent concentrations shall equal the ACEC and be compared statistically to the nontoxic control in order to determine compliance with the effluent limit for acute toxicity as described in subsection B. The discharger shall return to the original monitoring frequency in subsection B after completion of the additional compliance monitoring.

If the Permittee believes that a test indicating noncompliance will be identified by Ecology as an anomalous test result, the Permittee may notify Ecology that the compliance test result might be anomalous and that the Permittee intends to take only one additional sample for toxicity testing and wait for notification from Ecology before completing the additional monitoring required in this subsection. The notification to Ecology shall accompany the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous. The Permittee shall complete all of the additional monitoring required in this subsection as soon as possible after notification by Ecology that the compliance test result was not anomalous. If the one additional sample fails to comply with the effluent limit for acute toxicity, then the Permittee shall proceed without delay to complete all of the additional monitoring required in this subsection. The one additional test result shall replace the compliance test result upon determination by Ecology that the compliance test result was anomalous.

If all of the additional compliance monitoring conducted in accordance with this subsection complies with the permit limit, the Permittee shall search all pertinent and recent facility records (operating records, monitoring results, inspection records, spill reports, weather records, production records, raw material purchases, pretreatment records, etc.) and submit a report to Ecology on possible causes and preventive measures for the transient toxicity event which triggered the additional compliance monitoring.

If toxicity occurs in violation of the acute toxicity limit during the additional compliance monitoring, the Permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to Ecology-within 60 days after the sample date. The TI/RE plan shall be

based on WAC 173-205-100(2) and shall be implemented in accordance with WAC 173-205-100(3).

D. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into Ecology's database, then the Permittee shall send the disk to Ecology along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on 24-hour composite effluent samples. Samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by Ecology, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. Effluent samples for whole effluent toxicity testing shall be collected just prior to the chlorination step in the treatment process.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing and do not comply with the acute statistical power standard of 29 percent as defined in WAC 173-205-020 must be repeated on a fresh sample with an increased number of replicates to increase the power.

S9. CHRONIC TOXICITY

A. Effluent Characterization

The Permittee shall conduct chronic toxicity testing on the final effluent. The two chronic toxicity tests listed below shall be conducted on each sample taken for effluent characterization.

Effluent testing for chronic toxicity shall be conducted every other month for one year with the characterization data due by **September 1, 2010**. A final summary report of the characterization data is due by **December 1, 2010**. The Permittee shall conduct chronic toxicity testing during effluent characterization on a series of at least five concentrations of effluent in order to determine appropriate point estimates. This series of dilutions shall include the ACEC. The Permittee shall compare the ACEC to the control using hypothesis testing at the 0.05 level of significance as described in Appendix H, EPA/600/4-89/001.

Chronic toxicity tests shall be conducted with the following two species and the most recent version of the following protocols:

Saltwater Chronic Toxicity Test Species		Method
Topsmelt	*Atherinops affinis*	EPA/600/R-95/136
Mysid shrimp	*Holmesimysis costata* or *Mysidopsis bahia*	EPA/600/R-95/136 or EPA/600/4-91/003

The Permittee shall use the West Coast mysid (*Holmesimysis costata*) for toxicity testing unless the lab cannot obtain a sufficient quantity of a West Coast species in good condition in which case the East Coast mysid (*Mysidopsis bahia*) may be substituted.

B. Effluent Limit for Chronic Toxicity

After completion of effluent characterization, the Permittee has an effluent limit for chronic toxicity if any test conducted for effluent characterization shows a significant difference between the control and the ACEC at the 0.05 level of significance using hypothesis testing (Appendix H, EPA/600/4-89/001) and shall complete all applicable requirements in subsections C, D, and F.

If no significant difference is shown between the ACEC and the control in any of the chronic toxicity tests, the Permittee has no effluent limit for chronic toxicity and only subsections E and F apply.

The effluent limit for chronic toxicity is: “No toxicity detected in a test concentration representing the chronic critical effluent concentration (CCEC).”

In the event of failure to pass the test described in subsection C, of this section, for compliance with the effluent limit for chronic toxicity, the Permittee is considered to be in compliance with all permit requirements for chronic whole effluent toxicity as long as the requirements in subsection D are being met to the satisfaction of Ecology.

The CCEC means the maximum concentration of effluent allowable at the boundary of the mixing zone assigned in Section 1 pursuant to WAC 173-201A-400. The **CCEC equals 0.99 percent effluent**.

C. Monitoring for Compliance with an Effluent Limit for Chronic Toxicity

Monitoring to determine compliance with the effluent limit shall be conducted every other month for the remainder of the permit term using each of the species listed in subsection A on a rotating basis and performed using at a minimum the CCEC, the ACEC, and a control. The Permittee shall schedule the toxicity tests in the order listed in the permit unless Ecology notifies the Permittee in writing of another species rotation schedule. The first chronic toxicity compliance monitoring report is due by **January 1, 2011**.

Compliance with the effluent limit for chronic toxicity means: "No statistically significant difference in response between the control and the test concentration representing the CCEC." The Permittee shall immediately implement subsection D if any chronic toxicity test conducted for compliance monitoring determines a statistically significant difference in response between the control and the CCEC using hypothesis testing at the 0.05 level of significance (Appendix H, EPA/600/4-89/001). If the difference in response between the control and the CCEC is less than 20 percent, the hypothesis test shall be conducted at the 0.01 level of significance.

In order to establish whether the chronic toxicity limit is eligible for removal from future permits, the Permittee shall also conduct this same hypothesis test (Appendix H, EPA/600/4-89/001) to determine if a statistically significant difference in response exists between the ACEC and the control.

D. Response to Noncompliance with an Effluent Limit for Chronic Toxicity

If a toxicity test conducted for compliance monitoring under subsection C determines a statistically significant difference in response between the CCEC and the control, the Permittee shall begin additional compliance monitoring within one week from the time of receiving the test results. This additional monitoring shall be conducted monthly for three consecutive months using the same test and species as the failed compliance test. Testing shall be conducted using a series of at least five effluent concentrations and a control in order to be able to determine appropriate point estimates. One of these effluent concentrations shall equal the CCEC and be compared statistically to the nontoxic control in order to determine compliance with the effluent limit for chronic toxicity as described in subsection C. The discharger shall return to the original monitoring frequency in subsection C after completion of the additional compliance monitoring.

If the Permittee believes that a test indicating noncompliance will be identified by Ecology as an anomalous test result, the Permittee may notify Ecology that the compliance test result might be anomalous and that the Permittee intends to take only one additional sample for toxicity testing and wait for notification from Ecology before completing the additional monitoring required in this subsection. The notification to Ecology shall accompany the report of the compliance test result and identify the reason for considering the compliance test result to be anomalous. The Permittee shall complete all of the additional monitoring required in this subsection as soon as possible after

notification by Ecology that the compliance test result was not anomalous. If the one additional sample fails to comply with the effluent limit for chronic toxicity, then the Permittee shall proceed without delay to complete all of the additional monitoring required in this subsection. The one additional test result shall replace the compliance test result upon determination by Ecology that the compliance test result was anomalous.

If all of the additional compliance monitoring conducted in accordance with this subsection complies with the permit limit, the Permittee shall search all pertinent and recent facility records (operating records, monitoring results, inspection records, spill reports, weather records, production records, raw material purchases, pretreatment records, etc.) and submit a report to Ecology on possible causes and preventive measures for the transient toxicity event which triggered the additional compliance monitoring.

If toxicity occurs in violation of the chronic toxicity limit during the additional compliance monitoring, the Permittee shall submit a Toxicity Identification/Reduction Evaluation (TI/RE) plan to Ecology. The TI/RE plan submittal shall be within 60 days after the sample date for the third additional compliance monitoring test. If the Permittee decides to forgo the rest of the additional compliance monitoring tests required in this subsection because one of the first two additional compliance monitoring tests failed to meet the chronic toxicity limit, then the Permittee shall submit the TI/RE plan within 60 days after the sample date for the first additional monitoring test to violate the chronic toxicity limit. The TI/RE plan shall be based on WAC 173-205-100(2) and shall be implemented in accordance with WAC 173-205-100(3).

E. Monitoring When There Is No Permit Limit for Chronic Toxicity

The Permittee shall test final effluent once in the last summer and once in the last winter prior to submission of the application for permit renewal. These tests shall be completed and submitted by **December 15, 2013**. All species used in the initial chronic effluent characterization or substitutes approved by Ecology shall be used and results submitted to Ecology as a part of the permit renewal application process.

F. Sampling and Reporting Requirements

1. All reports for effluent characterization or compliance monitoring shall be submitted in accordance with the most recent version of Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* in regards to format and content. Reports shall contain bench sheets and reference toxicant results for test methods. If the lab provides the toxicity test data on floppy disk for electronic entry into Ecology's database, then the Permittee shall send the disk to Ecology along with the test report, bench sheets, and reference toxicant results.

2. Testing shall be conducted on 24-hour composite effluent samples. Composite samples taken for toxicity testing shall be cooled to 4 degrees Celsius while being collected and shall be sent to the lab immediately upon completion. Grab samples must be shipped on ice to the lab immediately upon collection. If a grab sample is received at the testing lab within one hour after collection, it must have a temperature below 20°C at receipt. If a grab sample is received at the testing lab within four hours after collection, it must be below 12°C at receipt. All other samples must be below 8°C at receipt. The lab shall begin the toxicity testing as soon as possible but no later than 36 hours after sampling was ended. The lab shall store all samples at 4°C in the dark from receipt until completion of the test.

3. All samples and test solutions for toxicity testing shall have water quality measurements as specified in Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria* or most recent version thereof.

4. All toxicity tests shall meet quality assurance criteria and test conditions in the most recent versions of the EPA manual listed in subsection A and the Department of Ecology Publication #WQ-R-95-80, *Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria*. If test results are determined to be invalid or anomalous by Ecology, testing shall be repeated with freshly collected effluent.

5. Control water and dilution water shall be laboratory water meeting the requirements of the EPA manual listed in subsection A or pristine natural water of sufficient quality for good control performance.

6. Effluent samples for whole effluent toxicity testing shall be collected just prior to the chlorination step in the treatment process.

7. The Permittee may choose to conduct a full dilution series test during compliance monitoring in order to determine dose response. In this case, the series must have a minimum of five effluent concentrations and a control. The series of concentrations must include the ACEC and the CCEC.

8. All whole effluent toxicity tests, effluent screening tests, and rapid screening tests that involve hypothesis testing, and do not comply with the chronic statistical power standard of 39 percent as defined in WAC 173-205-020, must be repeated on a fresh sample with an increased number of replicates to increase the power.

S10. SEWER OVERFLOW ELIMINATION PROGRAM

Discharges from the Tacoma North End Plants sanitary sewer collection system are not permitted and must be reported as noncompliance in accordance with Special Condition S3.E of this permit. The Permittee shall continue their sewer overflow elimination program to attain compliance with their NPDES Permit, Clean Water Act, Chapter 90.52 RCW, and Chapter 173-221 WAC. The program involves the replacement and rehabilitation of the Tacoma North End Plants wastewater collection system.

A. Sanitary Sewer Collection System Rehabilitation and Replacement Program

The Permittee shall continue the collection system replacement and rehabilitation program to eliminate excessive infiltration and inflow. This rehabilitation program shall be based upon achieving the following goals:

1. No raw sewage overflows or bypasses.

2. Removal of all excessive infiltration and inflow (I/I).

3. Eliminating bottlenecks in the collection system that are preventing the conveyance of flow to the treatment plant during high flow events.

4. The wastewater treatment plant routinely and consistently meets the effluent concentration limits contained in Condition S1of this permit.

5. All water collected in the collection system must be conveyed to the treatment plant and treated to secondary standards prior to discharge through the permitted discharge point.

B. Progress Reports

The Permittee shall provide Ecology an annual progress report that briefly describes its sewer overflow elimination program activities during the previous year. The Permittee may include North End reporting with Central Plant's annual SSO elimination report. Each progress report shall include a description of the activities conducted during the previous year that work toward achieving the goals stated above and problems anticipated or encountered which might place the Permittee out of compliance with the terms of this permit. The first report is due by **March 15, 2010**, and submitted **annually** thereafter.

S11. OUTFALL EVALUATION

The Permittee shall inspect, once per permit, the submerged portion of the outfall line and diffuser to document its integrity and continued function. If conditions allow for a photographic verification, it shall be included in the report. The inspection shall be conducted and the inspection report submitted to Ecology by **November 15, 2010**.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

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

A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.

B. All reports required by this permit and other information requested by Ecology 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 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 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 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 shall 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 shall, as soon as possible, but no later than 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 of the terms and conditions of this permit.

G5. PLAN REVIEW REQUIRED

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

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

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

G7. DUTY TO REAPPLY

The Permittee shall apply for permit by **January 1, 2014**.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge 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 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 30 days in advance of the proposed transfer date.

2. The notice includes a written agreement between the existing and new Permittees 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 this 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.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall 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.

G10. REMOVED SUBSTANCES

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

G11. DUTY TO PROVIDE INFORMATION

The Permittee shall 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 shall also submit to Ecology upon request, copies of records required to be kept by this permit.

G12. OTHER REQUIREMENTS OF 40 CFR

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

G13. ADDITIONAL MONITORING

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

G14. PAYMENT OF FEES

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

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

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

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

G16. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of 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 limitations if the requirements of the following paragraph are met.

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 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 proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G17. PROPERTY RIGHTS

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

G18. DUTY TO COMPLY

The Permittee shall 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.

G19. TOXIC POLLUTANTS

The Permittee shall 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.

G20. 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 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 by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four years, or by both.

G21. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to Ecology by submission of a new application or supplement thereto at least 180 days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G22. REPORTING OTHER INFORMATION

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

G23. COMPLIANCE SCHEDULES

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

APPENDIX D

Interlocal Agreement Template

INTERLOCAL AGREEMENT BETWEEN

THE CITY OF TACOMA AND

THE CITY OF _____

REGARDING INDUSTRIAL PRETREATMENT

This interlocal agreement (the "**Agreement**") for Industrial Pretreatment is entered into this ___ day of _____, 2021, by and between the City of Tacoma, a municipal corporation, operating under the laws of the state of Washington as a first class city (hereafter "**Tacoma**") and the City of _____, a Washington municipal corporation (hereafter "**City**"); Tacoma and City may be individually referred to as "**Party**" and collectively referred to as the "**Parties**".

RECITALS:

A. Pursuant to Chapter 39.34 RCW (Interlocal Cooperation Act), one or more public entities may contract with one another to perform government functions or provide services, which each is by law authorized to perform. Pursuant to RCW 35A.11.040 non-charter code cities are authorized to exercise any of its powers, or perform any of its functions, jointly or in cooperation with other public agencies.

B. Pursuant to RCW 35.67.300 any city or town owning or operating its own sewer system, whenever topographic conditions shall make it feasible and whenever such existing sewer system shall be adequate therefor in view of the sewerage and drainage requirements of the property in such city or town to be served by such system, may contract with any other city or town, for the discharge into its sewer system of sewage from all or any part or parts of such other city or town, upon such terms and conditions and for such periods of time as may be deemed reasonable.

C. Tacoma is a first class charter city and owns and operates a POTW (publicly owned treatment works) under authority of RCW 35.21.210, 35.21.215, 35.67.020, and 35.92.020, Article XI, § 11 of the Washington State Constitution, and Section 4.1 of the Tacoma City Charter.

D. City is a non-charter code city and owns and operates a municipal wastewater system under authority of RCW 35A.11.020, 35A.21.150, and 35.67.020 and Article XI, § 11 of the Washington State Constitution, but does not own or operate a wastewater treatment facility.

E. Tacoma and City have previously entered into an agreement (the "Wastewater Treatment and Disposal Agreement") dated February 1, 2021, whereby Tacoma and City established the quantity of allowable discharge of domestic and non-domestic wastewater from the City municipal wastewater

system to the Tacoma POTW, charges for treatment services; and, further agreed to coordinate and plan cooperatively their services and facilities.

F. Federal and State laws and implementing regulations, regulate the collection and conveyance of wastewater to a POTW that discharges into the navigable waters of the United States and the public waters of the state of Washington, under authority of the Federal Clean Water Act ,codified at 33 U.S.C. § 1251 et seq. (the "CWA"), and implementing regulations, and RCW Ch. 90.48, and implementing regulations.

G. The Environmental Protection Agency has enacted regulations that establish Pretreatment Standards (See, 40 C.F.R. 403) which require that all discharges of pollutants into the waters of the United States from a POTW be prohibited in the absence of an NPDES (National Pollutant Discharge Elimination System) Permit. See, 33 U.S.C. 1311 (Section 301).

H. NPDES permits may be issued by the Federal Government, or they may be issued by state agencies that have been delegated the authority to administer their own permit programs. 33 U.S.C. §1342 (a) & (b). The State of Washington has been delegated such authority by the Environmental Protection Agency and has issued NPDES Permits to Tacoma for discharges into waters of the United States and waters of the State.

I. The State Department of Ecology ("Ecology") manages a waste disposal permit (industrial wastewater discharge permit) program authorized pursuant to RCW 90.48.160 - 200. These statutes require any person who conducts a commercial or industrial operation of any type resulting in disposal of wastewater into a POTW discharging into waters of the state, to obtain an industrial wastewater permit, unless a permit exemption applies (See WAC 173-216-050).

J. Ecology has adopted regulations codified at WAC Ch. 173-208 that establish the program requirements applicable to cities, like Tacoma, that seek authorization to issue industrial wastewater discharge permits. The program requirements include the obligation that the permit program adheres to the state or federal pretreatment standards and requirements.

K. Tacoma has been delegated the authority to permit and accept commercial/industrial wastewater discharges from all contributing sources, users and facilities pursuant to Washington State Department of Ecology Order No. DE 94WQ-S358.

L. Tacoma is required to implement and enforce a POTW pretreatment program to regulate and control wastewater discharges from commercial/industrial sources, users and facilities that discharge directly or indirectly to such POTW, pursuant to the requirements of the CWA and the regulations promulgated

thereunder (40 CFR Part 403) and Chapter 90.48 RCW and the regulations promulgated thereunder. Such authority may be contained within statutes, ordinances, or a series of contracts or joint powers agreements, which Tacoma is authorized to enact, enter into or implement, and which are authorized by state law.

M. Commercial/industrial sources, users and facilities located in City either currently contribute, or may in the future contribute, process wastewater discharges to the City municipal wastewater system which are discharged to Tacoma's POTW. At the time of the execution of this Agreement, there are no known industrial users in the City.

N. Food service establishments have the potential to discharge floatable or settleable material to Tacoma's POTW which may be harmful to, or cause obstruction in, the POTW or cause or contribute to pass through or interference.

O. In order to continue to provide services to City, Tacoma must ensure that processed wastewater contributed from industrial sources, users or facilities located in City and food service establishments located in City meet or exceed the standards and requirements prescribed in Tacoma's pretreatment ordinance, Tacoma Municipal Code Chapter 12.08C (hereafter "TMC 12.08C"), Tacoma's pretreatment program approved pursuant to Department of Ecology Order No. DE 94WQ-S358, and the NPDES Permit No. WA0037087, condition S6, and such same or similar condition as may be required in a future NPDES permit issued to Tacoma.

P. NPDES Permit No. WA0037087 and Permit No. WA0037214, condition S6 requires, among other things, that Tacoma establish, where necessary, contracts or legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements by commercial or industrial users within these jurisdictions. Condition S6 requires that these contracts or agreements shall identify the agency responsible for the various implementation and enforcement activities to be performed in the contributing jurisdiction, and the specific roles, responsibilities, and pretreatment activities of each jurisdiction.

Q. The Parties acknowledge and agree, that it is necessary to enter into this Agreement to conform to the foregoing requirements and authorities, and that, in particular in this Agreement, City agrees to adopt a pretreatment ordinance and related enforcement ordinance that subjects the commercial/industrial users within its boundaries to the necessary pretreatment controls, and by this Agreement, delegates to Tacoma as lead agency, the authority of the City, to implement and enforce that pretreatment ordinance.

R. It is in the best interests of the Parties of this Agreement and in the interest of the public health, safety and welfare of the area served by the Parties that this

Agreement be executed.

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AGREEMENT

Pursuant to RCW Ch. 39.34 and RCW 35.67.020, and in consideration of the terms, conditions, covenants and performances contained herein, as well as the attached exhibits, which are incorporated and made a part, hereof, the Parties agree as follows:

SECTION 1. RECITALS ADOPTED

The recitals set forth above are hereby adopted as the factual and legal basis for this Agreement.

SECTION 2. INTENT; PURPOSE

A. City desires to continue to discharge Wastewater to the Tacoma POTW as set forth in the Wastewater Treatment and Disposal Agreement, as may be amended, or any successor agreement that may be agreed to by the Parties. The Parties acknowledge and agree that City, as a condition of discharging to the Tacoma POTW, must establish, implement and enforce a pretreatment program for industrial users that conforms to applicable federal and state laws and regulations and to Tacoma's pretreatment standards and requirements, as amended from time to time. City further desires that the City of Tacoma be and remain the control authority for issuance and enforcement of all industrial wastewater discharge permits within the corporate boundaries of the City and that Tacoma take responsibility as lead agency for implementation and enforcement of the pretreatment program in the City. City acknowledges and understands that Tacoma has adopted a pretreatment program codified at Chapter 12.08C of the Tacoma Municipal Code. Chapter 12.08C contains substantive requirements intended to conform to requirements under applicable laws and regulations made applicable to all permittees under the industrial wastewater discharge permits issued by Tacoma as control authority. City acknowledges and understands that City shall adopt pretreatment standards and requirements that are substantively the same as those adopted by Tacoma.

B. The Parties intend that this Agreement will operate to meet and satisfy Tacoma's obligations, pursuant to the requirements of the CWA (33 U.S.C. §1251 *et seq)* and the regulations promulgated thereunder (40 CFR Part 403) and Chapter 90.48 RCW and the regulations promulgated thereunder, to implement and enforce a POTW pretreatment program to regulate and control wastewater discharges from commercial/industrial sources, users and facilities that contribute process wastewater discharges to the City municipal wastewater system which are then discharged to the Tacoma POTW or that contribute non-domestic wastewater that has the potential to be harmful to, or cause obstruction in, the POTW or cause or contribute to pass through or interference.

C. The Parties intend that this Agreement will establish the roles and responsibilities of Tacoma and City for adoption, maintenance and enforcement of commercial/industrial pretreatment standards; for the user identification and permitting process; and for inspection, sampling, records management, enforcement and other aspects of implementation and delivery of Tacoma's pretreatment program.

D. The Parties intend that City and Tacoma shall jointly exercise certain regulatory powers as set forth herein, with Tacoma acting on behalf of City as lead agency for implementation and enforcement of pretreatment regulations and as control authority for issuance of industrial wastewater discharge permits, within the corporate boundaries of City. This Agreement shall therefore operate to delegate to Tacoma, as lead agency and on behalf of the City, all lawful power and authority necessary to enforce compliance with City ordinances and regulations governing pretreatment standards and requirements and discharges into the City municipal wastewater system which are then discharged to the Tacoma POTW and establish Tacoma as the control authority for purposes of issuance of industrial wastewater discharge permits.

SECTION 3. DEFINITIONS

In construing all provisions of this Agreement, when not inconsistent with the context, the following terms, phrases, words and their derivations where capitalized shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. If specific provisions of law, code, regulation or rule referred to herein be renumbered or amended, then the reference shall be read to refer to the renumbered and/or amended provision. References to governmental entities (whether persons or entities) refer to those entities or their successors in authority. Any terms not defined in this Agreement shall have the definitions as given in the most current version of Tacoma's Municipal Code Chapter 12.08C (TMC Ch. 12.08C). Any terms not defined in this Agreement or TMC Ch. 12.08C, shall have the same meaning as those terms are given in the most current version of WAC 173-208-040. Any terms not defined in this Agreement or TMC Ch. 12.08C, or WAC 173-208-040 (Definitions), shall have the same meaning as those terms are given in the most current version of 40 C.F.R. 403.3 (Definitions). Words not otherwise defined, shall be given their common and ordinary meaning.

A. Control Document. An industrial wastewater discharge permit or any other formal written discharge authorization or prohibition issued by Tacoma, City or Washington State Department of Ecology.

B. Effective Date. The effective date of this Agreement shall be the date set forth above, and if no date is set forth above, the last date entered below by the

executive signatories hereto.

C. City municipal wastewater system. The devices and systems owned or operated by City and used in the collection, storage and conveyance of wastewater.

D. Service Area. Property within the corporate boundaries of the City which discharges wastewater to the Municipal Sanitary Sewer System.

E. TMC. The Tacoma Municipal Code.

SECTION 4. PRETREATMENT PROGRAM AUTHORITY AND STANDARDS

A. Tacoma's Delegated POTW Pretreatment Program Authority. Tacoma owns and operates a POTW and has been delegated the authority to permit and accept industrial wastewater discharges from all industrial sources, users and facilities, pursuant to Washington State Department of Ecology Order No. DE 94-WQ-S358. Tacoma is currently the control authority over the POTW pretreatment program governing direct and indirect discharges to its POTW pursuant to this delegation from the Department of Ecology.

B. Tacoma's Adopted Pretreatment Ordinance. Tacoma has adopted an ordinance codified at TMC Ch. 12.08C which establishes a POTW pretreatment program for the regulation and permitting of users and the enforcement of pretreatment standards and requirements, which meet federal, state and local water quality standards for users.

C. City's Adopted Pretreatment Ordinance.

1. City shall adopt an ordinance (the "**Pretreatment Ordinance**") establishing and implementing wastewater pretreatment standards and pretreatment requirements that are no less stringent and are as broad in scope as Tacoma's applicable pretreatment standards and pretreatment requirements as set forth in TMC Ch. 12.08C. The pretreatment ordinance will be enforceable as to all commercial/industrial users located in City's service area and shall include provisions for enforcement of industrial wastewater discharge permits issued by Tacoma to commercial/industrial users within the service area. The pretreatment ordinance shall include enforcement provisions consistent with the authority granted to Tacoma pursuant to TMC Ch. 1.82 and TMC Ch. 1.84.

2. City shall forward to Tacoma for review a draft of its proposed pretreatment ordinance within ninety (90) days of the effective date of this Agreement. Tacoma shall review the pretreatment ordinance for conformance with applicable requirements of this Agreement and approve

the pretreatment ordinance, or disapprove the draft pretreatment ordinance and provide comments to City explaining the deficiencies resulting in disapproval. The Parties will act diligently to review and revise the draft pretreatment ordinance, and seek regulatory review and approval by other public agencies to the extent required. Upon review and final approval by Tacoma of the pretreatment ordinance, City will seek approval of the same by its City Council.

D. Amendment of City's Adopted Pretreatment Ordinance. Upon notification of adoption of any amendments made to TMC Ch. 12.08C, or any related enforcement provisions of the TMC, City shall, within 120 days, incorporate such revisions, modifications or amendments into the pretreatment ordinance and any other City sewer use/pretreatment resolution, to the extent that the TMC Ch. 12.08C revision, modification or amendment significantly revises, modifies or amends City's pretreatment ordinance. City agrees that any amendments made to the pretreatment ordinance shall first be submitted to Tacoma for its review for compliance with this Agreement and that it shall not adopt any amendments to its pretreatment ordinance that would violate the provisions of this Agreement.

E. Pollutant Specific Local Limits. Contemporaneous with the adoption of the pretreatment ordinance, City will adopt pollutant specific local limits, which address at least the same pollutant parameters and are at least as stringent as the local limits enacted by Tacoma. If Tacoma makes any revisions or additions to its local limits, Tacoma will forward to City a copy of such revisions or additions within thirty (30) days of enactment thereof. City will adopt any such revisions or additions within 120 days of receipt thereof

SECTION 5. LEAD AGENCY AUTHORIZATION; DELEGATION OF AUTHORITY

A. Delegation of Authority. City designates Tacoma as its agent, and delegates to Tacoma the full power and authority of City, to implement and enforce the pretreatment ordinance, and related enforcement provisions, for and on behalf of City. Under such delegation of authority, Tacoma may take any action under the pretreatment ordinance, and related enforcement authority, that could have been taken by City, including the enforcement of the pretreatment ordinance in courts of law. Pursuant to such delegation of authority, and Tacoma's delegation of permitting authority pursuant to Ecology Order No. DE 94WQ-S358, all industrial wastewater discharge permits issued to commercial/industrial users located in the Service Area shall be issued by Tacoma as the control authority. City understands that it may be considered as an implied co-permittee under Ecology Order No. DE 94WQ-S358, or successor order.

B. Technical and Administrative Duties. Tacoma, on behalf of and as agent for City, will perform technical and administrative duties necessary to implement and enforce the pretreatment ordinance. Tacoma will: (1) update the industrial user

survey; (2) issue industrial wastewater discharge permits to all industrial users in the service area required to obtain a permit; (3) conduct inspections, take enforcement action, perform sampling and analysis; (4) take all appropriate enforcement response planned and provided for in the pretreatment ordinance and any adopted policies and procedures, including Tacoma's pretreatment enforcement response plan; and (5) perform any other technical or administrative duties the Parties deem appropriate, including those specified in Section 6 of this Agreement. In addition, Tacoma may, as agent of City, take emergency action to stop or prevent any discharge, which presents or may present an imminent danger to the health or welfare of humans, which reasonably appears to threaten the environment, or which threatens to cause interference, pass through, or sludge contamination.

C. Contributing Jurisdictions. Intentionally Omitted.

D. Cost Allocation. Tacoma agrees that is will be responsible for all costs incurred by Tacoma in implementing and enforcing City's pretreatment ordinance; provided that, the costs of such enforcement may be recovered by Tacoma within rates and charges assessed to City pursuant to the Wastewater Treatment and Disposal Agreement, as may be amended, or a successor agreement, and such fees assessed to applicants and industrial users pursuant to the pretreatment ordinance. City agrees to adopt a rate and fee schedule consistent with the rate and fee schedule applicable to TMC 12.08C. Any fees directly assessed to applicants and users pursuant to such fee schedule shall be retained by Tacoma to recover its administrative costs. Monetary penalties assessed pursuant to administrative enforcement action taken by Tacoma on behalf of City pursuant to this Agreement, shall be collected and retained by City. Rates and fees assessed pursuant to a special approved discharge authorization or other control mechanism for a short-term discharge to the City municipal wastewater system shall be paid to and retained by Tacoma. Supplemental fees assessed and collected shall be allocated between City and Tacoma based proportionally upon each Party's response costs included in the assessment.

E. Duty of Cooperation. City agrees that it will cooperate in good faith with Tacoma in carrying outs its delegated authority to implement and enforce the pretreatment ordinance.

F. Penalties; Enforcement. In the event that a criminal complaint or civil infraction notice is filed to enforce the pretreatment ordinance, City will facilitate prosecution of such criminal or civil action in a court or other hearing body with jurisdiction over such criminal complaint or civil infraction notice, and upon request of Tacoma, agree to appointment of a special prosecutor to prosecute the civil infraction or criminal complaint. In the event administrative enforcement action is taken and/or administrative penalties are assessed to enforce compliance with the pretreatment ordinance, City agrees that any contested hearings shall be

conducted before the Tacoma Hearing Examiner, or designee, acting as the Hearing Examiner for the City. City agrees that in any criminal, civil or administrative enforcement action, Tacoma may act as an agency representative of City.

SECTION 6. USER IDENTIFICATION

A. Categorization of Industrial Users. To identify and categorize users, City will work with Tacoma to ensure all significant industrial users are identified and tracked. This shall include methods for periodic and ongoing surveys of all commercial/industrial users, which will be processed in conformance with the pretreatment ordinance. At the time this Agreement is executed, there are no known industrial users in the City.

B. Notice to New Users. Prior to connection to the City municipal wastewater system, all new commercial/industrial users shall be informed of their responsibility to provide survey information.

C. Changes in Discharge Flow or Pollutants. When an existing significant industrial user alters or increases its discharge in flow or pollutants characteristics by twenty percent (20%) or more, or any time it is requested by Tacoma, City will immediately require that such significant industrial user respond to a user pretreatment survey. City will forward a copy of the completed survey to Tacoma within five (5) days of receipt of the survey.

SECTION 7. PERMITTING

A. After determining that an industrial wastewater discharge permit is required, and upon receipt of a completed industrial wastewater discharge permit application, City shall consult with Tacoma's pretreatment coordinator, who will process the application in accordance with the pretreatment ordinance. Tacoma will provide copy of the draft industrial wastewater discharge permit to City for review and comments. Tacoma will be responsible for issuance of the industrial wastewater discharge permit to the significant industrial user. Representatives of City may attend any permit issuance meeting.

B. Tacoma shall forward a copy of any industrial wastewater discharge permit or industrial wastewater discharge permit renewal to City within 30 days of its issuance by Tacoma.

SECTION 8. SAMPLING

A. Tacoma shall be responsible for coordination of the discharge monitoring, sample collection and laboratory analysis for parameters with effluent limits in an industrial user's industrial wastewater discharge permit.

1. All sampling procedures will conform to procedures set out in the pretreatment ordinance.

2. No permitted industrial user shall be allowed by City to discharge industrial wastewater containing concentrations in excess of the daily or instantaneous maximum allowable discharge limits, "local limits", as stated in the pretreatment ordinance, unless authorized in writing from Tacoma's Director of Environmental Services. These limits shall apply at the point where the wastewater is discharged at end of process before mixing with domestic wastewater.

3. All concentrations for metallic substances are for "total" metal unless indicated otherwise.

SECTION 9. INSPECTIONS

A. Tacoma will perform inspections, surveillance and oversight on industrial users to determine and/or confirm compliance with applicable pretreatment standards and requirements. Tacoma will thoroughly inspect each industrial user in accordance with its approved program document and document findings and efforts to resolve deficiencies.

B. City will notify Tacoma of any pretreatment related issues discovered during normal operation and maintenance of City's municipal wastewater system.

SECTION 10. ENFORCEMENT

A. City agrees to adopt Tacoma's Pretreatment Enforcement Response Plan (ERP) as it now exists, and as may from time to time be amended, as the enforcement response plan of City applicable to enforcement of the pretreatment ordinance. Tacoma will enforce the effluent limits and conditions of an industrial wastewater discharge permit issued to an industrial user in City's Service Area and will enforce the pretreatment ordinance, in accordance with the ERP adopted by City. Responsibility for other administrative and judicial enforcement actions may be allocated between the Parties as set forth herein, and as may be further negotiated and agreed to by City and Tacoma.

B. Nothing in this Agreement shall be construed as prohibiting City's ability to take any other action or enforcement, beyond those stated in this Agreement, to

the extent authorized by law.

SECTION 11. RECORDS MANAGEMENT

A. Consistent with the Public Records Disclosure Act, and any other applicable public records statutes, City will allow Tacoma to inspect and copy records that are relevant to the obligations and duties of City under this Agreement for any user.

B. Tacoma will submit annually a report to Ecology specifying the commercial/industrial users surveyed in City and include a list in its annual pretreatment report. Tacoma shall make a copy of the report available to City.

SECTION 12. INTERAGENCY COMMUNICATIONS

All communications and reports in connection with this Agreement, unless otherwise noted, shall be directed to the following staff, in writing by email, facsimile, regular U.S. mail or certified mail, return-receipt requested. All notices required or permitted to be given hereunder shall be in writing, and shall be deemed effective either, (i) upon hand delivery to the person then holding the office shown on the attention line of the address below, or, if such office is vacant or no longer exists, to a person holding a comparable office, or (ii) or when delivered by a nationally recognized overnight mail delivery service, to the Party and at the address specified below, or (iii) on the third business day following its deposit with the United States Postal Service, first class and certified or registered mail, return receipt requested, postage prepaid, properly sealed and addressed as follows:

The City of Tacoma
Environmental Services Director
2201 Portland Avenue
Tacoma, WA 98421

City of _____
City Clerk
_____
_____

EMERGENCY SPILL REPORTING	
City of Tacoma Pretreatment Coordinator (253)502-2162 24HR Response (253) 502-2222	City of _____ City Clerk (___) ___-____ 24HR Response (___) _____
	WA State Department of Ecology Water Quality Engineer Southwest Regional Office PO Box 47775 Olympia, WA 98504

SECTION 13. INDEMNIFICATION.

A. To the maximum extent permitted by law, Tacoma and City shall defend, indemnify and hold harmless the other party, and its officers, officials, employees, contractors and agents, from any and all claims, demands, suits, actions, fines, penalties and liability of any kind (collectively "Liabilities"), including injuries to persons or damages to property, which arise out of or are related to any negligent acts, errors, omissions of the indemnifying party and its officers, officials, employees, contractors and agents in performing obligations under this Agreement, including by way of example and not limitation, wastewater or domestic wastewater discharged from users, disruption of treatment processes or operations, harmful degradation of sludge quality, NPDES permit violations, and other air, water and sludge quality violations caused by harmful wastes discharged from users in the service area. However, if any such damages and injuries to persons or property are caused by or result from the concurrent negligence of Tacoma or its officers, officials, employees, contractors and agents, and City or its officers, officials, employees, contractors, and agents, each Party's obligation hereunder applies only to the extent of the negligence of such party or its officers, officials, employees, contractors or agents.

B. The foregoing indemnity is specifically and expressly intended to constitute a waiver of each party's immunity under Industrial Insurance, Title 51 RCW, as respects the other party only, and only to the extent necessary to provide the indemnified party with a full and complete indemnity of claims made by the indemnitor's employees. This waiver has been mutually negotiated.

C. In the event that any suit based on such a claim, demand, suit, action, fine, penalty or liability is brought against either party, each party retains the right to participate in said suit if any principle of public law is involved.

SECTION 14. OTHER PROVISIONS

A. Entire Agreement. This Agreement contains the entire written Agreement and constitutes the final Agreement between the Parties concerning the adoption and enforcement of pretreatment standards and requirements for industrial users. This Agreement supersedes all prior discussions and previous agreements concerning such industrial discharges or pretreatment; with the exception that, this Agreement is not intended to supersede or replace the Wastewater Treatment and Disposal Agreement, as may be amended or any successor agreement. This Agreement may be amended only in writing, signed by both Parties.

B. Severability. If any word, article, section, subsection, paragraph, provision, condition, clause, sentence, or its application to any person or circumstance (collectively referred to as "Term"), shall be held to be illegal, invalid, or unconstitutional for any reason by any court or agency of competent jurisdiction,

such term declared illegal, invalid or unconstitutional shall be severable and the remaining terms of the Agreement shall remain in full force and effect. In the event that such term shall be held or otherwise mutually agreed to by the Parties to be illegal, invalid, or unconstitutional, the Parties shall reform the Agreement pursuant to Subsection C of this Section 14.

C. Subsequent Action; Review and Amendment. The Parties will review this Agreement periodically to ensure compliance with the CWA, RCW Chapter 90.48, and the rules and regulations issued thereunder, Tacoma's NPDES permits, and Tacoma's approved pretreatment program. In the event that after this Agreement becomes effective, (a) there is a change in or clarification of the law, a regulation or Tacoma's Pretreatment Program which changes, narrows, broadens or clarifies the authority or obligations of the Parties with respect to any act permitted or authorized under this Agreement, or (b) the State of Washington or any agency thereof or any agency of the Federal government require the Parties to act in a manner which is inconsistent with any provisions of this Agreement, or (c) any term, article, section, subsection, paragraph, provision, condition, clause, sentence, or other portion of this Agreement, or its application to any person or circumstance, shall be held to be illegal, invalid or unconstitutional for any reason by any court or agency of competent jurisdiction, or (d) City is authorized by the United States Environmental Protection Agency and Ecology to develop and implement a delegated POTW pretreatment program, or (e) because of a change in circumstances, the Parties believe that amendments to this Agreement are necessary or appropriate, then the Parties agree to enter into good faith negotiations to amend this Agreement so as to enable the Parties to address, in a manner reasonably acceptable to Tacoma and City, such change or other development which formed the basis for the negotiations. The Parties recognize that the purpose of the negotiations would be to preserve, to the maximum extent consistent with the law, the intent, scope and purpose of this Agreement.

D. Challenge to Delegated Authority. If a court, hearing body, or regulatory agency with authority over the City's pretreatment program, determines that the Tacoma lacks authority to enforce the City's pretreatment ordinance, the City will take whatever action is reasonably necessary to ensure the implementation and enforcement of its pretreatment ordinance against its industrial users, including, but not limited to, implementing and enforcing its pretreatment ordinance on its own behalf, and agreeing to amend this Agreement to the extent necessary and reasonable to remedy the lack of authority.

E. Further Documents. The City of Tacoma, Environmental Services Director and the City's Mayor, or their designees, are authorized to execute or furnish such documents as may be necessary to implement and consummate this Agreement and the actions, duties or responsibilities of this Agreement.

F. Term of Agreement. The term of this Agreement shall be ten (10) years,

which shall renew automatically for successive one-year terms so long as the Wastewater Treatment and Disposal Agreement, as may be amended, or any successor agreement, remains effective. Upon termination of such service agreement and cessation of discharge of wastewater from any source from the City municipal wastewater system to the Tacoma POTW, this Agreement shall automatically terminate without further action by Tacoma or City.

G. Termination. Because the Agreement is necessary to ensure compliance with Tacoma's POTW pretreatment enforcement obligations under federal law, this Agreement may be terminated only if the Wastewater Treatment and Disposal Agreement, as may be amended, or any successor agreement, that obligates Tacoma to accept wastewater from City has been terminated, and only upon cessation of discharge of wastewater from the City municipal wastewater system to the Tacoma POTW.

H. Dispute Resolution. Tacoma and City shall attempt to resolve a dispute regarding this Agreement by informal negotiation, pursuant to an informal process agreed to by both Parties. If the Parties fail to agree upon an informal process within ten (10) business days of notice of a dispute, or fail to resolve the dispute through an agreed upon informal process, the Parties shall submit the dispute to a dispute board for a non-binding determination. Each party shall timely appoint one member to the dispute board. Those appointed members shall jointly appoint an additional member. The dispute board shall timely consider the dispute and make a non-binding determination. As long as the dispute board acts in a timely manner, the Parties agree not to seek legal or equitable relief in the courts until the dispute board renders a determination. Thereafter, either party may seek legal or equitable relief in the courts.

I. Jurisdiction and Venue. This Agreement shall be interpreted in accordance with the laws of the State of Washington and relevant federal requirements. The Superior Court of Pierce County, Washington and/or the Federal District Court for Western Washington, shall have exclusive jurisdiction and venue over any legal action arising under this Agreement.

J. No Third Party Rights. No term or provision of this Agreement is intended to be, or shall be, for the benefit of any person not a party hereto, and no such person shall have any right or cause of action hereunder, except as may be otherwise provided herein. The Parties intend that the rights, obligations, and covenants in this Agreement and the collateral instruments shall be exclusively enforceable by City and Tacoma, their successors, and assigns.

K. No Joint Venture. No joint venture or partnership is formed as a result of this Agreement. No employees or agents of one party or any of its contractors or subcontractors shall be deemed, or represent themselves to be, employees

of the other party.

L. Attorneys' Fees and Costs. If either party incurs attorney fees, costs or other legal expenses to enforce the provisions of this Agreement against the other party, all such fees, costs and expenses shall be recoverable by the substantially prevailing party.

M. Waiver. Wavier of any default shall not be deemed to be a waiver of any subsequent default. Waiver of a breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of this Agreement, unless stated to be such through written approval of the non-breaching party and attachment of such written approval to this Agreement.

N. Interlocal Cooperation Act Compliance. This is an Agreement entered into pursuant to Chapter 39.34 RCW. Its purpose is as set forth in Section 2. Its duration is as specified in Section 14.F. Its method of termination is set forth in Section 14.G. Except as otherwise specifically provided herein, each party shall bear its own costs and control its own manner of financing and of establishing and maintaining a budget therefore. No separate entity is created and no real or personal property shall be acquired pursuant to this Agreement, which will need to be disposed of upon partial or complete termination of this Agreement.

O. Calculation of Time. All periods of time referred to herein shall include Saturdays, Sundays, and legal holidays in the State of Washington, except that if the last day of any period falls on any Saturday, Sunday, or legal holiday in the State of Washington, the period shall be extended to include the next day which is not a Saturday, Sunday, or legal holiday in the State of Washington

P. Document Execution and Filing. City and Tacoma agree that there shall be three (3) duplicate originals of this Agreement procured and distributed for signature by the necessary officials of Tacoma and City. Upon execution, one executed original of this Agreement shall be retained by the Tacoma City Clerk, one shall be retained by the Tacoma Environmental Services Department, and one shall be retained by City. The Tacoma City Clerk shall cause a copy of this Agreement to be posted on the City website pursuant to RCW 39.34.040. Upon execution of the originals and posting of a copy on Tacoma's website, each such duplicate original shall constitute an Agreement binding upon all Parties.

This Agreement may be executed in identical counterparts, all of which shall be considered one and the same agreement and shall become effective when counterparts, have been signed by each party and delivered to the other party. In the event that any signature is delivered by facsimile transmission or by an e-mail which contains an electronic file of an executed signature page, such

signature page shall be deemed to constitute an original instrument, with the same force and effect as execution and delivery of an original, and shall create a valid and binding obligation of the party executing the Agreement.

One each of the duplicate originals shall be distributed to the designated agents of the Parties, named as follows:

City of Tacoma Director of Environmental Services 2201 Portland Avenue Tacoma, WA 98421	City of _____ City Clerk _____ _____

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IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their authorized representatives.

CITY OF TACOMA:

_____
By: _____
City Manager

Date: _____

Attest:

_____
City Clerk

Approved:

_____
By:
Environmental Services Director

_____
By:
Finance Director

Approved as to form:

_____
Chief Deputy City Attorney

_____
By:
Risk Manager

CITY OF _____

_____
By: _____
Title: _____

Date: _____

Attest:

_____
_____, City Clerk

Approved as to form:

_____
_____, City Attorney

APPENDIX E

Pretreatment Survey Forms

City of Tacoma Environmental Services Department

Short Form – Survey of Business Establishments

1. Company Name:_____Primary Type of Business: _____
2. Full Mailing Address: _____
3. Facility Address (if different):_____Is this a single family residence? ☐ Yes ☐ No
4. Facility Telephone Number:_____Email Address:_____
5. Name of Contact Person:_____Contact Person's Phone Number: _____
6. Primary Type of Business: _____
7. Types of Operations (Please identify all activities from which wastewater is produced:

   _____

   _____

8. This facility uses approximately how many gallons of water per day (Select option below):

   ☐ Less than 100 gallons/day ☐ 100 to 999 gallons/day ☐ 1,000 to 9,999 gallons/day ☐ 10,000 to 24,999 gallons/day ☐ 25,000 gallons or more/day

9. Source of Water: ☐Reclaimed Water ☐Public Water Supply ☐Private Well ☐Surface Water

   ☐ Multiple Sources (Please Explain:_____)

10. Estimate the number of gallons per day that your facility uses on the following purposes (write N/A if not applicable):

    _____ Domestic Uses (Non-Commercial)_____Boilers, Cooling, or other Unpolluted Wastewater

    _____ Non-Domestic Activities (not from domestic use of restrooms, showers, kitchens, or laundry rooms)

    (If yes, describe the non-domestic activity:_____)

11. Wastewater from this facility goes to (check all that apply): ☐Sanitary Sewer ☐Open Waters, Rivers, or Ocean ☐ Storm Sewer ☐Waste Haulers ☐Ground (drain field, wet well) ☐Evaporation ☐Other Means of Disposal
12. Stormwater from this facility goes to (list all discharge methods used): _____
13. Chemicals are used and/or stored on the premises: ☐in drums ☐only in smaller containers ☐no chemicals used
14. Do you: Use or store PFOS, PFOA, PFAS containing substances? ☐ Yes ☐No
15. The facility ☐*does* or ☐*does not* generate dangerous waste: (Generator WAD#if assigned:_____)
16. Materials, chemicals, products, equipment, or waste ☐*are* or ☐*are not* stored in outside areas
17. The facility ☐*does* or ☐*does not* have an oil-waterseparator
18. Vehicles or equipment ☐*are* or ☐*are not* washed on the premises (if so, wash water goes to:_____)

I have personally examined and am familiar with the information submitted in this document and attachment. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I understand that the City of Tacoma may send related documents electronically and I agree that any future electronic signatures I submit will bind me to the terms and conditions to the same extent as if I signed the informed documents on paper with an ink signature.

Signature of Authorized Representative*:_____Date:_____

Print Name_____Phone Number ( )_____-_____

*Surveys must be signed as follows: Corporations, by a principal executive officer of at least the level of vice president; partnership, by a general partner; sole proprietorship, by the proprietor, (ref: 40 CFR part 403.12 (1))

Disclosure: Title 40 of the Code of Federal Regulations Part 403 Section 403.14 requires information provided in this questionnaire identifying the nature and frequency of discharge to be available to the public without restriction. Requests for confidential treatment of other information shall be governed by procedures specified in 40 CFR part 2 and applicable State Law. Should a discharge permit be required for your facility, the information in this questionnaire may be used to issue the permit.

HAZARDOUS WASTE DISCHARGE REPORTING NOTIFICATION:

This notification is intended to inform your business of their obligations under 40 CFR Section 403.12(p) and Tacoma Municipal Code (TMC) 12.08C.600 to report discharges of hazardous waste to the sanitary sewer.

The Industrial User shall notify the City, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the Industrial User discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months. All notifications must take place within 180 days of the effective date of this rule. Industrial users who commence discharging after the effective date of this rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12 (j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12 (b), (d), and (e).

The City is requiring this notification for the discharge of hazardous waste to the POTW and the report shall be made immediately upon learning of the discharge.

Internal Use Only:

Form Sent:_____Received by City:_____Category: _____

City of Tacoma Industrial Pretreatment Program Industrial Wastewater Discharge Permit Application

General Information Financial, commercial, and proprietary information submitted by an industrial user, which the industrial user identifies as confidential may be exempt from public disclosure, pursuant to the provisions of Chapter 42.56 RCW.	
Legal Entity/Owner of facility where discharge will originate:	
Business name if different from above:	
Operator or Contractor that operates facility or treatment system, if different:	
Physical address of facility where discharge will occur:	Official mailing address, if different:
Website: http://www.	Facility phone #:
Name of Authorized Representative of the industrial User (see Attachment 1):	Name of alternative Authorized Representative:
Title:	Title:
Phone # & extension:	Phone # & extension:
Email address:	Email address:
Emergency contact(s) - (name/phone):	
List all NAICS codes for your facility, (see http://www.census.gov/eos/www/naics/):	

Directions for Completing this Application
1. Fill out the application completely. Answer all questions. If you do not know the answer to a question, write "Unknown". If an answer is not applicable to your facility, write "N/A". Do not leave any blank spaces or unanswered questions. Failure to complete this document may delay the ability of the Control Authority to process the permit application. 2. Sign the application. The Authorized Representative must sign this application as described in Attachment 1 of this application. 3. Failure to submit a completed application when required by the Control Authority may be a violation of Chapter 12.08C.1200 of the Tacoma Municipal Code (TMC). 4. This application must be completed in ink or be typewritten. Applications completed in pencil shall not be accepted. 5. If you have any questions, please contact: Pretreatment Coordinator, City of Tacoma, at (253)

Directions for Completing this Application
502-2239. 6. If the Control Authority finds that the permit application is complete and submitted in a timely manner, the Control Authority may issue an industrial wastewater discharge permit to the industrial user and assess a permit fee and other charges as specified in ORDINANCE NO. 28762 Exhibit A, Wastewater rate and Fee table. 7. Submit the completed application to, Pretreatment Coordinator, City of Tacoma, 2201 Portland Avenue East, Bldg. P-1, Tacoma WA, 98421

Other Environmental Permits Held by Facility:

Permit Type	Issuing Agency	Permit Number	Expiration Date
Wastewater:			
Wastewater- Direct Discharge (State or EPA permit):			
RCRA (Hazardous Waste):			
Underground Injection Control (UIC) Permit:			
Stormwater:			
Air Permit:			
Other:			

Facility/Production Information

General Business/Facility Activity Description

Provide operating data below

	Shift Times	Days of Operation	# of Employees
Shift #1:			
Shift #2:			
Shift #3:			

Facility/Production Information	
Does your business perform any process(es) for which pretreatment standards for new or existing sources would be applicable if there were a discharge to the sanitary sewer from such activity? (see pages 13-15) ☐ YES ☐ NO	Applicable Categorical Standard(s) (include specific Standard, Subpart, and Applicable Section):
Sources may include cooling water, boiler blowdown, industrial processes, etc.	If you do not know if the activities conducted at your facility are subject to Federal Categorical regulations, contact your Business Operations Division representative for assistance.
Reason for classification (description of regulated processes):	
Date facility began operation (or will begin operation):	Date of first discharge from each identified categorical process to the Publicly Owned Treatment Works (POTW) or if no discharge the date when the regulated process began:
Name of water supplier(s): Water billing account number(s): Sewer (wastewater) account billing number(s):	
Supplier example would be Tacoma Public Utilities	
List the primary products produced at this facility (attach sheets as needed):	
List all raw materials and process chemicals used (attach sheets as needed):	
List and attach copies of any notifications of discharge of hazardous waste previously submitted in fulfillment of the requirements of 40 CFR 403.12(p), also as described on page 31 (attach sheets as needed):	

Does production vary significantly (+/- 20 %) during a calendar year (e.g. seasonal production, plant shutdowns, etc.)? If yes, please describe:	Yes ☐	No ☐

Facility/Production Information		
Are any significant (+/- 20 %) changes in production anticipated in the next two (2) years that will affect wastewater discharges? If yes, please describe:	Yes ☐	No ☐
Provide an explanation of any anticipated changes in production in the next two to ten (2-10) years; include any changes in pollutants or pollutant concentrations and/or changes in discharge volumes:		
If wastewater or non-domestic wastes are hauled off-site, list the name, address, and phone number of the hauler and the names of wastes and volumes hauled off-site over last two (2) years (attach sheets as needed):		
Attach copies of laboratory analyses performed over the past five (5) years for wastewater discharge(s) from your facility <u>if not previously</u> submitted to the Control Authority.		
Attach a site plan or schematic of all areas that generate non-domestic wastewater that shows process lines, chemical storage areas, areas where materials are trans-loaded, or where contaminated stormwater is generated (See example in "Attachment 4"). Site plan or schematic must also show: 1. All wastewater lines and connections, including internal and external drains. 2. All sewer connections and monitoring point(s) for wastewater sampling. 3. Treatment facilities, internal and external to facility. Label tanks and indicate wastewater flow direction and tank or other storage volumes. 4. Process areas showing all tanks or other vessels used in the manufacturing process. Include a narrative that identifies where wastewater is generated during process or cleaning operations. 5. Process diagrams must show in sequence, or stepwise, the processing of all materials into products (with tank volumes and contents). 6. Drawings do not need to be to scale but must be clearly labeled and on sheets no larger than 11" x 17". Use separate sheets for various facility areas where needed.		
Has your business ever applied for or been issued an Industrial Wastewater Discharge Permit to discharge wastewater to a sanitary sewer collection system? If yes, please list each City, Control Authority or District (attach sheets as necessary).	Yes ☐	No ☐

Facility/Production Information		
Does your Company have any other manufacturing or other facilities that are engaged in the same or similar business activity? If yes, please provide a listing of Company names and locations (attach sheets as necessary).	Yes ☐	No ☐
Are there any underground storage tanks at your facility? If yes, list contents and volume of each tank (attach sheets as necessary)	Yes ☐	No ☐
For new facilities, will there be any underground storage tanks installed? If yes, list contents and volume of each tank (attach sheets as necessary)	Yes ☐	No ☐
Do you have any above ground storage tanks at your facility? If yes, list the tank capacity and contents for each tank. Also, describe whether the tank has any spill prevention or containment structure (e.g. dikes, etc.). Also list the procedures for draining and cleaning these containment structures (attach sheets as needed).	Yes ☐	No ☐
For new facilities, will you have any above ground storage tanks? If yes, list the tank capacity and contents for each tank. Also, describe whether the tank has any spill prevention or containment structure (e.g. dikes, etc.). Also list the procedures for draining and cleaning these containment structures (attach sheets as needed).	Yes ☐	No ☐
Do you store or contain wastewater in tanks or ponds at your facility (including new facilities)? If yes, include in the facility schematic.	Yes ☐	No ☐
Are floor drains located in the manufacturing area? If yes, explain:	Yes ☐	No ☐
Chemical Storage: Are chemical storage areas bermed or otherwise isolated from the rest of the facility and floor drains? If yes, please label all berms, barriers, or trench drains on the facility schematic.	Yes ☐	No ☐
Cooling water: How many cycles does your facility recirculate cooling water?	Yes ☐	No ☐

#	Source(s) and Flows of Water Used in Facility	Metered or Logged Y/N	Daily Average Water Use past 12 months gpd	Daily Maximum Water Use (past 12 months) gpd	Measured or Estimated
Provide the flows and information for sources and wastewater discharged from:					
1.	public water supply: customer account number:				
2.	a separate irrigation metered water source				
3.	private water supply, including piped or trucked				
4.	well located ON or OFF property (circle one) - See also #10 which may apply				
5.	private ponds				
6.	reuse/reclaimed water from off-site				
7.	reuse/reclaimed water from on-site				
8.	surface waters				
9.	water contained in raw materials[1]				
10.	groundwater remediation well				
11.	contaminated stormwater				
12.	other (specify):				
13.	other (specify):				
14.	other (specify):				
15.	other (specify):				
		TOTAL:			

[1] This is required where any liquids are received via train (railcar) or truck (tanker or bulk totes).

Please attach a diagram describing the water sources, the water uses, the volume for each use, where flows are combined prior to treatment, or after treatment, and where monitoring points are located, (See example in "Attachment 3").

#	Sources and Flows for Wastewater Generated at the Facility	Where is the wastewater discharged or planned to be discharged (see Wastewater Disposal Methods below)	Daily Average Wastewater Flow past 12 months (existing discharge) or next 12 months (new discharge) gpd	Daily Maximum Wastewater Flow past 12 months (existing discharge) or next 12 months (new discharge) gpd	Measured or Estimated
Provide the flows and information for wastewater discharged from:					
1.	process flows:				
2.	process flows:				
3.	process flows:				
4.	cleaning/wash down/rinses:				
5.	water into product:				
6.	air quality scrubbers:				
7.	domestic - toilets, drinking, etc.:				
8.	non-contact cooling water:				
9.	contact cooling water:				
10.	deionization (DI) backwash:				
11.	reverse osmosis (RO) regen/backwash:				
12.	irrigation (if not metered separately from water use on previous page):				
13.	air pollution control:				

#	Sources and Flows for Wastewater Generated at the Facility	Where is the wastewater discharged or planned to be discharged (see Wastewater Disposal Methods below)	Daily Average Wastewater Flow past 12 months (existing discharge) or next 12 months (new discharge) gpd	Daily Maximum Wastewater Flow past 12 months (existing discharge) or next 12 months (new discharge) gpd	Measured or Estimated
14.	evaporation:				
15.	water/wastewater reuse flows:				
16.	groundwater remediation:				
17.	contaminated stormwater:				
Provide the flows and information for wastewater discharged from:					
18.	other:				
		TOTAL:			

Wastewater Disposal Methods			
1.	sanitary sewer (to POTW) - treated	7.	other groundwater
2.	sanitary sewer (to POTW) - untreated	8.	waste haulers (identify on page 10)
3.	surface waters (river, stream, lake, etc.)	9.	water into product
4.	evaporation	10.	centralized Waste Treatment facility
5.	land applied	11.	storm sewer
6.	septic tank/leach field	12.	other:

DISCUSS ANY DIFFERENCES >5% BETWEEN THE TOTAL WATER USE ON PAGE 8 AND THE TOTAL WASTEWATER FHIS PAGE:

INDUSTRIAL USER IS REQUESTING A PERMITTED DAILY MAXIMUM FLOW (specify gallons per day or million gallons per day) OF: Click or tap here to enter text.

Wastewater Treatment Are there any pretreatment devices or processes used for treating wastewater before discharge to the sanitary sewer? Indicate Yes, if present and describe, and No, if not present.		
Type of Treatment	YES/NO	Type of Wastestream Treated
flow equalization		
aerated equalization (gallons)		
non-aerated equalization (gallons)		
activated carbon		
air stripping		
biological treatment		
centrifugation		
chemical precipitation		
chlorination		
cyanide destruction		
cyclone		
dissolved Air floatation		
evaporation		
filtration		
flocculation		
fats/oil/grease interceptor		
oil/sand separator		
grit removal		
ion exchange		

Wastewater Treatment Are there any pretreatment devices or processes used for treating wastewater before discharge to the sanitary sewer? Indicate Yes, if present and describe, and No, if not present.		
Type of Treatment	YES/NO	Type of Wastestream Treated
neutralization/pH adjust		
ozone		
reverse osmosis		
sedimentation		
separation		
septic tank		
silver recovery		
solvent separation		
other treatment		
other treatment		
other treatment		

Off-Site Disposal of Wastes		
Type of Waste	**YES/NO**	**Name of Hauler and where waste is disposed (or N/A if off-site disposal is not done)**
acids/bases		
petroleum-based oils/grease		
vegetable/animal fats/oils/grease		

Off-Site Disposal of Wastes		
Type of Waste	**YES/NO**	**Name of Hauler and where waste is disposed (or N/A if off-site disposal is not done)**
water-based cutting fluids		
sludges from the treatment of metal containing process wastewater		
wastewater or waste process bath wastewater from metal finishing or electroplating processes		
metal scraps from machining and processing		
inks/dyes/coloring agents		
organic chemical pollutants, excluding food waste		
food waste		
paints		
pesticides		
solvents		
hazardous wastes		
first wash/rinse from process tanks		
wash or rinse water from waste delivered by railcar or truck		
other sludge from tanks or treatment not specified above		
antifreeze (clean or used)		
contact stormwater		

Off-Site Disposal of Wastes		
Type of Waste	**YES/NO**	**Name of Hauler and where waste is disposed (or N/A if off-site disposal is not done)**
contaminated stormwater		
list any others		
list any others		
list any others		

Wastewater Treatment	YES	NO
Is the pretreatment system fully operational? If not, explain:	☐	☐
Is backup power available?	☐	☐
Do alarm systems exist for out of range excursions (e.g. pH, flow, etc.)?	☐	☐
Are solids generated from the pretreatment system?	☐	☐
Are there written O&M manuals/SOPs for equipment and treatment system?	☐	☐
Are written logs for operator measurements available and being used?	☐	☐
Are emergency notification procedures in-place and posted?	☐	☐
Has the pretreatment system experienced operational upsets? If yes, describe:	☐	☐
Is there a diversion for potential bypass around the treatment system (See 40 CFR Section 403.17)?	☐	☐
Type of recording for pH measurements (chart, recorder, computer, log):		
Type of recording for flow measurements (chart, recording, computer, log):		
Do you have a wastewater treatment operator? If yes, is the operator trained in regards to existing or proposed operation and maintenance (O&M) practices?	☐	☐

Check any activities listed below that are performed at your facility. For some business activities, EPA has published Categorical Standards. Specify, "Yes", if you are conducting activities onsite for which pretreatment standards or requirements for new or existing sources were developed, or if you are receiving waters from off-site which would be subject to either direct or indirect discharge criteria covered by EPA Categorical Standards.

YES	40 CFR #	Industrial Activity	Applicable Subparts
☐	467	aluminum forming	
☐	427	asbestos manufacturing	
☐	461	battery manufacturing	
☐	431	builders paper & board mills	
☐	407	canned & preserved fruits & veg.	
☐	408	canned & preserved seafood	
☐	458	carbon black manufacturing	
☐	411	cement manufacturing	
☐	437	centralized waste treatment	
☐	434	coal mining	
☐	465	coil coating	
☐	468	copper forming	
☐	405	dairy products processing	
☐	441	dental industrial user (covered by effluent guidelines but not a categorical industrial user)	
☐	469	electrical, electronic components	
☐	413	electroplating	
☐	457	explosives manufacturing	
☐	412	feedlots	
☐	424	ferro allay manufacturing	
☐	418	fertilizer manufacturing	
☐	464	foundries, metal mold & casting	
☐	426	glass manufacturing	
☐	406	grain mills	
☐	454	gum & wood chemicals manufacturing	
☐	460	hospitals	
☐	447	ink formulating	
☐	415	inorganic chemical manufacturing	
☐	420	iron & steel manufacturing	
☐	425	leather tanning & finishing	
☐	432	meat products	
☐	433	metal finishing	
☐	464	metal molding and casting	
☐	436	mineral mining and processing	

YES	40 CFR #	Industrial Activity	Applicable Subparts
☐	471	nonferrous metal, form & powders	
☐	421	nonferrous metals manufacturing	
☐	414	OCPSF, organic chemicals, plastics, & synthetic fiber manufacturing	
☐	435	oil & gas extraction	
☐	440	ore mining and dressing	
☐	446	paint formulating	
☐	443	paving and roofing materials manufacturing	
☐	455	pesticide manufacturing	
☐	419	petroleum refining	
☐	439	pharmaceutical manufacturing	
☐	422	phosphate manufacturing	
☐	459	photographic supplies	
☐	463	plastics molding and forming	
☐	466	porcelain enameling	
☐	430	pulp, paper, and paperboard	
☐	428	rubber manufacturing	
☐	417	soap & detergent manufacturing	
☐	423	steam electric power generation	
☐	409	sugar processing	
☐	410	textile mills	
☐	429	timber products processing	
☐	442	transportation equipment cleaning	
☐	other		
☐	other		
☐	other		
☐	other		
☐	other		
☐	other		
☐	other		
☐	other		
☐	other		

Monitoring Data Requirements
For existing permitted industrial users (Categorical or non-Categorical): Submit the results of any pollutant monitoring conducted over the last five years performed on discharges not already reported to the Control Authority. New applicants will be required to sample for all pollutants identified in the tables on pages 17-28.
For a new, non-Categorical industrial user: If sampling of wastewater from your facility has been performed and analyzed (even if in another location) in the past five years, include a copy of all such results with this completed application.
Pursuant to 40 CFR Section 403.12(b), if your business is a Categorical industrial user that is connected to the Control Authority's POTW or proposing to connect to the Control Authority's POTW, you are required to collect at least one representative sample of your effluent and analyze for all regulated pollutants using methods at 40 CFR Part 136. If the facility is not discharging, historical data may be used to identify pollutants present and to estimate concentrations of pollutants. If the industrial user has a similar operation in another location, data from that facility may be used to provide an estimate. Regulated pollutants include all pollutants covered by the Categorical Standard and any local limitations established by the Control Authority. If you have pollutant data on the presence or concentrations of pollutants in your wastewater that have been collected in the last five (5) years AND that data has not been previously submitted to the Control Authority, that pollutant data shall be submitted with this application. If this application is being completed for a new Categorical industrial user, the Control Authority may request additional information specific to the relevant Categorical Standard and facility operations. This application includes required information to assist the Control Authority in permit issuance and may require additional information that is required for Baseline Monitoring Reports (BMRs), as defined at 40 CFR Section 403.12(b), at least 90 days prior to discharge being authorized.

Categorical Industrial Users Only		
	YES	NO
Is your facility covered by more than one Categorical Pretreatment Standard?	☐	☐
Do you use the Combined Wastestream Formula or Flow Weighted Averaging when evaluating compliance with Categorical Standards (see 40 CFR Section 403.6)	☐	☐
For each process where a discharge of wastewater does or may occur, provide a description of that process (add sheets as necessary): 1. 2. 3. 4. 5.		

Categorical Industrial Users Only		
	YES	NO
If your facility is covered by a production-based Categorical Pretreatment Standard, provide a description of the nature and average rate of production (last three (3) years) for your products as specified in the applicable Categorical Standard. Additional information may be required for industrial users that are governed by production-based Categorical Standards. Add additional sheets as necessary.		

Other Data Required for Categorical Industrial Users
Certification to be signed and provided with this application A statement reviewed by the Authorized Representative of the industrial user and certified by a qualified professional, indicating whether Pretreatment Standards and Requirements are being met on a consistent basis. If not, whether additional operation and maintenance (O&M) and/or additional Pretreatment is required for the industrial user to meet the Pretreatment Standards and Requirements. Attach Statement/Certification. New Source dischargers must be in compliance with Categorical Standards upon discharge.
Compliance Schedule When a compliance schedule is granted by the Control Authority under TMC 12.08C.410.B.8, or other provision of this chapter, the following conditions shall apply: **1.** The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial user to meet the applicable pretreatment standard. Such major events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operations. **2.** No increment referred to in subsection 1 above shall exceed nine (9) months. The date of final compliance shall not extend beyond the final compliance date established for the applicable pretreatment standard. **3.** The industrial user shall submit a progress report to the Control Authority no later than fourteen (14) days following each date in the schedule and the final date for compliance with the schedule. The industrial user shall report, at a minimum, whether or not it timely complied with progress increments to be met on such date and, if not, the date on which it expects to comply with such progress increments, the reason for the delay, and the steps being taken by the industrial user to return to the established schedule. **4.** In no event shall more than nine (9) months elapse between submittal of progress reports to the Control Authority.

Please review your past effluent monitoring data, raw materials, and processes and complete the following table.

Note: The industrial user shall review all raw materials used in the manufacturing process at the facility and all final products to answer whether or not a pollutant is present. If, after review of all raw materials and final products, a pollutant is not shown by data to be present, the industrial user may check the "Known Absent at Facility". Where a MSDS or certificate of analysis from a supplier of raw materials lists individual components as "Proprietary" or similar language, it is the responsibility of the industrial user to obtain a listing of the individual chemical components of the raw materials from the manufacturer and report required pollutant information to the Control Authority. No claim of "proprietary", "confidential", "trade secret", etc. may be used to avoid reporting the required information on pollutants that are or may be present in the discharge. The Control Authority may require monitoring and reporting for any pollutant. Checking "Unknown" below may result in additional monitoring and reporting requirement(s) for that pollutant. The industrial user must check at least one box for each pollutant below.

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Arsenic, Total	7440-38-2							
Cadmium, Total	7440-43-9							
Chromium (VI), Total	18540-29-9							
Chromium, Total	7440-47-3							
Copper, Total	7440-50-8							
Cyanide, Free								
Cyanide, Total	57-12-5							
Lead, Total	7439-92-1							
Mercury, Total	7439-97-6							
Molybdenum, Total	7439-98-7							
Nickel, Total	7440-02-0							
Selenium, Total	7782-49-2							
Silver, Total	7440-22-4							
Zinc, Total	7440-66-6							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Ammonia	7664-41-7							
5-Day Biochemical Oxygen Demand (BOD5)	n/a							
Chemical Oxygen Demand (COD)	n/a							
Total Suspended Solids (TSS)	n/a							
1,1,1-Trichloroethane	71-55-6							
1,1,2,2-Tetrachloroethane	79-34-5							
1,1,2-Trichloroethane	79-00-5							
1,1-Dichloroethane	75-34-3							
1,1-Dichloroethylene	75-35-4							
1,2,4-Trichlorobenzene	120-82-1							
1,2-Dichlorobenzene	95-50-1							
1,2-Dichloroethane	107-06-2							
1,2-Dichloropropane	78-87-5							
1,2-Diphenylhydrazine	122-66-7							
1,2-trans-Dichloroethylene	156-60-5							
1,3-Dichlorobenzene	541-73-1							
1,3-Dichloropropylene	542-75-6							
1,4-Dichlorobenzene	106-46-7							
2,2-Dichloropropionic acid	75-99-0							
2,3,7,8-Tetrachlorodibenzo-p-dioxin	1764-01-6							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
2,4,5-T	93-76-5							
2,4,5-TP	93-72-1							
2,4,6-Trichlorophenol	88-06-2							
2,4-D	94-75-7							
2,4-Dichlorophenol	120-83-2							
2,4-Dimethylphenol	105-67-9							
2,4-Dinitrophenol	51-28-5							
2,4-Dinitrotoluene	121-14-2							
2,6-Dinitrotoluene	606-20-2							
2-Chloroethylvinyl ether	110-75-8							
2-Chloronaphthalene	91-58-7							
2-Chlorophenol	95-57-8							
2-Nitrophenol	88-75-5							
3,3-Dichlorobenzidine	91-94-1							
3,4-Benzofluoranthene	205-99-2							
4,4’-DDD	72-54-8							
4,4’-DDE	72-55-9							
4,4’-DDT	50-29-3							
4,6-Dinitro-o-cresol	534-52-1							
4-Bromophenyl phenyl ether	101-55-3							
4-Chlorophenyl phenyl ether	7005-72-3							
4-Nitrophenol	100-02-7							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Acenaphthene	83-82-9							
Acenaphthylene	208-96-8							
Acetaldehyde	75-07-0							
Acrolein	107-02-8							
Acrylonitrile	107-13-1							
Aldrin	309-00-2							
Allyl alcohol	107-18-6							
Allyl chloride	107-05-1							
Alpha, Total	n/a							
alpha-BHC	319-84-6							
alpha-Endosulfan	959-98-8							
Aluminum, Total	7429-90-5							
Amyl acetate	628-63-7							
Aniline	62-53-3							
Anthracene	120-12-7							
Antimony, Total	7440-36-0							
Arsenic, Total	7440-38-2							
Asbestos	1332-21-4							
Barium, Total	7440-39-3							
Benz[a]anthracene	56-55-3							
Benzene	71-43-2							
Benzidene	92-87-5							
Benzo[a]pyrene	50-32-8							
Benzo[ghi]perylene	191-24-2							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Benzo[k]fluoranthene	207-08-9							
Benzyl chloride	100-44-7							
Beryllium, Total	7440-41-7							
Beta, Total	n/a							
beta-BHC	319-85-7							
beta-Endosulfan	33213-65-9							
Bis(2-chloroethoxy) methane	111-91-1							
Bis(2-chloroethyl) ether	111-44-4							
Bis(2-chloroisopropyl) ether	102-80-1							
Bis(2-ethylhexyl) phthalate	117-81-7							
Bis(chloromethyl) ether	542-88-1							
Boron, Total	7440-42-8							
Bromide	24959-67-9							
Bromoform	75-25-2							
Butyl benzyl phthalate	85-68-7							
Cadmium, Total	7440-43-9							
Captan	133-06-2							
Carbaryl	63-25-2							
Carbofuran	1563-66-2							
Carbon disulfide	75-15-0							
Carbon tetrachloride	56-23-5							
Chlordane	57-74-9							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Chlorine, Total Residual	n/a							
Chlorobenzene	108-90-7							
Chlorodibromomethane	124-48-1							
Chloroethane	75-00-3							
Chloroform	67-66-3							
Chlorpyrifos	2921-88-2							
Chrysene	218-01-9							
Colbalt, Total	7440-48-4							
Color	n/a							
Coumaphos	56-72-4							
Cresols	1319-77-3							
Crotonaldehyde	123-73-9							
Cyclohexane	110-82-7							
delta-BHC	319-86-8							
Diazinon	333-41-5							
Dibenz[a,h]anthracene	53-70-3							
Dicamba	1918-00-9							
Dichlobenil	1194-65-6							
Dichlone	117-80-6							
Dichlorobromomethane	75-27-4							
Dichlorodifluoromethane	75-71-8							
Dichlorvos	62-73-7							
Dieldrin	60-57-1							
Diethyl phthalate	84-66-2							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Diethylamine	109-89-7							
Dimethyl phthalate	131-11-3							
Dimethylamine	124-40-3							
Di-N-butylphthalate	84-74-2							
Di-N-octyl phthalate	117-84-0							
Diquat	85-00-7							
Disulfoton	298-04-4							
Diuron	330-54-1							
Endosulfan sulfate	1031-07-8							
Endrin	72-20-8							
Endrin aldehyde	7421-93-4							
Epichlorohydrin	106-89-8							
Ethion	563-12-2							
Ethylbenzene	100-41-4							
Ethylene diamine	107-15-3							
Ethylene dibromide	106-93-4							
Fecal Coliform	n/a							
Fluoranthene	206-44-0							
Fluorene	86-73-7							
Fluoride	16984-48-8							
Formaldehyde	50-00-0							
Furfural	98-01-1							
gamma-BHC	58-89-9							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Guthion	86-50-0							
Heptachlor	76-44-8							
Heptachlor epoxide	1024-57-3							
Hexachlorobenzene	118-74-1							
Hexachlorobutadiene	87-68-3							
Hexachlorocyclopentadiene	77-47-4							
Hexachloroethane	67-72-1							
Indeno(1,2,3-cd)pyrene	193-39-5							
Iron, Total	7439-89-6							
Isophorone	78-59-1							
Isoprene	78-79-5							
Isopropanolamine	78-96-6							
Keithane	115-32-2							
Kepone	143-50-0							
Malathion	121-75-5							
Manganese, Total	7439-96-5							
m-Cresol	108-39-4							
m-Dinitrobenzene	99-65-0							
Mercaptodimethur	2032-65-7							
Methoxychlor	72-43-5							
Methyl bromide	74-83-9							
Methyl chloride	74-87-3							
Methyl mercaptan	74-93-1							
Methyl methacrylate	80-62-6							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Methyl parathion	298-00-0							
Methylene chloride	75-09-2							
Mevinphos	7786-34-7							
Mexacarbate	315-18-4							
Monoethylamine	75-04-7							
Monomethylamine	74-89-5							
Naled	300-76-5							
Naphthalene	91-20-3							
Napthenic acid	1338-24-5							
N-Butyl acetate	123-86-4							
N-Butylamine	109-73-9							
Nitrate-Nitrite (as N)	n/a							
Nitrobenzene	98-95-3							
Nitrogen, Total Organic (as N)	n/a							
Nitrotoluene	1321-12-6							
N-Nitrosodimethylamine	62-75-9							
N-Nitroso-di-n-propylamine	621-64-7							
N-Nitrosodiphenylamine	86-30-6							
Nonylphenol	68152-92-1							
o-Cresol	95-48-7							
o-Dinitrobenzene	528-29-0							
Oil and Grease	n/a							
Parathion	56-38-2							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
PCB-1016	12674-11-2							
PCB-1221	11104-28-2							
PCB-1232	11141-16-5							
PCB-1242	53469-21-9							
PCB-1248	12672-29-6							
PCB-1254	11097-69-1							
PCB-1260	11096-82-5							
p-Chloro-m-cresol	59-50-7							
p-Cresol	106-44-5							
Pentachlorophenol	87-86-5							
Phenanthrene	85-01-8							
Phenol	108-95-2							
Phenols, Total	n/a							
Phenolsulfonates, Total	n/a							
Phosgene	75-44-5							
Phosphorus, Total	7723-14-0							
Propargite	2312-35-8							
Propylene oxide	75-56-9							
Pyrene	129-00-0							
Pyrethrins	n/a							
Quinoline	91-22-5							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Radionuclides	n/a							
Radium, Total	n/a							
Radium-226, Total	n/a							
Resorcinol	108-46-3							
Strontium	7440-24-6							
Strychnine	57-24-9							
Styrene	100-42-5							
Sulfate (as SO4)	14808-79-8							
Sulfide (as S)	18496-25-8							
Sulfite (as S03)	14265-45-3							
Surfactants	n/a							
TDE (Tetrachlorodiphenylethane)	72-54-8							
Tetrachloroethylene aka Perchloroethylene aka Tetrachloroethene	127-18-4							
Thallium, Total	7440-28-0							
Tin, Total	7440-31-5							
Titanium, Total	7440-32-6							
Toluene	108-88-3							
Total Organic Carbon (TOC)	n/a							
Toxaphene	8001-35-2							
Trichloroethylene	79-01-6							

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)
Trichlorofluoromethane	75-69-4							
Trichlorofon	52-68-6							
Triethanolamine	102-71-6							
Triethylamine	121-44-8							
Trimethylamine	75-50-3							
Uranium	7440-61-1							
Vanadium	7440-62-2							
Vinyl acetate	108-05-4							
Vinyl chloride	75-01-4							
Xylene	1330-20-7							
Xylenol	1300-71-6							
Zirconium	7440-67-7							

Include the following information for other pollutants used or generated at the facility which are not included in the table on pages 17-27. (Add sheets as needed)

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)

Pollutant	CAS No.	Known Absent at Facility (Y/N)	Known Present at Facility (Y/N)	Unknown Whether Present at Facility (Y/N)	Known Absent in Discharge (Y/N)	Known Present in Discharge (Y/N)	Unknown Whether Present in Discharge (Y/N)	Characterization Required (City use Only) (Y/N)

Does your facility use or manufacture nanomaterials in its process? For more information:
http://www2.epa.gov/sites/production/files/2013-12/documents/nanotechnology-fact-sheet.pdf
If yes, please provide further information on the use, manufacture and discharge of these materials or pollutants (attach pages as necessary):

Slug Discharge Control Plan (SDCP)		
	YES	**NO**
Do you have a Slug Discharge Control Plan?	☐	☐
Date of most recent Slug Discharge Control Plan:		
If yes, has it been submitted to the Control Authority and approved?	☐	☐
Is a copy of the plan kept on-site at the facility?	☐	☐
Existing SDCPs should be attached to the permit application with the following certification, signed by the Authorized Representative, that the plan has been reviewed and reflects the current situation at the applicant's facility: *"I certify that the current Slug Discharge Control Plan submitted to the Control Authority is up to date and that I have the financial resources and authority to implement the plan."* *Please reference "Attachment 2" if the facility does not have an existing SDCP*		

Slug Discharge Control Plan Submittal – TO BE COMPLETED BY Control Authority	**YES**	**NO**
Is the Control Authority requiring that the industrial user completing this application submit a SDCP as described in Attachment 2?	☐	☐
If the industrial user is not required to submit a SDCP with this application, the Control Authority will be notifying the industrial user if and when a SDCP is required.		

Current and Projected Waste Reduction (Pollution Prevention) Activities		
Current	**Projected**	**Description**
		improved maintenance scheduling recordkeeping, or procedures
		changed production schedule to minimize equipment and feedstock changeovers
		other changes in operating practices (explain briefly in comments)
		instituted procedures to ensure that materials do not stay in inventory beyond shelf-life
		began to test outdated material-continue to use if still effective
		eliminated shelf-life requirements for stable materials
		instituted better labeling procedures
		instituted clearinghouse to exchange materials that would otherwise be discarded
		other changes in inventory control (explain briefly in comments)
		improved storage or stacking procedures
		improved procedures for loading, unloading and transfer operations
		installed overflow alarms or automatic shutoff valves
		installed secondary containment
		installed vapor recovery systems
		Implemented inspection or monitoring program of potential spill or leak sources
		other spill and leak prevention (explain briefly in comments)
		increased purity of raw materials
		substituted raw materials
		other raw material modifications (explain briefly in comments)
		instituted recirculation within a process
		modified equipment, layout, or piping

Current and Projected Waste Reduction (Pollution Prevention) Activities		
Current	**Projected**	**Description**
		use of a different process catalyst
		instituted better controls on operating bulk containers to minimize discarding of empty containers
		changed from small volume containers to bulk containers to minimize discarding of empty containers
		other process modifications (explain briefly in comments)
		modified stripping/cleaning equipment
		changed to mechanical stripping/cleaning devices (from solvents or other materials)
		changed to aqueous cleaners (from solvents or other materials)
		reduced the number of solvents used to make waste more amenable to recycling
		modified containment procedures for cleaning units
		improved draining procedures
		redesign parts racks to reduce drag-out
		modified or installed rinse systems
		improved rinse equipment design
		improved rinse equipment operation
		other cleaning and degreasing operation (explain briefly in comments)
		modified spray systems or equipment
		substituted coating materials used
		improved application techniques
		changed from spray to other system
		other surface preparation and finishing (explain briefly in comments)
		changed product specifications
		modified design or composition of product
		modified packaging
		other product modifications (explain briefly in comments)
Comments:		

Other Current and Projected Waste Reduction (Pollution Prevention) Activities		
Current	**Projected**	**Description**

Current and Projected Waste Reduction (Pollution Prevention) Activities		
Current	**Projected**	**Description**
Comments:		

Notification of the Discharge of Hazardous Waste

Tacoma Municipal Code (TMC) 12.08C.690

Any industrial user shall notify the Control Authority, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261 or a dangerous waste under Chapter 173-303 WAC. Such notification shall be made within the appropriate time frames specified in TMC 12.08C.650 or within twenty-four (24) hours of becoming aware of the discharge, whichever is shorter. Such notification shall include:

1. the name of the hazardous waste as set forth at 40 CFR Part 261 or the name of the dangerous waste in Chapter 173-303 WAC
2. the EPA hazardous waste number
3. the type of discharge (continuous, batch, or other)
4. an identification of the hazardous constituents contained in the wastes
5. an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month
6. an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months
7. a statement that the industrial user has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical
8. certification as required by TMC 12.08C.350

The Authorized Representative for the facility shall review and sign this application and return to the Control Authority with the completed permit application (see TMC 12.08C.350).

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.

Signature of Authorized Representative for facility Owner _____ Date _____

Printed Name _____ Title _____

For an existing discharger subject to a new Categorical Standard (not a New Source), check the appropriate box and complete the Signatory Certification by a Qualified Professional:

[ ] I certify that based upon my review of this Permit Application, that all applicable Pretreatment Standards will be met on a consistent basis.

[ ] All applicable Pretreatment Standards will NOT be met on a consistent basis. Attached to the Permit Application is a description that I have reviewed regarding additional pretreatment needed and/or Operation and Maintenance required to meet applicable Pretreatment Standards.

Signature of Qualified Professional _____ Date _____

Printed Name and Name of Firm _____ Title _____

The Authorized Representative for the Operator, or the Facility, or treatment plant, if different from Authorized Representative of the industrial user, shall also review the information, sign this application and return it to the Control Authority with the completed permit application.

"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."

Signature of Authorized Representative for facility Operator	Date
_____	_____
Printed Name	Title
_____	_____

Attachment 1

Authorized representative" or "duly authorized representative of the industrial user."

A. If the industrial user is a corporation:

   1. The 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

   2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including: having the explicit or implicit duty of making major capital investment recommendations; initiating and directing comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; ensuring that the necessary systems are established or actions are taken to gather complete and accurate information for reporting requirements established by the Control Authority, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

B. If the industrial user is a partnership or sole proprietorship: a general partner or proprietor, respectively;

C. If the industrial user is a limited liability company, the managing member(s) of the limited liability company;

D. If the industrial user is a federal, state, or local governmental facility: a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or the designee of such official; and

E. The individuals described in paragraphs A through D above may designate another duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Control Authority.

"Industrial User."

A non-domestic source of an indirect discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the industrial user discharges non-domestic wastewater.

"Significant industrial user" means:

A. All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N

B. Any other industrial user that discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding domestic, noncontact cooling and boiler blowdown wastewater); or contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW; or is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation; or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(F)(6), as found in 55 FR 30128, July 24, 1990).

Attachment 2

City of Tacoma Industrial Pretreatment Program

SLUG DISCHARGE CONTROL PLAN Template

Date	
Company Representative (print)	
Representative Title (print)	
Phone Number	

I. General Information

Industrial User/Company Name	
Physical Address	
Mailing Address	
Discharger's Permit Number	
Authorized Representative of the Industrial User	
24-Hour Phone Number	
Email Address	
Secondary Facility Contact	
24-Hour Phone Number	
Email Address	

II. Facility Description

Description of Business Operations	
Operation Hours	
Number of Employees	

III. Slug/Spill Control

Slug Discharge means: Any discharge of a non-routine, episodic nature, including but not limited

to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or Permit conditions. This includes a discharge which exceeds the hydraulic or design of an industrial user's treatment system or any part of the treatment unit.

Slug Discharge Control Plan (SDCP)

The Control Authority may require any industrial user to prepare and implement a Slug Discharge Control Plan (SDCP) as per TMC 12.08C.660. The Control Authority's acceptance of such plan shall not relieve an industrial user from the responsibility to modify its SDCP, as necessary, to meet the requirements of TMC 12.08C.

SDCP's shall address, at a minimum, the following:

1. A description of all discharge practices, including non-routine discharge practices.
2. A description of all stored chemicals, disclosing all ingredients in formulations which could violate this chapter if discharged to the POTW.
3. A description of potential discharge pathways to the POTW.
4. The procedures for ensuring immediate notification to the Control Authority of any slug discharge.
5. The procedures to prevent adverse impacts from any slug discharge. Such procedures shall address
    a. the inspection and maintenance of storage areas,
    b. handling and transfer of materials,
    c. loading and unloading operations,
    d. control of plant site runoff,
    e. worker training,
    f. building or use of existing containment structures or equipment,
    g. measures for containing pollutants, and
    h. measures and equipment for emergency response.

IV. Notification of Slug Discharge

In the case of any changes at its facility affecting potential for a Slug Discharge or any actual discharge, the industrial user shall immediately telephone and notify the Control Authority as per TMC 12.08C.660:
Monday-Friday, 7 am - 3:30 pm: (253-502-2222). If no answer or at other days/times: (253-591-5595).

For actual discharges the notification shall include

1. location of the discharge,
2. date and time of discharge,
3. type of substance discharged,
4. the concentration of contaminants,
5. to the extent known, volume of discharge, and
6. any corrective actions taken.

Within five (5) days following a slug discharge, the industrial user shall submit a written report to the Control Authority describing the cause of the discharge, including any information that has become available to supplement the industrial user's initial notice. The written notice shall also include measures taken by the industrial user to prevent similar events in the future. In addition to enforcement under TMC 12.08C, industrial users responsible for a slug discharge shall be liable for all supplemental fees incurred by the Control Authority caused by and in response to such event.

Reports shall be provided to:
Pretreatment Coordinator City of Tacoma
2201 Portland Ave East, Bldg. P-1
Tacoma WA, 98421

V. Review/Modifications of the SDCP

Industrial users shall review their SDCP's annually, or sooner if a change is made at an industrial user's facility that may require modifications to the SDCP. Modifications to the SDCP shall be submitted to the Control Authority for review and acceptance.

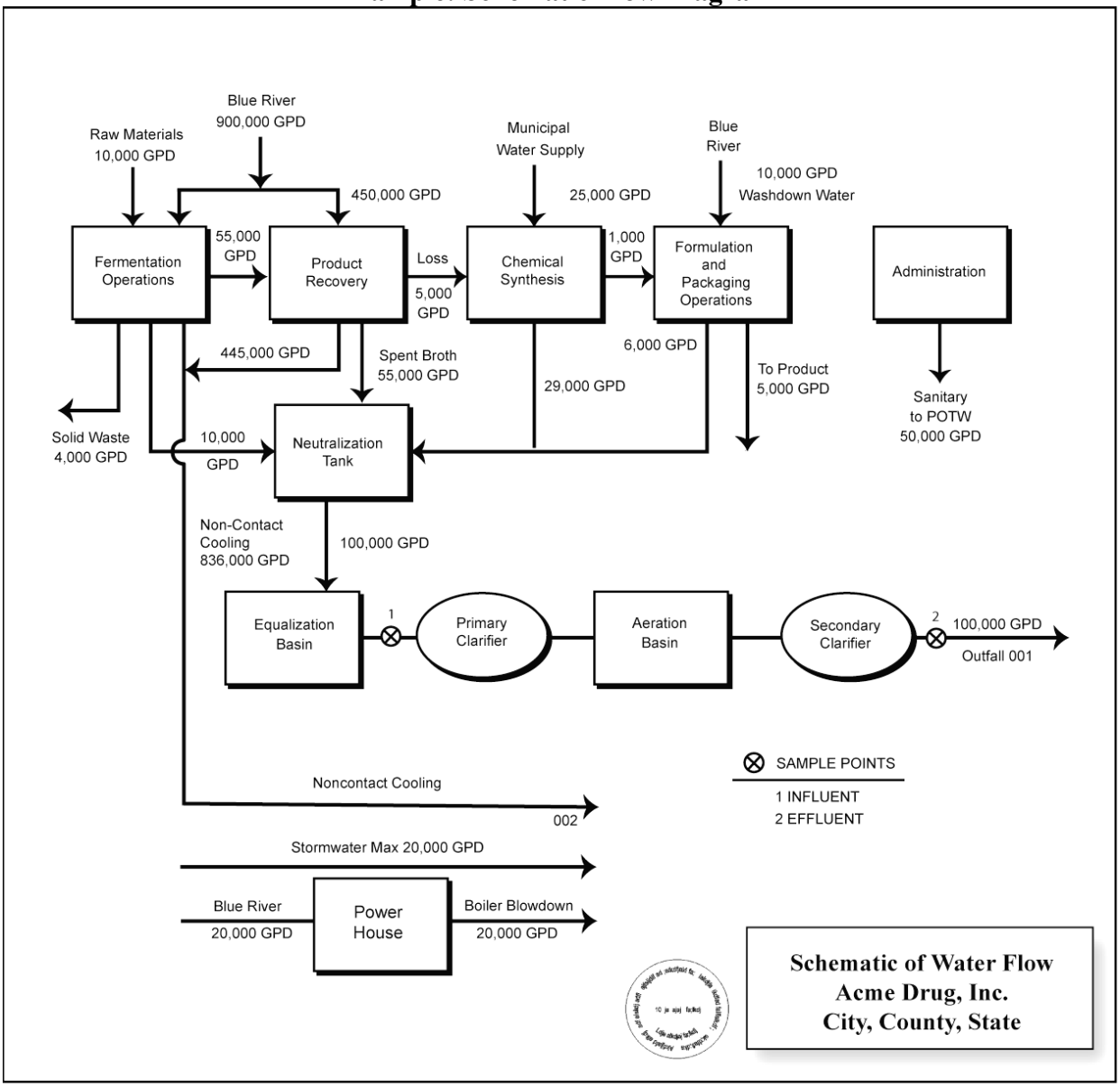
VI. Signature and Certification

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.

Name (print):	
Title:	
Signature of Authorized Representative of the Industrial User:	
Date:	

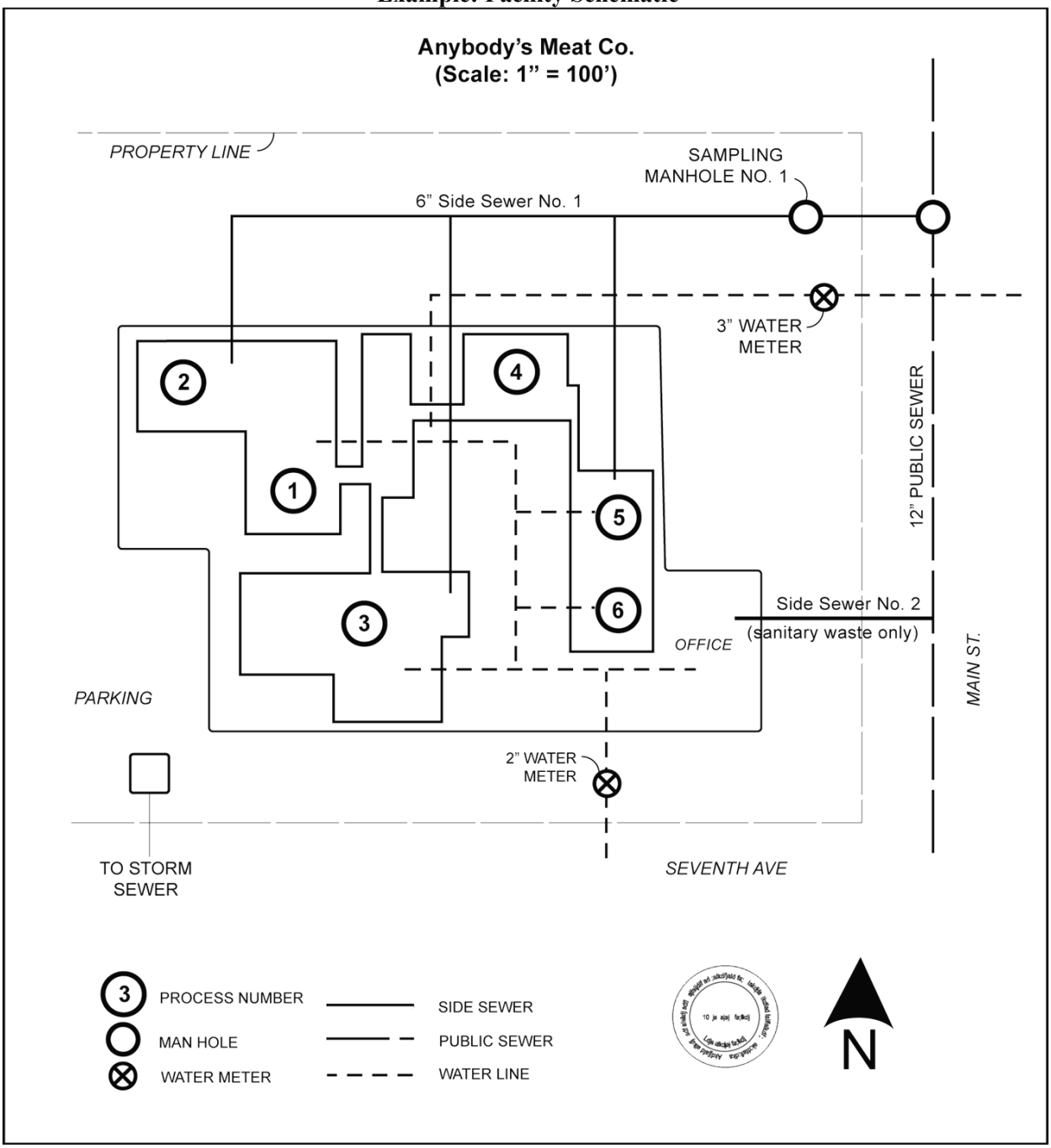
Attachment 3

Example: Schematic Flow Diagram



Attachment 4

Example: Facility Schematic



Dental User Survey & Certification Form

Please complete and return to:
City of Tacoma, Business Operations Division
2201 Portland Avenue, Tacoma WA 98421
Please call (253) 502-2120 with questions.

Business Name:

Name of Owner:

Facility Address(es):

Mailing Address:

Contact Information (Please list all *dentists that practice at this facility. Add separate page if necessary)

Name	Form of Dentistry Practiced	Phone	Dental License No.

Does your office only perform Oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, periodontics, or prosthodontics? ***If answer is YES please go to X-ray Section on page 2 to complete form.***	Yes ☐	No ☐
Applicability: Please select one		
This facility is a dental discharger subject to rule 40 CFR Part 441 and places or removes dental amalgam /or teeth containing amalgam fillings.	☐	
This facility is a dental discharger subject to this rule and (1) it does not place dental amalgam, and (2) it does not remove amalgam except in limited emergency or unplanned, unanticipated circumstances.	☐	
Type of report: New Facility, Transfer of Ownership, or Existing Facility – Select one § 441.50.		
This facility is submitting this compliance report because it began business after July 14th 2017	☐	
This facility is submitting this compliance report because it changed owners after July 14th 2017	☐	
This facility is submitting this compliance report in compliance with the October 12th 2020 deadline.	☐	

General		
The dental facility installed prior to June 14, 2017, one or more existing amalgam separators that do not meet the requirements of § 441.30(a)(1)(i) and (ii).	Yes ☐	No ☐
I understand that such separators must be replaced with one or more amalgam separators that meet the requirements of § 441.30(a)(1) or § 441.30(a)(2), after their useful life has ended, and no later than June 14, 2027, whichever is sooner.	☐	
All wastewater that may contain amalgam particles passes through the amalgam separator.	Yes ☐	No ☐

General		
Disposal: Dental practice never disposes of amalgam waste in the garbage, infectious waste or biohazard containers. All amalgam waste is recycled annually.	Yes ☐	No ☐
Dental practice has installed an ISO 11143 (or ANSI/ADA 108-2009) compliant amalgam separator that is designed and will be operated and maintained to meet the requirements in § 441.30 or § 441.40. Amalgam Separator Model: Manufacturer:	Yes ☐	No ☐
Dental practice maintains records of all maintenance and service completed regarding amalgam disposal, to include: date, facility name and address, and the amount shipped. All records are kept on site for a minimum of three years and are available to a City representative upon request.	Yes ☐	No ☐
Recycling: All bulk mercury has been recycled. **Name and address of recycling service:**	Yes ☐	No ☐
Equipment: All dental chairs are equipped with chair-side traps and vacuum pumps are equipped with secondary filters, in accordance to and maintained by manufacturer's instruction.	Yes ☐	No ☐
Clean up procedures: Only non-oxidizing, non-chlorine disinfectants and neutral line cleaners are used when cleaning lines that service amalgam related practices.	Yes ☐	No ☐
Clean up procedures: When cleaning traps and filters, dental practice does not rinse over the drain. All wastewater produced by practices involving amalgams is flushed through amalgam separator.	Yes ☐	No ☐
Salvaging: All amalgam waste, including contact and non-contact is stored in structurally sound container that is properly labeled "Amalgam Waste for Recovery".	Yes ☐	No ☐
X-ray Section:		
Dental practice uses only digital x-ray imaging equipment.	Yes ☐	No ☐
Dental practice uses conventional x-ray imaging equipment, and develops film on site.	Yes ☐	No ☐
X-ray developer waste is treated to recover silver from spent fixer.	Yes ☐	No ☐
Is silver recovery equipment installed? Manufacturer: Service Provider:	Yes ☐	No ☐

Please return the signed original copy within 14 days of receipt.

City of Tacoma, Environmental Compliance
2201 Portland Ave Building P-1

Certification Statement:

Per § 441.50(a)(2), the One-Time Compliance Report must be signed and certified by a responsible corporate officer, a general partner or proprietor if the dental facility is a partnership or sole proprietorship, or a duly authorized representative in accordance with the requirements of § 403.12(l).

"I am a responsible corporate officer, a general partner or proprietor (if the facility is a partnership or sole proprietorship), or a duly authorized representative in accordance with the requirements of § 403.12(l) of the above named dental facility, and 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."

Typed or Printed Name	Signature
Title	Date

APPENDIX F

Special Approved Discharge Authorization Template

SPECIAL APPROVED DISCHARGE POLICY

August 2021
Prepared By

City of Tacoma
ENVIRONMENTAL SERVICES, BUSINESS OPERATIONS DIVISION

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1. INTRODUCTION

This document contains criteria, general stipulations, reporting requirements, and sampling requirements pertaining to Special Approved Discharge Authorizations issued by the City of Tacoma Environmental Services Department (Environmental Services). Special Approved Discharge Authorizations are issued pursuant to City of Tacoma Municipal Code (TMC) 12.08.365 requirements. Special Approved Discharge Authorizations are not intended to take the place of Industrial Wastewater Discharge Permits. Examples of the type of discharges that Special Approved Discharge Authorizations regulate are wastewaters generated from new construction projects, municipal infrastructure construction projects and/or groundwater pump and treat operations. Special Approved Discharge Authorizations are for up to one year in duration but can be administratively extended for longer periods depending upon the length of the project.

Issuance of a Special Approved Discharge Authorization is subject to preliminary, source, and administrative criteria described in Section 2.0 of this document. Special Approved Discharge Authorization Standard Terms and Conditions are enforceable terms and conditions of Special Approved Discharge Authorizations.

Special Approved Discharge Authorizations also include rates and charges for discharge volume and wastewater strength.

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2. SPECIAL APPROVED DISCHARGE CRITERIA

Environmental Services established the following three sets of criteria under the Special Approved Discharge Authorization Program. Wastewater proposed for discharge must meet preliminary, source, and administrative criteria prior to the issuance of a Special Approved Discharge Authorization.

2.1 Preliminary Criteria

Reasonable and cost-effective means of recycling and reuse of the wastewater are unavailable. The applicant shall investigate and document alternatives for wastewater recycling and reuse, if applicable.

- Wastewater is not suitable for discharge to the storm sewer.
- Wastewater is generated within the City of Tacoma wastewater service area. The applicant shall determine if the location is within the service area.
- The side sewer or manhole through which the wastewater will be discharged has been identified.
- Known and potential pollutants present in the wastewater are characterized. The applicant shall submit both a complete certified laboratory analytical report, and a summary of the results.
- Treatment technology or Best Management Practices (BMPs) have been identified which will result in achieving compliance with discharge limits as set by the Special Approved Discharge Authorization. Depending on the source of the wastewater, the applicant may be required to demonstrate that pollutant concentrations will not exceed TMC 12.08.040 Limitations on Wastewater Strength. Any treatment employed must be a proven and conventional technology.

2.2 Source Criteria

- The following describes examples of source criteria for special discharge wastewater requiring special regulation:
- Boiler and/or Cooling Tower Maintenance – Wastewater generated by nonroutine system flushing or discharge of spent boiler/cooling water.
- Construction Dewatering – Groundwater or stormwater generated from trenching or excavation operations.
- Infrastructure Maintenance – Any wastewater generated by nonroutine cleaning or maintenance activities. This may include wastewater generated during line flushing and equipment cleaning.
- Monitoring Well Groundwater – Groundwater collected from monitoring wells for the purpose of characterization, study, or review.
- Nonroutine Tank Cleaning – Wastewater originating from cleaning or descaling of product, process, or waste storage tanks.
- Other Sources – Wastewater generated from other temporary sources may require a Special Discharge Permit.

- Spill – An accidental discharge of a substance that may pose an environmental or public health concern.
- Sump Discharge/Flooded Basement – Wastewater generated during a single event and collected into sumps, basements, and loading docks, etc. not connected to the sanitary sewer.
- Surface Cleaning – Any wastewater generated from flat surface cleaning activities that is not suitable for discharge to the storm sewer and is not regulated by other wastewater controls.
- Treated Bilge Water – Wastewater collected in the bilge of a ship that has subsequently been treated for pollutants that may be present.

2.3 Administrative Criteria

TMC 12.08 applies to all discharges within the City of Tacoma Service Area. Unless specifically waived by the Special Approved Discharge Authorization, the following wastewater criteria apply:

- The wastewater must not contain stormwater, groundwater, or unpolluted water (TMC 12.08.030). Special Approved Discharge Authorizations issued for Construction Dewatering and Monitoring Well Groundwater may waive this prohibition.
- The wastewater must be discharged through a side sewer (TMC 12.08.070). The discharge of wastewater directly into a manhole or other opening in the municipal sewer system is prohibited. Special Approved Discharge Authorizations may authorize direct discharge into a manhole or other opening if alternative means of discharge are unavailable.
- The wastewater does not pose significant concerns under this Special Approved Discharge Authorization Program. Environmental Services will determine if the wastewater poses a significant concern based on the information provided in the Special Approved Discharge Authorization Application.

3. GENERAL PROVISIONS

3.1 Duty to Comply

Authorized Dischargers shall comply with TMC 12.08, Special Approved Discharge Authorization Terms and Conditions, and this document.

3.2 Terms and Conditions of Special Approved Discharge Authorization

A Special Approved Discharge Authorization is issued for discharges only from the location and specific wastewater source described therein. Applications for a Special Approved Discharge Authorization shall be submitted to Environmental Services a minimum of 30 days prior to the date of the discharge. No discharge shall proceed prior to issuance of the Special Approved Discharge Authorization, completion of any required site inspections, and approval by Environmental Services staff. Issuance of a Special Approved Discharge Authorization does not exempt or preclude a facility from being issued an Industrial Wastewater Discharge Permit.

3.3 Dilution Prohibition

The Authorized Discharger shall not, in any way, dilute the wastewater discharge as a substitute for treatment to achieve compliance with the Special Approved Discharge Authorization Terms and Conditions.

3.4 Calibration and Maintenance of Equipment

The Authorized Discharger shall calibrate, inspect, and maintain all flow measuring, discharge sampling, monitoring, and pretreatment equipment to ensure equipment accuracy and reliability.

3.5 Availability of Special Discharge Permit

A copy of the Special Approved Discharge Authorization shall be maintained by the Authorized Discharger and be available to Environmental Services staff at all times. All active Special Approved Discharge Authorizations will be posted on the City of Tacoma's Environmental Services' website for the duration of the activity.

3.6 Payment of Special Discharge Permit Fees and Charges

The applicant shall pay all Special Approved Discharge Authorization fees, monitoring and testing charges, and wastewater treatment/disposal charges.

3.7 Special Discharge Permit Termination

Environmental Services may terminate the Special Approved Discharge Authorization for violation of the Authorization's Terms and Conditions or for violation of Tacoma Municipal Code, Chapter 12.08 provisions.

3.8 Transfer of Special Discharge Permit Prohibition

The Authorized Discharger shall not assign or transfer the Special Approved Discharge Authorization, without written permission from Environmental Services.

3.9 Severability

The Authorized Discharger shall not assign or transfer the Special Approved Discharge Authorization, without written permission from Environmental Services.

3.10 Property Rights

The issuance of the Special Approved Discharge Authorization does not convey to the Authorized Discharger any property rights of any sort or any exclusive privileges. Nor does such issuance authorize any injury to private property, any invasion of property rights, or any violation of federal, state or local laws.

4. REPORTING AND RECORD KEEPING

4.1 Spill/Slug Load or Slug Discharge Notification

Immediately upon discovering any spill or slug discharge to the sanitary sewer, the Authorized Discharger shall notify Environmental Services Division at (253) 502-2222 during business hours or non-business hours.

The Authorized Discharger shall submit to Environmental Services, within five days of the occurrence, a formal written notification describing:

a. circumstances of the discharge

b. what was discharged

c. volume of the discharge

d. duration of the discharge including beginning and end times, and dates

e. corrective actions to prevent recurrence

f. if discharge violates the terms and conditions of the Special Approved Discharge Authorization

4.2 Twenty-Four Hour Violation Reporting

a. The Authorized Discharger shall notify Environmental Services within 24 hours of becoming aware of any of the following violations:

   i. Discharges prohibited by TMC 12.08, except where authorized by the Special Approved Discharge Authorization

   ii. Exceedance of wastewater discharge limits as established in the Special Approved Discharge Authorization

   iii. Failure to perform any BMPs included in the Special Approved Discharge Authorization

   iv. Bypass of any part of a required pretreatment system

b. The Authorized Discharger shall submit a written report to Environmental Services within five days after becoming aware of the violation. The report shall include the following information:

   i. Description of the violation, including the cause, date and time of the violation

   ii. Date and time the discharge was stopped

   iii. Measures taken to correct the violation

   iv. Measures taken to prevent future violations

   Prior to receiving authorization to resume discharge, the Authorized Discharger may be required to demonstrate compliance with the Special Approved Discharge Authorization Terms and Conditions.

4.3 Changes in Quantity and Quality of Wastewater

The Authorized Discharger shall promptly notify Environmental Services in advance of any significant change to the quality or volume of the wastewater discharge or any deviation from the terms and conditions of the Special Approved Discharge Authorization - including immediate notification of any changes that affect the potential for a slug discharge.

4.4 Retention of Records

a. The Authorized Discharger shall retain all of the following documents:

   i. All records used to complete the Special Approved Discharge Authorization Application

   ii. Copies of reports required by the Special Approved Discharge Authorization

   iii. All records of monitoring information, including calibration and maintenance records, and original strip chart recordings of continuous monitoring instrumentation

   iv. Documentation of compliance with BMP requirements

b. The Authorized Discharger shall retain all reports and records for a period of at least three years from the date of the application, report, or monitoring event. Environmental Services may extend the document retention period. The Authorized Discharger shall provide all retained records and documents when requested by Environmental Services.

c. The Authorized Discharger shall retain and preserve all records pertaining to special orders or any other enforcement or litigation activities brought by Environmental Services until all enforcement activities have concluded and all periods of limitation with respect to any appeals have expired.

5. MONITORING AND SAMPLING

5.1 Representative Sampling

Samples and measurements taken, as required in the Special Approved Discharge Authorization or those submitted with the application, shall be representative of the volume and nature of the monitored discharge. The Special Approved Discharge Authorization may require that a sample be representative of certain discharge periods.

All data submitted in reports or applications shall be representative of conditions during the reporting period.

Analytical method detection limits shall be sufficient to determine compliance with the Special Approved Discharge Authorization Terms and Conditions.

5.2 Chain of Custody

a. The Authorized Discharger shall submit a Chain of Custody Record that documents the following for each sample:
   i. Sampling location and facility name
   ii. Type of sample, i.e., grab or composite
   iii. Date, time, or span of time the sample was collected
   iv. Number of containers and type, e.g., glass, plastic, vial, etc.
   v. Preservation techniques, e.g., ice, refrigeration at 4oC, chemicals added, etc.
   vi. Sample collector's name legibly written
   vii. Sample identification number that corresponds to the sample identification number on the analytical report
   viii. Printed name and signature of all persons handling the sample, and date and time the sample was relinquished and accepted

b. The Authorized Discharger shall ensure that a sample transported or handled by a courier, delivery service (public or private), or shipper shall include the company’s or individual's name and the method of packaging the sample on the Chain of Custody Record.

c. The Authorized Discharger shall show all sample analyses performed in the field on the Chain of Custody Record, e.g. pH - field test.

d. Environmental Services may require resampling of the wastewater if an incomplete or incorrect Chain of Custody Record is submitted.

5.3 Sample Preservation and Analytical Methods

Unless the Special Approved Discharge Authorization requires otherwise, the Authorized Discharger shall use sampling methods, sample preservation, and analytical methods for each parameter in accordance with applicable sections of EPA 40 CFR Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act, latest edition.

5.4 Laboratory Report

The Special Approved Discharge Authorization requires that each sample analysis be performed by a laboratory certified by the Washington State Department of Ecology for that analysis. The laboratory report for each sample shall include:

a. Name and address of the laboratory performing the analyses

b. Sample identification number that corresponds to the sample identification number on the Chain of Custody Record

c. Analytical result(s)

d. Date of sampling, the date the sample was received at the laboratory, and the date of analysis

e. Standard Methods of Water and Wastewater Analysis method or EPA method used for analysis

f. Method detection limit

g. Signature and title of an authorized representative of the laboratory, who reviewed the laboratory results

5.5 Additional Monitoring

If the Authorized Discharger monitors any pollutant at the appropriate sampling location (compliance point) more frequently than required by the Authorization, using procedures and test methods specified in the Authorization, the results of such monitoring shall be included in the subsequent self-monitoring report.

5.6 Flow Monitoring

The Authorized Discharger shall use appropriate flow measurement devices and methods when required by Environmental Services. Flow measurement devices and methods are subject to approval by Environmental Services.

5.7 Tampering with Equipment

The Authorized Discharger shall not tamper with monitoring equipment or pretreatment units.

5.8 Access to Facilities

Environmental Services staff may inspect a facility to determine compliance with the Special Approved Discharge Authorization Terms and Conditions. The Authorized Discharger shall provide access for this purpose.

6. ENFORCEMENT AND PENALTIES

6.1 Violations of Special Discharge Permit Terms and Conditions

The Authorized Discharger shall be subject to enforcement actions for failure to comply with the terms and conditions of the Special Approved Discharge Authorization or Tacoma Municipal Code 12.08. The actions may include Notices of Violation with Civil Penalties and Corrective Action Orders and other actions as authorized by TMC 12.08.200.

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7. GLOSSARY

BMPs	Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and structural or managerial practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operation procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. BMPs for stormwater management are listed and described in the City of Tacoma's Stormwater Management Manual. The term "Best Management Practice" shall also include any City approved schedule of activities, treatment practices, prohibitions of practices, maintenance procedures, and other management practices based on applicable Pretreatment Standards in 40 CFR Part 403, federal categorical effluent standards, local limits, and state and local laws which are implemented by a user to prevent pollutants from entering a facility's waste stream and causing "interference" or "pass through," as these terms are defined under 40 CFR Part 403.3 and TMC 12.08.010.
Bypass	A bypass is a diversion of waste streams from any portion of a pretreatment unit.
Chain of Custody	A Chain of Custody is a legal record of each person who had possession of a sample. A Chain of Custody record must be included with an analytical report.
Director	The Director of the Environmental Services Department of the City of Tacoma or his or her authorized representative.
Pretreatment Program	A Pretreatment Program is administered by a POTW that meets the criteria established in EPA 40 CFR Part 403.8, 403.9 and 403.11.
Prohibition	Prohibition refers to prohibited discharges of wastewater as defined in EPA 40 CFR Part 403.5 or Tacoma Municipal Code 12.08.020 through 12.08.080.
Sample	Sample refers to a portion of wastewater that is representative of a larger volume of wastewater being discharged. The two types of samples are: a) Grab - an individual sample collected in a short period of time not exceeding fifteen minutes b) Composite - a sample consisting of a number of discrete aliquots combined into a single sample, representative of a period of time
Slug Load or Slug Discharge	Slug Load or Slug Discharge –Any discharge at a flow rate or concentration which could cause a violation of any Pretreatment Standard or Requirement, as defined by 40 CFR Part 403.3(1) or this chapter, including any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or a noncustomary batch discharge.
Special Approved Discharge Authorization	Special Approved Discharge Authorization – A Special Approved Discharge Authorization is an authorization issued for short term or unique discharges determined by the Director to require special regulations or source control (TMC 12.08.365).
Authorized Discharger	Authorized Discharger – An Authorized Discharger is any individual, partnership, firm, association, corporation, or public agency issued a Special Approved Discharge Authorization.
Wastewater Discharge Limit	Wastewater Discharge Limit – A wastewater discharge limit is the maximum concentration of a pollutant allowed to be discharged at any time, as determined from the analysis of a grab or composite sample.

City of Tacoma
Environmental Services Department

Environmental Compliance: (253) 502-2222
Operations: (253) 591-5595
Email: sad@cityoftacoma.org

SPECIAL APPROVED DISCHARGE AUTHORIZATION
TO THE CITY OF TACOMA'S MUNICIPAL SEWER SYSTEM
Tacoma Municipal Code, Chapter 12.08B.250 and 12.08C.360

The Special Approved Discharge (SAD) Authorization is issued solely to the Authorized Discharger named in the Authorization and is subject to the conditions set forth in this authorization for discharge to the City of Tacoma's Municipal Sewer System.

I. GENERAL INFORMATION

SAD # Effective Date: Expiration Date:

Authorized Discharger:

Company Representative:

Address of Company:

City: State: Zip:

Phone #: Email:

Name of Property Owner:

Address of Property Owner:

City: State: Zip:

Phone #: Email:

II. PROJECT INFORMATION

Project Name:

Discharge Type: Sanitary

Flow rate (Gallons Per Minute):

Discharge Location:

Address of Discharge Location:

Project Narrative:

III. AUTHORIZATION GENERAL CONDITIONS

1. Duty to Comply
The Authorized Discharger shall comply with TMC 12.08C, Authorization Terms and Conditions, and the Special Approved Discharge Authorization Policy.

2. Dilution Prohibition
The Authorized Discharger shall not, in any way, dilute a discharge as a substitute to achieve compliance with the Special Approved Discharge Authorization.

3. Bypass
The Authorized Discharger shall not, in any way, intentionally divert wastestreams from any portion of treatment and shall adhere to TMC 12.08C.1110.

3. Calibration and Maintenance of Equipment

The Authorized Discharger shall provide, calibrate, inspect, and maintain all flow measuring, discharge, sampling, monitoring, and pretreatment equipment accurately and reliably.

Authorized Dischargers shall not interfere with to cause damage or make unauthorized alterations to any monitoring or pretreatment equipment.

Records of maintenance and calibration shall be maintained.

4. Flow Measurement
The Authorized Discharger shall use approved flow measurement devices and methods and meter all discharge flows, unless other authorization has been granted by the Control Authority.

The Authorized Discharger shall control and monitor the flow of water in the upstream and downstream system to ensure that the capacity of the City of Tacoma's Municipal Sewer System is not exceeded as a result of the additional flow caused by the discharge.

The Authorized Discharger may be required to reduce the flow rate of the discharge, or cease discharging during heavy rain events which may overburden the sanitary sewer system.

5. Discharge Parameters
The Authorized Discharger shall meet prescribed discharge parameters as outlined in section IV of the Special Approved Discharge Authorization in order to discharge to the City of Tacoma's Municipal Sewer System.

6. Discharge Contingencies
The Authorized Discharger shall cease discharge when a violation of the Special Approved Discharge Authorization General Conditions is suspected or detected; or when directed by the City of Tacoma.

The Authorized Discharger shall observe and monitor the discharge for unusual color, odor, and/or sheen. If any of these conditions are observed, the discharge shall be ceased and the Control Authority shall be notified.

7. Access
The Authorized Discharger shall provide access at reasonable times to the Control Authority for the purposes of inspection to evaluate compliance with the Special Approved Discharge Authorization.

8. Authorization Duration
Special Approved Discharge Authorizations shall be issued for no longer than one (1) year. Conditions of the Authorization may be subject to change by the Control Authority at any time during the life of the Authorization.

9. Project Completion Notification
The Authorized Discharger shall submit notification in writing to the Control Authority upon completion of the project.

10. Authorization Transfer
A Special Approved Discharge Authorization may not be transferred, reassigned, or sold.

11. Severability
If any provision of the Special Approved Discharge Authorization, TMC 12.08C, or the application thereof to any person or circumstance is held invalid, the remainder of the Special Approved Discharge Authorization or TMC 12.08C, or the application of such provision to other persons or circumstances, shall not be affected thereby.

12. Property Rights
The issuance of the Special Approved Discharge Authorization does not convey to the Authorized Discharger any property rights, either real or personal or convey any exclusive privileges. Nor does such issuance authorize any injury to private property, any invasion of personal rights, or any violation of federal, state or local laws.

13. Authorization Termination
The Control Authority may terminate the Special Approved Discharge Authorization for violation of the

Authorization's terms and conditions, for violation of TMC, Chapter 12.08C provisions or for violations of Hazardous Waste rules at WAC 173-303-071.

IV. DISCHARGE PARAMETERS

Parameter	Discharge Limit		Approved Analytical Method	
			EPA	Standard
Mercury	0.033	mg/L	200.7, 200.8	
Molybdenum	0.55	mg/L	200.7, 200.8	
Nickel	1.12	mg/L	200.7, 200.8	
pH	5.0-11.0	Units		4500HB-2000
Selenium	0.14	mg/L	200.7, 200.8	
Silver	0.64	mg/L	200.7, 200.8	
Temperature	100	ºF		
Zinc	2.44	mg/L	200.7, 200.8	
BTEX	0.750	mg/L	624	
Flow	80	gpm		
TTO - SVOA,VOA	2.13	mg/L	624/625	
SGT-HEM	50	mg/L	1664A; 1664B (measured as silica gel treated, hexane extractable materials (SGT-HEM)	
Arsenic	0.23	mg/L	200.7, 200.8	
Benzene	0.050	mg/L	624	
Cadmium	0.103	mg/L	200.7, 200.8	
Chromium	4.74	mg/L	200.7, 200.8	
Copper	1.46	mg/L	200.7, 200.8	
Lead	0.427	mg/L	200.7, 200.8	
TSS	225	mg/L		2400D-1997

V. DISCHARGE REQUEST

Discharging to the municipal sewer system without prior permission from the Control Authority is prohibited.

Batch Dischargers
For discharges that occur by batch, the Authorized Discharger shall submit a Batch Discharge Request form. A copy of the analytical results from a certified laboratory and a chain of custody shall be attached and emailed to: SAD@cityoftacoma.org. Once reviewed, the Control Authority will return the approved email and the Authorized Discharger may commence the discharge between the hours of 7:30 a.m. and 5:00 p.m.

Continuous Dischargers
For discharges that occur on a continuous basis, the Authorized Discharger shall submit a copy of analytical data results from a certified laboratory and chain of custody to email: SAD@cityoftacoma.org. Once reviewed, the Control Authority will return the approved email and the Authorized Discharger may commence the discharge.

VI. DISCHARGE RECORDS

The Authorized Discharger shall submit discharge records for the previous month, including no discharge notification to the Control Authority by the 15th of each month.

1. The Authorized Discharger shall notify the Control Authority within twenty-four (24) hours of any changes to the site contact.
2. The Authorized Discharger shall notify the Control Authority within twenty-four (24) hours of any significant change to the quality or volume of the discharge or changes that affect the potential for slug load to the Municipal Sewer System.
3. The Authorized Discharger shall submit a formal written notification to the Control Authority within five (5) days of the occurrence describing the following:

    a. What was discharged
    b. Volume of the discharge
    c. Circumstances of the discharge
    d. Duration of the discharge including beginning and end times and dates
    e. Corrective actions to prevent reoccurrence

4. The Authorized Discharger shall notify the Control Authority within twenty-four (24) hours of becoming aware of any of the following violations:

    a. Discharges prohibited by Tacoma Municipal Code, Chapter 12.08C, except where authorized by the Special Approved Discharge Authorization
    b. Exceedance of wastewater discharge limits as established in the Special Approved Discharge Authorization
    c. Failure to perform any Best Management Practices included in the Special Approved Discharge Authorization
    d. Bypass of any part of a required pretreatment system.

5. The Authorized Discharger shall submit a formal written report to the Control Authority within five (5) days after becoming aware of the violation. The report shall include the following information:

    a. Description of the violation, including the cause, date and time of the violation
    b. Date and time the discharge was stopped
    c. Measures taken to correct the violation
    d. Measures taken to prevent future violations

BILLING INFORMATION

The Authorized Discharger must pay the applicable fees and maintain payments as provided in Tacoma Municipal Code, Chapter 12.08B.250. The Authorized Discharger, from which material in violation of Chapter 12.08C is discharged into the City of Tacoma's Municipal Sewer System shall be liable to pay any supplemental charges the City of Tacoma incurs to respond to such violation as referenced in 12.08B.500.

ENFORCEMENT PROVISION

Violations of this Authorization, Tacoma Municipal Code - Chapter 12.08C or Hazardous Waste rules at WAC 173-303-071 may result in termination of the Special Approved Discharge Authorization and/or enforcement action in accordance with the policies and procedures contained in Tacoma's Enforcement Response Plan for wastewater, or Tacoma's Stormwater Compliance Policy for stormwater.

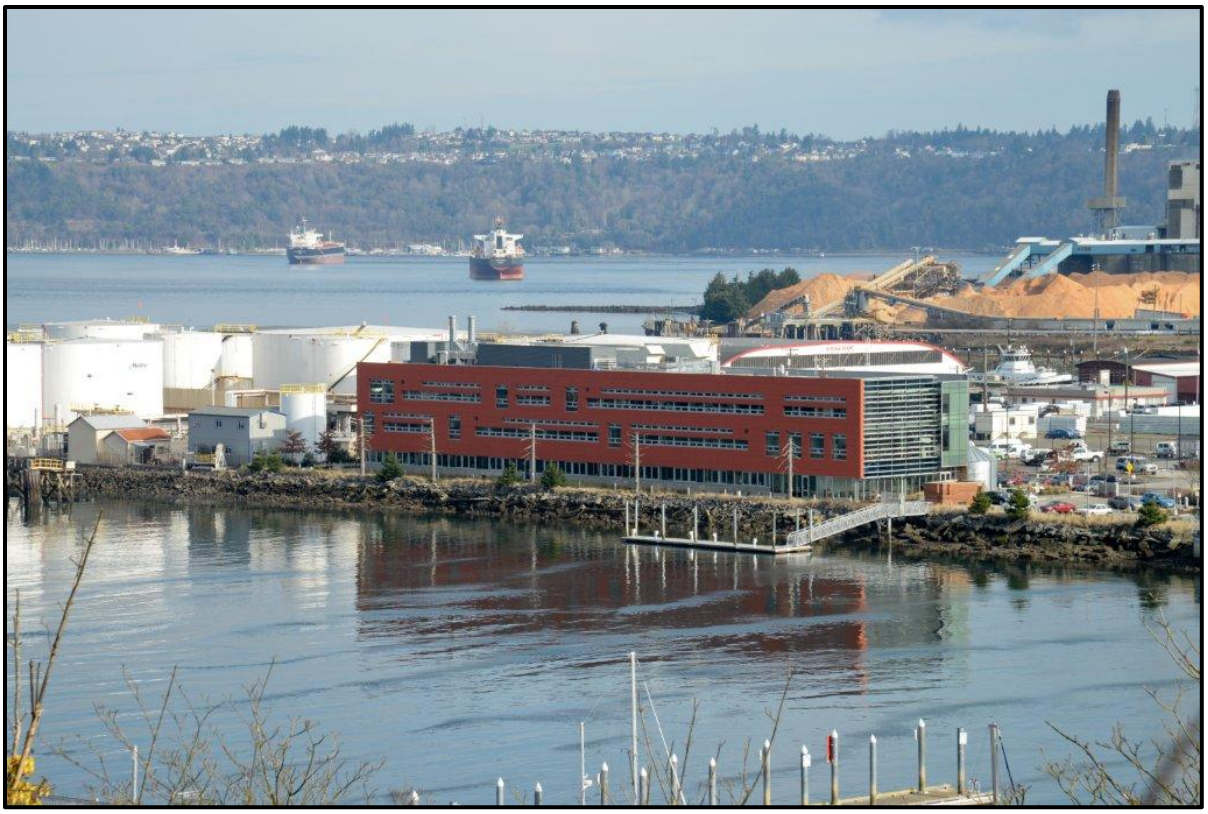
Date: _____ By: _____
Daniel C. Thompson, Ph.D.
Business Operations Division Manager
Environmental Services

Date: _____ By: _____
Authorized Representative

APPENDIX G

Hauled Wastes Manual and Application

CITY OF TACOMA HAULED WASTES MANUAL



August 2021

PREPARED BY
CITY OF TACOMA
ENVIRONMENTAL SERVICES, BUSINESS OPERATIONS DIVISION

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OVERVIEW

This document establishes the location, schedule, procedures, and other conditions under which trucked domestic and non-domestic wastes will be authorized for discharge into the City of Tacoma (City) Publicly Owned Treatment Works (POTW). Discharges to the POTW by public or private sewer connections not described in this document are prohibited, unless specifically authorized, in writing, by Business Operations Environmental Compliance or another designee of the Environmental Services Department Director. All approved haulers of trucked wastes (hauler) must obtain a Letter of Authorization, or other control mechanism.

Definitions, policies, and limitations pertaining to the authorized discharge of hauled wastes are addressed in Sections A, B and C, and the application and discharge procedures are addressed in Section D.

All requirements set forth herein are incorporated into each Letter of Authorization by reference. Failure on the part of the hauler to fulfill any of the requirements or conditions set forth herein shall be sufficient cause for immediate revocation of approval to discharge. Any assignment or transfer of a Letter of Authorization shall automatically make it void. Compliance with these requirements does not relieve the hauler from an obligation to comply with all applicable pretreatment regulations, standards, or requirements under Federal, State, or local laws, including any such regulations, standards, or requirements that become effective during the term of the Letter of Authorization. All haulers shall comply with applicable provisions of the Tacoma Municipal Code Chapter 12.08C pertaining to the discharge of trucked or hauled wastes to the sewer system.

GLOSSARY	
Item	**Description**
authorized representative or duly authorized representative of the industrial user	A. If the industrial user is a corporation the authorized representative or duly authorized representative is: • the 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 • the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including: · having the explicit or implicit duty of making major capital investment recommendations · initiating and directing comprehensive measures to assure long-term environmental compliance with environmental laws and regulations · ensuring that the necessary systems are established, or actions are taken to gather complete and accurate information for reporting requirements established by the Control Authority, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures B. If the industrial user is a partnership or sole proprietorship the authorized representative or duly authorized representative is a general partner or proprietor, respectively. C. If the industrial user is a limited liability company the authorized representative or duly authorized representative(s) is the managing member(s) of the limited liability company.

GLOSSARY	
Item	**Description**
	D. If the industrial user is a federal, state, or local governmental facility the authorized representative or duly authorized representative is a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility or the designee of such official. The individuals described in paragraphs A through D above may designate another duly authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Control Authority.
control authority	the City's Environmental Services Department, its Director and its authorized representatives and their successors
domestic wastewater	water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, and other places, which are similar in volume or chemical composition to wastewater discharged from a residential dwelling unit
hauler	any person that delivers domestic or non-domestic waste by tanker truck for discharge to the Publicly Owned Treatment Works (POTW)
hauled waste	any domestic or non-domestic wastes delivered by tanker truck for discharge to the POTW
industrial waste or non-domestic waste	a liquid or solid waste from industrial manufacturing processes, or trade or business activities distinct from domestic wastewater
interference	a discharge which alone or in combination with other discharges: • inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal, and • causes a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: · Section 405 of the Federal Clean Water Act · Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA) · Any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act · Clean Air Act · Toxic Substances Control Act · Marine Protection, Research, and Sanctuaries Act

A. TRUCKED WASTE HAULER AUTHORIZATION

1. CONTROL MECHANISM-REQUIRED LETTER OF AUTHORIZATION

All haulers the POTW must apply for and obtain a Letter of Authorization from the City of Tacoma Environmental Services Department prior to discharging domestic or non-domestic waste to the POTW. City of Tacoma Hauled Waste Applications (application) can be obtained from:

Business Operations Division
Environmental Compliance (EC)
2201 Portland Avenue
Tacoma, WA 98421
Phone: 253-502-2239

Letters are issued to haulers for one year and must be renewed annually by submitting an updated application. The application must be signed by a company official that meets the definition of an authorized representative of the user. At a minimum, the Letter of Authorization application requires the following information:

- identifying information about the hauler (name, address, etc.)
- name and phone number of contact person
- status of operations about industrial waste hauling activities
- a list of trucks which will be used to haul wastewater, and associated identifying information including make/model, year, tank capacity and license number
- submittal of a copy of the "Permit to Operate Septic Pumper Truck Operation", issued by the City of Tacoma, Environmental Compliance, with a list of vehicles approved by the Tacoma-Pierce County Health Department, that will be used to discharge wastewater
- a description of the liquid and solid treatment processes
- a statement certifying knowledge of the application contents, familiarity with the requirements and procedures set forth in this document, and compliance with the applicable regulations including the prohibition against discharge of hazardous waste
- notice to name the City of Tacoma as an additional insured on the hauler's general liability, umbrella, and excess insurance policies

2. AUTHORIZED DISCHARGES

The Letter of Authorization may authorize discharge of wastewater from the following wastestreams:

2.1 DOMESTIC WASTES

- pumping and cleaning of septic tanks and associated drain field, sewer lines, and sewage pumping equipment
- pumping of sewage collection, holding, and transfer tanks, including marine vessel collection holding and transfer systems (CHT)
- portable toilets (non-chemical)

2.2 NON-DOMESTIC WASTES

- chemical toilet waste
- wastewater/sludge generated from permitted municipal solid waste landfill units

- domestic treatment plants, aeration basins, settling ponds, etc.

Applicants seeking to discharge raw or processed sludge from POTW must provide proof of coverage under the Washington State Biosolids Permit. These types of wastewater are approved on a case by case basis.

Any hauled wastes discharged to the sanitary sewer shall not be deemed interference. All discharges must be of such character as to permit satisfactory disposal, without special treatment, into the sanitary sewer.

Haulers that apply for permission to discharge non-domestic wastes must collect a representative sample of the waste for parameters determined by EC. Samples must be analyzed by a laboratory accredited by the State of Washington in accordance with the provisions of WAC 173-216-125. All sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 as amended.

2.3 NON-AUTHORIZED DISCHARGES

The following wastestreams may **not** be discharged to the sanitary sewer under a Letter of Authorization unless the Control Authority authorizes such discharge:

- industrial wastes as defined in the glossary
- wastewater generated from the mechanical cleaning of CHTs
- wastewater which is of such character as to interfere with normal sewage treatment operations, cause pass through of pollutants, or otherwise adversely affect the POTW or sewage collection system
- wastewater which violates the general and specific prohibitions listed in Tacoma Municipal Code Chapter 12.08C.100 - *Prohibited Discharge Standards*

B. NON-DOMESTIC WASTES

The discharge of hauled wastes is allowed at the locations and times shown below.

Domestic Waste/Chemical Toilet Waste
Septage Receiving Station (facility)
2101 Cleveland Way
Tacoma, WA
24/7 (temporary closures may apply)

Domestic Treatment Works Sludge
Central Wastewater Treatment Plant (raw or processed sludge)
2201 Portland Avenue
Tacoma, WA
Monday-Friday 7:30 am – 5:00 pm

Non-Domestic Waste

As determined by the Director and specified in the Letter of Authorization.

C. CONDITIONS OF AUTHORIZATION

Access to the City's POTW is not guaranteed. Failure to comply with any of the provisions listed in this document is cause to restrict or deny access to the authorized location. The Letter of Authorization shall exhibit all special conditions that the City imposes upon the hauler such as maximum volume discharged or a specified schedule and frequency to discharge.

Conditions of the Letter of Authorization shall include the following where applicable:

- effluent limits, including Best Management Practices
- limits on average and maximum rate and time of discharges
- recordkeeping requirements
- permit duration
- special conditions
- permit transfer limitations
- a statement of applicable civil and criminal penalties
- signatory requirements

The Letter of Authorization does not authorize the discharge of wastewater to any other public or privately owned manhole. Further, the discharge of any treated or untreated wastewater from waste hauling trucks into sewer cleanouts, sinks, grease traps, interceptors, clarifiers, sumps, manholes, or other connection to the City sewer is strictly prohibited unless specifically authorized, in writing, by the Director or their designee. The City may, at any time, restrict or deny access to the discharge point for maintenance and repair and/or for safety reasons.

D. Application and Discharge Procedure

All trucked or hauled wastes discharged to Tacoma's POTW must meet the requirements established in Tacoma Municipal Code Chapter 12.08C. Additional requirements include the following:

1. Account Establishment

All haulers shall establish an account with Environmental Services, Billing and Technical Services (B&TS) prior to receiving a Letter of Authorization for disposal of hauled wastes into Tacoma's POTW. The following steps and documentation for the LOA are required:

- A completed application and all required information on each vehicle that will deliver wastewater to Tacoma's POTW.
- Inspection and approval of each truck by the Tacoma-Pierce County Health Department (TPCHD) with company truck permit number displayed.
- A valid City of Tacoma business license.

It is the responsibility of the account holder to notify the Environmental Services B&TS office of any changes/updates to the account, such as billing address, vehicle information, and contact information. B&TS may be contacted 253-502-2100 during regular business hours (M-F, 8:00 am-5:00 pm).

A monthly billing statement will be sent to the hauler's place of business. To keep the account in good standing the current charges are due within 30 days. The specific date and time when payment is due is printed on the bottom of the statement. Late payments are subject to late fees.

Accounts past due must be paid in full or with an agreed upon installment plan. Failure to pay will result in LOA termination, the accounts being sent to collection, and the accrual of collection agency fees.

2. Fee Schedule

Disposal fees may change from year to year. Please call B&TS at 253-502-2100 during regular business hours (M-F, 8:00 am-5:00 pm) for a copy of the current fee schedule.

3. Required Permits, Approvals, and Licenses

Each vehicle accessing the Septage Receiving Station must have a valid TPCHD Vehicle sticker on it. It is the account holder's responsibility to notify the B&TS office of any changes to vehicle information or TPCHD permit status.

3.1 Adding a New Vehicle

To register a new vehicle for an approved company the company must complete and submit a vehicle information form for each new vehicle to be approved and to include the vehicle's TPCHD truck permit number.

3.2 Annual License and Permit Renewals Required

TPCHD Certification as an On-Site Sewage System Operations & Maintenance Firm must be renewed every calendar year. Annual inspection of the trucks is part of this certification.

The following requirements pertain to haulers and vehicles that discharge at Tacoma's Septage Receiving Station.

4. Septage Receiving Station Requirements

The following requirements pertain to haulers and vehicles that discharge at Tacoma's Septage Receiving Station.

- The speed limit at the Septage Receiving Station is a maximum of 10 MPH.
- Each hauler must schedule an appointment before initial use of this facility so the driver can be trained on how to use the facility.
- All vehicles must be equipped with a four-inch male cam lock connection to use the Septage Receiving Station.
- Each vehicle accessing the Septage Receiving Station must have a valid TPCHD number on it and must be approved by EC. It is the hauler's responsibility to notify EC of any changes to vehicle information or TPCHD permit status.
- Drivers must state the ORIGIN (inside/outside of City) and TYPE OF MATERIAL (septage/chemical toilet) to be disposed. **Only domestic sewage is accepted at the Septage Receiving Station.** No commercial/industrial waste may be discharged.
- Drivers are expected to clean up any small spills or mess that may occur. **No tank flushing is allowed at the Septage Receiving Station.**
- Water provided at this facility is for washing the pad and connection hose only. **No tank filling is allowed.**
- Spills must be reported to Wastewater Operations at **253-591-5595**.
- All persons and vehicles enter the facility at their own risk. City of Tacoma assumes no liability for damages to vehicles or injuries to individuals using this facility. Report accidents immediately to City staff by calling **253-591-5595**.

5. Septage Receiving Station Closure

The Septage Receiving Station may have closures at any time without prior notice due to such things as treatment plant upset, severe weather, or equipment failure/maintenance. In

cases of facility closure the City will do their best to notify approved haulers. Questions regarding closures should be directed to Wastewater Operations at **253-591-5595**.

6. CENTRAL TREATMENT PLANT SLUDGE RECEIVING FACILITY

The following requirements pertain to haulers and vehicles that discharge at the Central Treatment Plant's sludge discharge pad:

- The speed limit at the Central Treatment Plant Sludge Receiving Facility is a maximum of 10 MPH.
- Drivers of sludge deliveries greater than 5,500 gallons must monitor for and stop the transfer when the high-level indicator activates. Notify Wastewater Operations at 253-591-5595.
- All sludge delivery vehicles must be equipped with a four-inch Cam Lock male connection.
- A drip pan shall be placed underneath the hose connection during all transfers.
- Spills must be reported to Wastewater Operations at **253-591-5595**.
- All persons and vehicles enter the facility at their own risk. City of Tacoma assumes no liability for damages to vehicles or injuries to individuals using this facility. Report accidents immediately to City staff by calling **253-591-5595**.

7. GENERAL REQUIREMENTS FOR THE DISCHARGE OF HAULED WASTES

- The following requirements apply to all haulers of domestic and non-domestic wastes to Tacoma's POTW:
- All vehicles must be in good working order – no leaking oil or hydraulic fluid. Violations may result in removal of approval to use the facility until the vehicle is repaired. A repair invoice may be required.
- If a vehicle becomes disabled, the driver must display approved warning devices to alert others. Drivers must remain with the vehicle. Any abandoned vehicle will be towed at the owner's expense.
- Environmental Services staff may inspect vehicles at any time for unauthorized waste or contamination in loads. Any hauler disposing of unauthorized/inappropriate waste or misrepresenting what the load contains may be subject to a notice of violation and may be assessed up to a $10,000 civil penalty pursuant to TMC Chapter 1.82 and Chapter 12.08C.1200 for each violation.
- A copy of the current Letter of Authorization must be carried on each vehicle. The LOA must be shown to City personnel upon request. **NO DISCHARGE WILL BE ALLOWED WITHOUT VALID AUTHORIZATION.**
- The hauler must allow City staff to take a sample of the wastewater upon request and must provide any assistance necessary to obtain the sample. City staff may require that a hauler wait to discharge a load of wastewater until an analysis or screening is completed.
- The hauler is responsible for cleaning up any spilled waste at approved discharge locations and for keeping the area around the disposal site clean. The hauler must clean up spilled material to the satisfaction of the city.
- As a courtesy, haulers may use water hoses available at the Septage Receiving Station and Sludge Receiving Facility to clean up incidental spills and drips. This privilege may

be suspended for reasonable cause, either generally, or for a particular waste hauling firm, at the will of the City. **City supplied water is not to be used for filling the truck**.

- All individuals entering the facility must conduct themselves in a professional manner and follow instructions of City staff. Disorderly or offensive conduct, including but not limited to verbal abuse or threats to City staff, are strictly prohibited and may result in the revocation of discharge privileges.
- Haulers must not park their vehicles in such a manner as to block or restrict access to the entry gate or byways.
- Haulers must oversee the entire discharge event. The discharge must be stopped immediately, and the appropriate City office notified if
  - spill should occur, or
  - the discharge point or manhole becomes clogged, or
  - the discharge point or manhole begins to overflow.

  Failure to notify City officials of a spill may result in the termination of the Letter of Authorization.
- To ensure the safety and security of customers, employees, and City property and to allow maintenance or repair activities, the City reserves the right to alter the discharge procedure at any time. In addition to these policies and procedures, haulers are required to comply with posted signs and City employee instructions while discharging at approved discharge locations.
- City of Tacoma reserves the right to change or modify these rules without written notice.

APPENDIX A
CITY OF TACOMA HAULED WASTE APPLICATION

City of Tacoma Hauled Waste Application

FOR DISCHARGE TO THE CITY OF TACOMA SEPTAGE RECEIVING STATION

APPLICANT INFORMATION		
Applicant Name:		
Business Name:		
DBA (doing business as):		
Mailing Address:		
City:	State:	Zip:
Physical Address:		
City:	State:	Zip:
Office #:	Mobile #:	
Email:		
Business Contact:		
Email:	Phone #:	
Billing Contact:		
Email:	Phone #:	

BUSINESS INFORMATION			
City of Tacoma Business License #:			
City of Tacoma Regulatory Septic Contractor's License #:			
Universal Business Identification (UBI) #:			
Description of Business:			
☐ Sole Proprietorship	☐ Corporation	☐ General Partnership	☐ LLC
Estimate of gallons per week your business requests to discharge:			

VEHICLE INFORMATION	
Make:	Model:
License Plate #:	Truck #:
Tank Size:	

City of Tacoma Hauled Waste Application FOR DISCHARGE TO THE CITY OF TACOMA SEPTAGE RECEIVING STATION	
VEHICLE INFORMATION	
Make:	Model:
License Plate #:	Truck #:
Tank Size:	
Make:	Model:
License Plate #:	Truck #:
Tank Size:	
Make:	Model:
License Plate #:	Truck #:
Tank Size:	
Make:	Model:
License Plate #:	Truck #:
Tank Size:	

The undersigned (hereinafter referred to as "Customer") hereby makes application for approval from the City of Tacoma Department of Environmental Services for each vehicle listed above to be approved to discharge at the City of Tacoma Septage Receiving Station and to receive confidential access and pin codes. The Customer acknowledges and agrees that City of Tacoma Department of Environmental Services has sole discretion to remove approval and suspend privileges and/or issue escalating enforcement actions including, but not limited to, Notices of Violation with Civil Penalties of up to $10,000 per day for each violation of TMC 12.08C if the Customer does not comply with City policies, does not comply with City of Tacoma Septage Receiving Station procedures, does not comply with payment requirements, or does not comply with discharging the appropriate type of septage per Tacoma Municipal Code 12.08C. The Customer also acknowledges and agrees that the City of Tacoma, Environmental Services has sole discretion to limit the volume of septage discharged per calendar day at the City of Tacoma Septage Receiving Station. The fact that this application contains reference to the type of septage shall not be deemed a limitation of liability. The Customer understands that any falsification of the provided information may cancel privileges to use the Tacoma Septage Receiving Station.

Signature: _____ Date: _____

Printed Name: _____

FOR INTERNAL USE ONLY
Account #:

APPENDIX H

Fact Sheet Template

Industry Fact Sheet PERMIT # XXXXXXX

PERMITTEE NAME

Date to Date

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1. General Information

Company Name:	
Company Website:	
Facility Address:	
Mailing Address:	
Authorized Representative(s) and Phone Number(s):	
Emergency Contact(s) and Phone Number(s):	
Name of the Wastewater Treatment Plant Receiving Wastewater:	
Applicable Categorical Standard:	
New Source or Existing Source:	
Applicable Regulations	
Date of Control Authority's (CA) Determination That the IU is subject to Categorical Standards:	
SIC or NAICS Code(s):	
Industrial Wastewater Discharge Permit (IWDP) Application Received Date:	

2. Executive Summary

(Summary of products produced, raw materials used, wastestreams produced, and history of pretreatment oversight by the Control Authority (CA) to date.)

Example: XXXXXXXX, through its affiliated companies, is a leading supplier of beverage packaging, food packaging, aerosol packaging, metal closures, and specialty packaging products shipped to consumer marketing companies around the world. The XXXXXXXX facility conducts coil coating, can making process operations, including aluminum forming.

Figure 1 Aerial view of Facility

2.1 General Facility Information

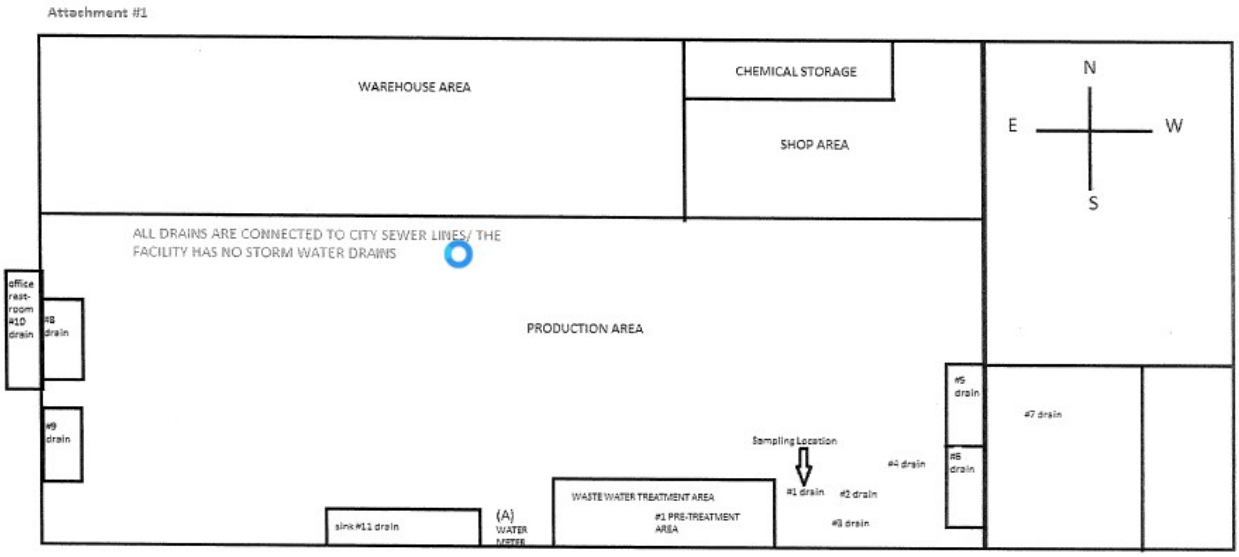
(provide descriptions of where wastewater is produced, treated, and discharged, and production information, a history of the regulatory determinations, applicable categorical standards, etc.)

Example: The Permittee's facility is comprised primarily of production floor and offices. The production areas are primarily located in the eastern side of the facility and offices are on the western side. The facility manufactures an average of 3.9 million cans per day and a maximum of 4.6 million cans per day (2017). The facility falls under the following Categorical Standard(s): Coil Coating Category, Can Making Subcategory, 40 CFR Section 465.44. Since the facility began/begins operation in ____, and the applicable categorical standards were promulgated on _____, the facility is subject to pretreatment standards for existing sources. Since these standards required application of the long-term production rate to determine a mass loading allowance for various pollutants, during development of the industrial wastewater discharge permit (IWDP), I confirmed with (Name) the production rate of 3.9 M cans/day was accurate and that it would be the basis for the mass based limits or equivalent concentration based limits.

The facility operates 24 hours per day, 7 days per week. The facility shuts down periodically for scheduled maintenance and plant overhaul.

In addition to the City of Tacoma Industrial Wastewater Discharge Permit, the Permittee also holds the following environmental permit(s):

Facility Layout:



Compliance History

Over the period XXXX to XXXX

Notice of Violations from Date Month, Year

Violation	Enforcement Response Taken

Water Use and Wastewater Discharge:

Water Use	Average GPD Used	Estimated or Monitored	Characterization of Resulting Wastestream: (domestic equivalent, dilute, other process wastewater, categorical wastewater, reuse/no discharge)
Total (minus irrigation)			

This data reflects total facility water usage. Water is supplied by XXXXX.

Table of (the Monitored) Wastewater Flows					
#	Sources and Flows for Wastewater Generated at the Facility	Where does wastewater enter wastestream first? 001A = In effluent from Hydrofax 002A = Enters after Hydrofax and before discharge to City	Daily Average Wastewater Flow gpd (past 12 months)	Daily Maximum Wastewater Flow GPD (past 12 months)	Measured or Estimated
1	Process: Rinse water from washing cans	001A	14,758	28,500	M
2	Cleaning of equipment and mfg area cleaning:	001A	1000	1500	E
3	Non-Contact cooling water:	002A	150	150	E
4	Vacuum Blowdown:	002A	150	150	E
5	Domestic – Sanitary:	002A	1600	1600	E
6	Deionization (DI) backwash:	001A	300	333	M
7	Deionization (DI) backwash:	002A	600	667	M
8	Reverse Osmosis (RO) regen/backwash:	001A	230	258	M
9	Reverse Osmosis (RO) regen/backwash:	002A	460	517	M
		Total	19,248	33,675	
Total Flow through 001A:			gpd (average)		gpd (daily maximum)
Total Flow through 002A:			gpd (average)		gpd (daily maximum)

Flow through 001A - Process Discharge Monitoring Point					
Process		Dilute		Unregulated	
Average	Maximum	Average	Maximum	Average	Maximum
14,748	28,500	530	591	1,000	1,500

The IWDP is based upon a Daily Maximum Flow of 40,410 gpd (Daily Maximum reporting by Permittee plus 20%). The previous table was provided by the Permittee as a supplement to the IWDP application submitted XXXX. The CA had requested clarification on flows to allow calculation of limits

3. Raw Materials and Material Handling

(Designate if any of the raw materials used produce a dangerous or hazardous waste after use; if so the Fact Sheet should include the requirements for hazardous waste notifications (per 403.12(p)) and include the specific IWDP terms authorizing the constituent per WAC 173-303-071).

Example: The manufacturing process uses approximately 4 coils (100,000 to 110,000 lbs) of aluminum per day. The facility has a variety of caustics, acids, lubricants, and other materials. The exact chemicals and quantities used and kept on site are documented in the IWDP application and Slug Discharge Control Plan (SDCP). All chemicals have secondary containment to protect the sewer system. In addition to raw materials, the Permittee stores liquid waste(s) and sludge(s) in the Chemical Storage Room

4. Process Descriptions

a. Example: What processes produce waste(s) that are routed to treatment tanks?

b. Example: How does the waste get from the point of generation to the treatment system?

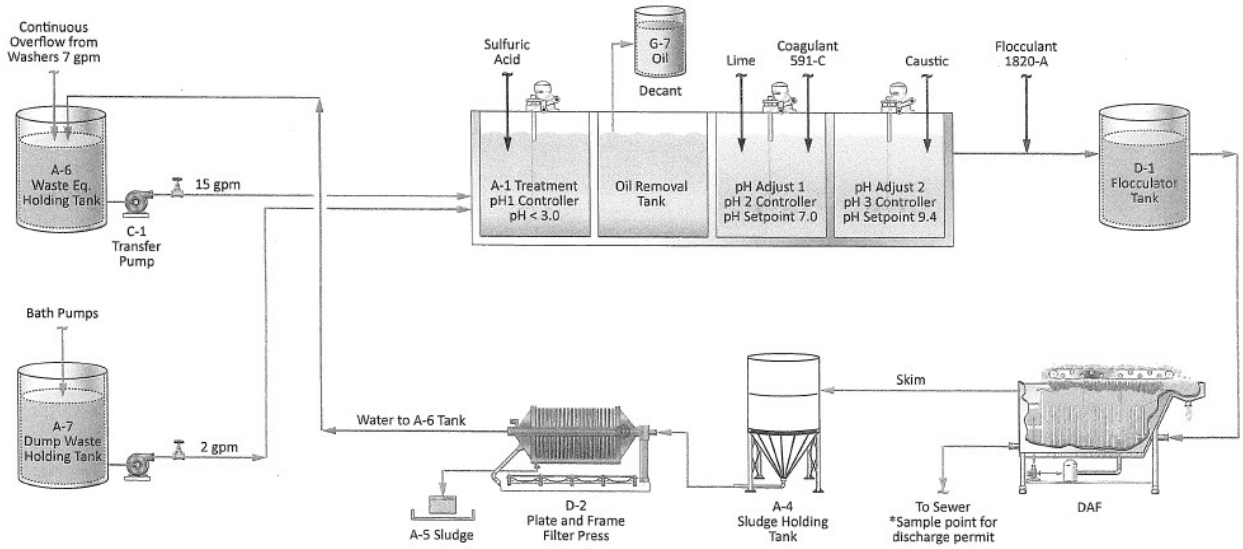
c. Example: What is the potential for process wastes to migrate into the ground or go to other drains which are not provided with treatment?

5. Wastewater Treatment – Wastewater Treatment for Outfall

Example: The facility has a treatment operator on each shift. The treatment system has an operation and maintenance (O&M) manual and the operator has been trained to follow O&M procedures. The facility has “no dumping” signs posted on all sinks and drains within the plant. Mop water and other wastes are treated by the pretreatment system.

Wastewater Process Flow Diagram

WASTEWATER PROCESS FLOW DIAGRAM



5.1 Off-site Disposal

Water treatment facility sludge is landfilled. Paint waste (<10K lbs/year), ink still bottom sludge (<50 gallons per year), printer ink slop (<300 gallons per year) and sump sludge (<300 gallons per year) are characterized and disposed of by XXXXXX, Inc. (Location), off-site (taken to XXXXX XXXXXX); Safety-Kleen (location) disposes of wastes.

6. Monitoring Data

The below table contains facility monitoring data from 2016-2017 and from the Permittee's 12/2017 IWDP application.

7. Limitations and Monitoring

Flow Model for Discharge from IU Facility

Definition of Terms for Combined Wastestream Formula and Alternative Concentration Limits	
	$C_T = \frac{\text{Sum } C_i F_i}{\text{Sum } F_i} \text{ X } \frac{F_T - F_D}{F_T}$ **Alternative Concentration Limit Formula**

Definition of Terms for Combined Wastestream Formula and Alternative Concentration Limits	
	$C_T = \text{Sum } M_i \times \frac{F_T - F_D}{\text{Sum } F_i}$ **Alternative Mass Limit Formula**
C_T	The Alternative Concentration Limit for the Combined Wastestream. Note: C_T must be >MDL for each pollutant.
C_i	The Categorical Pretreatment Standard in the regulated wastestream, i.
F_i	The average daily flow (at least a 30-day average) of wastestream, i.
F_D	The average daily flow (at least a 30-day average) that is regulated as a dilution flow.
M_T	Alternative Mass limit for the pollutant.
M_i	Production-based Categorical Pretreatment Standard for the pollutant in the regulated stream, i.

Definition of Wastestream	
Regulated	Defined in the Applicable Categorical Standard
Dilute	Not defined as a regulated wastestream in a Categorical Standard, typically boiler blowdown, non-contact cooling water, sanitary-only wastestreams, stormwater, demineralizer backwash.
Unregulated	A wastestream that contains a significant amount of a regulated pollutant and is combined with the regulated process wastestream prior to treatment designed to remove that pollutant. This designation is evaluated on a pollutant-by-pollutant basis. 40 CFR Section 403.6(e)(1).

Example: Alternative Concentration Limit Example where Zinc is treated as Unregulated as noted on flow model for IU where Categorical Standard is regulated at Outfall 001.

$C_T = C_i \times \left(\frac{F_T - F_D}{F_T}\right)$	Daily Max Zinc CT = (2.61 mg/L*15,288 gpd)/15,288 (15,288 gpd – 1,000 gpd)/15,288 gpd Daily Max CT = 2.61 mg/L * 0.93 = 2.43 mg/L Monthly Average Zinc CT = 1.48 mg/L * 0.93 = 1.38 mg/L

Example: Alternative Concentration Limit for all other pollutants based upon flow model for IU where Categorical Standard is regulated at Outfall 001.

$C_T = C_i \times \left(\frac{F_T - F_D}{F_T}\right)$	Daily Max $C_T = C_i$ * (15,288 gpd – 1,530 gpd)/15,288 gpd Daily Max $C_T = C_i$ * 0.90 Monthly Average $C_T = C_i$ * 0.90

Example: Alternative Concentration Limit where Zinc is treated as Unregulated as noted on flow model for IU where Categorical Standard is regulated at Outfall 002.

$C_T = C_i \times \left(\frac{F_T - F_D}{F_T} \right)$	Daily Max Zinc CT = 2.61 mg/L* (19,248 gpd - 3,960 gpd)/19,248 gpd Daily Max CT = 2.61 mg/L * 0.79 = 2.06 mg/L Monthly Average Zinc CT = 1.48 mg/L * 0.79 = 1.17 mg/L

Example: Alternative Concentration Limit for all other pollutants based upon flow model for IU where Categorical Standard is regulated at Outfall 002.

$C_T = C_i \times \left(\frac{F_T - F_D}{F_T} \right)$	Daily Max CT = Ci * (19,248 gpd – 4,490 gpd)/19,248 gpd Daily Max CT = Ci * 0.79 Monthly Average CT = Ci * 0.79

EXAMPLE OF FLOW WEIGHTED AVERAGING (40 CFR 403.6)

Limits and 40 CFR Section 433.17, Pretreatment Standards for New Sources (PSNS)

Adjusting Standards for Wastestreams and Applying all Limits at Outfall 002 – No Unregulated Wastestream Pollutants

Pollutant or Pollutant Property	Daily Maximum Limit mg/L	Daily Maximum Limit Adjusted for Dilute Wastestreams (Limit x 0.79)	Monthly Average Limit mg/L	Monthly Average Limit Adjusted for Dilute Wastestreams (Limit x 0.79)
Cadmium	0.11	0.09	0.07	0.06
Chromium	2.77	2.19	1.71	1.35
Copper	3.38	2.67	2.07	1.64
Lead	0.69	0.55	0.43	0.34
Nickel	3.98	3.14	2.38	1.88
Silver	0.43	0.34	0.24	0.19
Zinc	2.61	2.06	1.48	1.17
Cyanide	1.20	0.95	0.65	0.51
TTOs	2.13	1.68	--	

Final Effluent Limits and Monitoring for MP002

The IWDP requires compliance with all limits in the following table. All pollutants in Total and in mg/L unless otherwise noted.

Adjusted Metal Finishing Limits 40 CFR Section 433.17					
Pollutant or Pollutant Property[1]	Daily Maximum Local Limit mg/L[2]	Daily Maximum Limit mg/L	Monthly Average Limit mg/L	Monitoring Frequency	Sample Type[3&4]
Arsenic		--	--	1 per 6 months	Time Composite
Cadmium		0.09	0.06	1 per 6 months	Time Composite
Chemical Oxygen Demand (COD)		--	--	1 per 6 months	Time Composite
Chromium (total)		2.19	1.35	1 per 3 months	Time Composite
Copper		2.67	1.64	1 per 3 months	Time Composite
Cyanide		0.95	0.51	1 per 6 months	Grab
Lead		0.55	0.34	1 per 6 months	Time Composite
Mercury		--	--	1 per 6 months	Time Composite
Molybdenum		--	--	1 per 6 months	Time Composite
Nickel		3.14	1.88	1 per 6 months	Time Composite
Oil and Grease, mg/L		--	--	1 per 6 months	4 Grabs
Oil and Grease (Petroleum-based)		--	--	1 per 3 months	4 Grabs
Selenium		--	--	1 per 6 months	Time Composite
Silver		0.34	0.19	1 per 6 months	Time Composite
Total Suspended Solids (TSS)		--	--	1 per 6 months	Time Composite
TTOs[5]	--	1.68	--	1 per 6 months	Grab/Time Composite

[1] The Permittee is required by IWDP to use an analytical method approved under 40 CFR Part 136 having a method detection limit that allows the Permittee to make a direct determination of compliance with the effluent limits.

[2] The IWDP requires monitoring for all pollutants at sample location MP002. Flow monitoring is required at MP001 and MP002. The IWDP is based upon a Daily Maximum Flow of Click or tap here to enter text. gpd as stated in the permit application. The Permittee is required by IWDP to report all discharges that meet the requirements of a change in discharge according to Section IV of the permit.

[3] Where the Permittee discharges batch treatment tanks, the entire volume of the treatment tank is required by IWDP to be completely mixed prior to discharge or sampling. The circulation time required for a batch discharge is defined as Click or tap here to enter text. and has been determined to be representative of the discharge.

[4] It is required by IWDP that sampling methods, including sample type, holding times, and containers, be as specified in 40 CFR Section 403.12(g) and 40 CFR Part 136, however where a flow proportionate composite sample is required by rules at 403.12(g), and this permit requires a different compositing method, it is because the CA has determined such method to be representative.

[5] Total Toxic Organics are defined in 40 CFR Section 465.02(j). The Permittee is required to perform sampling and analysis consistent with 40 CFR Part 136. The Permittee is authorized to sample for oil and grease as shown in Table One in lieu of sampling for TTOs.

Adjusted Metal Finishing Limits 40 CFR Section 433.17					
Pollutant or Pollutant Property[1]	Daily Maximum Local Limit mg/L[2]	Daily Maximum Limit mg/L	Monthly Average Limit mg/L	Monitoring Frequency	Sample Type[3&4]
Zinc		2.06	1.17	1 per 3 months	Time Composite
pH (S.U.)[6]	≥ 5.0 to ≤ 11	--	--	1 per month	Grab
Flow, Daily Gallons Discharged - MP001	Report Only	--	--	Continuous	Totalizer - Recorder
Flow, Daily Gallons Discharged - MP002	Report Only	--	--	Continuous	Totalizer-Recorder
Flow, Daily Maximum Flow - MP002	Report Only[2]	--	--	Continuous	Totalizer-Recorder

8. Rationale for Limitations and Monitoring

The wastewater discharged from XXXXXXXXXX that is regulated by IWDP XXXXX is subject to all effluent limitations outlined in 40 CFR Section 465.44 and TMC, Chapter 12.08C, whether or not the constituent is listed in the monitoring requirements section of the Permittee's IWDP.

8.1 pH

The limitations for pH are found in TMC, Chapter 12.08C.

8.2 Pollutants from 40 CFR Section 465.44: Cr, Cu, Zn, F, P, Mn, Oil and Grease

Monitoring for these pollutants is required once per quarter at Outfall 001. The IWDP limits are based upon an average daily can production of 3.9 million cans per day. This production is evaluated annually and the IWDP requires the Permittee to report when production changes >20% so that limits may be appropriately revised. The Categorical regulations include daily maximum and monthly average discharge limitations. The CA has allowed the Permittee to monitor for oil and grease as an alternative to TTOs, as authorized by the categorical standards.

The discharge through treatment and MP001 includes an average of 15,748 gpd of process and unregulated wastewater (F_T) and an average of 530 gpd of water treatment (dilute) wastestreams (F_D).

Flows through 001A (gpd) - Process Discharge Monitoring Point					
Process (Can Washing)		Dilute (Water Treatment)		Unregulated (Equipment Cleaning)	
Average	Maximum	Average	Maximum	Average	Maximum
14,748	28,500	530	591	1000	1500

8.3 Flow

The Permittee is required to monitor flow at Outfall 001 and Outfall 002. The Permittee has requested the CA allow a daily maximum flow of XXXXX gpd. The CA is allowing this daily

[6] Any pH less than 5.0 is a violation of the IWDP and TMC Chapter 12.08C. Any pH discharge less than or equal to 2.0 or greater than or equal to 12.5 is subject to the hazardous waste reporting criteria required by 40 CFR Section 403.12(p) and Section VI of the permit.

maximum flow and basing the IWDP on the requested flow. A change in discharge of >20% of the daily maximum flow triggers an IWDP required notification to the CA.

8.4 Sample Type and Monitoring Locations

The CA is allowing time composite samples to be taken for regulated pollutants where a composite sample is appropriate at both outfalls.

9. Reporting Requirements

The IWDP requires the submittal of quarterly (may be monthly or semi-annual) self-monitoring reports containing the required information. The reports are due on or before the 15th day of the month following the monitoring period.

Monitoring Period	Report Due Dates
January 1 to March 31	April 1 to April 15
April 1 to June 30	July 1 to July 15
July 1 to September 30	October 1 to October 15
October 1 to December 31	January 1 to January 15

10. Other Special Reporting/Notification Requirements

1. The IWDP addresses Slug Discharge Control Plan (SDCP) requirements at section XXX and requires a SDCP because the Permittee was determined to have a sufficient potential to discharge a slug to the sewer to warrant such requirement. The permit requirements are reflective of the content required by rule, reflect the obligations to promptly modify the plan upon changed conditions and contain the requirement to follow the procedures in the SDCP in case of a spill.
2. The Permittee submitted a SDCP dated XXXXX XX, 20XX, which has been accepted by the CA. During the effective date of this IWDP, if the SDCP needs to be updated, the permit requires the Permittee to update and submit the revised SDCP to the CA within 30 days of the update. The Permittee is also required by the permit to provide immediate notice of any changes that affect the potential for a Slug Discharge.
3. The Permittee is required by IWDP to provide a listing of all chemicals added to the cooling water used at the facility to prevent corrosion or microbial growth. The permit requires the report to be provided to the CA within 30 days of permit issuance.
4. Facility Plan Required: The Permittee is required by IWDP to keep its facility plan/schematic up-to-date and provide updates to the CA when changes take place.

APPENDIX I

Permit Template

Permit # XXX-XXX-XXX
ISSUE Date: _____
Effective Date: _____
Expiration Date: _____

City of Tacoma, WA

Industrial Wastewater Discharge Permit

In compliance with the provisions of Tacoma Municipal Code (TMC) 12.08C;

XXXXXXXXXXXXXXXXXXXXXXXXXXX

(Herein referred to as the **"Permittee"**), located at

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Tacoma, WA xxxxxx

Is authorized by the Director of the Department of Environmental Services (**Director**) to discharge from this facility location to the City of Tacoma (**City**), Publically Owned Treatment Works (**POTW**) in accordance with City Municipal Code Chapter 12.08C and with any or all applicable provisions of federal and states laws or regulations, as amended, and in accordance with the effluent limitations, monitoring requirements, and other specific provisions as set forth herein.

The Permit shall become effective XXXXXXX. This Permit shall expire at midnight XXXXXXX. The Permittee shall reapply for permit reissuance no later than 180 days prior to expiration of this Permit as required by TMC 12.08C.450.

Industrial Wastewater Discharge Permits are issued to a specific Permittee for a specific operation and are not transferable to another Permittee without the prior written approval of the Control Authority.

All reports and notifications required by this permit and TMC 12.08C shall be made to the address and telephone number below:

City of Tacoma

Industrial Pretreatment Program

at (253-502-2239)

Hand Delivery/Mail: 2201 Portland Avenue East, P-1, Tacoma, WA 98421

The 24-hour emergency telephone number to report spills, Slug Discharges, etc. is (253) 502-2222. During regular business hours (8:00A.M. to 4:30 P.M.), contact Environmental Services at (253) 591-5595.

Signed this _____ day of XXXX, 20XX

_____

Dan C. Thompson, Ph.D.

Business Operations Division Manager

Environmental Services

I have read and understand the conditions of and acknowledge receipt of this Industrial Wastewater Discharge Permit:

_____ _____

Authorized Representative of the Permittee Date

Permit # XXX-XXX-XXX
ISSUE Date: _____
Effective Date: _____
Expiration Date: _____

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SECTION I: OUTFALLS AND MONITORING POINTS

Outfall	Description and Location
001	

Monitoring Point	Description and Location
001	

SECTION II: EFFLUENT LIMITATIONS

A. Effluent Limits and Prohibited Wastestreams:

1. Specific Effluent Limitations

The Permittee shall not discharge wastewater that contains pollutants in excess of the limitations listed in Table 1 from **Outfall ___**. The Permittee shall monitor pollutants listed in Table 1 at the frequency shown.

Table 1

All concentrations, unless noted, are listed as mg/L

Pollutant or Pollutant Property	Local Limit	Daily Maximum Limit[1]	Monthly Average Limit[1]	Monitoring Frequency	Sample Type[2]
Arsenic					
Cadmium					
Chromium[3] (total)					
Copper					
Lead					
Mercury					
Nickel					
Selenium					
Silver					
Zinc					
TTOs[4]					

[1] The Permittee is required to use an analytical method approved under 40 CFR Part 136 and one that has a method detection limit that allows the Permittee to make a direct determination of compliance with the effluent limits.

[2] Where the Permittee discharges batch-type treatment tanks, the entire volume of the treatment tank shall be completely mixed prior to discharge or sampling.

[3] Chromium +6 shall be analyzed when the total chromium concentration is $\geq$ 0.25

[4] 1. Total Toxic Organics are defined in 40 CFR Section (pick one)

Pollutant or Pollutant Property	Local Limit	Daily Maximum Limit[5]	Monthly Average Limit[1]	Monitoring Frequency	Sample Type[6]
Oil and Grease				[7]	
Total Petroleum Hydrocarbons					
pH (S.U.)[8]	≥5.0	--	--		
Flow, Daily Maximum Gallons	--				
Permit App[9]	--				

Note: Wastewater discharges are assumed to contain Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) at a concentration of 200 mg/L and 225 mg/L, respectively. Wastewater containing BOD and TSS at higher concentrations may be assessed a surcharge. Control Authority sampling will include analysis of BOD and TSS.

1. 413.02 for Electroplating;
2. 433.11 for Metal Finishing;
3. 464.03 for Metal Molding and Casting;
   I. 464.11 – Aluminum Casting;
   II. 464.21 – Copper Casting
   III. 464.31 – Ferrous Casting; and
   IV. 464.41 – Zinc Casting
4. 465.02(j) Coil Coating;
5. 467.03(q) Aluminum Forming Point Source Category
6. 468.02(r) Copper Forming Point Source Category
7. 469.12(a) – Semiconductors;
8. 469.22(a) – Electronic Crystals; and

9.469.31(b) – Cathode Ray Tube

Sampling and analysis shall be consistent with 40 CFR Part 136

[5] The Permittee is required to use an analytical method approved under 40 CFR Part 136 and one that has a method detection limit that allows the Permittee to make a direct determination of compliance with the effluent limits.

[6] Where the Permittee discharges batch-type treatment tanks, the entire volume of the treatment tank shall be completely mixed prior to discharge or sampling.

[7]See Paragraph D of this Section for alternative TTO monitoring and reporting requirements.

[8] Any pH less than 5.0 or more than 11.0 is a violation of this Permit and Tacoma Municipal Code (TMC) 12.08C.100. Any pH discharge less than or equal to 2.0 or greater than or equal to 12.5 is subject to the hazardous waste reporting criteria required by 40 CFR Section 403.12(p) and Section VI of this permit.

[9] Permit application shows that this pollutant is suspected present or known present

2. [INCLUDE OR RESERVE] Authorized Wastestreams

   The Permittee is authorized to discharge wastewater that originates from the following processes or other operations if such wastewater meets all applicable federal, state, and local pretreatment standards and requirements, including all discharge limits and the General and Specific Prohibitions listed in Section V of this Permit for the following wastestreams:

   I. Domestic-only wastewater
   II. Process wastestream 1
   III. Process wastestream 2
   IV. Etc.

3. [INCLUDE OR RESERVE] Prohibited Wastestreams

   The Permittee is specifically prohibited from discharging any wastes or pollutants from the following process or other operations:

   I. Wastestream 1
   II. Wastestream 2
   III. Etc.

B. Local Limits

   The Wastewater discharges regulated by this permit are subject to all local limits, permit specific limits and prohibited discharge standards as outlined in TMC 12.08C and as shown in Section V of this permit.

C. Additional Requirements

   The Control Authority may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the Control Authority, such limitations or requirements are necessary to implement the provisions of TMC 12.08C.

D. Total Toxic Organics Monitoring and TOMP

1. In Lieu of Monitoring

   The Permittee may provide the following certification once per quarter with the required self-monitoring reports:

   "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation (or Pretreatment Standard) for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since this facility is implementing the Toxic Organic Management Plan (TOMP) submitted to the Control Authority."

   To be eligible to make such certification in lieu of monitoring, the Permittee must have submitted an updated Total Toxic Organic Management Plan (TOMP) that addresses the total toxic organics defined in (Insert appropriate reference based on which CIU category applies). The TOMP must specify the toxic organic compounds used in any process at the facility.

2. Toxic Organic Management Plan

The Control Authority must have approved the TOMP and the latest updates thereto. The Permittee must fully implement and comply with the TOMP. If the Permittee modifies facilities or processes covered by the TOMP, they must revise and resubmit the TOMP to the Control Authority within 30 calendar days of the effective date of the modification.

E. Specific Storm Sewer Discharge Prohibition

The Permittee shall not discharge or cause the discharge of any material that is not entirely composed of stormwater to a stormwater collection system. This permit also prohibits the discharge of process and domestic wastewaters to the stormwater collection system.

F. Slug Discharge Control Plan (SDCP)

- The Permittee shall develop [or have on file], [within 90 calendar days from the effective date of this permit], a SDCP to eliminate or minimize the potential for accidental, excessive, or slug discharge of pollutants to the POTW. The SDCP shall include the elements listed in 40 CFR Part 403.8(f)(2)(vi)(A-D).
- On an annual basis, or whenever changes occur that affect the accuracy of the SDCP, the Permittee shall review the SDCP, make any necessary modifications, and submit such modifications to the Control Authority for review and approval. If no changes to the SDCP are necessary, then a letter certifying that the current SDCP on file is up to date shall be submitted to the Control Authority no later than January 15th of each year.
- The Permittee shall submit its SDCP, and any subsequent modifications to it, to the Control Authority for review and approval. After the Control Authority approves it, implementation of the SDCP shall be enforceable as a condition of this Permit.
- When submitting a letter stating the current SDCP is up to date, the Permittee shall also include the following statement:

  "I certify that the current Slug Discharge Control Plan approved by the Control Authority is up to date and that I have the financial resources and authority to implement the plan."

G. Cooling Water, Water Treatment Systems, and Boiler Water

[OPTIONAL] The Permittee shall provide a listing of all chemicals added to the cooling water, water treatment systems, and boiler water used at the facility to prevent corrosion, scaling, or microbial growth, or condition water, or regenerate water condition systems. The Permittee shall also describe the discharge practices for such waters and provide any other periodic discharges to Business Operations within 30 days of permit issuance, 90 days prior to change of chemical use.

H. OTHER OPTIONAL LANGUAGE

SECTION III: SELF-MONITORING

A. Sampling and Analysis

1. Collection and Analysis

At a minimum, the Permittee is required to perform collection and analyses of wastewater samples with the frequency and type of measurement indicated in Section II of this permit. Samples or measurements shall be representative of the discharge during the reporting period and representative of normal operating conditions, and the Permittee shall take samples at the permitted monitoring point.

2. Sampling and Analyses Reporting

   The Permittee shall submit all pollutant analysis, including sampling techniques, sample chain-of-custody documentation, and analytical results from a contract laboratory with their Industrial Wastewater Discharge Permit application, periodic self-monitoring reports, or other reports of analyses required under this Permit and TMC 12.08C. The Control Authority may require analytical data from a contract laboratory to be submitted to the Control Authority in a specific template/format. The Permittee shall perform such monitoring in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard.

3. Operations and Maintenance

   The Permittee shall properly operate and maintain wastewater treatment and conveyance facilities prior to discharge to the POTW. Permittees required to develop an Operations and Maintenance (O&M) Manual per Chapter 173-240 WAC must follow the Manual's procedures and amend the Manual prior to changing any O&M procedures.

B. Monitoring

   The Permittee may not forego monitoring otherwise required by this permit because of monitoring performed by the Control Authority unless specifically authorized to do so in an enforcement action or permit modification.

C. Continuous Monitoring

   [OPTIONAL IF REQUIRED] The Permittee shall operate pH and flow meters, which shall continuously monitor the regulated wastewater discharge at Outfall XXX, twenty four (24) hours per day, seven (7) days per week. At a minimum, the Permittee shall record pH and flow measurements at one-minute intervals on a continuous recording device. The pH and flow data are subject to review at any time by the Control Authority. The Permittee shall immediately report any interruption of continuous monitoring devices to the Control Authority, take immediate action to restore the devices, and manually collect data in the interim.

D. OTHER OPTIONAL LANGUAGE FOR ADDITIONAL MONITORING REQUIREMENTS (delete if not needed)

SECTION IV: REPORTING AND NOTIFICATION REQUIREMENTS

A. Periodic Self-Monitoring Reports

   The Permittee shall submit self-monitoring reports containing the following information on a [monthly, quarterly, semi-annual] basis (per the below schedule) [pick a table below]. The reports are due on or before the fifteenth day of the month following the reporting period. The Control Authority must receive the report at the address shown on Page 1 of this Permit.

Reporting Period	Report Due Dates

January 1 to January 31	February 1 to February 15
February 1 to February 28 (29)	March 1 to March 15
March 1 to March 31	April 1 to April 15
April 1 to April 30	May 1 to May 15
May 1 to May 31	June 1 to June 15
June 1 to June 30	July 1 to July 15
July 1 to July 31	August 1 to August 15
August 1 to August 31	September 1 to September 15
September 1 to September 30	October 1 to October 15
October 1 to October 31	November 1 to November 15
November 1 to November 30	December 1 to December 15
December 1 to December 31	January 1 to January 15

Reporting Period	Report Due Dates
January 1 to March 31	April 1 to April 15
April 1 to June 30	July 1 to July 15
July 1 to September 30	October 1 to October 15
October 1 to December 31	January 1 to January 15

Reporting Period	Report Due Dates
January 1 to June 30	July 1 to July 15
July 1 to December 31	January 1 to January 15

The Permittee's self-monitoring report shall include

1. Sample Documentation

   Concentration and measurements of all parameters for which there are monitoring requirements as specified in Section II. Legible copies of completed chain-of-custody (COC) forms and laboratory analytical reports for all outfalls specified in Section I. The Permittee shall also include for all samples:

   I. the date, exact place, method, and time of sampling and the name of the person(s) taking the samples,

   II. the date(s) analyses were performed,

   III. who performed the analyses,

   IV. the analytical techniques/methods used, including method detection limits, reporting limits and QA/QC sample results,

   V. calibration and maintenance records,

VI. all chain-of-custody records,

VII. the results of such analyses, including the measured or estimated flow as required in Section II of this Permit, and

VIII. compliance status with any required Best Management Practices.

2. Daily Maximum and Averages

   [THIS PARAGRAPH MAY NEED TO BE MODIFIED FOR THE SPECIFIC SIU] The Permittee shall report daily maximum (gallons per day) and daily average (gallons per day) (this is a list of what the Permittee shall include in self-monitoring reports) for each month in the reporting period from the approved monitoring point. The Permittee shall use appropriate flow measurement devices and methods consistent with approved scientific practices to ensure the accuracy and reliability of measurement of the volume of monitored discharges. The Permittee shall ensure devices are installed, calibrated, and maintained to ensure the accuracy of the measurements are consistent with the accepted capability of that type of device. The Permittee shall ensure devices are capable of measuring flows with a maximum deviation of less than ten (10) percent from true discharge rates throughout the range of expected discharge volumes.

3. pH Reporting

   The Permittee shall include the high and low pH readings for each month in the reporting period. The Permittee shall report each pH violation separately with an explanation for the violation. Additionally, the Permittee shall submit records of all pH measurements for the reporting period, organized by month.

4. Hauled Waste Reporting

   [OPTIONAL] Upon request, the Permittee shall provide copies of signed waste manifests and receipts for all wastes, including spills, which are generated by facility operations, manufacturing, and/or treatment processes, that a waste hauler disposes of. Information submitted by the Permittee shall include:

   I. constituents of the substance(s) or, if its constituents are not known, the trade name,

   II. volume of each container,

   III. transportation date, and

   IV. name of licensed facility where waste was sent, including name and identification number(s) of licensed waste hauler(s).

   If the Permittee did not have waste disposed of by waste hauler(s) during the reporting period, they shall report “no hauled waste.” This reporting requirement excludes solid was generated by administrative office activities.

5. Certification Statement

   The Permittee shall include, with the self-monitoring report the following certification statement signed by their Authorized Representative:

   “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 ensure 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."

6. Change of Authorized Representative

   The Permittee shall submit a new authorization to the Control Authority when the individual or position that has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the Permittee changes. The new authorization must satisfy the requirements of TMC 12.08C.040 and the Permittee must submit it prior to or together with any reports to be signed by the Authorized Representative.

B. No Discharge Reporting

   If the Permittee has no discharge during the reporting period, they shall report "no discharge" in lieu of Section IV, Item A.1 of the periodic self-monitoring report for each reporting period, during which no discharge occurred. The Permittee shall submit records of all flow and pH measurements for the reporting period, organized by individual month.

C. Submittal Dates

   The Control Authority will consider written reports submitted on the date postmarked. For written reports that the Permittee does not send, postage paid, by US Mail, the submittal date shall be the day the Control Authority receives the report.

D. Additional Monitoring Reports

   Results of any additional samples taken at the outfalls or monitoring points specified in section I of this permit for any pollutant , if analyzed by test procedures approved under 40 CFR Part 136, must be submitted as part of the required reports.

E. Notification of Violation

   If sampling performed by the Permittee indicates that a violation of this Permit has occurred or is occurring, the Permittee shall notify the Business Operations Division within 24 hours of becoming aware of the violation. This 24 hour reporting requirement starts from the time the Permittee receives the analytical report(s), or from the time the measurement or results of any in-house analyses are recorded. The Permittee shall resample for the pollutant(s) or pollutant properties where a violation has occurred and report the results to the Control Authority within 30 days of the 24 hours notification.

F. Facility Plan/Schematic

   [OPTIONAL IF REQUIRED] The Permittee shall keep its facility plan/schematic up to date and provide it to Business Operations showing any changes. The schematic shall show:

   1. floor plan/layout for the facility,
   2. drain and trench systems,
   3. outfall locations(s) to the POTW,
   4. process operation locations (plating tanks, process areas, tumblers, assembly, storage, etc.),

5. a listing of the volume of each tank, names and volumes of each process, solution in the tank, whether or not the tank has a drain, flow rate of waste discharged from the tank during operations, and frequency of disposal of tank contents,
6. waste treatment, including location and volume of all tanks, direction of waste flow, solids handling, monitoring locations and discharge point, and
7. chemical storage areas.

G. Changes that Affect Slug Discharge Control Plan

The Permittee shall promptly notify the Control Authority, at the address on the cover page, before making any change which alters the slug discharge control plan (SDCP) required by TMC 12.08C.660, or when making any substantial change in the volume or character of pollutants in its discharge, including significant manufacturing process changes, pretreatment modifications, and the listed or characteristic hazardous wastes that the Permittee submitted in their initial notification under 40 CFR Part 403.12(p).

H. Change in Production Levels

The Permittee shall notify Business Operations in advance of any significant change in production levels. Any Permittee who's Industrial Wastewater Discharge Permit has concentration limits that are based upon production levels, shall notify Business Operations within two (2) calendar days after becoming reasonably aware that the production level will significantly change within the next calendar month. Any Permittee not providing notice of such anticipated change is required to comply with the concentration limits based upon the most recently approved estimate of long-term average production rate.

I. Hazardous Waste Notification Requirements

In accordance with 40 CFR Part 403.12(p) Industrial User Hazardous Waste Notification Requirements, all users of the POTW must notify the Control Authority (address on cover page), the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge to the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Additionally, notification shall be required for the discharge of any substance, which, if otherwise disposed of, would be a dangerous under Chapter 173-303 WAC. Such notification shall include the name of hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms of such waste per calendar month to the POTW the notification shall also contain the following information, to the extent such information is known or readily available to the Permittee:

1. identification of the hazardous constituents contained in the wastes,
2. an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and
3. an estimation of the expected constituent mass for discharge in the wastestream during the following 12 months.

These notification requirements do not apply to pollutants already reported under the self-monitoring requirements. Whenever the EPA or Washington State Department of Ecology publishes the final rules identifying additional hazardous or dangerous wastes,

or new characteristics of hazardous or dangerous waste, a user shall notify the Business Operations Division of the discharge of such a substance within 90 days of the effective date of such regulations.

J. OTHER OPTIONAL LANGUAGE

SECTION V: STANDARD CONDITIONS – TMC 12.08C

A. General Prohibitions

No industrial user shall introduce to the POTW any pollutant which causes pass through or interference as defined in Section VI.

B. Specific Prohibitions

No industrial user shall introduce or cause to be introduced to the POTW the following substances or combination of substances:

1. Any substance which either alone or by interaction with other substances create a fire or explosive hazard in the POTW, including, but not limited to wastestreams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test method specified in 40 CFR Section 261.21. The discharge restrictions and prohibitions of dangerous waste regulations set forth in Chapter 173-303 WAC shall apply to discharges under this chapter;
2. Wastewater having a pH of less than 5.0, or more than 11.0, or any wastewater capable of causing corrosive structural damage to the POTW or equipment except as authorized by an industrial wastewater discharge permit, special approved discharge authorization, or other control mechanism issued by the Control Authority;
3. Solid or viscous pollutants or substances in amounts which cause obstruction to the flow in the POTW or other interference;
4. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause pass through or interference;
5. Any pollutant, including oxygen-demanding pollutants released in a discharge at a flow rate and/or concentration which will cause interference;
6. Wastewater entering the POTW that exceeds 100 degrees Fahrenheit. The Control Authority may authorize a discharge above 100 degrees Fahrenheit if it determines such discharge will not cause interference or influent temperature at the POTW treatment plant to exceed 104 degrees Fahrenheit.
7. Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity which may cause acute worker health and safety problems or pollutants which alone or in combination with other pollutants, or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent or interfere with entry into the POTW for maintenance and repair;
8. Trucked or hauled pollutants, except at discharge points as authorized by an industrial wastewater discharge permit, special approved discharge authorization, or other control mechanism issued by the Control Authority, as set forth in this chapter;
9. Wastewater which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius);

10. Wastewater generated as a result of wastes pumped from gravity grease interceptors, hydromechanical grease interceptors or grease traps, sand-oil separators or other storage tanks or treatment units without the approval of the Control Authority;
11. Wastewater which imparts color to the POTW's effluent such as, but not limited to, dye wastes and vegetable tanning solutions;
12. Wastewater containing radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
13. Medical wastes that cause or contribute to pass through or interference;
    Unless approved by the Control Authority under extraordinary circumstances, such as lack of direct discharge alternatives or need to augment sewage flows due to septic conditions (as required under WAC 173-216-050):
    1. Non-contact cooling water in significant volumes;
    2. Stormwater or other direct inflow sources; and
    3. Wastewater significantly affecting system hydraulic loading, which does not require treatment or would not be afforded a significant degree of treatment by the POTW;
14. Any substance that causes the Control Authority to violate its NPDES Permit(s) or applicable federal or state water quality standards;
15. Sludge, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes except as authorized by an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism issued by the Control Authority;
16. Any slug discharge;
17. Any substance which may cause the POTW's effluent or treatment residues, sludge or sludge products or scums, to be unsuitable for reclamation or reuse, or which otherwise interferes with the reclamation process;
18. Any discharge containing a substance which is regulated under Chapter 173-303 WAC, unless authorized by an industrial wastewater discharge permit, special approved discharge authorization or other control mechanism issued by the Control Authority. Control mechanisms issued under this subsection shall comply with applicable discharge requirements set forth in Chapter 173-303 WAC; and
19. Any pesticides, herbicides or fungicides that cause or contribute to pass through, interference or negative impact to the POTW. Industrial users shall not discharge wastewater to the POTW that is generated from the rinsing of any container that contains or contained any concentrated or formulated pesticide, herbicide or fungicide unless approved by the Control Authority.
20. Hazardous waste pharmaceuticals. Healthcare facilities that generate, accumulate or otherwise handle hazardous waste pharmaceuticals, and reverse distributors engaged in the management of prescription hazardous waste pharmaceuticals, shall not discharge pharmaceuticals to the POTW which are listed as hazardous waste under the federal Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq., and its implementing regulations), or which are regulated as hazardous waste under the same law based on the characteristics of ignitability, corrosivity, reactivity, or toxicity.

<u>Stormwater Prohibition</u>

Stormwater, groundwater, subsurface drainage, yard drainage, roof drainage, or unpolluted water including, but not limited to, cooling water or process water, unless authorized by this Industrial Wastewater Discharge Permit. The Control Authority may, but shall not be required to, approve such discharge only when no reasonable alternative method of disposal is available.

C. Discharge Limits

1. Maximum Daily Limits

The permittee shall not discharge wastewater to the POTW containing a daily maximum concentration greater than:

Table 12.08C.100.F-1		
Pollutant	Daily Maximum Discharge Limits[10] for IUs discharging to Central Treatment Plant	Daily Maximum Discharge Limits[10] for IUs discharging to North End Treatment Plant
Arsenic	0.23	0.56
Cadmium	0.103	0.251
Chromium	4.74	4.54
Copper	1.46	2.27
Lead	0.427	1.20
Mercury	0.033	0.097
Molybdenum	0.55	1.46
Nickel	1.12	2.79
Selenium	0.14	0.437
Silver	0.64	1.55
Zinc	2.44	5.54
5-Day Biochemical Oxygen Demand (BOD_5), lbs/day[11]	No Limit	449
Total Suspended Solids (TSS), lbs/day[11]	No Limit	2153
Ammonia, lbs/day[11]	5,082.6	No Limit
Bis-2(ethylhexyl)phthalate	No Limit	<0.0005

The Control Authority may implement local limits through allocation of the Maximum Allowable Industrial Load to significant industrial users and specific permitted non-significant industrial users that correspond to the uniform concentration local limits shown in table 12.08C.100.F - 1.

The following limits shall apply to wastewaters that are discharged from:

a. Groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants;

[10] All Pollutants as Total and in mg/L unless otherwise specified.

[11] This limit is the total mass in pounds per day (lbs/day) that are available to allocate to all significant industrial users and other designated and permitted non-significant industrial users.

b. Discharges where one or more of these pollutants are present; or

c. Where these pollutants are appropriate surrogates.

It shall be unlawful for any industrial user to discharge or cause to be discharged any waste or wastewater to the POTW that exceeds the following limits:

Table 12.08C.100.F-1	
Pollutant	Daily Maximum Limit (mg/L
Benzene	0.050
BTEX	0.750

Unless otherwise stated in this Industrial Wastewater Discharge Permit, the above limits apply at the monitoring point identified as XXXX and at any other point where the wastewater is discharged to the POTW (end of pipe). All concentrations for metallic substances are for "total" metal unless otherwise indicated. Where a user is subject to a National Pretreatment Standard those standards shall apply. The daily maximum is defined as the maximum allowable discharge limit of a pollutant that may be discharged during a twenty-four (24) hour period or as specified in an industrial user's industrial wastewater discharge permit. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken during that sampling period.

D. Alternate Standards

The Control Authority may establish more stringent pollutant limits, additional site-specific pollutant limits, best management practices, or additional pretreatment requirements when, in the judgment of the Control Authority, such limitations, practices or requirements are reasonably necessary to ensure compliance with the provisions of TMC 12.08C.

The Control Authority reserves the right to establish, by ordinance or by Industrial Wastewater Discharge Permit, alternate standards or requirements on discharges to the POTW for specific user groups. Such alternate standards or requirements shall be based upon, but not limited to, an analysis of available treatment technology, potential economic impacts, and potential impacts to the POTW.

E. Dilution Prohibition

Dilution is prohibited as a substitute for wastewater treatment except where authorized by an applicable pretreatment standard or requirement. No industrial user shall ever increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The Control Authority may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or requirements, or in other cases where the imposition of mass limitations is appropriate. No Permittee shall increase the use of potable or process water in any way, nor mix separate wastestreams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Permit or TMC 12.08C

F. Wastewater Monitoring Facilities

Each Permittee shall provide and operate, at the Permittee's expense, monitoring facilities or equipment that allow for the representative sampling and accurate observation of wastewater discharges. Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Control Authority's requirements and all applicable City construction standards and specifications. Monitoring equipment and structures shall be maintained in proper working order, calibrated as required by manufacturer's specifications and kept safe and accessible at all times for inspection by the Control Authority. The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building footprint unless otherwise approved by the Control Authority. The monitoring facility shall include an enclosure that can be locked during sampling or monitoring or other inspection with a lock provided by the Control Authority. When such a location would be impractical, the Control Authority may allow such facility to be constructed in the public street or easement area, with the approval of the City department having jurisdiction over street occupancy according to such terms and conditions as it may impose. No industrial user shall cover any manhole, sewer cleanout, or other openings in the wastewater collection system with earth, paving, or otherwise render it inaccessible.

G. Recordkeeping

All Permittees subject to TMC 12.08C shall retain and make available for inspection and copying by the Control Authority at its facility all records the industrial user generates when conducting monitoring activities required by this chapter. Such industrial users shall also retain records associated with best management practices when such practices are required by the Control Authority. Monitoring records shall include chain-of-custody information including, at a minimum, the date, time, place and method of sampling, and the name of the person(s) conducting the sampling; the quality control and quality assurance procedures used and the name of the person(s) with control of the sample prior to analysis; the place and date where the sampling analysis was completed, the analytical technique(s) used, and the name of the person conducting the analysis; and the results of the sampling analysis. Industrial users shall retain the records described in this section at its permitted facility for inspection and copying by the Control Authority for three (3) years, unless a longer retention period is specified in writing by the Control Authority. The industrial user's obligation to maintain records under this section shall be automatically extended for the duration of any administrative enforcement or litigation action brought by the Control Authority against the industrial user.

H. Confidential Information

1. Information submitted to and maintained by the Control Authority pursuant to this chapter is subject to public disclosure pursuant to the provisions of Chapter 42.56 RCW. Financial, commercial and proprietary information submitted by an industrial user which it identifies as confidential may be exempt from public disclosure pursuant to the provisions of Chapter 42.56 RCW. Request for Confidential Business Information

In the event the Control Authority receives a public records request for documents marked "Confidential Business Information," it shall notify the Permittee, in accordance with RCW 42.56.540, and the Permittee may, at its own expense, seek a court injunction to prevent release of the document. If the Permittee does not

commence an action for injunction relief within ten business days of receiving the Control Authority's notice, the Control Authority may disclose the document.

2. Violations

   During the time that possible violations of TMC 12.08C or this Permit are being investigated by the Control Authority, investigation notes, draft orders, worksheets, summaries, and similar documents pertaining to the investigation may be maintained as confidential information to the extent allowed under RCW 42.56. At the time that an enforcement action, if any, is signed thus designating that enforcement action as final, then the confidential status shall terminate, and the document shall be made available for public inspection.

3. Disclosure Pursuant to Government Programs

   Nothing in this section shall prohibit the Control Authority from disclosing such information to other officers, employees, or authorized representatives of a governmental agency for uses related to applicable governmental programs, including, but not limited to, the NPDES program, and the Industrial Wastewater Pretreatment Program.

4. Disclosure Pursuant to Enforcement Activities

   Nothing in this section shall prohibit the Control Authority from disclosing such information to other officers, employees, or authorized representatives of a governmental agency pursuant to enforcement proceedings involving the person or entity furnishing the information.

I. Right of Entry

Authorized Control Authority representatives, bearing proper credentials and identification, shall have the right to enter the facility of any industrial user at reasonable times to conduct inspections and gather samples to determine whether an industrial user is complying with the requirements of TMC 12.08C in accordance with the provisions of TMC 12.08C.900.

J. Industrial Wastewater Discharge Permit Modification and Revocation

1. Industrial Wastewater Discharge Permit Modification

   The Control Authority may amend any Industrial Wastewater Discharge Permit issued hereunder in order to ensure compliance by the Control Authority with applicable laws and regulations or for other good cause. As used in this section, the term "good cause" shall include, but not be limited to, the following:

   I. To incorporate any new or revised federal, state or local pretreatment standards or requirements;

   II. To address significant alterations or additions to the Permittee's operation, processes, or wastewater volume or character since the time of Industrial Wastewater Discharge Permit issuance;

   III. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharged;

   IV. To respond to information indicating that a permitted discharge poses a threat to the health and safety of POTW personnel and the public, and/or receiving

waters; Violation of any terms or conditions of the Industrial Wastewater Discharge Permit;

V. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit application or in any required reporting;

VI. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR Part 403.13;

VII. When there has been a change in the legal or trade name of the Permittee, the duly authorized representative of the industrial user, or the name of the facility manager, and the permittee has submitted a request for a modification of the permit;

VIII. To correct typographical or other errors in the Industrial Wastewater Discharge Permit; or

IX. To reflect transfer of the facility ownership and/or operation to a new owner/operator.

X. All prior Industrial Wastewater Discharge Permits issued to a particular Permittee are void upon the issuance of a new Industrial Wastewater Discharge Permit to that user.

2. Industrial Wastewater Discharge Permit Suspension or Revocation

I. Suspension of Service

The Control Authority may suspend stormwater drainage services, special approved stormwater discharges, and/or wastewater treatment services and the Control Authority may suspend or revoke the Industrial Wastewater Discharge Permit of a Permittee when the Control Authority finds that an actual or threatened discharge either:

- Threatens or presents an imminent or substantial danger to the health or welfare of personnel or to the environment;
- Threatens to or does interfere with the operation of the POTW or causes the Control Authority to violate its NPDES permit; or
- Causes the Permittee to violate any pretreatment limitations imposed by the Permittee's Industrial Wastewater Discharge Permit, or causes the Permittee to violate other regulations contained in TMC 12.08C.

II. Revocation of Industrial Wastewater Permit Issued in Error

The Control Authority may revoke an Industrial Wastewater Discharge Permit as per TMC 12.08C

III. Revocation Process

Upon determination by the Control Authority that a wastewater permit shall be revoked, the Control Authority shall take such steps as are reasonably calculated to immediately notify the Permittee that the Industrial Wastewater Discharge Permit has been revoked. Such immediate notice shall be followed by written notice. A Permittee shall immediately cease all discharge.

IV. Failure to Comply

In the event the Permittee fails to comply with the requirements contained in the Control Authority's written notice, the Control Authority shall have available all remedies provided by law to compel specific compliance with the Control Authority's written notice.

V. Reinstatement of the Permit

The Control Authority may reinstate the Industrial Wastewater Discharge Permit and any discontinued services upon discovering that the Permittee has eliminated the conditions creating the threat and has taken reasonable steps to prevent a reoccurrence, as set forth above.

K. Notification of Changed Discharge and Production Levels

The Permittee shall promptly notify the Business Operations Division before making any change which alters the SDCP required by TMC 12.08C.660.

The Permittee shall notify the Business Operations Division in advance of any change in the volume or character of pollutants in their discharge, including manufacturing process changes, pretreatment modifications, and the listed or characteristic hazardous wastes for which the Permittee has submitted initial notification under 40 CFR Part 403.12(p). Where Industrial Wastewater Discharge Permit limits incorporate concentration limits based upon production, the Permittee shall notify the Control Authority within two calendar days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any Permittee not providing a notice of such anticipated change will be required to comply with the concentration limits based upon the most recently approved estimate of the long term average production rate.

L. Accidental Discharges – Spills and Slug Discharge Control Plan(SDCP)

The Permittee shall immediately notify the Business Operations Division upon becoming aware of any discharge that may adversely affect the POTW, including slug discharges as defined in TMC 12.08C. The notification shall include the concentration, volume, corrective actions, and steps the Permittee is taking to reduce any adverse impact; the Permittee's inability to provide this information shall not excuse the Permittee from providing such information that the Permittee does possess.

Each Permittee shall provide protection from accidental discharges or spills of materials regulated by TMC 12.08C.

1. SDCP

Where deemed necessary by the Control Authority, a SDCP shall be prepared and implemented by the Permittee as per TMC 660.C and shall, at a minimum, contain the following:

I. A description of discharge practices, including non-routine batch discharges;

II. A description of stored chemicals and potential pollution-generating activities including, but not limited to, industrial processes and material handling;

III. Procedures for immediately notifying the Control Authority of a discharge, including any discharge or spill, that would violate a discharge prohibition under 40 CFR Part 403.5(b) and TMC 12.08C.100;

IV. Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of facility site runoff, worker training, building of

containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

2. Review of Plans

Any person who constructs or modifies, or proposes to construct or modify wastewater treatment facilities shall comply with the requirements for submitting the information required for such facilities under Chapter 173-240 WAC. Written acceptance of engineering reports, plans, and specifications shall be obtained from the Control Authority as delegated under RCW 90.48.110(2) prior to commencement of construction or modification of a wastewater treatment facility. The Permittee shall maintain operational and structural BMPs and procedures to prevent accidental discharge of prohibited materials to the POTW or receiving waters, at the Permittee's cost and expense. For new development and redevelopment, the Permittee shall submit detailed plans, showing operational and structural BMPs to provide this protection, before construction of the treatment facility commences. For existing facilities, each Permittee, as requested, shall submit its plan to the Control Authority. Unless waived by the Control Authority, no Permittee shall introduce contaminants to the POTW until the Control Authority has received and approved a SDCP. Review and approval of such plans and operating procedures shall not relieve the Permittee from the responsibility to modify its BMPs as necessary, to meet the requirements of TMC 12.08C.

3. Notification Procedures, Liability for Expense

Permittees shall notify the Control Authority immediately of any changes to a treatment facility that could affect its potential for a slug discharge upon the occurrence of an excessive discharge of contaminants regulated by TMC 12.08C. The notification shall include location of discharge, date, and time of the discharge, type of waste, concentration of contaminants, volume of discharge, and corrective actions taken. In addition to supplemental charges that can be imposed pursuant to TMC 12.08B.340, any Permittee that discharges prohibited materials, or that discharges regulated materials, in excess of that allowed by TMC 12.08C, shall be liable for any expense incurred by the POTW caused by the discharge, including, but not limited to:

I. Losses due to damage suffered by the POTW's physical facilities;

II. Any engineering, consultant, inspection, testing, spill response or similar fees or costs incurred by the POTW and necessitated by the excessive or accidental discharge, or slug discharge;

III. All administrative costs related to the excessive or accidental discharge, or slug discharge; and

IV. Losses due to fines or monetary penalties imposed on the POTW by the state or federal government, attributable to the excessive or accidental discharge, or slug discharge.

4. Permittee Employee Notification

The Control Authority may require signs be posted in conspicuous locations on the Permittee's premises advising employees who to call in the event of an excessive discharge, a slug discharge, or accidental discharge. Employers shall instruct all

employees who may cause or discover such a discharge with respect to emergency notification procedures.

M. Enforcement

Whenever the Control Authority finds that any person has violated the provisions in TMC 12.08C, including any state and federal regulations, the Control Authority is authorized to enforce under TMC 1.82 and TMC 12.08C. The Control Authority shall respond with appropriate enforcement action in accordance with the policies and procedures contained in Tacoma's Enforcement Response Plan (ERP) for wastewater, or Tacoma's Stormwater Management Manual (SWMM)/Stormwater Compliance Policy (SCP) for stormwater. Enforcement response may be taken against any person who at any time causes or contributes to the contamination or recontamination of any waterway and/or its remediated sediments or receiving water within Tacoma City limits.

The choice of enforcement action and the severity of any penalty shall be based on, among other relevant factors, the extent to which it can be determined the nature of the violation, including the amount of damage or risk to the public or to public resources, the compliance history of the Permittee, whether the Permittee cooperated with the Control Authority by correcting or making good faith attempts to correct the violation, and whether the violation was intentional. Nothing precludes the Control Authority from taking escalating forms of enforcement action.

Permittees found by the Control Authority to be in significant non-compliance, as defined in 40 CFR Part 403 and TMC 12.08C during a 12 month period may be listed and their names published annually in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by Tacoma.

N. Suspension of Service

The Control Authority may suspend wastewater or stormwater services of any Permittee whose actual or threatened discharge meets the criteria of TMC 12.08C.1220 or TMC 12.08D.410 or violates any of the provisions of TMC 12.08C.1200, or upon cessation of operations. Exercise of the termination option shall not be a bar to, or prerequisite for, taking any other action against the Permittee. Cause for suspension include, but are not limited to:

1. Failure to accurately report the wastewater constituents and characteristic of its discharge;
2. Failure to submit any report or notices required by TMC 12.08C;
3. Failure to report known or reasonably anticipated changes in wastewater constituents or characteristics prior to the changed discharge;
4. Misrepresentation or failure to fully disclose all relevant facts in the Industrial Wastewater Discharge Permit Application, report, or other submittal required by TMC 12.08C;
5. Falsification of self-monitoring reports;
6. Tampering with monitoring equipment;
7. Unreasonably withholding consent for access by authorized City representatives to conduct a compliance inspection and other activities described in TMC 12.08C.900;

8. Violating any applicable pretreatment standard, pretreatment requirement or local limit; or

9. Violating any provision of this chapter, including the terms of a permit, order, authorization or other control mechanism issued under TMC 12.08C.

O. Penalties

Penalties for Violations of this Industrial Wastewater Discharge Permit or any provision of TMC 12.08C, and procedures applicable to enforcement and penalties as defined in TMC 12.08C.

When assessing civil penalties in enforcement actions under TMC 12.08C, the civil penalty for each separate violation per day or portion thereof shall be in an amount not to exceed $10,000. Each and every violation shall be a separate and distinct offense. In case of continuing violation, every day's continuance shall be a separate and distinct violation. The Control Authority shall consider every person who, through an act of commission or omission procures, aids, or abets in the violation, to have violated the provisions of TMC 12.08C and shall be subject to the penalty herein provided. Failure to take corrective action as specified in a corrective action order issued by the Control Authority under TMC 12.08C may subject the recipient to a civil penalty in an amount not to exceed $10,000 for each day of continued non-compliance.

P. Notification of Upset Conditions

1. Operating Upset

Any Permittee that experiences an operating upset, as defined in TMC 12.08C.040, which places the Permittee in a temporary state of non-compliance with TMC 12.08C, or with an applicable pretreatment standard, shall inform the Control Authority immediately upon first awareness of the upset. Where the Permittee gives verbal notification, the Permittee shall follow-up with a written report to the Control Authority within five calendar days. The report shall specify.

I. Description of the upset, the cause thereof, and the upset's impact on the Permittee's compliance status;

II. Duration of non-compliance, including exact dates and times of non-compliance, and if the non-compliance is expected to continue, the time by which compliance is reasonably expected.

III. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset or other conditions of non-compliance. The steps should include, but not be limited to, reducing and/or controlling production, providing alternate treatment or power supply if feasible, and temporary storage or off-site disposal.

2. Affirmative Defense to Enforcement Actions

An upset shall only constitute an affirmative defense to an action brought for non-compliance with applicable pretreatment standards if all steps described in Section N above were taken in as timely a manner as possible and to the maximum extent that the Control Authority determines practicable.

3. Burden of Proof

A user who wishes to establish the affirmative defense of upset shall have the burden of proof. A user may so demonstrate through properly signed, contemporaneous operating logs, or other relevant evidence that:

I. An upset occurred, and the industrial user can identify the cause of the upset;

II. The facility was at the time being operated in a prudent and workman-like manner, and in compliance with applicable operation and maintenance procedures; and

III. The user has submitted the information described in TMC 12.08C.1100 in accordance with the provisions of that section.

Q. Permit Charges

The Control Authority shall establish an annual charge for administering Industrial Wastewater Discharge and Zero-discharge Industrial Wastewater Permits. Such charges are as follows:

1. Industrial Wastewater Discharge Permit: $700.00/year.

2. Industrial Wastewater Zero-discharge permit: $480/year.

The Permittee shall make payment in a manner and frequency determined by the Control Authority.

SECTION VI: GLOSSARY

A. Definitions

The following terms have the following meanings and are included from TMC 12.08:

"Authorized Representative"

1. If the user is a corporation:

I. The 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 that govern the operation of the regulated facility including: having the explicit or implicit duty of making major capital investment recommendations; initiating and directing comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; ensuring that the necessary systems are established or actions are taken to gather complete and accurate information for reporting requirements established by the Control Authority, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; If the industrial user is a partnership or sole proprietorship: a general partner or proprietor, respectively;

2. If the industrial user is a limited liability company, the managing member(s) of the limited liability company;

3. If the industrial user is a federal, state, or local governmental facility: a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or the designee of such official; and

4. The individuals described in paragraphs 1 through 3 above may designate another duly authorized representative if the authorization is in writing, to the Control Authority. The authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates, or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Control Authority.

"Best Management Practices" or "BMPs" – A schedule(s) of activities, treatment practices, prohibitions of practices, maintenance procedures, and other management practices based on applicable Pretreatment Standards in 40 CFR Part 403, federal categorical effluent standards and applicable state and local pretreatment requirements including local limits which are implemented by an industrial user to prevent or reduce pollutants from entering a facility's waste stream and causing "interference" and/or "pass through" and/or damage to biosolids.

"Biochemical Oxygen Demand, 5-Day" or "BOD5" – The quantity of oxygen used in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees (20º) Celsius, expressed in parts per million or milligrams per liter (mg/L) by weight, using methods approved under 40 CFR Part 136.

"Categorical Pretreatment Standard" or "Categorical Standard" – Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with 33 U.S.C. Section 1317 that apply to a specific category of industrial users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

"City" – The City of Tacoma, Washington, a municipal corporation organized and existing under and by virtue of the laws of the state of Washington. "Within the City" means within the City boundaries as now or hereafter constituted.

"Control Authority" – The City's Environmental Services Department, its Director and its authorized representatives and their successors.

"Director" – The City of Tacoma's Director of the Environmental Services Department, or successor department, who is designated to supervise the implementation and enforcement of this chapter or the Director's duly authorized designee.

"Effluent Limit" – Any restriction, prohibition, or specification established under 40 CFR Part 403, Chapter 173.220 WAC, or TMC 12.08C that regulates the quantities, rates, percent removal, and/or concentrations of physical, chemical, or biological characteristics of wastes which are discharged to the POTW, including Best Management Practices for the prevention or control of such waste discharges.

"Interference"- A discharge which alone or in combination with other discharges:

A. Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and
B. Causes a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or the prevention of sewage sludge use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder, or any more stringent state or local regulations: Section 405 of the Federal Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan

prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

"New Source" – Shall be defined as set forth in 40 CFR Section 403.3(m).

"Noncontact Cooling Water" – Water that does not mix, communicate with, or come into direct contact with any raw material, intermediate product, waste, product, or finished product, and to which the only pollutant added is heat.

"Pass Through" – A discharge which exits the POTW into waters of the United States or the state in quantities or concentration which, alone or in conjunction with, a discharge or discharges from other sources, causes a violation of any requirement of the City's NPDES permit including an increase in the magnitude or duration of a violation.

"pH" – The negative logarithm of the effective hydrogen-ion concentration or hydrogen activity in gram equivalents per liter used in expressing both acidity and alkalinity on a scale whose values run from 0 to 14, with 7 representing neutrality, numbers less than 7 increasing acidity, and numbers greater than 7 increasing alkalinity.

"Pollutant" – Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive materials, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g. pH, temperature, TSS turbidity, color, BOD5, COD, toxicity or odor).

"Pretreatment" – The reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to, or in lieu of, discharging or otherwise introducing such pollutants into the POTW through physical processes, biological processes, or by other processes or means, except as prohibited by 40 CFR Section 403.6(d).

"Pretreatment Requirements" – Any substantive or procedural requirement related to pretreatment of wastewater, other than a pretreatment standard imposed on an industrial user.

"Pretreatment Standard" – Any regulation containing pollutant limitations promulgated by the EPA in accordance with Section 307(b) and(c) of the Federal Clean Water Act or promulgated by the Washington State Department of Ecology in accordance with Chapter 90.48 RCW which applies to industrial users. The term includes prohibited discharge limits established pursuant to 40 CFR Section 403.5 and other standards, BMPs, local limits and specific prohibitions established by the Control Authority.

"Publicly Owned Treatment Works (POTW)" – Means a treatment works, as defined by 33 U.S.C. Section 1292 (2), which is owned and operated by the City. The term generally refers to any devices and systems used in the conveyance, storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature. A reference to the POTW means and refers to the POTW owned or operated by the City, unless a different meaning is otherwise plainly required.

"Significant Non-Compliance" – with applicable pretreatment requirements exists when a violation by an industrial user meets one or more of the following criteria:

1. Chronic violations of wastewater discharge limits in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period exceed by any magnitude a numeric pretreatment standard or requirement, including instantaneous limits;
2. Technical review criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all the measurements taken for the same pollutant parameter during a six (6) month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits multiplied by the applicable TRC, which is 1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH;
3. Any other violation(s) of a pretreatment standard or requirement, including daily maximum, long-term average, instantaneous limit or narrative standard that the Control Authority determines to have caused, alone or in combination with other discharges, pass through or interference, including endangering the health of the general public or the health of POTW personnel;
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the Control Authority exercising its emergency authority to halt or prevent such discharge;
5. Failure to meet a compliance schedule milestone contained in an industrial wastewater discharge permit or compliance order for starting construction, completing construction, or attaining final compliance within ninety (90) days after the milestone schedule date;
6. Failure to provide, within forty-five (45) days after the due date, any required report, including a baseline monitoring report, 90-Day compliance report, periodic self-monitoring reports, and reports on compliance with compliance schedules;
7. Failure to accurately report non-compliance; or
8. Any other violation or group of violations, which may include a violation of best management practices, which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program**.**

"Slug Discharge" – Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits or Permit conditions. This includes a discharge which exceeds the hydraulic or design of an industrial user's treatment system or any part of the treatment unit.

"Suspended Solids" – Solids that either float on the surface of or are in suspension in water, sewage, or other liquid, and which are removable by laboratory filtering using Standard Methods, 17th Edition.

Toxic Organics Management Plan "TOMP" – A written plan, required for certain IUs, that specifies toxic organic compounds used, the method of disposal of those compounds, and procedures for ensuring that toxic organics do not routinely spill or leak into water.

"Upset" – An exceptional incident in which there is unintentional and temporary noncompliance with the applicable pretreatment standards because of factors beyond

the reasonable control of the industrial user. The term “upset” does not include noncompliance to the extent it is caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

APPENDIX J

Permit Transfer Form

City of Tacoma
Environmental Services Department

Transfer of Permit to a New Owner/Operator
for Industrial Wastewater Discharge Permits

This form, when completed and signed by both parties, and approved by the Control Authority, enables transfer of the permit as specified in the table below, in accordance with TMC 12.08C.420 & TMC 12.08C.430. By signing this form, the new owner/operator agrees to assume all responsibility, coverage, and liability of the permit as of the effective date of the sale or lease. The permit transfer for any facility shall not be valid if there is or will be any significant change in facility operations, discharge volume, or discharge characteristics from the existing permit as determined by the Control Authority. If such changes are or will be present, the new owner/operator shall immediately notify the Control Authority at the address listed below. If you have any questions, please contact your Pretreatment Coordinator at the phone number listed at the bottom of this form.

Reason for transfer (check one):	☐ **SALE** ☐ **OTHER** ☐ **LEASE** **Describe:**	
Permit number to be transferred:		
Corporate Office Name/Address		
Facility name:		
Street/PO Box:		
City/State/Zip:		
Effective date of sale/ lease/transfer:		
Immediate intent to change the facility's operations and processes?	**Yes/No**	
	Old	**New**
Corporate Office Name:		
Company name:		
Uniform Business Code (UBI):		
Facility name (if different):		
Mailing address: Street/PO Box:		
City/State/Zip:		
(TMC 12.08C.040) Authorized Representative:		
Phone number:		

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 a fine and/or imprisonment for knowing violations. I have been provided a copy of, and have read and understand the current permit and I intend to comply with its terms and conditions, and the undersigned agrees that:

a. *The new owner or operator has a legal, valid, and binding obligation to comply with all requirements of the transferred Industrial Wastewater discharge permit.*
b. *Such transfer is within the power and authority of the permittee and the new owner or operator without consent of any other party and has been authorized by all requisite corporate or partnership action on the part of the permittee and new owner or operator.*
c. *Neither the transfer nor the Control Authority's approval of the transfer shall relieve the permittee of any obligation or liability arising under the industrial wastewater discharge permit occurring prior to the transfer.*
d. *The Control Authority waives none of its rights with respect to the permittee's or the new owner's or operator's compliance with the terms and conditions of the permit.*
e. *The Control Authority grants its approval of the transfer in reliance upon the representations, documents, and information provided by the permittee and new owner or operator in connection with the request for transfer and that the approval of the transfer shall not in any way be deemed a representation by the Control Authority that the permittee or new owner or operator are in full compliance with the terms and conditions of the industrial wastewater discharge permit.*
f. *The facility is subject at reasonable times to inspections and gathering of samples by the Control Authority to determine whether an industrial user is complying with the requirements of this chapter and any industrial wastewater discharge permit or other control mechanism issued thereunder.*

Authorized Representative(s): (print name)		
Authorized Representative: (signature)		
Date signed:		

Please complete this form and send it to: City of Tacoma, Pretreatment Coordinator at 2201 Portland Avenue P-1, Tacoma, WA 98421 253-502-2219

APPENDIX K

Facility Inspection Checklist
TOMP Checklist

City of Tacoma
Environmental Services Department
Pretreatment Inspection Form

Facility Name:		Facility Address:	
Permit Number/ Effective Dates:		Control Mechanism & Discharge Type:	
Type of Inspection:		Date/Time of Inspection:	
City Representative(s):		Facility Representatives(s), Title:	
Business Description:		Follow-up from last inspection:	
Authorized Rep/ Present? (y/n):			
SAFETY EQUIPMENT:		Was this inspection scheduled? (y/n):	

Control Plans			
Control Plan(s) are available and up to date:	YES	NO	N/A
Type of Control Plans (ASPP, etc.):			
Any spills reported since last inspection:	YES	NO	N/A
Spill notification procedures posted:	YES	NO	N/A
Plan updates required:	YES	NO	N/A
Spill cleanup materials available:	YES	NO	N/A

Sampling			
Samples taken during inspection:	YES	NO	N/A
Sample Location:			
Issues with location or sample:	YES	NO	N/A

Recordkeeping & Reporting			
Records/reports maintained on-site:	YES	NO	N/A
Records maintained for 3 years:	YES	NO	N/A
Off-site disposal:	YES	NO	N/A
Records Reviewed:			
Wastes disposed off-site:			

Comments:	

City of Tacoma
Environmental Services Department
Pretreatment Inspection Form

Wastewater Treatment			
Wastewater treated prior to discharge:	YES	NO	N/A
Type(s) of pretreatment equipment utilized:			
Equipment operational/ good condition:	YES	NO	N/A
Can system be bypassed?	YES	NO	N/A
Bypasses or upsets since last inspection:	YES	NO	N/A
Alarms/Back up Power:			
Solids generated/ disposed of properly:	YES	NO	N/A
Observed dilution:	YES	NO	N/A
Equipment O&M/SOPs available:	YES	NO	N/A
Written logs are up to date:	YES	NO	N/A

pH Probe			
Is pH monitored on-site?	YES	NO	N/A
Type of recording:			
Calibration Frequency:			
Buffers used/ expiration date:			
Visual issues w/probe:	YES	NO	N/A
Written logs kept:	YES	NO	N/A

Stormwater			
Stormwater drains to:			
Treatment system is maintained:	YES	NO	N/A
Collection system is maintained:	YES	NO	N/A
Housekeeping issues affecting stormwater:	YES	NO	N/A

Flow Monitoring			
Is flow monitoring required?	YES	NO	N/A
Type of recording:			
Last calibrated:			
Current Readings:			
Issue with function or calibration records:	YES	NO	N/A

Air Pollution			
Control Equipment:	YES	NO	N/A
Waste stream Generated:	YES	NO	N/A

Significant Changes (± 20%)			
Changes In Production:	YES	NO	N/A
Wastewater flows/ treatment:	YES	NO	N/A
Potential Changes:	YES	NO	N/A

Comments:

City of Tacoma
Environmental Services Department
Pretreatment Inspection Form

Manufacturing Facilities			
New/changed processes:	YES	NO	N/A
New wastestreams:	YES	NO	N/A
Disposal of off-spec materials/products:	YES	NO	N/A
Temporary hoses/pumps:	YES	NO	N/A

Chemical Storage Area			
Trench or floor drains:	YES	NO	N/A
Containers/tanks in good condition, labeled, closed:	YES	NO	N/A
Containers properly stored, containment:	YES	NO	N/A
Hazardous waste disposal:	YES	NO	N/A

General Facility			
General Housekeeping Issues:	YES	NO	N/A
BMP Issues:	YES	NO	N/A
Floors/Equipment washed:	YES	NO	N/A
Shift Changes:	YES	NO	N/A
Changes to facility layout:	YES	NO	N/A

Additional Inspection Sheets			
Additional inspection sheets required:	YES	NO	N/A
Inspection sheets attached:	YES	NO	N/A

Comments:

Recommended Actions:

Required Actions:

Pretreatment Inspection Form - TOMP

Facility Name:		Facility Address:	
Type of Inspection:		Date/Time of Inspection:	
City Representative(s)		Facility Representatives(s), Title:	

Toxic Organic Management Plan (TOMP)					
Approved TOMP Plan Submitted	YES	NO	N/A	Toxic Ogranics Listed in TOMP or Total Toxic Organics (TTO) measured in wastewater:	
Date Approved:					
TOMP Plan Available	YES	NO	N/A	Describe TTO disposal:	
TOMP Plan Up to date	YES	NO	N/A		
Date of Last TTO Monitoring:					

APPENDIX L

Inspection Entry Procedures

INSPECTION ENTRY PROCEDURES

October 2021

Prepared by
City of Tacoma
Environmental Services, Business Operations Division

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1. GENERAL

In the City of Tacoma (City) and in contributing jurisdictions that discharge to the City's Publicly Owned Treatment Works (POTW), the Environmental Services Department, its Director and its authorized representatives and their successors (Control Authority), have responsibility for administering the City's approved Pretreatment Program to all industrial users. Control Authority staff work with business owners, managers, facility representatives and facility staff to require compliance with applicable federal, state and local pretreatment standards and requirements.

In accordance with 40 CFR 403.8(f)(2)(v) the Control Authority establishes legal authority to enter, inspect, review/copy records, and sample discharges or materials likely to be discharged by industrial users per Tacoma Municipal Code (TMC) Chapter 12.08C.900. For additional guidance Control Authority staff may reference EPA's Industrial User Inspection and Sampling Manual for POTWs.

For the purposes of this document Control Authority staff are referred to as lead inspector/inspector.

2. OBJECTIVES

The objectives of this document are to provide a general framework to inspectors regarding the following procedures:

- procedure for obtaining consent prior to entry
- procedure if consent for entry is denied

3. TACOMA MUNICIPAL CODE 12.08C

TMC 12.08C grants inspectors the authority to:

- access all parts of a facility to inspect sources that discharge or may be discharged to the POTW,
- inspect an industrial user's facility to include its pretreatment facilities, associated processes, storage areas, and wastewater monitoring facilities,
- inspect and request copies of the business' records relating to waste, wastewater and chemical management, and storage/disposal practices, and
- take samples of wastewater that is being discharged or may be discharged to the POTW

Entry, inspection, and sampling should be done at reasonable times. Reasonable times include normal business hours; hours during which production, treatment, or discharge occurs, or times when the Control Authority has reasonable cause to believe that a violation has occurred or is occurring requiring immediate inspection. Composite sampling over an extended period to confirm compliance with pretreatment standards and requirements is not considered contrary to this requirement.

Regarding a suspected illicit discharger; if initial entry to the premises is to be made after reasonable hours, the inspector should coordinate with the City Attorney to obtain guidance on how to proceed.

Chapter 12.08C gives the inspector the authority to require an industrial user (on a routine or non-routine basis) to provide information as may be reasonably required in order to determine if the industrial user is complying with TMC 12.08C. The inspector may use this authority to

request information/records. The inspector should, if this information is not immediately provided, continue the inspection and request that the information be provided at a later time. As a follow-up, a written request for the information can also be sent to the industrial user after the inspection is concluded.

4. RIGHT OF ENTRY

The following procedures are to be followed when entering a facility for the purpose of conducting a compliance inspection:

- All inspectors shall have proper credentials and identification, as well as any safety equipment required during the industrial facility inspection (some industrial users supply inspectors with site specific safety equipment).
- One inspector shall lead the inspection team, and this inspector will be referred to as the "lead inspector". All compliance inspections shall begin at reasonable times.
- Upon arrival at the facility, the lead inspector shall present their credentials and ask for the facility representative. Consent to enter the facility must be given by the owner or operator, or their designated representative
- The inspectors shall not sign any waiver of responsibility or liability. If the waiver is attached to a sign-in sheet, the inspector should request a blank sign-in sheet.
- Upon contact with the facility representative, all inspectors shall present all necessary credentials. The lead inspector shall explain the purpose of the inspection as follows:
    - a compliance inspection, authorized by Chapter 12.08C of the City Municipal Code
    - control mechanism required records inspection, such as; self-monitoring reports, control mechanism associated documents, O&M manual documents, disposal records, etc.
    - a pretreatment facility inspection
    - a sampling inspection
- The inspector should not sign any pledge of secrecy or confidentiality agreements or any agreement that would limit the POTW's ability to disclose or use the information obtained while inspecting an industrial user. Often, facility sign-in sheets include a clause that prohibits reporting of information seen in the facility, in which case the inspector should not sign the form.
- If the inspector is refused entry because they do not sign a release, they should leave and immediately report all pertinent facts to his/her supervisor and/or City Attorney. All events surrounding the refused entry should be fully documented, and problems should be discussed cordially and professionally.
- Facility representatives must not be subjected to any form of intimidation or threats for their failure to allow an inspector entry to the premises.
- Inspectors should keep in mind that they are at the facility to conduct an inspection, not to see a specific individual. If the normal contact is not in, the inspection should generally not be postponed.

- If the inspection team is denied entry:
    - The inspector should show his or her credentials and/or identification and present the documentation that provides the inspector the right to access the facility,
    - if entry is not granted, courteously ask why. Diplomatically probe the reason for the denial to see if obstacles (such as misunderstandings) can be resolved,
    - if entry is still denied all inspectors will leave immediately without challenge or argument, and without making any statements,
    - all observations pertaining to the denial should be noted carefully in the inspector's field notes, and
    - the lead inspector shall contact his/her supervisor and/or City Attorney and provide the details of the denial
- If at any time during the inspection the facility representative withdraws consent, the lead inspector shall:
    - Follow the above procedures for denied entry,
    - ask the responsible facility representative to explain the reason for the request to leave and accurately document the circumstances in the inspector's field notes. This documentation is to include specific statements made, by whom and the names of all persons present when particular statements were made,
    - make no threats or statements regarding consequences,
    - proceed to collect equipment, data, and samples already obtained prior to being requested or ordered to leave. All observations and findings obtained prior to the withdrawal of consent are valid and may be used in an enforcement proceeding against the facility. If the facility representative objects to this, make no arguments and leave immediately, and
    - after leaving the facility, the lead inspector shall immediately contact his/her supervisor and/or the City Attorney for further instructions

APPENDIX M

Industrial Onsite Inspection Report

City of Tacoma
Environmental Services Department

Pretreatment Inspection Report

Facility Overview	
Name of Industry	
Site Address	
Authorized Representative	
Industry Phone	
Permit Number	
Permit Issued Date	
Permit Expiration Date	
Date/Time of Visit	
Inspector(s)	
Facility Representative(s)	
Purpose of Inspection	
Scheduled	
Permit Type	
NAICS Code	
40 CFR Category	
Discharge To	
Process Discharge to Stormwater	
Pretreatment	
Type	
Environmental Permits	
Spill Plan Required	
Spill Plan Received	
Hazardous Waste Generator	

Facility Inspection	
Opening Conference	
Record Keeping & Reporting	
Treatment Facilities & Collection System	
Manufacturing Facilities & Chemical Storage and Spill Prevention Areas	
Control Plans & Permit	
Sampling & Flow Control	
General Facility Concerns	
Closing Conference	
Compliance Concerns	
Required Actions	

Inspection Photo Log	

APPENDIX N

SDCP Checklist

City of Tacoma

Pretreatment Program

Slug Discharge Control Plan Checklist

FEDERAL REQUIREMENT:

40 CFR, Part 403.8(f)(2)(vi), General Pretreatment Regulations

---

Facility Name: **Date**:

Facility Address: **Reviewed By**:

Contact Name: **Phone**:

MINIMUM REQUIREMENTS NEEDED IN A PLAN:

- ☐ Does the plan give a description of discharge practices, including non-routine "batch" discharges?
- ☐ Does the plan provide a description of **all** stored chemicals and liquids on-site, including those in above/below ground tanks?
- ☐ Does the plan give procedures for immediately notifying the POTW of slug discharges (phone number included), including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up, including written notification within five days?
- ☐ Does the plan explain procedures in place to prevent adverse impact from accidental spills to sewer including:
  - ☐ Routine inspection and maintenance of chemical/liquid storage tanks/areas?
  - ☐ Procedures for handling and transferring of liquids/solids, including loading and unloading of these materials?
- ☐ Are controls in place to prevent liquids from leaving the plant site, including stormwater run-off?
- ☐ Is worker training available and utilized?
- ☐ Do liquid storage tanks have secondary containment?
- ☐ Are there measures for containing toxic organics, such as solvents, on-site?
- ☐ Is equipment readily available for emergency response?
- ☐ Is a schematic of the plant layout included in the plan?

Note: ***Cities with approved pretreatment programs must evaluate the need for a Slug Discharge Control Plan at an industrial facility at a minimum once every two years for unpermitted facilities and annually for permitted facilities.***

Comments:

APPENDIX O

Enforcement Response Plan

PRETREATMENT PROGRAM
ENFORCEMENT RESPONSE PLAN

August 2021

PREPARED BY
CITY OF TACOMA
ENVIRONMENTAL COMPLIANCE

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ATTACHMENTS

Attachment A - Enforcement Response Matrix

Attachment B - Follow-Up Letter

Attachment C - Warning Letter

Attachment D - Notice of Violation

Attachment E - Notice of Violation with Monetary Penalties

Attachment F - Notice of Violation with Corrective Action Order

Attachment G - Notice of Violation with Corrective Action Order and Compliance Schedule

Attachment H - Notice of Emergency Suspension/Termination of Service

Attachment I - Monetary Gravity Penalty Criteria

Attachment J - Monetary Penalty Calculation Form

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GLOSSARY

Item	Description
Industrial User	A non-domestic source of an indirect discharge or any other industrial or commercial facility or business that has a sewer connection to the POTW, whether or not the industrial user (IU) discharges non-domestic wastewater.
Significant Industrial User (SIU)	A. All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and B. Any other industrial user that discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding domestic, noncontact cooling and boiler blowdown wastewater), or contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW, or is designated as such by the Control Authority on the basis that the IU has a reasonable potential for adversely affecting the POTW's operation, or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(F)(6).
Supplemental Fees	Expenses and costs the Control Authority incurs to address and respond to a violation of TMC 12.08C, and which shall include, but not be limited to: • personnel costs, both direct and indirect, • costs to investigate, contain, and abate the discharge, including cleaning up any contamination caused by the discharge that may be present within the POTW, at the point of discharge, or in the receiving environment, • costs to respond to a discharge causing pass through or interference, • costs to document and enforce a violation of TMC 12.08C, • costs to hire a contractor(s) or consultant(s) to respond to such violations, • laboratory costs and analytical expenses, • costs for equipment, materials, and supplies, • mobilization, transportation, treatment, storage, and disposal costs, • attorney's fees, when authorized, • costs required for printing or mailings, and • costs to collect unpaid supplemental fees.

1.0 INTRODUCTION

Pursuant to 40 CFR 403.8(f)(5) - *The POTW shall develop and implement an enforcement response plan,* this Enforcement Response Plan (ERP) outlines procedures for investigating and responding to instances of IU noncompliance with federal, state, and local wastewater discharge regulations as they pertain to discharges to the City of Tacoma's (City) publicly owned treatment works (POTW). Enforcement responses can be initiated for violations of Tacoma Municipal Code (TMC), state and federal pretreatment standards and requirements, conditions of an industrial wastewater discharge permit (IWDP) or other control mechanism, and administrative orders.

The ERP contains detailed procedures indicating how the City's Pretreatment Program (Control Authority) staff will investigate and respond to instances of IU noncompliance. In accordance with 40 CFR 403.8(f)(5) the plan contains, at a minimum, the following components:

- description of how the POTW will investigate instances of noncompliance
- description of the types of escalating enforcement responses the Control Authority will take in response to all anticipated types of IU violations and the time periods within which responses will take place
- identity (by title) of the official(s) responsible for each type of response
- description that adequately reflects the Control Authority's primary responsibility to enforce all applicable pretreatment requirements and standards in the manner detailed in 40 CFR 403.8 (f)(1) and *(f)(2)-Legal Authority—Procedures*

This ERP provides guidance to staff and is intended to be used as a general framework for responding to violations. The Control Authority staff reserves the right to act at variance with the ERP.

2.0 LEGAL AUTHORITY

The City's Pretreatment Ordinance, codified in TMC 12.08C and enforcement authority codified in TMC 1.82, provides the legal authority for the Control Authority to perform its pretreatment responsibilities as required by 40 CFR 403.8(f)(1) *Legal authority*.

The City's Pretreatment Program was implemented following program approval by the Environmental Protection Agency (EPA) on November 30, 1984. The Washington State Department of Ecology (Ecology) was delegated primary responsibility for establishment, implementation, and enforcement of the National Pretreatment Program within the State of Washington in September 1986. On October 7, 1994, Ecology issued Order No. DE 94WQ-S358 to delegate the State's Pretreatment Program to the City.

Ecology issued separate National Pollutant Discharge Elimination System (NPDES) Wastewater Discharge Permits in June 2009 and October 2010, respectively, for the North End Wastewater Treatment Plant (NETP) and Central Wastewater Treatment Plant (CTP) with regulations for the Pretreatment Program under both.

3.0 FINDING AND INVESTIGATING NONCOMPLIANCE

Control Authority staff investigates all instances of noncompliance. Effluent violations are normally found by reviewing self-monitoring reports and Control Authority sampling data, routine site inspections, third-party complaints, or self-reporting by the IU. Administrative violations, such as late reports or failure to meet compliance schedules, are normally found by tracking due dates and IU's submittal deadlines. Other violations are found from conducting inspections and other surveillance activities.

In order to identify violations, IU records are reviewed, and activities are monitored in the following ways.

3.1 Self-Monitoring Reports

Industrial user self-monitoring reports are date stamped when received. Control Authority staff verifies that each self-monitoring report is on time and complete as required by the IU's permit. Sampling results are also examined for compliance with sampling protocol, permit limits, compliance schedule milestone requirements, and/or any other reporting requirements specified in the IU's permit or compliance schedule. Control Authority staff note any instance of noncompliance and compare it with the IU's historical compliance record, then consults the Enforcement Response Matrix (Attachment A) to determine the appropriate enforcement response. Enforcement responses are initiated by Control Authority staff within thirty (30) days from the stamped date of the report unless there are extenuating circumstances.

3.2 Compliance Monitoring

The Control Authority conducts compliance monitoring (sampling and analysis) through bi-annual sampling of all significant industrial users' (SIUs') discharges in accordance with the techniques prescribed in 40 CFR Part 136 (and amendments thereto). The Control Authority staff may sample other user discharges as determined necessary. When Control Authority staff receives sampling and analysis results, they compare them with the IU's permit limits. Any instance of noncompliance is noted and compared with the IU's historical compliance record. The Enforcement Response Matrix is then consulted to determine the appropriate enforcement response. Enforcement responses should be initiated by Control Authority staff within thirty (30) days from the receipt of lab reports.

3.3 Inspection of Industrial User Facilities

The Control Authority inspects SIUs at least annually. The Control Authority inspects other users as determined necessary. Inspections may reveal noncompliance with federal, state, and local pretreatment standards and requirements and/or violations of permit conditions. Control Authority staff note instances of noncompliance and compare them with the IU's historical compliance record, then consults the Enforcement Response Matrix to determine the appropriate enforcement response. Serious instances of noncompliance (i.e., discharge violations) detected during an inspection may warrant immediate facility shutdown in accordance with the provisions of Tacoma Municipal Code (TMC), Chapter 12.08C and Chapter 1.82. Enforcement responses should be initiated by Control Authority staff within thirty (30) days from discovery of the violation.

3.4 Industrial User Compliance Database

Administrative and effluent violations may also be found by maintaining and evaluating IU compliance data in an electronic database. The database provides a record of the compliance data for each permitted or monitored industry. The data are evaluated routinely

for administrative and effluent violations and are particularly helpful in determining recurring or ongoing noncompliance. Any instance of noncompliance is noted and compared with the IU's historical compliance record. The Enforcement Response Matrix is then consulted to determine the appropriate enforcement response. Enforcement responses should be initiated by Control Authority staff within thirty (30) days from the discovery of the violation.

3.5 Analyses, Complaints, and Spill Notifications

Violations may be found as a result of laboratory analyses, third-party complaints, and spill (or other unauthorized discharge) notifications. Control Authority staff note violations and compare them with the IU's historical compliance record, then consult the Enforcement Response Matrix to determine the appropriate enforcement response. Enforcement responses should be initiated by Control Authority staff within thirty (30) days from the date of notifications or discovery of potential violations.

3.6 Investigating Noncompliance

Control Authority staff (Source Control Representatives) investigations must be sufficiently detailed to confirm whether or not a violation has occurred and, if so, to determine the nature and extent of the noncompliance. Before the enforcement response is selected, a thorough investigation of noncompliance will be conducted. Control Authority staff will develop a complete chronology of events, circumstances, and activities related to a violation.

Documentation shall include:

- clear and factual data
- records
- observation reports
- statements regarding:
  - the nature and circumstances of the violation
  - current and previous IU enforcement actions by the Control Authority,
  - observed degree of awareness by the IU of the violation, including indications of intent and/or negligence
  - the IU's response to the violation.

The documentation may be in the form of

- telephone conversation records
- event logs
- electronic correspondence
- memoranda confirming conversations
- meeting memoranda or minutes
- sample records
- inspection reports
- photographs

- statements from witnesses
- any relevant correspondence

Upon evaluating the facts concerning the nature and extent of noncompliance, Control Authority staff will consult the Enforcement Response Matrix to determine the appropriate enforcement action.

4.0 ENFORCEMENT RESPONSES

Enforcement responses range from a reminder telephone call to termination of service and assessment of monetary penalties. Available enforcement responses in order of escalation are identified below:

Initial Enforcement Response

- Verbal (telephone call or site visit) or email notification
- Field Inspection Reports
- Letters (Attachment B)
- Meetings
- Warning Letters (Attachment C)

Administrative Enforcement Response

- Notice of Violation (Attachment D)
- Monetary Penalties (Attachment E)
- Corrective Action Order (Attachment F)
- Compliance Schedule (Attachment G)
- Revocation of Permit/Suspension of Service (Attachment H)
- Criminal Prosecution
- Supplemental Fees
- Combinations of the above

5.0 RESPONSE TO USER NONCOMPLIANCE

Each instance of noncompliance by an IU with the requirements of the Control Authority should be reviewed and appropriately addressed. Factors such as severity and duration of the noncompliance, compliance history, good faith of the IU, and the harm caused by the violation will be considered. Any instance of Significant Noncompliance (SNC) requires a minimum of a Notice of Violation. The Enforcement Response Matrix recommends a range of initial and escalated enforcement responses.

5.1 Initial Notice to Industrial User

5.1.1 Verbal, E-mail Notification, or Meeting

Records of a conversation, telephone notification or meetings related to a violation are documented and retained in the IU's file. Verbal communication or a Field Inspection Report may be used to notify an IU of a minor violation, remedies to prevent a future recurrence, and/or to notify the IU that subsequent violations of the same type will be dealt with more severely. Email communication may also be used to notify an IU of a minor violation.

5.1.2 Warning Letter

The warning letter describes the time, date, place, and circumstances of each instance of noncompliance. A requirement to respond within five calendar days of receipt of the

warning letter to explain each instance of noncompliance and remedy to prevent further noncompliance may be included as appropriate. The warning letter also includes a statement that escalated enforcement response will occur should noncompliance continue.

5.2 Administrative Enforcement

5.2.1 Notice of Violation

The Control Authority may issue a written Notice of Violation (NOV) to an IU that has violated any provision of TMC Chapter 12.08C, terms and requirements of the IU's permit, or federal pretreatment standards or requirements. An NOV is always prepared when an IU's violation meets the criteria for SNC, as defined in TMC 12.08C.1000

The contents of the NOV include a description of the time, date, place, and circumstances of each instance of noncompliance, specific violations cited, corrective actions, if required, and procedures for appeal. The NOV also includes a statement that an escalated enforcement response will occur should noncompliance continue or recur.

5.2.2 Notice of Violation with Monetary Penalties

In addition to the contents and requirements of the Notice of Violation, the Control Authority has the authority to issue monetary penalties of up to $10,000 per day for each violation. The contents of the NOV with monetary penalties include instructions for payment and the timeframe and procedure for appeal.

5.2.3 Notice of Violation with Corrective Action Order

The NOV with Corrective Action Order is an escalated enforcement response used for achieving compliance following recurring, or potentially recurring, instances of noncompliance, intentional violations, or for violations that the Control Authority determines to have caused, alone or in combination with other discharges, pass through or interference, including endangering the health of the general public or the health of POTW personnel. This enforcement action may be combined with monetary penalties and is made following a thorough review of all instances of noncompliance and/or responses to previous enforcement actions.

The NOV with Corrective Action Order contains the contents of the NOV, each instance of noncompliance, and the timeframe and procedures for appeal. The NOV with Corrective Action Order also includes a statement that escalated enforcement response will occur should noncompliance continue.

5.2.4 Notice of Violation with Corrective Action Order and Compliance Schedule

The NOV with Corrective Action Order and Compliance Schedule is an escalated enforcement response and requires the IU to accomplish certain tasks and provide progress reports following specific milestone dates. This enforcement action may be combined with monetary penalties and is made following a thorough review of all instances of noncompliance and/or responses to previous enforcement actions.

The NOV with Corrective Action and Compliance Schedule contains the contents of the NOV, each instance of noncompliance, and the timeframe and procedures for appeal. The NOV with Corrective Action Order and Compliance Schedule also includes a statement that escalated enforcement response will occur should noncompliance continue or recur. The Compliance Schedule is enforceable as a stand-alone document or as a permit condition when issued to an IU.

5.2.5 Revocation of Permit/Suspension of Service

The need for this action is reached when all other previous enforcement attempts to bring an IU into compliance have failed. Additionally, this action is used when a wastewater discharge presents imminent or substantial danger to human health or the environment or threatens to interfere with the operation of the POTW. This enforcement response can be initiated on an emergency basis under TMC, Chapter 12.08C.440 and 12.08C.1220.

For suspension of service, the documents will contain data relevant to the instances of noncompliance leading to this level of enforcement action and be provided to the City Attorney for review. City Attorney approval is required in order to proceed with this level of enforcement.

5.2.6 Criminal Prosecution

The City Attorney's Prosecutor's Office retains discretion to file criminal charges for violations that constitute a criminal offense. The requirements of criminal prosecution law will dictate the manner for proceeding with this level of enforcement response.

5.2.7 Supplemental Fees

The Control Authority is authorized to recover expenses and costs incurred to address and/or respond to violations of Tacoma Municipal Code.

6.0 MONETARY PENALTY GRAVITY CRITERIA

The Monetary Penalty Gravity Criteria form (Attachment I) is completed for each monetary penalty. To calculate the penalty, the Monetary Penalty Calculation form (Attachment J) is used. The form lists all violations and uses gravity criteria to rate each individual violation. Total rating points are used to obtain a recommended penalty for each violation. The recommended penalty is multiplied by the duration (number of days) of the violation to obtain the total recommended penalty for each violation. The sum of penalties for all violations is considered the "Total Recommended Penalty".

In cases of Significant Noncompliance (SNC) as defined in TMC 12.08C.1000, the Control Authority may waive the Monetary Penalty Gravity Criteria and impose monetary penalties for each separate violation per day in the amount not to exceed $10,000 in accordance with TMC, Chapter 12.08C.1200.

Both the Courts and the Environmental Hearings Board have ruled that monetary penalties are not "punitive." Rather, they are an enforcement tool that provides an economic motivation to change behavior and ensure compliance with the law. Such actions are aimed at achieving correction of environmental regulatory violations and to deter future violations.

ATTACHMENTS

ATTACHMENT A

ENFORCEMENT RESPONSE MATRIX

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
I. UNAUTHORIZED DISCHARGES					
Unpermitted Discharge	1. No harm to POTW/receiving waters	Warning Letter Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Harm to POTW/receiving waters (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Evidence of intent or negligence (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	4. Recurring violation following Notice of Violation	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
II. DISCHARGE LIMIT VIOLATIONS					
Exceeds Local Standard or Permit Limit	1. Isolated, not significant	Verbal or Email Meeting Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	User File Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Isolated, significant	Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
II. DISCHARGE LIMIT VIOLATIONS					
					Requested
	3. Isolated, potential or actual harm to POTW/receiving water (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	4. Recurring, no harm to POTW/receiving water	Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	5. Recurring, significant harm to POTW/receiving water (meets SNC criteria)	Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested
Violation(s) of General Permit Conditions	1. No harm to POTW/receiving water (initial occurrence)	Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Harm to POTW/receiving water	Notice of Violation Monetary Penalties Corrective Action Order	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Recurring (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
III. MONITORING AND REPORTING VIOLATIONS					
Reporting Violations	1. Report is completed improperly	Verbal or Email Meeting	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	User File Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Report is completed improperly after initial notice by Control Authority	Warning Letter Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Late reporting, single required report (meets SNC criteria)	Verbal or Email Meeting Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	User File Hand Delivery First Class/ Certified Mail Return Receipt Requested
	4. Recurring late reports or SNC reporting time limit exceeded	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	5. Failure to report a spill	Warning Letter Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	6. Repeated failure to report spills (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	7. Falsification (meets SNC criteria)	Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
III. MONITORING AND REPORTING VIOLATIONS					
					Requested
Failure to Monitor Correctly	1. Failure to monitor all pollutants as required by permit	Verbal or Email Meeting Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	User File Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Recurring failure to monitor after notice by Control Authority	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Evidence of negligence or intent to ignore permit monitoring requirements (meets SNC Criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested
Improper Sampling	1. Failure to use proper sampling protocol (i.e., grab/composite)	Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Recurring failure to use proper sampling protocol after notice by Control Authority	Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Tampering with sampling equipment/data	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
III. MONITORING AND REPORTING VIOLATIONS					
Compliance Schedules	1. Missed interim date (without approval for extension)	Warning Letter Notice of Violation	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Continual violation of compliance schedule (meets SNC criteria)	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested
Pretreatment or Monitoring Equipment	1. Improper operation of pretreatment or monitoring equipment	Warning Letter Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager, Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	2. Continual or recurring pretreatment equipment failures resulting in violations	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
IV. OTHER VIOLATIONS					
Right of Entry	1. Entry denied by IU or withdrawn	Warrant for entry may be secured	Environmental Compliance, Senior Source Control Representative	City Attorney	Hand Delivery
Violation(s) of TMC, Chapter 12.08C	1. Industrial user unaware of requirement; no harm to POTW/receiving water	Verbal or Email Meeting Warning Letter	Environmental Compliance, Senior Source Control Representative	Environmental Compliance Assistant Division Manager	User File Hand Delivery First Class/ Certified Mail Return Receipt Requested

ENFORCEMENT RESPONSE MATRIX					
Noncompliance	Nature of Noncompliance	Range of enforcement response	Preparation	Enforcement Responsibilities Review/Approve	Issuance
IV. OTHER VIOLATIONS					
	2. Industrial user unaware of requirement; harm to POTW/receiving water	Notice of Violation Monetary Penalties	Environmental Compliance, Senior Source Control Representative	Environmental Services Director	Hand Delivery First Class/ Certified Mail Return Receipt Requested
	3. Failure to comply with above enforcement requirements meeting SNC criteria	Notice of Violation Monetary Penalties Corrective Action Order Compliance Schedule Revocation of Permit/Suspension of Service	Environmental Compliance, Senior Source Control Representative	Environmental Services Director, City Attorney	Hand Delivery First Class/ Certified Mail Return Receipt Requested

ATTACHMENT B

FOLLOW-UP LETTER

City of Tacoma
Environmental Services Department

[DATE]

[NAME]

[FACILITY NAME]

[MAILING ADDRESS]

[CITY, STATE ZIP CODE]

Subject: Follow-Up Letter – [VIOLATION]

Dear [NAME]:

This letter serves to confirm that on [DATE], Environmental Compliance representative [NAME], contacted you regarding the [VIOLATION] that occurred on [DATE].

Environmental Compliance understands that [INCLUDE DESCRIPTION OF CONCLUSIONS REACHED WITH REGARD TO THE VIOLATION INCLUDING THE CIRCUMSTANCES SURROUNDING THE OCCURANCE AND REMEDIES TO BE TAKEN BY THE FACILITY TO PREVENT FUTURE VIOLATIONS].

If you have questions regarding this matter, please contact [NAME] at [PHONE NUMBER] or [EMAIL].

Sincerely,

[NAME]

[TITLE]

Environmental Compliance

ATTACHMENT C

WARNING LETTER

City of Tacoma
Environmental Services Department

[DATE]

[NAME]

[FACILITY NAME]

[MAILING ADDRESS]

[CITY, STATE ZIP CODE]

Subject: Warning Letter – Failure to [VIOLATION]

Dear [NAME]:

Under the legal authority granted by Tacoma Municipal Code (TMC) Chapter 12.08C and TMC Chapter 1.82, Title 40 CFR Part 403.8(f)(1) and Industrial Wastewater Discharge Permit Number [PERMIT NUMBER], Environmental Compliance is issuing [FACILITY NAME] this warning letter for failure to [VIOLATION].

[DESCRIPTION OF EACH VIOLATION INCLUDING TIME, DATE, PLACE, AND CIRCUMSTANCES].

Requirement(s)

[OPTIONAL: WITHIN FIVE (5) DAYS OF RECEIPT OF THIS LETTER, PROVIDE AN EXPLAINATION OF THE DETAILS SURROUNDING EACH VIOLATION DESCRIBED ABOVE AND ANY CORRECTIVE ACTIONS TAKEN TO PREVENT FUTURE VIOLATIONS].

This letter serves as a formal warning against future violations of this nature. You are hereby notified that future violations of this nature shall result in escalating enforcement actions that may include additional monitoring and sample requirements, fines and/or monetary penalties as established in the City of Tacoma's Enforcement Response Plan.

If you have questions regarding this matter, please contact [NAME] at [PHONE NUMBER] or [EMAIL].

Sincerely,

[NAME]
[TITLE]

Environmental Compliance

Enclosures: [AS APPROPRIATE]

ATTACHMENT D

NOTICE OF VIOLATION

IN THE MATTER OF)
NOTICE OF VIOLATION FOR)

No. [ ]

[FACILITY NAME]
[REGISTERED AGENT NAME]
[MAILING ADDRESS]
[CITY, STATE ZIP CODE]

I. Location of Violation:

II. Legal Authority and Notice of Violation

In accordance with Tacoma Municipal Code (TMC) 12.08C1200, TMC Chapter 1.82, the requirements of Industrial Wastewater Discharge Permit No. [PERMIT NUMBER], and the Federal General Pretreatment Regulations (40 CFR Part 403), the City of Tacoma (City) Environmental Services Department is issuing this Notice of Violation ("Notice") to [FACILITY NAME] located at [PHYSICAL ADDRESS, CITY, STATE ZIP CODE], for the following violation(s) of the conditions of IWDP # (Permit Number) and applicable sections of TMC 12.08C:

- [DESCRIPTION OF VIOLATION(S) INCLUDE SPECIFIC LINK TO TMC VIOLATION AND PERMIT CITATION]

A violation of a condition of an Industrial Wastewater Discharge Permit is a prohibited practice under TMC 12.08C.1200 and subject to enforcement pursuant to and in accordance with the Environmental Services Enforcement Response Plan and TMC Ch. 1.82.

III. Background

[DETAILED INFORMATION INCLUDING THE DATE, TIME, PLACE, AND CIRCUMSTANCES OF EACH VIOLATION.]

IV. Corrective Action

[CORRECTIVE ACTION REQUIRED TO RETURN TO COMPLIANCE, IF APPLICABLE.]

V. Appeal Process

This Notice of Violation represents a determination that a violation of TMC Chapter 12.08C has occurred, which is final unless you appeal this Notice of Violation to the City of Tacoma's Hearing Examiner and request a hearing as provided in TMC 1.82.050.J. If you decide to file an appeal, you must do so within ten(10) days from the date of receipt of this Notice pursuant to TMC 1.84.020 and TMC 12.08A.140.

The procedures for filing an appeal are set forth in TMC 1.82.050.J and TMC 1.84.020. Appeals must be directed to:

City of Tacoma

Tacoma Municipal Building
Office of the Hearing Examiner
747 Market Street
Tacoma, WA 98402

This Notice of Violation (NOV) does not carry a penalty. This also is not a notice of Significant Noncompliance (SNC) status. This Notice is a formal document, which requires that future related violations be met with escalated enforcement including monetary penalties and/or SNC status.

By Order of the undersigned Environmental Services Department Compliance Officer:

Signed this ___day of _____, [YEAR] at Tacoma, Washington.

[NAME]

Environmental Services Department Compliance Officer

ATTACHMENT E

NOTICE OF VIOLATION WITH MONETARY PENALTIES

IN THE MATTER OF)
NOTICE OF VIOLATION)
WITH CIVIL PENALTIES FOR)

No. [ ]

[FACILITY NAME]
[REGISTERED AGENT NAME]
[MAILING ADDRESS]
[CITY, STATE ZIP CODE]

I. Location of Violation:

II. Legal Authority and Notice of Violation

In accordance with Tacoma Municipal Code (TMC) 12.08C.1200, TMC Chapter 1.82, the requirements of Industrial Wastewater Discharge Permit No. [PERMIT NUMBER], and the Federal General Pretreatment Regulations (40 CFR Part 403), the City of Tacoma (City) Environmental Services Department is issuing this Notice of Violation and Monetary Penalties ("Notice") in the amount of [PENALTY AMOUNT] to [FACILITY NAME] located at [PHYSICAL ADDRESS, CITY, STATE ZIP CODE], for the following violation(s) of the conditions of IWDP # (Permit Number) and applicable sections of TMC 12.08C:

- [DESCRIPTION OF VIOLATION(S) INCLUDE SPECIFIC LINK TO TMC VIOLATION AND PERMIT CITATION]

A violation of a condition of an Industrial Wastewater Discharge Permit is a prohibited practice under TMC 12.08C.1200 and subject to enforcement pursuant to and in accordance with the Environmental Services Enforcement Response Plan and TMC Ch. 1.82.

III. Background

[DETAILED INFORMATION INCLUDING THE DATE, TIME, PLACE, AND CIRCUMSTANCES OF EACH VIOLATION.]

IV. Notice of Violation with Civil Penalties

For the violations referenced in Section II above, the City is assessing this Notice of Violation with Civil Penalties in the amount of [PENALTY AMOUNT] to be issued to [FACILITY NAME], pursuant to TMC 12.08C.1200 The monetary penalties assessed shall be paid to the City **within thirty (30) calendar days** of receipt of this Notice or, if appealed, within thirty (30) calendar days of receipt of the Hearing Examiner's decision. The assessment shall be payable to the City of Tacoma at:

Department of Financial Services

Billing and Technical Services
2201 Portland Avenue
Tacoma, WA 98421

V. Appeal Process

This Notice of Violation with Monetary Penalties represents a determination that a violation of Chapter 12.08C TMC has occurred, which is final unless you appeal this Notice of Violation with

Monetary Penalties to the City of Tacoma's Hearing Examiner and request a hearing as provided in TMC 1.82.050.J. If you decide to file an appeal, you must do so within ten (10) days from the date of receipt of this Notice, pursuant to TMC 1.84.020 and TMC 12.08A.40.

The procedures for filing an appeal are set forth in TMC 1.82.050.J and TMC 1.84.020. Appeals must be directed to:

City of Tacoma
Tacoma Municipal Building
Office of the Hearing Examiner
747 Market Street
Tacoma, WA 98402

This is not a notice of Significant Noncompliance (SNC) status. This Notice is a formal document, which requires that future related violations be met with escalated enforcement including monetary penalties, a corrective action order and/or SNC status.

By Order of the undersigned Environmental Services Department Compliance Officer:

Signed this ___day of _____, [YEAR] at Tacoma, Washington.

[NAME]

Environmental Services Department Compliance Officer

ATTACHMENT F

NOTICE OF VIOLATION WITH CORRECTIVE ACTION ORDER

IN THE MATTER OF)
NOTICE OF VIOLATION WITH)
CORRECTIVE ACTION ORDER FOR)

No. [ ]

[FACILITY NAME]
[REGISTERED AGENT NAME]
[MAILING ADDRESS]
[CITY, STATE ZIP CODE]

I. Location of Violation:

II. Legal Authority and Notice of Violation

In accordance with Tacoma Municipal Code (TMC) 12.08C.1200, TMC Chapter 1.82, the requirements of Industrial Wastewater Discharge Permit No. [PERMIT NUMBER], and the Federal General Pretreatment Regulations (40 CFR Part 403), the City of Tacoma (City) Environmental Services Department is issuing this Notice of Violation with Corrective Action Order ("Notice") to [FACILITY NAME] located at [PHYSICAL ADDRESS, CITY, STATE ZIP CODE], for the following violation(s) of the conditions of IWDP # (Permit Number) and applicable sections of TMC 12.08C:

- [DESCRIPTION OF VIOLATION(S) INCLUDE SPECIFIC LINK TO TMC VIOLATION AND PERMIT CITATION]

A violation of a condition of an Industrial Wastewater Discharge Permit is a prohibited practice under TMC 12.08C.1200 and subject to enforcement pursuant to and in accordance with the Environmental Services Enforcement Response Plan and TMC Ch. 1.82.

III. Background

[DETAILED INFORMATION INCLUDING THE DATE, TIME, PLACE, AND CIRCUMSTANCES OF EACH VIOLATION.]

IV. Corrective Action Order

For the violations referenced in Section II above, Environmental Services requires that **within thirty (30) calendar days** of receipt of this Notice, [FACILITY NAME] [DESCRIPTION OF CORRECTIVE ACTION REQUIRED BY THIS ORDER].

[IF THIS ACTION IS COMBINED WITH A PENALTY, INSERT APPROPRIATE WORDING FROM NOV WITH MONETARY PENALTIES EXAMPLE (ERP ATTACHMENT E) INCLUDING PAYMENT PROCEDURES].

V. Appeal Process

This Notice of Violation with Corrective Action Order represents a determination that a violation of Chapter 12.08C TMC has occurred, which is final unless you appeal this Notice of Violation with Corrective Action Order to the City of Tacoma's Hearing Examiner and request a hearing as provided in TMC 1.82.050.J. If you decide to file an appeal, you must do so within ten (10) days from the date of receipt of this Notice, pursuant to TMC 1.84.020 and TMC 12.08A.140.

The procedures for filing an appeal are set forth in TMC 1.82.050.J and TMC 1.84.020. Appeals must be directed to:

City of Tacoma
Tacoma Municipal Building
Office of the Hearing Examiner
747 Market Street
Tacoma, WA 98402

If you file an appeal, any hearing scheduled as a result of your appeal may be canceled if the Control Authority finds that [FACILITY NAME] has complied with the actions required by this Notice of Violation with Corrective Action Order.

This Notice of Violation (NOV) does not carry a penalty. This also is not a notice of Significant Noncompliance (SNC) status. This Notice is a formal document, which requires that future related violations be met with escalated enforcement including monetary penalties, a compliance schedule, a corrective action order and/or SNC status.

By Order of the undersigned Environmental Services Department Compliance Officer:

Signed this ___day of _____, [YEAR] at Tacoma, Washington.

[NAME]

Environmental Services Department Compliance Officer

ATTACHMENT G

NOTICE OF VIOLATION WITH CORRECTIVE ACTION ORDER AND COMPLIANCE SCHEDULE

IN THE MATTER OF	)	No. [ ]
NOTICE OF VIOLATION WITH	)	
CORRECTIVE ACTION ORDER AND	)	
COMPLIANCE SCHEDULE FOR	)	

[FACILITY NAME]

[REGISTERED AGENT NAME]

[MAILING ADDRESS]

[CITY, STATE ZIP CODE]

I. Location of Violation

II. Legal Authority and Notice of Violation

In accordance with Tacoma Municipal Code (TMC) 12.08C.1200, TMC Chapter 1.82, requirements of Industrial Wastewater Discharge Permit No. [PERMIT NUMBER], and the Federal General Pretreatment Regulations (40 CFR Part 403), the City of Tacoma (City) Environmental Services Department is issuing this Notice of Violation with Corrective Action Order and Compliance Schedule ("Notice") to [FACILITY NAME] located at [PHYSICAL ADDRESS, CITY, STATE ZIP CODE], for the following violation(s) of the conditions of IWDP # (Permit Number) and applicable sections of TMC 12.08C:

- [DESCRIPTION OF VIOLATION(S) INCLUDE SPECIFIC LINK TO TMC VIOLATION AND PERMIT CITATION]

A violation of a condition of an Industrial Wastewater Discharge Permit is a prohibited practice under TMC 12.08C.1200 and subject to enforcement pursuant to and in accordance with the Environmental Services Enforcement Response Plan and TMC Ch. 1.82.

III. Background

[DETAILED INFORMATION INCLUDING THE DATE, TIME, PLACE, AND CIRCUMSTANCES OF EACH VIOLATION. INCLUDE APPLICABLE PREVIOUS RELATED ENFORCEMENT ACTIONS]

IV. Corrective Action Order and Compliance Schedule

[FACILITY NAME] is being issued this NOV with Corrective Action Order and Compliance Schedule to take actions to comply with [VIOLATION(S) (I.E., PERMIT LIMITS, LOCAL LIMITS, ETC.)].

[DESCRIPTION OF THE COMPLIANCE SCHEDULE REQUIRED BY THIS ORDER INCLUDING SPECIFIC MILESTONE DATES]

No later than fourteen (14) days following each milestone date, [FACILITY NAME] shall submit a progress report. The report shall include a statement as to whether [FACILITY NAME] has complied with the milestone dates and if not, the date on which [FACILITY NAME] expects to comply, the reason for delay, and the steps being taken to return the [REQUIRED ACTION] to the approved schedule. Failure to comply with the [DATE] deadline will result in escalated enforcement action.

[IF THIS ACTION IS COMBINED WITH A PENALTY, INSERT APPROPRIATE WORDING FROM NOV WITH MONETARY PENALTIES EXAMPLE (ERP ATTACHMENT E) INCLUDING PAYMENT PROCEDURES].

V. Appeal Process

This Notice of Violation with Corrective Action Order and Compliance Schedule represents a determination that a violation of Chapter 12.08C TMC has occurred, which is final unless you appeal this Notice of Violation with Corrective Action Order and Compliance Schedule to the City of Tacoma's Hearing Examiner and request a hearing as provided in TMC 1.82.050.J. If you decide to file an appeal, you must do so within ten (10) days from the date of receipt of this Notice, pursuant to TMC 1.84.020 and TMC 12.08A.140.

The procedures for filing an appeal are set forth in TMC 1.82.050.J and TMC 1.84.020. Appeals must be directed to:

City of Tacoma
Tacoma Municipal Building
Office of the Hearing Examiner
747 Market Street
Tacoma, WA 98402

This Notice of Violation (NOV) does not carry a penalty. This also is not a notice of Significant Noncompliance (SNC) status. This Notice is a formal document, which requires that future related violations be met with escalated enforcement including monetary penalties, permit revocation/suspension of service and/or SNC status.

By Order of the undersigned Environmental Services Department Compliance Officer:

Signed this ___day of _____, [YEAR] at Tacoma, Washington.

[NAME]

Environmental Services Department Compliance Officer

ATTACHMENT H

NOTICE OF PERMIT REVOCATION/SUSPENSION OF SERVICE

IN THE MATTER OF	)	No. [ ]
NOTICE OF PERMIT REVOCATION OR	)	
SUSPENSION OF SERVICE FOR	)	

[FACILITY NAME]
[REGISTERED AGENT NAME]
[MAILING ADDRESS]
[CITY, STATE ZIP CODE]

I. Location of Violation

II. Legal Authority and Notice of Violation

In accordance with Tacoma Municipal Code (TMC) 12.08C.1200, TMC Chapter 1.82, the requirements of Industrial Wastewater Discharge Permit No. [PERMIT NUMBER], and the Federal General Pretreatment Regulations (40 CFR Part 403), the City of Tacoma (City) Environmental Services Department is issuing this Notice of Permit Revocation or Suspension of Service ("Notice") to [FACILITY NAME] located at [PHYSICAL ADDRESS, CITY, STATE ZIP CODE], for the following violation(s) of the conditions of IWDP # (Permit Number) and applicable sections of TMC 12.08C:

- [DESCRIPTION OF VIOLATION(S) INCLUDE SPECIFIC LINK TO TMC VIOLATION AND PERMIT CITATION]

A violation of a condition of an Industrial Wastewater Discharge Permit is a prohibited practice under TMC 12.08C.1200 and subject to enforcement pursuant to and in accordance with the Environmental Services Enforcement Response Plan and TMC Ch. 1.82.

III. Background

[DETAILED INFORMATION INCLUDING THE DATE, TIME, PLACE, AND CIRCUMSTANCES OF EACH VIOLATION. INCLUDE APPLICABLE PREVIOUS RELATED ENFORCEMENT ACTIONS]

IV. Permit Revocation or Suspension of Service

[FACILITY NAME] is being issued this Notice of Permit Revocation or Suspension of Service.

[IF THIS ACTION IS COMBINED WITH A PENALTY, INSERT APPROPRIATE WORDING FROM NOV WITH MONETARY PENALTIES EXAMPLE (ERP ATTACHMENT E) INCLUDING PAYMENT PROCEDURES].

[THE ACTUAL FORMAT AND WORDING OF THE ENFORCEMENT DOCUMENTS PREPARED FOR PERMIT REVOCATION OR SUSPENSION OF SERVICE WILL BE COORDINATED WITH THE CITY ATTORNEY]

V. Appeal Process

This Notice of Permit Revocation or Suspension of Service represents a determination that a violation of Chapter 12.08C TMC has occurred, which is final unless you appeal this Notice of Permit Revocation or Suspension of Service to the City of Tacoma's Hearing Examiner and request a hearing as provided in TMC 1.82.050.J. If you decide to file an

appeal, you must do so within ten (10) days from the date of receipt of this Notice, pursuant to TMC 1.84.020 and TMC 12.08A.140.

The procedures for filing an appeal are set forth in TMC 1.82.050.J and TMC 1.84.020. Appeals must be directed to:

City of Tacoma
Tacoma Municipal Building
Office of the Hearing Examiner
747 Market Street
Tacoma, WA 98402

By Order of the undersigned Environmental Services Department Compliance Officer:

Signed this ___day of _____, [YEAR] at Tacoma, Washington.

[NAME]

Environmental Services Department Compliance Officer

ATTACHMENT I

MONETARY PENALTY GRAVITY CRITERIA

Monetary Penalty Gravity Criteria

1. Did the violation result in a public health risk?

   Answer:

   No – if there is no evidence to support a claim of public health risk (= 0 pts).

   Possibly – if a public health risk can be inferred from evidence and knowledge of the effects of the violation (= 1 pts).

   Probably – if evidence supports a claim of public health risk and there is plausible connection between this violation and the health or effect (= 2 pts).

   Definitely – if there is direct evidence linking public health risk or adverse effects with the violation (=3 pts).

2. Did the violation result in environmental damage or adversely impact infrastructure?

   Answer:

   No – if there is no evidence to support a claim of environmental or infrastructure damage (= 0 pts).

   Possibly – if environmental or infrastructure damage can be inferred from evidence and knowledge of the effects of the violation (= 1 pts).

   Probably – if evidence supports a claim of environmental or infrastructure damage or impairment or if there is plausible connection between this violation and the damage or impairment (= 2 pts).

   Definitely – if there is direct evidence linking environmental or infrastructure damage with the violation (= 3 pts).

3. Was it a willful or knowing violation?

   Answer:

   No – if the violator obviously did not willfully or knowingly cause the violation (= 0 pts).

   Possibly – if it appears likely the violator acted willfully or knowingly to cause the violation (= 1 pts).

   Probably – if it appears the violator was in a responsible position that should have known it was acting willfully or knowingly (= 2 pts).

   Definitely – if it appears the violator clearly acted willfully or knowingly. If definitely, consult with the Criminal Investigation Unit within the Environmental Protection Agency (= 3 pts).

4. Was the Industrial User's representative unresponsive in correcting the violation?

   Answer:

   No – if the violation was corrected as soon as it became apparent (= 0 pts).

   Possibly – if the IU's representative(s) made a timely attempt to correct the problem but did not correct it (= 1 pts).

Probably – if the violation was corrected in a less timely and cooperative manner (= 2 pts).

Definitely – if the IU's representative made no effort to correct the violation (= 3 pts).

5. Was the violation the result of improper operation and/or inadequate maintenance?

   Answer:

   No – if the violation was clearly not the result of improper operation or inadequate maintenance (= 0 pts).

   Possibly – if the facility has an O&M manual, Pollution Prevention Plan, Spill Plan and Best Management Practices manual that did not address the specific circumstance (= 1 pts).

   Probably – if there are no O&M manual, Pollution Prevention Plan, Spill Plan and Best Management Practices manual developed for the facility (= 2 pts).

   Definitely – if the facility has no plans or is not following its plans and the violation was clearly the result of improper operation and maintenance (= 3 pts).

6. Did the facility fail to obtain necessary permits and/or approvals to operate prior to the time of the violation?

   Answer:

   No – if the facility was authorized to operate prior to the violation (= 0 pts).

   Possibly – if the facility had reasonable basis to believe it was authorized to operate (= 1 pts).

   Probably – if the facility had no basis to believe it was authorized to operate (= 2 pts).

   Definitely – if the facility clearly lacked the required permits and/or approvals to operate prior to the violation (= 3 pts).

7. Did the facility benefit economically from noncompliance?

   Answer:

   No – if it is clear that, the facility obtained no economic benefit (= 0 pts).

   Possibly – if the facility could have benefited by not meeting similar requirements imposed on competition (= 1 pts).

   Probably – if the facility benefited, but the benefit is not quantifiable (= 2 pts).

   Definitely – if the facility benefitted and the economic benefit is quantifiable (= 3 pts).

8. Is this a repeat violation?

   Answer:

   No – if a different parameter or requirement was violated (= 0 pts).

   Yes – if the same parameter or requirement was violated (= 3 pts).

ATTACHMENT J

MONETARY PENALTY CALCULATION FORM

Monetary Penalty Calculation Form

Violation Description	Gravity Criteria Enter rating points for each question.				Total Rating Points (Add 1-8)	Penalty per Violation (see table below)	Duration (# of times violation occurred)	Total Penalty (penalty amount x duration)
	0	1	2	3				
1. Public health risk?								
2. Evidence of environmental damage?								
3. Evidence of intentional violation?								
4. Unresponsive in correcting violation?								
5. Evidence of improper operation or maintenance?								
6. Failure to obtain necessary permits?								
7. Economic benefit from noncompliance?								
8. Repeat violation? (For 8 ONLY: Answer 0=No or 3=Yes)								
TOTAL RECOMMENDED PENALTY FOR ALL VIOLATIONS:								
STATUTORY MAXIMUM (# OF VIOALTIONS) X $10,000:								

Point Values	
0=No	1=Possibly
2=Probably	3=Definitely

POINTS	RECOMMENDED PENALTY (per violation)	POINTS	RECOMMENDED PENALTY (per violation)	POINTS	RECOMMENDED PENALTY (per violation)
1	$500	8	$4,000	15	$7,500
2	$1,000	9	$4,500	16	$8,000
3	$1,500	10	$5,000	17	$8,500
4	$2,000	11	$5,500	18	$9,000
5	$2,500	12	$6,000	19	$9,500
6	$3,000	13	$6,500	20	$10,000
7	$3,500	14	$7,000		

APPENDIX P

Industrial User Self-Monitoring Report Checklist

City of Tacoma
Pretreatment Program

Industrial User Self-Monitoring Report Checklist

Industrial User:

Date Report Due: **Date Report Received:**

Reviewer Name: **Date of Review:**

Sampling Period Covered by this Report:

1. Was the Sampling Report submitted late? YES NO
   a. If yes, number of days late:
2. Did the Report include the Signatory Certification and was it signed by the Authorized Representative for the Industrial User (IU)? YES NO
3. Did the IU include a signed TTO Certification (e.g. metal finishing)? YES NO
4. Did the Report contain a completed Chain-of-Custody? YES NO
5. Were all pollutants for which monitoring is required sampled and analyzed? YES NO
6. Did the IU collect and analyze the correct number of samples?
7. Were all sample collection types correct (grab, composite)?
8. Were all samples analyzed within the required holding times?
9. Were all samples analyzed by approved analytical methods?
10. Were there any excursions from permit limits reported?
11. Did the IU report all known excursions within 24-hours?
12. Did the IU resample for all pollutants that showed an excursion within 30 days?
13. Is the report complete? ☐YES
14. Is a follow-up enforcement action required?
15. Did the IU submit analytical data or any part of the Self-Monitoring Report (SMR) in electronic format?

Notes: Click here to enter text.

APPENDIX Q

Engineering Report Checklist

City of Tacoma

Pretreatment Program

Slug Discharge Control Plan Checklist

FEDERAL REQUIREMENT:

40 CFR, Part 403.8(f)(2)(vi), General Pretreatment Regulations

---

Facility Name: **Date**:

Facility Address: **Reviewed By**:

Contact Name: **Phone**:

MINIMUM REQUIREMENTS NEEDED IN A PLAN:

- ☐ Does the plan give a description of discharge practices, including non-routine "batch" discharges?
- ☐ Does the plan provide a description of **all** stored chemicals and liquids on-site, including those in above/below ground tanks?
- ☐ Does the plan give procedures for immediately notifying the POTW of slug discharges (phone number included), including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up, including written notification within five days?
- ☐ Does the plan explain procedures in place to prevent adverse impact from accidental spills to sewer including:
  - ☐ Routine inspection and maintenance of chemical/liquid storage tanks/areas?
  - ☐ Procedures for handling and transferring of liquids/solids, including loading and unloading of these materials?
- ☐ Are controls in place to prevent liquids from leaving the plant site, including stormwater run-off?
- ☐ Is worker training available and utilized?
- ☐ Do liquid storage tanks have secondary containment?
- ☐ Are there measures for containing toxic organics, such as solvents, on-site?
- ☐ Is equipment readily available for emergency response?
- ☐ Is a schematic of the plant layout included in the plan?

Note: ***Cities with approved pretreatment programs must evaluate the need for a Slug Discharge Control Plan at an industrial facility at a minimum once every two years for unpermitted facilities and annually for permitted facilities.***

Comments:

APPENDIX R

Pre-inspection Checklist

Pretreatment Inspection Preparation Form

Facility Name:				Facility Address:	
Permit Number				Permit Dates	
IU Classification	SIU	CIU	Zero Discharge	Applicable Categorical Standards	
Sampling Wastewater during inspection	YES	NO	N/A	Date Facility in Operation / First Discharge to POTW	
Business Description					
SAFETY EQUIPMENT REQUIRED:					
Date of Last inspection				Inspectors	
Required Actions from last inspection & correction date					
Compliance Schedule	YES	NO	N/A	Reason	

Historic Sampling Data for Pollutants of Concern				
All parameters monitored last 6 months	YES	NO	N/A	Pollutant violations:
Pollutant Limits/ reporting limits violated last 12 months	YES	NO	N/A	
Last 12 months of monitoring data reviewed	YES	NO	N/A	

Other Environmental Permits			
Permit Type	Agency	Number	Expiration Date
Wastewater			
Wastewater-Direct Discharge			
Air			
RCRA (Hazardous Waste)			
Stormwater			
Other:			
Other:			

Pretreatment Inspection Preparation Form

Control Plan Review			
Is IU required to have a spill plan?	YES	NO	N/A
Date Submitted			
Date Approved			
Reviewed for content	YES	NO	N/A
Copy at Facility	YES	NO	Unknown
Reported spill/slug discharge since last inspection	YES	NO	N/A

Significant Changes (± 20%)			
Any known changes In Production	YES	NO	N/A
Any known Wastewater flows/ treatment	YES	NO	N/A

Plant Layout			
Plant Layout in File?	YES	NO	N/A
Copy/sketch for use during inspection	YES	NO	N/A
Date last schematic submitted:			

Operations			
Multiple shifts	YES	NO	N/A
	Times	Days	# Employees
Shift 1			
Shift 2			
Shift 3			

Flow Monitoring			
Is flow monitoring required?	YES	NO	N/A
Monitoring Equipment # & Location(s)			

Water Used Since Last Inspection				
Water Source		Daily Ave. Water Use (gpd)	Daily Max Water Use (gpd)	Measured/Estimated
	Municipal Water			
	Reuse Water			
	Surface Water			
	Recycled/Reused			
	Other			
	Other			
	Total Water Use			

Pretreatment Inspection Preparation Form

Wastewater Flows (May require inspection follow up to complete)				
Permit authorized flow at outfall(s)	Average Daily Flow (GPD)	Max Daily Flow (gpd)	Measures/Estimated	Batch/Continuous
Outfall				
Outfall				
Outfall				
Outfall				
Total Wastewater Flow from Municipal				

Comments:

APPENDIX S

Central Treatment Plant Local Limits Analysis

City of Tacoma, Washington

Local Limits Report for the Central Treatment Plant

Draft for State Review

June 19, 2018
Section B Revised 9/18/18

Central Treatment Plant
City of Tacoma, Washington
Industrial Pretreatment Program
Local Limits Revision

A. Purpose

The General Pretreatment Regulations (40 CFR Part 403) require that each Publicly Owned Treatment Works (POTW) with a pretreatment program develop and enforce Technically-Based Local Limits (TBLLs) which will establish the maximum loading of pollutants that can be accepted from industrial users without causing a violation of applicable environmental standards. Local limits are developed and enforced to prevent Pass Through and Interference, protect sludge disposal practices and prevent impacts to the health and safety of workers (40 CFR sections 403.2 and 403.5(c)(1)). Tacoma (City) used the EPA July 2004 Local Limits Development Guidance (EPA 833-R-04-002A) and input from the Washington Department of Ecology (Ecology) as a framework for establishing limits to protect the POTW and environment (40 CFR Section 403.8(f)(4)). The City has an on-going pollutant monitoring program and permit which requires sampling as specified in its National Pollutant Discharge Elimination System (NPDES) Permit (WA0037087) issued to the City's treatment plant located at 2201 Portland Avenue in Tacoma. The State of Washington has been authorized to implement and enforce the Industrial Pretreatment Program under 40 CFR Part 403. The State has established State-required regulations and NPDES permit requirements. The City is updating local limits pursuant to the general requirement to keep local limits up-to-date (40 CFR Section 403.5(c)(1)).

B. Municipal Organization

City has an estimated population of 198,000. The City has a Mayor-Council-City Manager form of government. The City has a nine-member City Council and a Mayor. The City Manager reports to the Mayor and City Council. The Pretreatment Program is in the Environmental Services Department, Business Operations Division, Environmental Compliance Group.

To ensure the program modifications are legally-defensible, review and approval by the City Council is generally necessary to assure adequate public participation and changes are being adopted into the legal authority consistent with the City's Administrative Procedures Act.

City Environmental Compliance staff and manager will coordinate putting together the package defined in paragraphs A and/or B above. The substantial modification package will be routed through Environmental Compliance, Business Operations Division, Environmental Services Director, City Attorney and the City Manager for concurrence. Once concurrence is obtained, the substantial modification package would then be forwarded to the appropriate City Council committee for action. After affirmative action by the committee, the Environmental Compliance program prepares a Council action memorandum that is filed in Granicus. The City Attorney prepares the Ordinance (the legal authority language is generally already

drafted). Environmental Services would contact the City Clerk to have the new Ordinance placed on the City Council Agenda.

The City Council will generally have a first and second reading to allow for the required public participation. The final approval by the City Council would be no less than 30 days after first reading. Submittal of the package to the State for approval would typically be completed after 1st reading by the City Council. Final approval by the City Council would be as close to the date of State approval as possible. If the City Council approves the Ordinance changes earlier than the State approval, the Ordinance shall include a statement similar to: "This Ordinance shall be effective upon the date of approval of the Local Limits by the State department of Ecology". The City may modify this process as needed.

C. Description of POTW(s)

Raw wastewater enters the plant through two 48-inch and one 60-inch line and passes through two reciprocating rake-style mechanically-cleaned ¾-inch bar screens into the influent wet well. Three 39 mgd dry-pit centrifugal pumps convey the wastewater to an abandoned comminutor channel to the two grit tanks located in the influent building. Plant influent flow is measured on the discharge pipe from the influent wet well with a 36-inch magnetic flow meter.

Expansion and improvements to the CTP headworks: Installed three new influent screens, each capable of screening 75 mgd; increased influent pumping capacity to 150 mgd with one pump out of service, and built a new grit removal facility consisting of three, 40 mgd aerated grit tanks to replace the existing grit removal tanks.

New peak wet weather flow treatment (PWWT) system: The new PWWT system uses the Actiflo ballasted sedimentation process to provide enhanced primary treatment capacity up to 76 mgd. The CTP influent flow up to 60 mgd goes through the existing primary and secondary treatment processes. Flow in excess of 60 mgd (during peak rainfall events) splits off upstream of the aerated grit facility to the Actiflo PWWT system.

Primary effluent is conveyed from the primary settling tanks to the high purity oxygen activated sludge process. There are four covered oxygenation tanks that continuously mix the primary effluent and return activated sludge. The oxygen is supplied to the tanks by a pressure swing adsorption (PSA) system that consists of two 30 ton/day capacity units that produce approximately 90 percent pure oxygen. A 20,000-gallon liquid oxygen backup storage tank is available in the event that more oxygen is needed or the PSA system is out of service. Each of the four oxygenation tanks is divided into four stages with a total volume of 4.1 million gallons. The process is typically operated with two tanks in service until plant flows reach 40 mgd then a third tank is brought online. The fourth tank is placed in service when plant flows approach 60 mgd. The oxygenation tanks are designed for a peak hydraulic flow of 78 mgd.

The mixed liquor from the oxygenation tanks flows into an open channel for distribution to six final clarifiers. Each circular clarifier is 116 feet in diameter has a side water depth of 12.75 feet with all six clarifiers having a total surface area of 63,410 square feet.

The City replaced the existing gaseous chlorine disinfection system with a sodium hypochlorite system. Chlorine disinfection is applied to the plant effluent at the final clarifier weirs and contact time is provided in the 60-inch diameter 15,650 feet long outfall line. To provide a 20-minute contact time at peak flow conditions 7,376 feet of outfall line is required.

The City replaced the old secondary effluent pumps with higher capacity pumps to provide 75 mgd pumping capacity with one pump out of service. Constructed a new peak wet weather effluent pump station with a pumping capacity of 150 mgd with one pump out of service that discharges both secondary and PWWT system effluent to the Commencement Bay outfall during peak flow events.

The Central Treatment Plant biosolids treatment and handling program is a thermophilic dual-digestion aerobic/anaerobic process that produces a Class A Exceptional Quality Biosolids. The City expanded and modified biosolids handling and processing facilities. Built new blended solids and biosolids receiving facilities. The treatment facilities remove solids during the treatment of the wastewater at the headworks (grit and screenings), and at the primary and secondary clarifiers, in addition to incidental solids (rags, scum, and other debris) removed as part of the routine maintenance of the equipment. Grit, rags, scum, and screenings are drained and disposed of as solid waste at the local landfill.

Waste activated sludge is pumped to the dissolved air floatation thickeners for thickening and then heated with solids from the anaerobic digesters through sludge-to sludge tube type heat exchangers. Primary solids are heated by two sludge-to-water spiral heat exchangers using methane gas from the anaerobic digesters to heat the water.

The mixed solids then enter the top of the high purity oxygen aerobic reactors. Digested solids are withdrawn from the bottom of the aerobic digesters and flow by gravity to the anaerobic digesters. The anaerobic digesters operate in series. Solids from the anaerobic digesters are pumped to the belt filter presses for dewatering. The dewatered biosolids are then used as the main ingredient in TAGRO™ mulch, TAGRO™ potting soil, and TAGRO™ mix, a natural organic soil conditioner mixture of biosolids, sand, and sawdust that is sold to the public. TAGRO™, liquid, 5-8 percent solids, is hauled by tanker and applied to various approved sites including areas such as pastures, cropland, and forestland.

The Central Wastewater Treatment Facility is a Class IV facility and is staffed 24 hours a day by a Class IV operator. The facility has eight operators which operate on 12-hour shifts.

Receiving Water:

Secondary treated and disinfected effluent is pumped to Commencement Bay via a 15,650-foot overland pipeline to a deep marine outfall and diffuser located between Sitcum and

Blair waterways approximately 1,200 feet offshore at a depth of approximately 125 feet. The diffuser has 30 cylindrical risers spaced 10 feet apart. The risers vary in length from 0 to 9 feet above the 31-inch-high riser pipes. Each riser has a single discharge port oriented perpendicular to the axis of the diffuser line. Alternate ports face opposite directions.

NPDES Permit Required Monitoring Frequency for Pollutants Relevant to the Local Limits Development

	Influent	**Effluent**	**Sludge**
Flow	Daily Total	Daily Total	N/A - unless otherwise required
Ammonia	Once per month	Once per week (and three per event while flow blending)	N/A - unless otherwise required
Biochemical Oxygen Demand (BOD_5)	3 per week (daily when flow blending)	3 per week (daily when flow blending)	N/A
Cyanide, Oil and Grease and Total Phenols	Once per quarter	Once per quarter	CN and Total Phenols: Once per quarter
Nitrate +Nitrite	Once per month	Once per month	N/A - unless otherwise required
Orthophosphate	Once per month	Once per month	N/A
Phosphorus, Total	Once per month	Once per month	N/A - unless otherwise required
Priority Pollutant Metals	Once per quarter	Once per quarter (and once per year while flow blending)	Once per quarter
Priority Pollutant Organics	Once per year	Once per year (and once per year while flow blending)	Once per year
Total Kjeldahl Nitrogen (TKN)	Once per month	Once per month	N/A - unless otherwise required
Total Suspended Solids (TSS)	4 per week (daily when flow blending)	4 per week (daily when flow blending)	N/A

Available Dilution (dilution factor)	
Acute Aquatic Life Criteria	22
Chronic Aquatic Life Criteria	145
Human Health Criteria - Carcinogen	186
Human Health Criteria - Non-carcinogen	145

D. Collection System and Other Municipal Contributors

The Central Treatment Plant service area encompasses approximately 50 square miles (32,000 acres) and the political jurisdictions of Tacoma, Fife, Fircrest, Pierce County, Ruston, University Place, Browns Point, Dash Point and City of Yelm.

E. Significant Industrial Users

The City permits 27 discharging Significant Industrial Users (SIUs) and 8 non-discharging IUs that would be SIUs if they discharged. The City is developing local limits for the 27 Discharging SIUs only. The City's decision to establish local limits for SIUs is being done consistent with the 2004 EPA Local Limits Guidance and 40 CFR Section 403.18(b)(2).

F. Local Limits Process

Local limits are those concentrations or loadings of pollutants that a POTW can accept and prevent Pass Through, Interference, adverse health effects, or a violation of the General and Specific Prohibitions. These limits are adopted by the POTW into their legal authority and apply at the point of discharge from the industrial user into the sewerage system. Local limits are Pretreatment Standards and are based on the Maximum Allowable Industrial Loading (MAIL).

The first step of the process is to review and compile data, supplementing data with additional monitoring where necessary. The POTW develops a list of Pollutants of Concern (POC) to further evaluate. When the final Pollutants of concern are identified, the POTW uses applicable standards and flows to calculate all applicable Allowable Headworks Loading (AHL) for each Standard. The POTW then uses the most stringent AHL, the Maximum Allowable Headworks Loading (MAHL), in calculating local limits.

To calculate the MAIL (or local limit), the POTW typically subtracts out an EPA recommended Safety Factor from the MAHL. The POTW then subtracts out domestic+commercial loadings to obtain the Maximum Allowable Industrial Load (MAIL), which is the regulatory number that EPA approves pursuant to 40 CFR Section 403.18(b). If the City is adopting uniform concentration-based local limits, the City may set aside some of the MAIL or include additional flow in the calculations for expansion of existing industrial users or new industrial users. This "set aside" is at the full discretion of the POTW and may be reallocated without further notice, as long as, the approved MAIL does not change (see 40 CFR

Section 403.18 and the 2004 EPA Local Limits Guidance Manual). The City may adopt uniform concentration limits, the MAIL, the adjusted MAIL or a combination of these.

The City's Consultant used a spreadsheet that is consistent with the July 2004 Guidance, including the formulas. All applicable data input for calculations is shown in Section I of this Report. Ecology has published guidance that includes a local limits spreadsheet that the State has indicated is consistent with the July 2004 Local Limits Development Guidance. However, the City has opted to use a more tabular format to calculate local limit to facilitate a better understanding of the mechanics of calculating the limits.

An example local limits calculation is shown in Attachment 1.

G. Legal Authority Language

Old Code Language (Code current being revised):

~~12.08.040 Limitations on wastewater strength.~~

~~A. Maximum Daily Limits. No person shall discharge wastewater into the Municipal Sanitary Sewer System containing a daily maximum concentration greater than:~~

~~0.1 mg/l arsenic, total~~
~~0.25 mg/l cadmium, total~~
~~0.25 mg/l chromium, hexavalent~~
~~1.0 mg/l chromium, total~~
~~1.0 mg/l copper, total~~
~~0.2 mg/l free cyanide~~
~~0.64 mg/l total cyanide~~
~~0.4 mg/l lead, total~~
~~0.05 mg/l mercury, total~~
~~1.0 mg/l molybdenum, total~~
~~1.0 mg/l nickel, total~~
~~0.1 mg/l selenium, total~~
~~0.2 mg/l silver, total~~
~~2.0 mg/l zinc, total~~
~~50 mg/l petroleum hydrocarbons (silica gel treated-hexane extractable material, SGT-HEM)~~

~~The above limits apply at the point where the wastewater is discharged to the Municipal Sanitary Sewer System (end of pipe). All concentrations for metallic substances are for "total" metal unless otherwise indicated. Where a user is subject to a National Categorical Pretreatment Standard and a local limit for a given pollutant, the more stringent limit or applicable National Pretreatment Standard shall apply. The daily maximum is defined as the arithmetic mean of the pollutant concentration calculated from all measurements taken that day.~~

New Code Language:

12.08C.050 - Specific Discharge Limitations

D. Local Limits

1. No Significant Industrial User or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Daily Maximum Discharge Limits[a] for IUs discharging to Central Treatment Plant	Daily Maximum Discharge Limits[a] for IUs discharging to North End Treatment Plant
Arsenic	0.23	0.56
Cadmium	0.103	0.251
Chromium	4.74	11.34
Copper	1.46	3.79
Lead	0.427	1.20
Mercury	0.033	0.097
Molybdenum	0.55	1.46
Nickel	1.12	2.79
Selenium	0.14	0.437
Silver	0.64	1.55
Zinc	2.44	5.54
5-Day Biochemical Oxygen Demand (BOD_5), lbs/day[b]	No Limit	449
Total Suspended Solids (TSS), lbs/day[b]	No Limit	2153
Ammonia, lbs/day[b]	5,082.6	No Limit

[a] All Pollutants as Total and in mg/L unless otherwise specified.

[b] This limit is the total mass in pounds per day (lbs/day) that are available to allocate to all Significant Industrial Users and other designated and Permitted non-SIUs.

E. The City may implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above.

1. Central Treatment Plant: The MAILs listed in Table I-XX of the Local Limits Report dated XXXXXX XX, 2018, that correspond to the Daily Maximum Discharge Limits are hereby incorporated by reference.

2. North-End Treatment Plant: The MAILs listed in Table I-X of the Local Limits Report dated XXXXXX XX, 2018, that correspond to the Daily Maximum Discharge Limits are hereby incorporated by reference.

F. The following limits shall apply to wastewaters that are discharged from:

1. Groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants;

2. Discharges where one or more of these pollutants are present; or

3. Where these pollutants are appropriate surrogates.

It shall be unlawful for any Industrial User to discharge or cause to be discharged any waste or wastewater to the POTW that exceeds the following limits:

Pollutant[(a)(c)]	Daily Maximum Limit (mg/L)
Benzene	0.050
BTEX[(b)]	0.750

(a) All pollutants shown in the Table are total.

(b) BTEX shall be measured as the sum of Benzene, Ethylbenzene, Toluene and Xylenes.

(c) These limits are based upon installation of air stripping technology as described in the EPA document: "Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks. June 1989."

G. The Director may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the Director, such limitations are necessary to implement the provisions of this Chapter.

H. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal Pretreatment Standards and Requirements or those in this Chapter.

H. Pollutants of Concern (POC) Evaluation Criteria

The following criteria/data considerations were used to evaluate the initial POC consistent with the 2004 EPA Local Limits Guidance:

1. Pollutants of Concern established by EPA, including Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Zinc, BOD_5, Total Suspended Solids, Ammonia and Phosphorus.

2. Data review of POTW influent, effluent and sludge data (organics, metals and conventional pollutants).

3. POTW influent/effluent Priority Pollutant analyses, as required by the NPDES permit were reviewed.

4. Permit limited pollutants were reviewed and included in the sampling program, as appropriate (e.g. BOD_5 and TSS).

5. Water Quality Standards as specified at WAC 173-201A-240.

6. Inhibition was evaluated. However, no inhibition has been experienced and based upon operations and influent sampling is not expected to be an issue. Consistent with the 2004 EPA Local Limits guidance, site-specific inhibition studies were not conducted to establish site-specific criteria

7. Sludge was evaluated. The City has not violated any sludge standard for beneficial reuse.

8. Pollutants that may cause adverse worker health and safety effects were evaluated. No pollutants were identified in sampling results that were an acute threat to worker health and safety.

9. Trucked and Hauled Waste. LRI discharges trucked and hauled wastewater through its permitted monitoring point and is regulated with a SIU wastewater discharge permit. Trucked and hauled waste for septage and portable toilet waste is accepted above the POTW influent monitoring (average 6831 gpd). The City also accepts sludge from the North End Treatment Plant, Darigold and Yelm to the digester.

10. The State has not adopted any standards applicable to marine wastewater discharges for Chromium(total) or Chromium(III). There is not a sludge

disposal Standard for Chromium(total). The City is specifically adopting a final effluent criterion for use in local limits calculations of 5 mg/L. While limits applicable to Toxicity Characteristic Leaching Procedure (TCLP) found at WAC 173-303-090(8)(c) are not applicable to POTW effluents that analyze for total metals using methods approved under 40 CFR Part 136, the City believes the 5 mg/L limit is reasonable and comparable to typical standards adopted for freshwater systems. The 5 mg/L will be applied end-of-pipe.

The initial pollutants that were detected and considered potential Pollutants of Concern are shown below and reflect those pollutants recommended by EPA and the State, of concern to the City or otherwise detected in POTW influent or effluent sampling. As allowed for in 40 CFR 403.8(f)(4) and consistent with the 2004 Local Limits Guidance, the City is evaluating some of the pollutants for the need for local limits as noted. Note: Pollutants not shown on the table had all POTW influent and effluent measurements <RL.

Pollutant	Initial Pollutant of Concern?	Comments
Flow	No	Flow is addressed by State in NPDES permit.
Arsenic, Total	Yes	EPA Recommended
Cadmium, Total	Yes	EPA Recommended
Chromium, Total	Yes	EPA Recommended
Copper, Total	Yes	EPA Recommended
Lead, Total	Yes	EPA Recommended
Mercury, Total	Yes	EPA Recommended
Molybdenum, Total	Yes	EPA Recommended
Nickel, Total	Yes	EPA Recommended
Selenium, Total	Yes	EPA Recommended
Silver, Total	Yes	EPA Recommended
Zinc, Total	Yes	EPA Recommended
BOD_5	No	The daily POTW influent average BOD_5 was 285 mg/L (52,613 lbs/day). The POTW average monthly influent averaged 51,044 lbs/day. The monthly design is 127,000 lbs/day. The POTW influent is 40% of the design, well below the re-design trigger of 85%.
Total Suspended Solids (TSS)	No	The daily POTW influent average TSS was 290 mg/L (59,350 lbs/day). The POTW average monthly influent averaged 59,638 lbs/day. The POTW average monthly design is 114,000 lbs/day. The POTW influent is 52% of the design, well below the re-design trigger of 85%.

Pollutant	Initial Pollutant of Concern?	Comments
Ammonia	Yes	The City is using the data cited in the NPDES Permit Fact Sheet for temperature and pH. The City recognizes that if the permit for CTP is reissued, the State may update these numbers requiring the City to re-evaluate Ammonia. The acute and chronic WQC for the edge of the mixing zone of 3.3 mg/L and 0.54 mg/L, respectfully. This is based upon a temperature of 13.2ºC, a pH 8.1 and a 95th percentile value for Ammonia of 52.34 mg/L for the period 1/1/2016-5/31/18. The spreadsheet reports no reasonable potential. The Average Monthly Limit is 71.6 mg/L and the Maximum Daily Limit is 143.6 mg/L as calculated by the State's Permit Limit Calculation Spreadsheet, December 2016. In monitoring results 2016-May 2018, the CTP effluent showed that 1 of 29 monthly averages exceeded the 52.34 mg/L, (measurement was 52.50 mg/L for July 2017) and no exceedances of the Maximum Daily Limit. The single exceedance of a monthly average will support the decision by the City to adopt a local limit for Ammonia. Based upon the average removal efficiency calculated from concentration data (-21%) and the Monthly Chronic limit of 71.6 mg/L, the Local Limit of 5,544.8 lbs/day as a Monthly Maximum MAIL. The City will has calculated a Daily Maximum Acute MAIL of 16,687 lbs/day. However, to assure that SIUs and other designated IUs do not cause the Monthly Chronic Limit to be exceeded, will not accept more than 5,544/8 lbs/day on any day of the month.
1,4-Dichlorobenzene	No	The maximum measured POTW effluent concentration was 0.0006 mg/L or <3% of the most stringent WQS (0.200 mg/L) before mixing.
Antimony	No	The maximum measured POTW effluent concentration was 0.0008 mg/L or 13% of the most stringent WQS (0.006 mg/L) before mixing.

Pollutant	Initial Pollutant of Concern?	Comments
Beryllium	No	The POTW effluent averages 0.00023 mg/L (All 11 measurements <RL with one J flagged). All POTW effluent measurements were <RL with two J flagged). There is no applicable WQS. The receiving water is not a public water supply. The MCL for drinking water is 0.006 mg/L, which is 50 times higher than the maximum POTW effluent concentration before mixing.
bis(2-Ethylhexyl) Phthalate	No	The maximum measured POTW effluent concentration was 0.0013 mg/L and the the average POTW effluent concentration was 0.0009 mg/L. 2 of 3 POTW effluent measurements were J flagged as <RL. The most stringent WQS Human Health Standard is 0.000046 mg/L. Classified as a probable human carcinogen. The dilution factor (145) for Human Health Chronic is 0.7% effluent and the Dilution Factor (186) for Human Health Carcinogen protection is 0.54% effluent. The maximum concentration for the pollutant at the edge of the chronic mixing zone is 0.000007 mg/L or 15% of the most stringent standard after mixing.
Bromodichloromethane	No	The maximum measured POTW effluent concentration was 0.0001 mg/L or 14% of the most stringent WQS (0.00073 mg/L) before mixing. All POTW effluent measurements were <RL with two J flagged. All POTW influent samples were <RL with 2 J flagged.
Butyl benzyl phthalate	No	The maximum measured POTW effluent concentration was 0.0005 mg/L and the average POTW effluent concentration was 0.0004 mg/L. All POTW effluent measurements were <RL with one measurement J flagged. The most stringent WQS Human Health Standard is 0.000013 mg/L. The dilution factor (145) for Human Health Chronic is 0.7% effluent. The maximum concentration for the pollutant at the edge of the chronic mixing zone is 0.0000035 mg/L or 27% of the most stringent standard after mixing. 2 of 3 POTW influent samples were <RL with one J flagged.
Chloroform	No	The maximum measured POTW effluent concentration was 0.0022 mg/L or 2% of the most stringent WQS (0.100 mg/L) before mixing.
Chromium(VI)	No	No applicable State Standard. Not used or known to be discharged by SIUs.

Pollutant	Initial Pollutant of Concern?	Comments
Cyanide, Total. WQS as WAD.	No	The maximum measured POTW influent concentration for Total Cyanide was 0.0036 mg/L (n=14, 11<RL or J-flagged). The maximum effluent concentration was 0.017 mg/L (n=11, 6>RL or J-Flagged). There is no WQS for Total Cyanide. The State has not identified that WAD CN from the CTP as having reasonable potential to exceed WAD Cyanide WQS. The applicable WQS for Weak Acid Dissociable (WAD) Cyanide is 0.001 mg/L. The WAD CN concentration would be expected to be lower than the Total CN concentration. The POTW appears to form CN in the treatment process (relatively common). The City has no identified SIUs using Cyanide in any processes. The Cyanide that is produced during the wastewater treatment is common and not controllable through local limits.
delta-BHC	No	The maximum measured POTW effluent concentration was 0.000025 mg/L (all POTW effluent measurements <RL with one measurement J flagged). No applicable WQS. 2 of 3 POTW influent measurements were <RL.
Diethyl phthalate	No	The maximum measured POTW effluent concentration was 0.0005 mg/L (all POTW effluent measurements <RL one measurement J flagged) or <1% of the most stringent WQS (0.200 mg/L) before mixing.
Di-n-butylphthalate	No	The maximum measured POTW effluent concentration was 0.0005 mg/L (all POTW effluent measurements <RL with one measurement J flagged) or 37% of the most stringent WQS (0.008 mg/L) before mixing. All POTW influent measurements were J flagged as <RL.
m,p-Xylene	No	The maximum measured POTW effluent concentration was 0.0005 mg/L (all POTW effluent measurements were <RL with one measurement J flagged). No applicable WQS. All POTW influent measurements <RL with two measurements J flagged.
Methylene Chloride	No	The maximum measured POTW effluent concentration was 0.0022 mg/L or 22% of the most stringent WQS (0.010 mg/L) before mixing. 2 of 3 POTW effluent measurements were J flagged as <RL. 2 of 3 POTW influent samples were <RL with one as J flagged.

Pollutant	Initial Pollutant of Concern?	Comments
Nitrate + Nitrate	No	The average measured POTW effluent concentration was 1.75 mg/L. No applicable Standard.
Oil and Grease	No	The average measured POTW effluent concentration was 3.07 mg/L. The City relies on its FOG program to regulate grease discharges to the POTW by industrial users.
Orthophosphate	No	The average measured POTW effluent concentration was 1.92 mg/L. No applicable Standard.
Phosphorus	No	The average measured POTW effluent concentration was 2.08 mg/L. No applicable Standard. The City will be requiring SIUs to monitor for this pollutant.
Tetrachloroethene	No	The maximum measured POTW effluent concentration was 0.0002 mg/L or 8% of the most stringent WQS (0.0024 mg/L) before mixing. All POTW effluent measurements were <RL with one sample J flagged. All three POTW influent samples were J flagged as <RL.
Thallium	No	The maximum measured POTW effluent concentration was 0.00016 mg/L or 9% of the most stringent WQS (0.0017 mg/L) before mixing. All POTW effluent measurements were <RL with two samples J flagged. All POTW influent samples were <RL with 3 samples J flagged.
Toluene	No	The maximum measured POTW effluent concentration was 0.0003 mg/L or <1% of the most stringent WQS (0.072 mg/L) before mixing. All POTW effluent samples were <RL with two samples J flagged. 2 of 3 POTW influent samples were J flagged as <RL.
Total Nitrogen	No	The average measured POTW effluent concentration was 29.53 mg/L. No applicable WQS.
Total Petroleum Hydrocarbons	No	The City relies on its program to require sand-oil interceptors for specific IUs. A discharge from an industrial user that exceeds 50 mg/L would be addressed. Limit is being relocated to Specific Prohibitions and/or to a sector control program.
Cyanide, Free	N/A	See Cyanide, Total

I. Wastewater Treatment Plant Data Summaries for Local Limits

Table I-1 - General Information/Data for Local Limits

POTW Flow for Local Limits (mgd)	24.92
Average SIU Flow	0.3256
Permitted SIU Flow for Local Limits (mgd):	1.6039
Flow for Permitted Non-SIU Industrial Users (mgd)	0.025
Total SIU + Other Non-SIU Flows for Local Limits:	1.6289
Domestic + Commercial Flow (mgd):	23.2911
Total Current POTW Flow (mgd)	23.64
SIU Permitted Flow not being discharged but allocated through permits (mgd):	1.28
Specific Gravity of Sludge to Disposal (kg/L):	1.004 Estimated
Sludge Flow to Disposal (mgd):	0.2503
% Solids to Disposal (%):	1.3
Sludge Table Based on Disposal Option:	3
Acute Dilution Factor:	22
POTW Flow for Acute DF (mgd):	60 (Design Flow)
Acute Flow Based Upon DF (mgd):	1260
Chronic Dilution Factor:	145
POTW Flow for Chronic DF (mgd):	60 (Design Flow)
Chronic Stream Flow Based Upon DF (mgd):	8640
Chronic: Non-Carcinogen Dilution Factor:	145
POTW Flow for Non-Carcinogen DF (mgd):	60 (Design Flow)
Chronic, Non-Carcinogen Stream Flow Based Upon DF (mgd):	8640
Chronic: Carcinogenic Dilution Factor:	186
POTW Flow for Carcinogen DF (mgd):	60 (Design Flow)
Chronic, Carcinogen Stream Flow Based Upon DF (mgd):	11,100

Table I-2 - Applicable Standards for the Local Limits Evaluation

Applicable Standards Pollutant	NPDES Permit Limit Acute mg/L	NPDES Permit Limit Chronic mg/L	Marine State Acute WQS mg/L	Marine State Chronic WQS mg/L	Human Health Organism mg/L	Sludge mg/Kg DW	City adopted Criteria mg/L
Arsenic			0.069	0.036	(1)	41	
Cadmium			0.04024	0.00885		39	
Chromium							5 (3)
Copper			0.00578	0.00373		1500	
Lead			0.22082	0.00852		300	
Mercury			0.00212	0.000940		17	
Molybdenum						75 (2)	
Nickel			0.07475	0.00828	0.100	420	
Selenium			0.29058	0.07114	0.200	100	
Silver			0.00224				
Zinc			0.09514	0.081	1.000	2800	
Ammonia	143.6	71.6					

(1) State has not required implementation for the Inorganic Arsenic Standard. From an email dated October 31, 2017 from Dave Knight (Washington Department of Ecology: " *Inorganic Arsenic human health criteria are not presently being implemented by the Department of Ecology since they are well below ambient concentrations in Washington streams and rivers, and thus we do not require POTWs to develop local limits for inorganic arsenic that would protect against violation of the inorganic arsenic standards. This is the only numerical criteria for which this is the case. For mercury fish tissue standards, absent development of site specific bioaccumulation factors (per the EPA 2000 manual), we ask for the numerical mercury criteria to be applied*."

(2) From Sludge Table 1, Ceiling Concentrations. POTW is required to meet this limit.

(3) The State has not adopted any standards applicable to marine wastewater discharges for Chromium(total) or Chromium(III). There is not a sludge disposal Standard for Chromium(total). The City is specifically adopting a final effluent criterion for use in local limits calculations of 5 mg/L. While limits applicable to Toxicity Characteristic Leaching Procedure (TCLP) found at WAC 173-303-090(8)(c) are not applicable to POTW effluents that analyze for total metals using methods approved under 40 CFR Part 136, the City believes the 5 mg/L limit is reasonable and comparable to typical standards adopted for freshwater systems. The 5 mg/L will be applied end-of-pipe.

Table I-3 - POTW Influent Loading to the City

Monitoring Data Pollutant	Average POTW Influent mg/L	# obs and Notes	RL Handling	Average POTW Flow mgd	POTW Influent lbs/day
Arsenic	0.00277	n=13, 0<MDL	N/A	23.64	0.5465
Cadmium	0.00025	n=13, 5<MDL, 5-Jflagged	1/2 MDL	23.64	0.0493
Chromium	0.00558	n=13, 0<MDL	N/A	23.64	1.1008
Copper	0.04476	n=14, 0<MDL	N/A	23.64	8.8301
Lead	0.00516	n=13, 0<MDL	N/A	23.64	1.0179
Mercury	0.0000459	n=13, 0<MDL	N/A	23.64	0.009055
Molybdenum	0.00353	n=13, 1<MDL	1/2 MDL	23.64	0.6964
Nickel	0.00526	n=13, 0<MDL	N/A	23.64	1.0377
Selenium	0.00057	n=13, 3<MDL, 3-J flagged	1/2 MDL	23.64	0.1124
Silver	0.00039	n=13, 4<MDL, 5-J flagged	1/2 MDL	23.64	0.0769
Zinc	0.136	n=14, 0<MDL	N/A	23.64	26.8295
Ammonia	28.3	n=37	N/A	23.64	5582.9

Table I-4 - POTW Effluent Loading to the City

Monitoring Data Pollutant	Average POTW Effluent mg/L	# obs and Notes	RL Handling	Average POTW Flow mgd	POTW Effluent lbs/day
Arsenic	0.00191	n=11, 0<MDL	N/A	23.88	0.3806
Cadmium	0.00018	n=11, 9<MDL, 2-J flagged	1/2 MDL	23.88	0.0359
Chromium	0.00153	n=11, 0<MDL	N/A	23.88	0.3049
Copper	0.00787	n=11, 0<MDL	N/A	23.88	1.5683
Lead	0.00045	n=11, 2<MDL, 6-J flagged	1/2 MDL	23.88	0.0897
Mercury	0.0000040	n=11, 10<MDL, 1-J flagged	1/2 MDL	23.88	0.0008
Molybdenum	0.0027	n=11, 3<MDL	1/2 MDL	23.88	0.5301
Nickel	0.003	n=11, 0<MDL	N/A	23.88	0.6257
Selenium	0.0002	n=11, 5<MDL, 5-J flagged	1/2 MDL	23.88	0.0418
Silver	0.00016	n=11, 7<MDL, 3-J flagged	1/2 MDL	23.88	0.0319
Zinc	0.034	n=11, 0<MDL	N/A	23.88	6.7555
Ammonia	33.89	n=132	N/A	23.88	6753.6

Table I-5 - POTW Domestic+Commercial Loading to the City

Monitoring Data Pollutant	Domestic+Commercial mg/L	# obs and Notes	RL Handling	Domestic+Commercial Average Flow mgd	Domestic+Commercial Contribution lbs/day
Arsenic	0.00093	n=11, 0<PQL	N/A	23.3144	0.1809
Cadmium	0.000136	n=11,11 J-Flagged	N/A	23.3144	0.0265
Chromium	0.0032	n=11, 11 J Flagged	N/A	23.3144	0.6226
Copper	0.0264	n=11, 0<PQL	N/A	23.3144	5.1363
Lead	0.00236	n=11, 0<PQL	N/A	23.3144	0.4592
Mercury	0.0000259	n=11, 10 J-Flagged	N/A	23.3144	0.0050
Molybdenum	0.000857	n=11, 0<RL	N/A	23.3144	0.1667
Nickel	0.0027	n=11, 0<PQL	N/A	23.3144	0.5253
Selenium	0.000731	n=11, 0<RL	N/A	23.3144	0.1422
Silver	0.000239	n=11, 10 J-Flagged	N/A	23.3144	0.0465
Zinc	0.135	n=11, 0<PQL	N/A	23.3144	26.2654
Ammonia	30.8	n=29	N/A	23.3144	5992.4

The Ammonia domestic+commercial is the influent Ammonia average value for the NETP. NETP has no SIU discharges to the plant.

Table I-6 - Ambient Pollutant Concentration from NPDES Permit Fact Sheet dated 4/27/04

POLLUTANT	Ambient Pollutant Concentration mg/L
Arsenic	0.000981
Cadmium	0.000062
Chromium	0.000151
Copper	0.001208
Lead	0.000021
Mercury	0.000010
Molybdenum	None Reported
Nickel	0.000444
Selenium	0.000087
Silver	0.000000
Zinc	0.003858

Table I-7 - Removal Efficiency Calculations Based on Loading

Removal Efficiency Calculations POLLUTANT	MRE Mean Removal Efficiency %	Literature Removal Efficiency from 2004 EPA Local Limits Guidance - Medial Activated Sludge	Final POTW Removal %
Arsenic	30.4		30.2
Cadmium	27.2	67	67.0
Chromium	72.3		72.2
Copper	82.2		82.2
Lead	91.2	61	61.0
Mercury	91.2		91.0
Molybdenum	23.9		23.7
Nickel	39.7		39.6
Selenium	62.7		62.7
Silver	58.6	75	75.0
Zinc	74.8		74.8
Ammonia	-21.0		-21.0

Removal Efficiency calculations based upon influent and effluent loading due to I&I. EPA literature data was used where most influent and/or effluent data was <MDL and <RL. Mercury removal was not significantly different than that identified by EPA in the 2016 Dental Categorical Regulations (90.2% removal).

Table I-8 - Allowable Headworks Loading Calculations

AHL Calculations Pollutant	Acute NPDES lbs/day	Chronic lbs/day	Marine State Acute WQS lbs/day	Marine State Chronic WQS lbs/day	Human Health Organism lbs/day	Sludge lbs/day	City-specific Criteria lbs/day	Most Stringent AHL for Common Stds lbs/day	Name of Most Stringent AHL
Arsenic			1048.2018	3638.4833		3.6768		3.6768	Sludge
Cadmium			1305.5389	1925.6432		1.5869		1.5869	Sludge
Chromium							3753.7437	3753.7437	City Specific Standard
Copper			276.8270	1025.9208		49.7489		49.7489	Sludge
Lead			6070.6574	1575.7859		13.4077		13.4077	Sludge
Mercury			257.1237	764.1957		0.5082		0.5082	Sludge
Molybdenum						8.5551		8.5551	Sludge
Nickel			1321.4761	939.8072	11938.4129	28.8418		28.8418	Sludge
Selenium			8373.3199	13811.2157	38858.8137	4.3411		4.3411	Sludge
Silver			96.0750					96.0750	Marine State Acute WQS
Zinc			3887.2536	22138.2717	285835.6846	102.0518		102.0518	Sludge
Ammonia	24679.9	12305.6	29243.6	32270.0				12305.6	Chronic NPDES

Table I-9 - Maximum Allowable Industrial Loading (MAIL) Calculation

Pollutant	MAHL lbs/day	Controlling Criteria or Standard for MAHL	Safety Factor %	MAHL minus Safety Factor lbs/day	Subtract out Domestic+Commercial Loadings lbs/day	MAIL Maximum Available Industrial Loading lbs/day
Arsenic	3.6768	Sludge	10	3.3091	3.1282	3.1282
Cadmium	1.5869	Sludge	10	1.4282	1.4017	1.4017
Chromium	3753.7437	City Specific Standard	10	3378.3693	3377.7467	3377.7467
Copper	49.7489	Sludge	10	44.7740	39.6377	39.6377
Lead	13.4077	Sludge	10	12.0669	11.6077	11.6077
Mercury	0.5082	Sludge	10	0.4574	0.4523	0.4523
Molybdenum	8.5551	Sludge	10	7.6996	7.5329	7.5329
Nickel	28.8418	Sludge	10	25.9576	25.4323	25.4323
Selenium	4.3411	Sludge	10	3.9070	3.7648	3.7648
Silver	96.0750	Marine State Acute WQS	10	86.4675	86.4210	86.4210
Zinc	102.0518	Sludge	10	91.8466	65.5812	65.5812
Ammonia	12305.6	Chronic NPDES	10	11075.0	5082.6	5082.6

Table I-10 - Calculation of the Local Limits

Local Limits Pollutant	MAHL lbs/day	MAIL lbs/day	Expansion Factor %	Adjusted POTW Controlled Loading w/ expansion factor lbs/day	Calculated SIU Limits	Units	Existing Local Limits	
							Existing Pollutant Name	Existing Local Limits mg/L
Arsenic	3.6768	3.1282	0	3.1282	0.23	mg/L	Arsenic	0.1
Cadmium	1.5869	1.4017	0	1.4017	0.103	mg/L	Cadmium	0.3
Chromium	3753.7437	3377.7467	98	67.5549	4.74	mg/L	Chromium	1.0
Copper	49.7489	39.6377	50	19.8189	1.46	mg/L	Copper	1.0
Lead	13.4077	11.6077	50	5.8039	0.427	mg/L	Lead	0.4
Mercury	0.5082	0.4523	0	0.4523	0.033	mg/L	Mercury	0.05
Molybdenum	8.5551	7.5329	0	7.5329	0.55	mg/L	Molybdenum	1.0
Nickel	28.8418	25.4323	40	15.2594	1.12	mg/L	Nickel	1.0
Selenium	4.3411	3.7648	50	1.8824	0.14	mg/L	Selenium	0.1
Silver	96.0750	86.4210	90	8.6421	0.64	mg/L	Silver	0.2
Zinc	102.0518	65.5812	50	32.7906	2.44	mg/L	Zinc	2.0
Ammonia	12305.6	5082.6	0	5082.6	5082.6	lbs/day		

The Expansion Factor is set on a pollutant-by-pollutant basis to set aside some loading for new SIUs or expansion of existing SIUs. The Expansion Factor decision is at the full discretion of the City and does not affect the final MAIL that is being adopted.

J. Summary Pollutant Data (POTW Influent, Effluent, Domestic+Commercial)

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from samples 2016-2018.

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Flow	23.64	80.70	12.63	891	0	0
Arsenic, Total	0.00277	0.00346	0.00208	13	0	0
Cadmium, Total	0.00025	0.000455	0.000101	13	5	5
Chromium, Total	0.0056	0.0143	0.00217	13	0	0
Copper, Total	0.0448	0.082	0.019	14	0	0
Lead, Total	0.00516	0.00972	0.0024	13	0	0
Mercury, Total	0.0000459	0.000128	0.0000102	13	0	0
Molybdenum, Total	0.0035	0.00812	0.00025	13	1	0
Nickel, Total	0.00526	0.0078	0.0028	13	0	0
Selenium, Total	0.00057	0.00105	0.00025	13	3	3
Silver, Total	0.00039	0.00071	0.00022	13	4	5
Zinc, Total	0.136	0.261	0.0694	14	0	0
Ammonia	28.3	52.8	9.4	37	0	0
BOD_5	285	1240	87	366	0	0
Phosphorus	3.7	6.64	0.52	18	0	0
Total Suspended Solids (TSS)	290	1410	9	491	0	0
1,2-Diphenylhydrazine	0.0004	0.0005	0.0002	3	1	1
1,4-Dichlorobenzene	0.0005	0.0006	0.0003	3	0	1
3&4-Methylphenol	0.0108	0.023	0.0007	3	0	0
Antimony	0.00165	0.00882	0.00025	13	3	0
Benzene	0.0005	0.0007	0.00025	3	1	0
Beryllium	0.000190	0.00025	0.000003	12	10	2
bis(2-Ethylhexyl) Phthalate	0.0063	0.009	0.0038	3	0	0
Bromodichloromethane	0.0001	0.0001	0.00005	3	1	2
Butyl benzyl phthalate	0.0010	0.0015	0.0005	3	1	1
Chloroform	0.0030	0.0043	0.0022	3	0	0
Chloride	116	116	116	1	0	0
Cyanide	0.0036	0.005	0.001	14	6	5
delta-BHC	0.0000123	0.000027	0.000005	3	2	0
Diethyl phthalate	0.0017	0.0018	0.0014	3	0	0
Di-n-butylphthalate	0.0008	0.001	0.0006	3	0	3
Ethylbenzene	0.0003	0.0003	0.0002	3	1	2

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Indeno(1,2,3-c,d)pyrene	0.0004	0.0005	0.0002	3	2	1
m+p-Xylene	0.0005	0.0006	0.00025	3	1	2
Methylene Chloride	0.0010	0.0022	0.0004	3	1	1
Naphthalene	0.0005	0.0005	0.0004	3	1	2
Nitrate + Nitrate	0.84	9.14	0.07	25	0	0
Oil and Grease	33.97	69.10	11.20	22	0	0
Orthophosphate	2.24	3.86	1.17	25	0	0
o-Xylene	0.0003	0.0005	0.0001	3	1	2
Phenanthrene	0.0002	0.0002	0.0001	3	2	1
Phenol	0.0018	0.0042	0.0005	4	1	0
Styrene	0.00018	0.00025	0.0001	3	1	2
Tetrachloroethene	0.0002	0.0002	0.0001	3	0	3
Thallium	0.00020	0.00025	0.000025	13	9	4
Toluene	0.0013	0.0031	0.0003	3	0	2
Total Nitrogen	34.29	77.50	13.20	28	0	0
Total Phenols	0.073	0.16	0.035	10	5	3
Trichloroethene	0.00023	0.00025	0.0002	3	2	1

POTW Influent: POC data as requested by the State (red font is ½ RL and green box is J-Flagged):

Date	Arsenic mg/L	Cadmium mg/L	Chromium mg/L	Copper mg/L	Lead mg/L	Mercury mg/L	Molybdenum mg/L	Nickel mg/L	Selenium mg/L	Silver mg/L	Zinc mg/L
1/19/2015	0.00208	0.000171	0.00513	0.0244	0.00264	0.000042	0.00138	0.00334	0.000333	0.00057	0.0742
4/6/2015	0.00258	0.00025	0.00561	0.0423	0.0036	0.0000465	0.00339	0.00509	0.00025	0.00025	0.115
7/6/2015	0.00341	0.000314	0.00605	0.0724	0.0079	0.000049	0.00468	0.0067	0.000678	0.000443	0.193
10/6/2015	0.0026	0.000202	0.00368	0.0636	0.00388	0.0000595	0.00812	0.00346	0.00025	0.000391	0.127
1/19/2016	0.00208	0.00025	0.0023	0.0238	0.00431	0.000032	0.00241	0.00338	0.000372	0.000491	0.0752
4/19/2016	0.00276	0.000396	0.00561	0.0446	0.00817	0.0000102	0.00025	0.00619	0.000706	0.000566	0.146
7/5/2016	0.00333	0.00025	0.0143	0.073	0.00752	0.0000285	0.00424	0.00758	0.000883	0.00025	0.22
10/10/2016	0.00298	0.00025	0.00523	0.0441	0.00607	0.000052	0.00344	0.00621	0.000772	0.00025	0.155
1/9/2017	0.00241	0.00025	0.00349	0.026	0.0024	0.0000265	0.00235	0.0046	0.00025	0.00025	0.0836
3/7/2017	0.00278	0.000101	0.00217	0.019	0.00272	0.0000385	0.00116	0.0028	0.00037	0.00022	0.0694
4/19/2017	0.00292	0.000174	0.00491	0.0298	0.00364	0.000034	0.0031	0.00641	0.000562	0.00033	0.0927
6/6/2017				0.0372							0.139
7/17/2017	0.0026	0.000225	0.00436	0.0442	0.00446	0.00005	0.00486	0.00485	0.000991	0.000323	0.147
10/5/2017	0.00346	0.000455	0.00972	0.0823	0.00972	0.000128	0.00645	0.0078	0.00105	0.00071	0.261

Ammonia POTW Influent Data

Date	Ammonia mg/L	Ammonia Loading lbs/day
1/5/2016	23.7	4608
2/2/2016	21.8	4157
3/1/2016	15.4	2836
4/5/2016	30.7	6461
5/3/2016	40.6	8662
6/7/2016	44.5	9162
7/5/2016	35.2	6791
1/6/2015	16.2	3007
2/3/2015	24.3	4352
3/3/2015	26.2	4520
4/7/2015	33.7	5938
5/5/2015	34.7	6822
8/2/2016	28.8	7514
9/6/2016	40.3	9535
10/4/2016	45.7	9718
11/1/2016	17.3	4389
11/15/2016	9.37	2496
11/16/2016	17.2	4212
11/17/2016	20.3	5183
12/6/2016	23.9	6807
1/3/2017	33.8	15099
2/7/2017	15.6	6516
3/7/2017	17.6	7957
4/4/2017	25.9	9907
5/2/2017	29	8869
6/6/2017	35	9587
7/4/2017	28.5	8019
8/1/2017	52.8	24340
9/5/2017	39.7	15671
10/3/2017	44.4	15666
11/7/2017	28.0	8242
12/6/2017	18.7	4867
1/2/2018	19.3	4523
2/7/2018	22.6	5328
3/7/2018	25.8	6669
4/4/2018	31.3	7955
5/1/2018	27.7	7265

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from samples 2016-2017.

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Flow	23.88	79.70	14.13	891	0	0
Arsenic, Total	0.0021	0.00241	0.0018	11	0	0
Cadmium, Total	0.000211	0.00025	0.000025	11	9	2
Chromium, Total	0.0014	0.00205	0.000703	11	0	0
Copper, Total	0.0079	0.0152	0.00435	11	0	0
Lead, Total	0.0004	0.00111	0.00025	11	2	7
Mercury, Total	0.0000042	0.00000699	0.00000242	11	0	1
Molybdenum, Total	0.0027	0.0114	0.00025	11	3	0
Nickel	0.0030	0.0038	0.00195	11	0	0
Selenium, Total	0.00021	0.00025	0.000115	11	5	6
Silver, Total	0.000180	0.00025	0.000042	11	7	4
Zinc, Total	0.0339	0.0511	0.0268	11	0	0
Ammonia	33.89	90.8	9.91	132	0	0
BOD_5	15.5	130	5	366	0	0
Phosphorus	2.08	3.90	1.32	18	0	0
TSS	11.3	200	0.5	632	0	0
1,2-Diphenylhydrazine	0.0003	0.0005	0.0002	3	3	0
1,4-Dichlorobenzene	0.0005	0.0006	0.0003	3	0	1
3&4-Methylphenol	0.0003	0.0005	0.0002	3	3	0
Antimony	0.0005	0.000812	0.00025	11	5	0
Benzene	0.000200	0.00025	0.0001	3	3	0
Beryllium	0.000228	0.00025	0.000012	11	10	1
bis(2-Ethylhexyl) Phthalate	0.0009	0.0013	0.0006	3	0	2
Bromodichloromethane	0.00007	0.0001	0.00005	3	1	2
Butyl benzyl phthalate	0.0004	0.00050	0.0003	3	2	1
Chloroform	0.0014	0.0022	0.0006	3	0	0
Cyanide, Total	0.0069	0.017	0.003	11	3	3
delta-BHC	0.000012	0.000025	0.000005	3	2	1
Diethyl phthalate	0.0004	0.00050	0.0003	3	2	1
Di-n-butylphthalate	0.0004	0.0005	0.0003	3	2	1
Ethylbenzene	0.00020	0.00025	0.0001	3	3	0
HEM-Oil and Grease	3.07	11.30	1.50	10	8	0
Indeno(1,2,3-c,d)pyrene	0.0005	0.0005	0.0005	3	3	0
m.p-Xylene	0.00032	0.0005	0.0002	3	2	1

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Methylene Chloride	0.0011	0.0022	0.0004	3	0	2
Naphthalene	0.0005	0.0005	0.0005	3	3	0
Nitrate+Nitrite	1.75	25.00	0.10	110	0	0
Orthophosphate	1.92	3.48	0.01	25	0	0
o-Xylene	0.0003	0.0005	0.0001	3	3	0
Phenanthrene	0.0002	0.0002	0.0001	3	3	0
Phenol	0.0003	0.0005	0.0002	3	3	0
Phenols, Total	0.0500	0.05	0.05	10	10	0
Styrene	0.00020	0.00025	0.0001	3	3	0
Tetrachloroethene	0.0002	0.00025	0.0001	3	2	1
Thallium	0.00022	0.00025	0.000054	11	9	3
Toluene	0.0002	0.0003	0.00007	3	1	2
Total Nitrogen	29.53	48.0	11.30	32	0	0
Trichloroethene	0.00020	0.00025	0.0001	3	3	0

POTW Effluent: POC data as requested by the State (red font is ½ RL and green box is J-Flagged):

Date	Arsenic mg/L	Cadmium mg/L	Chromium mg/L	Copper mg/L	Lead mg/L	Mercury mg/L	Molybdenum mg/L	Nickel mg/L	Selenium mg/L	Silver mg/L	Zinc mg/L
1/19/2015	0.00188	0.000045	0.000703	0.00556	0.000387	0.00000463	0.0005	0.00195	0.000153	0.000054	0.0285
4/6-7/2015	0.00223	0.00025	0.00176	0.01	0.000424	0.00000517	0.00313	0.00332	0.00025	0.00025	0.0362
7/6-7/2015	0.00241	0.00025	0.00146	0.0103	0.0004	0.00000296	0.00304	0.00302	0.000224	0.000042	0.0375
10/6-7/2015	0.0018	0.00025	0.00108	0.0152	0.00111	0.00000699	0.0114	0.0028	0.00025	0.00025	0.0511
1/19-21/2016	0.00193	0.00025	0.000707	0.00435	0.000294	0.00000357	0.00025	0.00198	0.000115	0.00025	0.0268
4/19/2016	0.00211	0.000025	0.00205	0.00714	0.000494	0.0000041	0.00025	0.0038	0.000191	0.00025	0.0342
7/5-6/2016	0.00182	0.00025	0.00141	0.00722	0.00025	0.00000429	0.00244	0.00328	0.00025	0.00025	0.0303
10/10/2016	0.00189	0.00025	0.00203	0.00649	0.000488	0.00000311	0.00192	0.00365	0.00025	0.00025	0.0309
1/9/2017	0.00206	0.00025	0.00131	0.00776	0.00025	0.00000449	0.00187	0.0027	0.00025	0.00025	0.0362
3/7/2017	0.00223	0.00025	0.00152	0.00574	0.000371	0.00000422	0.00291	0.00284	0.000153	0.00007	0.0318
4/19/2017	0.0023	0.00025	0.00147	0.00685	0.000475	0.00000242	0.00205	0.00324	0.000184	0.000062	0.0296
7/17/2017	0.000218	0.000018	0.00208	0.00606	0.000432	0.00000341	0.00211	0.00374	0.000241	0.000029	0.0366
10/5/2017	0.00201	0.000011	0.00235	0.00961	0.000426	0.00000405	0.00272	0.00447	0.000221	0.000035	0.0305

Ammonia POTW Influent Data

Ammonia Date	Ammonia (as N) (mg/L)	Ammonia Loading lbs/day	Ammonia Monthly Average mg/L
1/5/2016	26.6	5960.398	
1/13/2016	26.1	6865.273	
1/20/2016	23	6533.17	
1/27/2016	14.4	4017.643	22.525
2/2/2016	23.9	5690.781	
2/10/2016	28.7	5632.955	
2/17/2016	17.8	4966.641	
2/24/2016	26.3	5800.173	24.175
3/1/2016	21.5	6765.525	
3/9/2016	21.3	6724.537	
3/16/2016	18.1	4964.693	
3/23/2016	27.4	5533.016	
3/30/2016	32.2	5735.349	24.1
4/5/2016	33.1	4965.867	
4/13/2016	32.8	5245.059	
4/20/2016	40.1	6293.632	
4/27/2016	37.1	5379.201	35.775
5/3/2016	42.5	5695.055	
5/11/2016	44.2	6119.964	
5/18/2016	33.9	4514.397	
5/25/2016	44.4	5713.9	41.25
6/1/2016	41.6	5498.323	
6/7/2016	44.2	6371.222	
6/15/2016	50.2	6856.067	
6/22/2016	40.9	5529.378	
6/29/2016	50.4	6495.255	45.46
7/5/2016	41.8	5334.639	
7/13/2016	40.2	5203.235	
7/20/2016	45.3	6076.478	
7/27/2016	48.7	5931.761	44
8/2/2016	41.6	5457.331	
8/10/2016	53.5	6948.407	
8/17/2016	50.4	6598.796	
8/24/2016	43	5351.718	
8/31/2016	48	6124.167	47.3
9/6/2016	40.9	5854.399	

9/14/2016	36.4	4470.517	
9/21/2016	55.2	7096.069	
9/28/2016	56.9	7034.177	47.35
10/4/2016	36.8	4629.661	
10/12/2016	49	6326.527	
10/19/2016	51.4	9176.398	
10/26/2016	54.1	13380.38	47.825
11/1/2016	20.1	5152.559	
11/9/2016	24.8	5308.721	
11/15/2016	11.7	5529.075	
11/16/2016	10.1	3681.006	
11/16/2016	14.6	4423.484	
11/17/2016	16.7	4071.899	
11/23/2016	26.4	5966.511	
11/30/2016	27.5	6426.798	18.9875
12/6/2016	30	6074.907	
12/14/2016	33.1	6808.779	
12/21/2016	31	5764.377	
12/28/2016	30.8	6028.348	31.225
1/3/2017	33.5	5752.453	
1/11/2017	35.4	6032.73	
1/18/2017	15.9	6326.726	
1/25/2017	36.5	6807.509	30.325
2/1/2017	42.8	6970.891	
2/7/2017	17.7	6046.716	
2/15/2017	17.7	7490.779	
2/22/2017	18.4	5515.578	24.15
3/1/2017	30.8	6896.63	
3/7/2017	25	7076.645	
3/15/2017	16.6	9477.858	
3/15/2017	15.7	6921.621	
3/15/2017	13.5	5266.647	
3/15/2017	9.91	4697.502	
3/22/2017	21.7	6143.942	
3/29/2017	17.2	6354.459	18.80125
4/4/2017	28.8	6275.935	
4/12/2017	25.8	6200.955	
4/19/2017	26.5	6199.412	
4/26/2017	28.6	6260.432	27.425
5/2/2017	33.1	6572.764	
5/10/2017	33.4	5832.242	

5/18/2017	90.8	17631.55	
5/24/2017	40.5	6914.269	
5/31/2017	42	6543.561	47.96
6/6/2017	41	6187.664	
6/14/2017	37.8	5390.912	
6/21/2017	42.6	6440.695	
6/28/2017	47.7	7186.015	42.275
7/4/2017	67.4	9162.602	
7/12/2017	44.1	6246.912	
7/19/2017	52.2	7211.839	
7/26/2017	46.3	6262.213	52.5
8/1/2017	45.3	6335.679	
8/9/2017	46.6	6630.741	
8/16/2017	52.5	7298.962	
8/23/2017	45	5650.574	
8/30/2017	47.4	6435.367	47.36
9/5/2017	42.2	5888.694	
9/13/2017	47.2	6365.782	
9/20/2017	49.2	7255.643	
9/27/2017	46.8	6124.867	46.35
10/11/2017	51.6	6765.261	
10/18/2017	49	7405.008	
10/25/2017	39.7	6449.177	46.7
11/1/2017	46.9	6673.16	
11/15/2017	22.3	6063.908	
11/22/2017	15.7	5828.538	
11/29/2017	19.9	5779.017	26.96
12/6/2017	17.3	3805.269	
12/13/2017	18.4	3137.401	
12/20/2017	15.4	4332.821	
12/27/2017	31.4	5766.325	20.625
1/2/2018	20.9	5210.669	
1/10/2018	26	6486.657	
1/23/2018	15.7	4529.445	
1/31/2018	16.1	5397.652	21.06
2/7/2018	24.5	6026.397	
2/13/2018	34.3	6489.632	
2/27/2018	31.8	6091.387	28.675
3/7/2018	31.2	5322.117	
3/13/2018	32.8	5735.158	
3/20/2018	35.2	5735.022	

3/27/2018	33.9	5886.376	33.275
4/4/2018	36.9	6340.711	
4/10/2018	21.3	5148.745	
4/17/2018	15.2	5307.819	
4/24/2018	31.3	6151.843	26.175
5/1/2018	32.8	5689.268	
5/8/2018	36.2	5808.474	
5/15/2018	39.8	6413.085	
5/22/2018	40.2	6026.509	
5/29/2018	31	4492.602	36

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from Domestic+Commercial samples collected in 2017.

Domestic+Commercial - Pollutant	**Average**	**Maximum**	**Minimum**	**Count**	**# <MDL**
Ammonia	30.8 (NETP)	82.0	12.2	20	0
Arsenic, Total	0.000930	0.00112	0.000718	11	0
BOD5	333	454	257	13	0
Cadmium, Total	0.000136	0.000202	0.000094	11	0
Chloride	45.2	58.6	31.8	2	1
Chromium, Total	0.003197	0.00482	0.00135	11	0
COD	780	1090	598	13	0
Copper, Total	0.02636	0.0359	0.0221	13	0
Lead, Total	0.002364	0.00297	0.00179	11	0
Mercury, Total	0.0000259	0.00006	0.0000003	11	0
Molybdenum, Total	0.000857	0.00102	0.000736	11	0
Nickel, Total	0.002699	0.00321	0.00218	11	0
Phosphorus	4.58	4.9	4.25	2	0
Selenium, Total	0.000731	0.00105	0.000627	11	0
Silver, Total	0.000239	0.000597	0.000125	11	0
TSS	259	434	120	12	0
Zinc, Total	0.1352	0.161	0.122	13	0

The pollutants in the following table are as mg/Kg Dry Weight unless otherwise specified. Pollutant data is from sludge samples collected in 2015-2017. Red font is ½ RL.

Central Treatment Plant, Tacoma				
Sludge Pollutants	**Maximum**	**Count**	**# <MDL**	**Limit**
Arsenic (mg/Kg)	9.04	15	0	41
Cadmium (mg/Kg)	2.14	15	0	39
Copper (mg/Kg)	495	15	0	1500
Lead (mg/Kg)	67	15	0	300
Mercury (mg/Kg)	1.52	15	1	17
Molybdenum (mg/Kg)	10.2	15	0	75
Nickel (mg/Kg)	27.1	15	0	420
Selenium (mg/Kg)	6.04	15	0	100
Zinc (mg/Kg)	951	15	0	2800

K. Analytical and Sampling Methods

1. Analytical Methods and Sample Preservation

All wastewater samples were collected, preserved and analyzed using methods approved pursuant to 40 CFR Part 136 and 40 CFR Part 403, Appendix E and were of such quality as to be legally defensible. The City uses a mix of in-house and external support for analytical work performed under its pretreatment program.

2. Sample Types

POTW influent and effluent samples were collected as required by the NPDES Permit. If sampling for oil and grease, cyanide, pH, sulfides, phenols or volatile organic compounds, the City would use the appropriate sample type as allowed in its NPDES permit.

3. Example Liquid Matrix Sampling Criteria

Pollutant	Sample Type	Sample Hold Time	Sample Preservation
Arsenic	24 hr Composite	6 Months	HNO_3 to pH <2
Biochemical Oxygen Demand (BOD5)	24 hr Composite	48 Hours	Cool to 6ºC
Cadmium	24 hr Composite	6 Months	HNO_3 to pH <2
Chromium (total)	24 hr Composite	6 Months	HNO_3 to pH <2
Copper	24 hr Composite	6 Months	HNO_3 to pH <2
Cyanide	Grab (for Pretreatment Required Sampling)	14 Days	Cool to 6ºC, 1:1 NaOH to pH >12
Lead	24 hr Composite	6 Months	HNO_3 to pH <2
Mercury 1631E	Grab	90 Days	5 mL/L 12N HCl or 5 mL/L BrCl
Mercury 245.1	24 hr Composite	28 Days	HNO_3 to pH <2
Molybdenum	24 hr Composite	6 Months	HNO_3 to pH <2
Nickel	24 hr Composite	6 Months	HNO_3 to pH <2
Phosphorus	24 hr Composite	28 days	Cool to 6ºC, 1:1 H_2SO_4 to pH <2
Selenium	24 hr Composite	6 Months	Cool to 6ºC, 1:1 HNO_3 to pH <2
Silver	24 hr Composite	6 Months	HNO_3 to pH <2
Total Suspended Solids (TSS)	24 hr Composite	7 Days	Cool to 6ºC
Zinc	24 hr Composite	6 Months	HNO_3 to pH <2

4. Chain of Custody (COC)

All samples included a COC for sample identification (sample location) and tracking. COC information and records are maintained at the Environmental Services, Business Operations Division, Environmental Compliance Group for sampling and is provided with each sample report by the City laboratory.

L. Recordkeeping

All records that are the basis for the local limits developed shall be maintained for at least three years beyond when the local limits are no longer implemented and enforced. The records will be kept at the Environmental Services, Business Operations Division, Environmental Compliance Group as a hardcopy and/or in electronic (.pdf) format.

Attachment 1
Example Calculation and Formulas

Process and Formulas used in Calculating Allowable Headworks Loadings (from 2004 EPA Guidance) – Copper Example

1. Applicable Allowable Headworks Loadings (AHLs)

Water Quality: $(8.345*(WQS*(Q_{recH2O} + Q_{POTW})-(Q_{recH2O} * C_{stream})))/(1-(R_{POTW}/100))$

WQS: Applicable Water Quality Standard (mg/L): Acute or Chronic as appropriate
Q_{recH2O}: Receiving Water Dilution Flow (mgd): Acute or Chronic as appropriate. 0 mgd.
Q_{POTW}: POTW flow for local limits (mgd)
C_{stream}: Upstream or Ambient Receiving Water Concentration (mg/L) if specified by State
R_{POTW}: Removal Efficiency for POTW (%). Typically, the Mean Removal Efficiency or EPA Literature data typically used.

Rounding may change the values below from that in the submittal.

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1. Calculate the AHLs

Water Quality Acute = (8.345) * (0.00578 mg/L * (1260 mgd + 24.92 mgd)-(0.001208 * 1260 mgd))/(1-(82.2/100)) = 276.827 lbs/day

Water Quality Chronic = (8.345) * (0.00373 mg/L * (8460 mgd + 24.92 mgd) - (0.001208 * 8460 mgd))/(1-(82.2/100)) = 1025.9208 lbs/day

Sludge AHL = (8.345 * 1500 mg/Kg * (% solids/100) * Sludge Flow (mgd) * (Sp Grav)) / (Reff/100) = 49.7489 lbs/day

2. Determine MAHL (most stringent AHL) = 49.7489 lbs/day, Sludge.

3. Determine the Maximum Allowable Industrial Loading (MAIL)

MAIL = MAHL * 1-SF/100 - Domestic+Commercial Loading
MAIL = ((49.7489 lbs/day * 0.9) – 5.013 lbs/day) = 39.6377 lbs/day

4. Apply Expansion Factor (50%) at the POTW's discretion to obtain an adjusted POTW loading for concentration-based limits.

Adjusted Loading = MAIL * (1-(Exp Factor/100))
= 39.6377 * 0.5 = 19.8189 lbs/day

5. Calculate concentration-based limits

Local Limits (mg/L) = Adjusted IU Loading/(IU flow for Local Limits (mgd) * 8.345)
= 19.8189 lbs/day/(1.6289 mgd * 8.345) = 1.46 mg/L

APPENDIX T

NETP Local Limits Analysis

City of Tacoma, Washington

Local Limits Report
for the
North End Treatment Plant

Draft for State Review

June 19, 2018
Section B updated: 9/18/18

North End Treatment Plant
City of Tacoma, Washington
Industrial Pretreatment Program
Local Limits Revision

A. Purpose

The General Pretreatment Regulations (40 CFR Part 403) require that each Publicly Owned Treatment Works (POTW) with a pretreatment program develop and enforce Technically-Based Local Limits (TBLLs) which will establish the maximum loading of pollutants that can be accepted from industrial users without causing a violation of applicable environmental standards. Local limits are developed and enforced to prevent Pass Through and Interference, protect sludge disposal practices and prevent impacts to the health and safety of workers (40 CFR sections 403.2 and 403.5(c)(1)). Tacoma (City) used the EPA July 2004 Local Limits Development Guidance (EPA 833-R-04-002A) and input from the Washington Department of Ecology (Ecology) as a framework for establishing limits to protect the POTW and environment (40 CFR Section 403.8(f)(4)). The City has an on-going pollutant monitoring program and permit which requires sampling as specified in its National Pollutant Discharge Elimination System (NPDES) Permit (WA0037214) issued to the City's treatment plant located at 4002 North Waterview Street in Tacoma. The State of Washington has been authorized to implement and enforce the Industrial Pretreatment Program under 40 CFR Part 403. The State has established State-required regulations and NPDES permit requirements. The City is updating local limits pursuant to the general requirement to keep local limits up-to-date (40 CFR Section 403.5(c)(1)).

B. Municipal Organization

City has an estimated population of 198,000. The City has a Mayor-Council-City Manager form of government. The City has a nine-member City Council and a Mayor. The City Manager reports to the Mayor and City Council. The Pretreatment Program is in the Environmental Services Department, Business Operations Division, Environmental Compliance Group.

To ensure the program modifications are legally-defensible, review and approval by the City Council is generally necessary to assure adequate public participation and changes are being adopted into the legal authority consistent with the City's Administrative Procedures Act.

City Environmental Compliance staff and manager will coordinate putting together the package defined in paragraphs A and/or B above. The substantial modification package will be routed through Environmental Compliance, Business Operations Division, Environmental Services Director, City Attorney and the City Manager for concurrence. Once concurrence is obtained, the substantial modification package would then be forwarded to the appropriate City Council committee for action. After affirmative action by the committee, the Environmental Compliance program prepares a Council action memorandum that is filed in Granicus. The City Attorney prepares the Ordinance (the legal authority language is generally already

drafted). Environmental Services would contact the City Clerk to have the new Ordinance placed on the City Council Agenda.

The City Council will generally have a first and second reading to allow for the required public participation. The final approval by the City Council would be no less than 30 days after first reading. Submittal of the package to the State for approval would typically be completed after 1st reading by the City Council. Final approval by the City Council would be as close to the date of State approval as possible. If the City Council approves the Ordinance changes earlier than the State approval, the Ordinance shall include a statement similar to: "This Ordinance shall be effective upon the date of approval of the Local Limits by the State department of Ecology". The City may modify this process as needed.

C. Description of POTW(s)

The treatment plant uses a combination of physical and chemical addition followed by a biological filter and finally chlorine disinfection. The flow enters the plant and first passes a bar screen. Flow is pumped up to an elevation that allows gravity flow through the rest of the plant. Flow passes through ¼-inch bar screens and any solids removed are sent to a screening washer at the local solid waste transfer station. Flow then passes a Parshall flume with a continuous ultra-sonic flow meter. Aluminum Sulfate (Alum) is then added before the flow enters a grit removal tank. Grit removed from the tank is washed and trucked to the local solid waste transfer station for disposal. Flow leaving the grit tank enters a flow diversion box that splits the flow to two sedimentation tanks where a polymer is added. Scum and sludge from each step is sent to a sludge holding tank where it is trucked off site to the Tacoma Central plant for treatment.

Flow from the sedimentation tanks is sent to a biofilter which consists of a two-story tower where the wastewater is sprayed into and through corrugated plastic sheets. The biofilter goes through a daily scour cycle where the filter plastic is backwashed, and the flow is sent back to the head of the grit tank for settling. The flow is sent to the chlorine contact tank where the chlorine is electronically monitored and dosed to achieve the lowest possible residual and most effective disinfection. The final discharge is to an outfall diffuser in Commencement Bay.

The biofiltration portion of the facility along with the design flow being less than ten mgd rates the facility as Class III. The facility is not considered tertiary treatment.

The North End facility is rated at 7.2 mgd for an average monthly design flow and a maximum daily flow of 15.8 mgd. The design population equivalent is 54,300. The North End service area comprises approximately 6,200 acres which are predominantly residential in land use. The age of parts of the collection system range from modern to 90 years or older. The trunk line draining the older area consists of 6,600 feet of 21 to 30-inch concrete that was built in 1910. The City has implemented an extensive I/I program of identifying and replacing the older and leaking parts of the collection system.

The treatment facilities remove solids during the treatment of the wastewater at the headworks (grit and screenings), and at the grit tank and the sedimentation tanks, in addition to incidental

solids (rags, scum, and other debris) removed as part of the routine maintenance of the equipment. Grit, rags, scum and screenings are drained and disposed of as solid waste at the local solid waste handling facility. Solids removed from the sedimentation tank are trucked to the Tacoma Central plant where it is currently re-introduced directly in to the Central Plant's sludge treatment train.

Receiving Water:

The outfall extends, from a drop manhole in the seawall along Ruston Way, to approximately 900 feet offshore in outer Commencement Bay. A multi-port diffuser is on the end of the 900 foot outfall and discharge depth ranges from 120 to 130 feet below sea level at MLLW. The diffuser is 32 feet long and has 6 ports that are spaced from 3 to 9 feet apart. The diameter of the ports ranges from 11 to 14 inches. The outfall has a hydraulic capacity of 26 mgd. The first port opens towards shore, two of the ports open at right angle to shore and towards the outer bay, two ports open in the opposite direction, and the last port opens out at a 45º angle towards the surface. Secondary treated and disinfected effluent is discharged from the facility via the outfall into outer Commencement Bay.

NPDES Permit Required Monitoring Frequency for Pollutants Relevant to the Local Limits Development

	Influent	**Effluent**	**Sludge**
Flow	Continuous, daily Total	Daily Total	N/A - unless otherwise required
Ammonia	Once per month	Once per month	
Biochemical Oxygen Demand (BOD_5)	3 per week	3 per week	
Oil and Grease	Once per quarter	Once per quarter	
Nitrate +Nitrite	Once per month	Once per month	
Orthophosphate	Once per month	Once per month	
Phosphorus, Total	Once per month	Once per month	
Priority pollutant metals and Cyanide	Once per quarter	Once per quarter	Once per quarter
Priority pollutant organics and other toxic pollutants likely to be present	Once per year	Once per year	Once per year
Total Nitrogen	Once per month	Once per month	
Total Suspended Solids (TSS)	3 per week	3 per week	

BOD design of 10,600 lbs/day and a TSS design of 12,000 lbs/day was approved by the State and referenced in the 6/1/09 Fact Sheet Addendum.

Available Dilution (dilution factor)	
Acute Aquatic Life Criteria	45
Chronic Aquatic Life Criteria	101
Human Health Criteria - Carcinogen	Not specified
Human Health Criteria - Non-carcinogen	Not specified

D. Other Municipal Contributors

The North End Treatment Plant does not accept wastewater from other municipal jurisdictions.

E. Significant Industrial Users

The City has not identified any Significant Industrial Users (SIUs) in the North End collection system. The City is developing local limits to be applied if industrial users opt to discharge wastewater to the collection system. The City's decision to establish local limits for SIUs is being done consistent with the 2004 EPA Local Limits Guidance and 40 CFR Section 403.18(b)(2).

F. Local Limits Process

Local limits are those concentrations or loadings of pollutants that a POTW can accept and prevent Pass Through, Interference, adverse health effects, or a violation of the General and Specific Prohibitions. These limits are adopted by the POTW into their legal authority and apply at the point of discharge from the industrial user into the sewerage system. Local limits are Pretreatment Standards and are based on the Maximum Allowable Industrial Loading (MAIL).

The first step of the process is to review and compile data, supplementing data with additional monitoring where necessary. The POTW develops a list of Pollutants of Concern (POC) to further evaluate. When the final Pollutants of concern are identified, the POTW uses applicable standards and flows to calculate all applicable Allowable Headworks Loading (AHL) for each Standard. The POTW then uses the most stringent AHL, the Maximum Allowable Headworks Loading (MAHL), in calculating local limits.

To calculate the MAIL (or local limit), the POTW typically subtracts out an EPA recommended Safety Factor from the MAHL. The POTW then subtracts out domestic+commercial loadings to obtain the Maximum Allowable Industrial Load (MAIL), which is the regulatory number that EPA approves pursuant to 40 CFR Section 403.18(b). If the City is adopting uniform concentration-based local limits, the City may set aside some of the MAIL or include additional flow in the calculations for expansion of existing industrial users or new industrial users. This "set aside" is at the full discretion of the POTW and may be

reallocated without further notice, if the approved MAIL does not change (see 40 CFR Section 403.18 and the 2004 EPA Local Limits Guidance Manual). The City may adopt uniform concentration limits, the MAIL, the adjusted MAIL or a combination of these.

The City's Consultant used a spreadsheet that is consistent with the July 2004 Guidance, including the formulas. All applicable data input for calculations is shown in Section I of this Report. Ecology has published guidance that includes a local limits spreadsheet that the State has indicated is consistent with the July 2004 Local Limits Development Guidance. However, the City has opted to use a more tabular format to calculate local limit to facilitate a better understanding of the mechanics of calculating the limits.

An example local limits calculation is shown in Attachment 1.

G. Legal Authority Language

Old Code Language (Code current being revised):

~~12.08.040 Limitations on wastewater strength.~~

~~A. Maximum Daily Limits. No person shall discharge wastewater into the Municipal Sanitary Sewer System containing a daily maximum concentration greater than:~~

~~0.1 mg/l arsenic, total~~
~~0.25 mg/l cadmium, total~~
~~0.25 mg/l chromium, hexavalent~~
~~1.0 mg/l chromium, total~~
~~1.0 mg/l copper, total~~
~~0.2 mg/l free cyanide~~
~~0.64 mg/l total cyanide~~
~~0.4 mg/l lead, total~~
~~0.05 mg/l mercury, total~~
~~1.0 mg/l molybdenum, total~~
~~1.0 mg/l nickel, total~~
~~0.1 mg/l selenium, total~~
~~0.2 mg/l silver, total~~
~~2.0 mg/l zinc, total~~
~~50 mg/l petroleum hydrocarbons (silica gel treated-hexane extractable material, SGT-HEM)~~

~~The above limits apply at the point where the wastewater is discharged to the Municipal Sanitary Sewer System (end of pipe). All concentrations for metallic substances are for "total" metal unless otherwise indicated. Where a user is subject to a National Categorical Pretreatment Standard and a local limit for a given pollutant, the more stringent limit or applicable National Pretreatment Standard shall apply. The daily maximum is defined as the arithmetic mean of the pollutant concentration calculated from all measurements taken that day.~~

New Code Language:

12.08C.050 - Specific Discharge Limitations

D. Local Limits

1. No Significant Industrial User or other designated non-SIU shall discharge or cause to be discharged, wastewater containing pollutants that exceed the following limits:

Pollutant	Daily Maximum Discharge Limits[a] for IUs discharging to Central Treatment Plant	Daily Maximum Discharge Limits[a] for IUs discharging to North End Treatment Plant
Arsenic	0.23	0.56
Cadmium	0.103	0.251
Chromium	4.74	11.34
Copper	1.46	2.27
Lead	0.427	1.20
Mercury	0.033	0.097
Molybdenum	0.55	1.46
Nickel	1.12	2.79
Selenium	0.14	0.437
Silver	0.64	1.55
Zinc	2.44	5.54
5-Day Biochemical Oxygen Demand (BOD_5), lbs/day[b]	No Limit	449
Total Suspended Solids (TSS), lbs/day[b]	No Limit	2153
Ammonia, lbs/day[b]	5,082.6	No Limit

[a] All Pollutants as Total and in mg/L unless otherwise specified.

[b] This limit is the total mass in pounds per day (lbs/day) that are available to allocate to all Significant Industrial Users and other designated and Permitted non-SIUs.

E. The City may implement local limits through allocation of the Maximum Allowable Industrial Load (MAIL) to Significant Industrial Users and specific permitted non-SIUs that correspond to the uniform concentration local limits shown in the table above.

1. Central Treatment Plant: The MAILs listed in Table I-XX of the Local Limits Report dated XXXXXX XX, 2018, that correspond to the Daily Maximum Discharge Limits are hereby incorporated by reference.

2. North-End Treatment Plant: The MAILs listed in Table I-X of the Local Limits Report dated XXXXXX XX, 2018, that correspond to the Daily Maximum Discharge Limits are hereby incorporated by reference.

F. The following limits shall apply to wastewaters that are discharged from:

1. Groundwater cleanup of petroleum or gasoline underground storage tanks or other remediation wastewaters containing these pollutants;

2. Discharges where one or more of these pollutants are present; or

3. Where these pollutants are appropriate surrogates.

It shall be unlawful for any Industrial User to discharge or cause to be discharged any waste or wastewater to the POTW that exceeds the following limits:

Pollutant[(a)(c)]	Daily Maximum Limit (mg/L)
Benzene	0.050
BTEX[(b)]	0.750

(a) All pollutants shown in the Table are total.

(b) BTEX shall be measured as the sum of Benzene, Ethylbenzene, Toluene and Xylenes.

(c) These limits are based upon installation of air stripping technology as described in the EPA document: "Model NPDES Permit for Discharges Resulting from the Cleanup of Gasoline Released from Underground Storage Tanks. June 1989."

G. The Director may establish more stringent pollutant limits, additional site-specific pollutant limits, Best Management Practices, or additional Pretreatment Requirements when, in the judgment of the Director, such limitations are necessary to implement the provisions of this Chapter.

H. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal Pretreatment Standards and Requirements or those in this Chapter.

H. Pollutants of Concern (POC) Evaluation Criteria

The following criteria/data considerations were used to evaluate the initial POC consistent with the 2004 EPA Local Limits Guidance:

1. Pollutants of Concern established by EPA, including Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Zinc, BOD_5, Total Suspended Solids, Ammonia and Phosphorus.

2. Data review of POTW influent, effluent and sludge data (organics, metals and conventional pollutants).

3. POTW influent/effluent Priority Pollutant analyses, as required by the NPDES permit were reviewed.

4. Permit limited pollutants were reviewed and included in the sampling program, as appropriate (e.g. BOD_5 and TSS).

5. Water Quality Standards as specified at WAC 173-201A-240.

6. Inhibition was evaluated. However, no inhibition has been experienced and based upon operations and influent sampling is not expected to be an issue. Consistent with the 2004 EPA Local Limits guidance, site-specific inhibition studies were not conducted to establish site-specific criteria

7. Sludge was evaluated. The City sends sludge to the Central Treatment Plant. The Central Treatment Plan has not violated any sludge standard for beneficial reuse. The current local limits analysis includes sludge protection.

8. Pollutants that may cause adverse worker health and safety effects were evaluated. No pollutants were identified in sampling results that were an acute threat to worker health and safety.

9. Trucked and Hauled Waste. The North End Treatment Plant does not accept trucked and hauled waste.

10. The State has not adopted any standards applicable to marine wastewater discharges for Chromium(total) or Chromium(III). There is not a sludge disposal Standard for Chromium(total). The City is specifically adopting a final effluent criterion for use in local limits calculations of 5 mg/L. While limits applicable to Toxicity Characteristic Leaching Procedure (TCLP) found at WAC 173-303-090(8)(c) are not applicable to POTW effluents that analyze for total metals using methods approved under 40 CFR Part 136, the City believes the 5 mg/L limit is reasonable and comparable to typical standards adopted for freshwater systems. The 5 mg/L will be applied end-of-pipe.

The initial pollutants that were detected and considered potential Pollutants of Concern are shown below and reflect those pollutants recommended by EPA and the State, of concern to the City or otherwise detected in POTW influent or effluent sampling. As allowed for in 40 CFR 403.8(f)(4) and consistent with the 2004 Local Limits Guidance, the City is evaluating some of the pollutants for the need for local limits as noted. Note: Pollutants not shown on the table had all POTW influent and effluent measurements <RL.

Pollutant	Initial Pollutant of Concern?	Comments
Flow (MGD)	N/A	The POTW has exceeded the Daily Maximum Influent Design Limit of 15.8 mgd on two days (n=891) in the period of 1/1/16-6/12/18. There has been no exceedance of the monthly average flow limit (7.2 mgd) from 1/1/16-6/12/18. The City is evaluating plant expansion.
Arsenic, Total	Yes	EPA Recommended
Cadmium, Total	Yes	EPA Recommended
Chromium, Total	Yes	EPA Recommended
Copper, Total	Yes	EPA Recommended
Lead, Total	Yes	EPA Recommended
Mercury, Total	Yes	EPA Recommended
Molybdenum, Total	Yes	EPA Recommended
Nickel	Yes	EPA Recommended
Selenium, Total	Yes	EPA Recommended
Silver, Total	Yes	EPA Recommended
Zinc, Total	Yes	EPA Recommended

Pollutant	Initial Pollutant of Concern?	Comments
BOD_5	Yes	The Local Limit will be based upon a daily maximum BOD loading of 10,600 lbs/day, the latest design loading approved by the State in a NPDES Permit modification. From 1/1/6 to 4/30/18, the POTW exceeded the POTW influent loading monthly average of 10,600 lbs/day in 8 of 29 months. The months that exceeded ranged from 11,477 to 16,610 lbs/day. The City will use the Maximum Monthly design loading of 10,600 lbs/day as a conservative daily maximum MAHL loading number. However, there is no expectation that the NETP will be able to accept any new Significant Industrial Users that contribute BOD_5 in significant quantities due to the periodic uncontrollable loading that occurs until changes to the capacity of the NETP can be completed. The total lbs/day of BOD5 that NETP can accept based upon this design loading on a per day basis is 449 lbs/day. The POTW will have to enforce this MAIL to assure that SIUs and other permitted IUs are not causing Pass Through or Interference.

Pollutant	Initial Pollutant of Concern?	Comments
Total Suspended Solids (TSS)	Yes	Local Limit will be based upon a daily maximum TSS loading of 12,000 lbs/day, the latest design loading approved by the State in NPDES Permit modification. From 1/1/6 to 5/31/18, the POTW exceeded the POTW influent loading monthly average of 12,000 lbs/day in 5 of 29 months. The months that exceeded ranged from 12,177 to 17,113 lbs/day. The City will use the 12,000 lbs/day as a conservative daily maximum loading number. However, there is no expectation that the NETP will be able to accept any new Significant Industrial Users that contribute TSS in significant quantities due to the periodic uncontrollable loading that occurs until changes to the capacity of the NETP can be completed. The total lbs/day of TSS that NETP can accept based upon this design loading on a per day basis is 2079 lbs/day. The POTW will have to enforce this MAIL to assure that SIUs and other permitted IUs are not causing Pass Through or Interference.
Ammonia	No	The average POTW effluent Ammonia (95th Percentile) was 33.73 mg/L. WQS (unionized Ammonia) for acute: 0.233 mg/L and chronic: 0.035 mg/L. Ammonia has not been identified as a pollutant of concern by the State through the reasonable potential evaluation. The calculated Total Ammonia (from State Permit Calculations) is 6.58 mg/L (acute) and 0.988 mg/L (chronic) - Note: The State has not provided site specific data, CTP data was used. The applicable dilution factors are 45 (Acute) and 101 (chronic). The calculated chronic effluent limit is 77.59 mg/L and the daily acute limit 155.7 mg/L. The effluent has no reasonable potential to exceed either limit.
Bis(2-ethylhexyl)phthalate	Yes	The maximum measured POTW effluent concentration was 0.022 mg/L and the average POTW effluent concentration was 0.0173 mg/L; All 3 measurements were >RL. The most stringent WQS Human Health Standard is 0.000046 mg/L. The dilution factor (45) for Acute Aquatic Life Criteria and the Dilution Factor (101) for Chronic Aquatic Life Criteria. The discharge would be predicted to exceed the WQS after mixing. The maximum concentration for the pollutant at the edge of the chronic mixing zone is 0.000218 mg/L.

Pollutant	Initial Pollutant of Concern?	Comments
1,2-Dichlorobenzene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
1,2-Diphenylhydrazine	No	2 of 3 POTW effluent measurements <MDL, 1 measurement is J-flagged.
1,3-Dichlorobenzene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2,4,6-Trichlorphenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2,4-Dichlorophenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2,4-Dinitrotoluene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2.Chlorophenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2-Methylphenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
2-Nitrophenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
3&4-Methylphenol	No	No applicable Standard. POTW effluent maximum concentration is 0.0032 mg/L. Cresols are a widely occurring natural and manufactured group of aromatic organic phenolic compounds. Cresols are precursors or synthetic intermediates to other compounds and materials, including plastics, pesticides, pharmaceuticals, and dyes.
3-Methylcholanthrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
4-Bromophenylether	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.

Pollutant	Initial Pollutant of Concern?	Comments
Acenaphthene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL.
Acenaphthylene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL.
Aniline	No	POTW effluent measurement is <MDL. POTW influent measurement indicated it was present at 0.0012 mg/L. Aniline is an aromatic amine, commonly used in the manufacture of precursors to polyurethane and other industrial chemicals. Flammable, but not at the POTW influent concentration measured. No applicable WQS.
Anthracene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Antimony	No	Antimony HH Standard: 0.09 mg/L. Maximum POTW effluent concentration was 0.0004 mg/L.
Benzo(a) anthracene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Benzo(a) pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Benzo(b,j,k) fluoranthene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Benzoic Acid	No	Detected in POTW influent at 0.072 mg/L. Used in preservatives and topical mediations. No applicable WQS.
Beryllium	No	10 of 11 POTW effluent measurements <MDL. No Applicable Standard.
Bis(2-chloroethoxy)methane	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Bis(2-chloroethyl) ether	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Butylbenzyphthalate	No	All POTW effluent measurement <MDL.
Chloride	No	Detected in POTW influent at 50 mg/L. Not a concentration of concern. No applicable Standard.
Chloroform	No	HH WQS: 0.600 mg/L. POTW maximum effluent measurement was 0.001 mg/L.

Pollutant	Initial Pollutant of Concern?	Comments
Chrysene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Cyanide, Total	No	9 of 11 POTW influent measurements <MDL and 2 - J-flagged. 7 of 11 POTW effluent measurements <MDL and 3 J flagged. Commonly formed during wastewater treatment. No indication that a non-domestic source is contributing.
Dibenz(a,e)pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Dibenz(a,h)acridine	No	2 of 3 measurements were <MDL and the other measurements were J-flagged in the POTW influent and effluent. No applicable Standard.
Dibenz(a,h)pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Dibenz(a,i)pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Dibenz(a,j)acridine	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Diethylphthalate	No	HH WQS: 0.200 mg/L. The Maximum POTW effluent measurement was 0.0005 mg/L.
Dimethyl phthalate	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Di-n-butylphthalate	No	HH WQS: 0.008 mg/L. 2 of 3 POTW effluent measurements <MDL and 1 measurement J-flagged. The J-flagged maximum value was 0.0005 mg/L.
Di-n-octyl phthalate	No	No applicable WQS.
Ethylbenzene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Fluoranthene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Fluorene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
HEM-Oil and Grease	No	The City relies on its Oil and Grease BMP program for protecting the collection system.

Pollutant	Initial Pollutant of Concern?	Comments
Hexachlorobenzene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Indeno(1,2,3-c,d)pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Isophorone	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
m,p-Xylene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Naphthalene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Nitrate+Nitrite	No	No applicable WQS.
n-Nitrosodiphenylamine	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
n-Octadecane	No	No applicable WQS. Octadecane is found in alcoholic beverages. Octadecane is found in hop oil and other plant sources.
Orthophosphate	No	No applicable Standard.
Pentachlorophenol	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL.
Perylene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Phenanthrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Phenol	No	HH WQS: 70 mg/L. Maximum POTW effluent concentration 0.0004 mg/L.
Phosphorus	No	No applicable WQS. City will include monitoring and reporting for SIUs for total Phosphorus
Pyrene	No	All POTW effluent measurements <MDL; 2 of 3 POTW influent measurements <MDL with 1 measurement J flagged.
Pyridene	No	POTW effluent measurement is <MDL; Maximum POTW influent concentration was 0.0011 mg/L. No applicable Standard.

Pollutant	Initial Pollutant of Concern?	Comments
Thallium	No	HH WQS: 0.0063 mg/L. 9 of 11 POTW effluent measurements <MDL with 2 other measurements J-flagged. Maximum J-flagged concentration: 0.0003 mg/L.
Toluene	No	HH WQS: 0.130 mg/L. Maximum POTW effluent concentration was 0.0018 mg/L.
Total Nitrogen	No	No applicable Standard.

I. Wastewater Treatment Plant Data Summaries for Local Limits

Table I-1 - General Information/Data for Local Limits

POTW Flow for Local Limits (mgd)	4.536 (POTW average flow (4.486 mgd) plus SIU flow for local limits plus non-SIU flow.
Average SIU Flow	0
Permitted SIU Flow for Local Limits (mgd):	0.025 (future permitted SIUs)
Flow for Permitted Non-SIU Industrial Users (mgd)	0.025
Total SIU + Other Non-SIU Flows for Local Limits:	0.05
Combined plus Domestic + Commercial Flow (mgd):	4.486
Total Current POTW Flow (mgd)	4.486
SIU Permitted Flow not being discharged but allocated through current or future permits (mgd):	0.025
Specific Gravity of Sludge to Disposal (kg/L):	1.004
Sludge Flow to Disposal (mgd):	0.0478 (estimated)
% Solids to Disposal (%):	1.3
Sludge Table Based on Disposal Option:	3
Acute Dilution Factor:	45
POTW Flow for Acute DF (mgd):	7.2 (Design Flow)
Acute Flow Based Upon DF (mgd):	316.8
Chronic Dilution Factor:	101
POTW Flow for Chronic DF (mgd):	7.2 (Design Flow)
Chronic Stream Flow Based Upon DF (mgd):	720
Chronic: Non-Carcinogen Dilution Factor:	101
POTW Flow for Non-Carcinogen DF (mgd):	7.2 (Design Flow)
Chronic, Non-Carcinogen Stream Flow Based Upon DF (mgd):	720
Chronic: Carcinogenic Dilution Factor:	Not specified by State
POTW Flow for Carcinogen DF (mgd):	7.2 (Design Flow)
Chronic, Carcinogen Stream Flow Based Upon DF (mgd):	Not specified by State

Table I-2 - Applicable Standards for the Local Limits Evaluation

Applicable Standards Pollutant	Calculated Acute Marine NPDES Permit Limit mg/L[4]	Calculated Chronic Marine NPDES Permit Limit mg/L[4]	POTW Design Data lbs/day	Marine State Acute WQS mg/L	Marine State Chronic WQS mg/L	Human Health Organism mg/L	Sludge mg/Kg DW	City adopted Standard mg/L
Arsenic				0.069	0.036	[1]	41	
Cadmium				0.04024	0.00885		39	
Chromium								5 [3]
Copper				0.00578	0.00373		1500	
Lead				0.22082	0.00852		300	
Mercury				0.00212	0.000940		17	
Molybdenum							75 [2]	
Nickel				0.07475	0.00828	0.100	420	
Selenium				0.29058	0.07114	0.200	100	
Silver				0.00224				
Zinc				0.09514	0.081	1.000	2800	
BOD_5			10600					
TSS			12000					
Bis-2(ethylhexyl)phthalate	0.00349	0.00239						

(1) State has not required implementation for the Inorganic Arsenic Standard. From an email dated October 31, 2017 from Dave Knight (Washington Department of Ecology: *"Inorganic Arsenic human health criteria are not presently being implemented by the Department of Ecology since they are well below ambient concentrations in Washington streams and rivers, and thus we do not require POTWs to develop local limits for inorganic arsenic that would protect against violation of the inorganic arsenic standards. This is the only numerical criteria for which this is the case. For mercury fish tissue standards, absent*

development of site specific bioaccumulation factors (per the EPA 2000 manual), we ask for the numerical mercury criteria to be applied."

(2) From Sludge Table 1, Ceiling Concentrations. POTW is required to meet this limit.

(3) The State has not adopted any standards applicable to marine wastewater discharges for Chromium(total) or Chromium(III). There is not a sludge disposal Standard for Chromium(total). The City is specifically adopting a final effluent criterion for use in local limits calculations of 5 mg/L. While limits applicable to Toxicity Characteristic Leaching Procedure (TCLP) found at WAC 173-303-090(8)(c) are not applicable to POTW effluents that analyze for total metals using methods approved under 40 CFR Part 136, the City believes the 5 mg/L limit is reasonable and comparable to typical standards adopted for freshwater systems. The 5 mg/L will be applied end-of-pipe.

(4) This limit was from the State using the December 2016v1.0 Permit Calculation spreadsheet provided by the State.

Table I-3 - POTW Influent Loading to the City

Monitoring Data Pollutant	Average POTW Influent mg/L	# obs and Notes	RL Handling	Average POTW Flow mgd	POTW Influent lbs/day
Arsenic	0.002	n=11, 0<MDL	N/A	4.4863	0.0749
Cadmium	0.0003	n=11, 4<MDL, 4-Jflagged	1/2 MDL	4.4863	0.0112
Chromium	0.0032	n=11, 0<MDL	N/A	4.4863	0.1198
Copper	0.045	n=12, 0<MDL	N/A	4.4863	1.6847
Lead	0.008	n=11, 0<MDL	N/A	4.4863	0.2995
Mercury	0.000059	n=11, 0<MDL	N/A	4.4863	0.0022
Molybdenum	0.0008	n=11, 4<MDL	1/2 MDL	4.4863	0.0300
Nickel	0.00335	n=11, 0<MDL	N/A	4.4863	0.1254
Selenium	0.00068	n=11, 0<MDL	N/A	4.4863	0.0255
Silver	0.00032	n=11, 6<MDL, 3-J flagged	1/2 MDL	4.4863	0.0120
Zinc	0.124	n=12, 0<MDL	N/A	4.4863	4.6423
BOD_5	257	n=378	N/A	4.4863	9622
TSS	247	n=378	N/A	4.4863	9247
Bis-2(ethylhexyl)phthalate	0.0173	n=3, 0<MDL	N/A	4.4863	0.6477

Table I-4 - POTW Effluent Loading to the City

Monitoring Data Pollutant	Average POTW Effluent mg/L	# obs and Notes	RL Handling	Average POTW Flow mgd	POTW Effluent lbs/day
Arsenic	0.00090	n=11, 0<MDL	N/A	4.615	0.0337
Cadmium	0.00020	n=11, 9<MDL, 1-J flagged	1/2 MDL	4.615	0.0075
Chromium	0.00030	n=11, 9<MDL, 1-J flagged	1/2 MDL	4.615	0.0112
Copper	0.00550	n=11, 0<MDL	N/A	4.615	0.2059
Lead	0.00040	n=11, 2<MDL, 7-J flagged	1/2 MDL	4.615	0.0150
Mercury	0.0000025	n=11, 1<MDL	1/2 MDL	4.615	0.0001
Molybdenum	0.0004	n=11, 8<MDL	1/2 MDL	4.615	0.0135
Nickel	0.0014	n=11, 0<MDL	N/A	4.615	0.0539
Selenium	0.00026	n=11, 7<MDL, 4-J flagged	1/2 MDL	4.615	0.0097
Silver	0.000210	n=11, 9<MDL, 2-J flagged	1/2 MDL	4.615	0.0079
Zinc	0.024	n=11, 0<MDL	N/A	4.615	0.8798
BOD_5	14	n=380	1/2 MDL	4.615	524
TSS	8	n=367	N/A	4.615	300
Bis-2(ethylhexyl)phthalate	0.0151	n=3, 0<RL	N/A	4.615	0.5653

Table I-5 - POTW Domestic+Commercial Loading to the City

Monitoring Data Pollutant	Domestic+Commercial mg/L	# obs and Notes	RL Handling	Domestic+Commercial Average Flow mgd	Domestic+Commercial Contribution lbs/day
Arsenic	0.002	n=11, 0<MDL	N/A	4.486	0.0749
Cadmium	0.0003	n=11, 4<MDL, 4-J-flagged	1/2 MDL	4.486	0.0112
Chromium	0.0032	n=11, 0<MDL	N/A	4.486	0.1198
Copper	0.045	n=12, 0<MDL	N/A	4.486	1.6846
Lead	0.008	n=11, 0<MDL	N/A	4.486	0.2995
Mercury	0.000059	n=11, 0<MDL	N/A	4.486	0.0022
Molybdenum	0.0008	n=11, 4<MDL	1/2 MDL	4.486	0.0299
Nickel	0.00335	n=11, 0<MDL	N/A	4.486	0.1254
Selenium	0.00068	n=11, 0<MDL	N/A	4.486	0.0255
Silver	0.00032	n=11, 6<MDL, 3-J flagged	1/2 MDL	4.486	0.0120
Zinc	0.124	n=12, 0<MDL	N/A	4.486	4.6420
BOD_5	257	n=378	N/A	4.486	9621
TSS	247	n=378	N/A	4.486	9247
Bis-2(ethylhexyl)phthalate	0.0173	n=3, 0<MDL	N/A	4.486	0.6476

Table I-6 - Ambient Pollutant Concentration from NPDES Permit Fact Sheet dated 6/9/03

POLLUTANT	Ambient Pollutant Concentration mg/L
Arsenic	0.000955
Cadmium	None Reported
Chromium	0.0002120
Copper	0.0006680
Lead	0.0000235
Mercury	0.0000003
Molybdenum	None Reported
Nickel	0.0004480
Selenium	None Reported
Silver	0.0000100
Zinc	0.0020200
BOD_5	None Reported
Bis-2(ethylhexyl)phthalate	None Reported

Table I-7 - Removal Efficiency Calculations

Removal Efficiency Calculations POLLUTANT	Mean Removal Efficiency %	Literature Removal Efficiency from 2004 EPA Local Limits Guidance - Medial Activated Sludge	Final POTW Removal %
Arsenic	55.0		55.0
Cadmium	32.7	67	67.0
Chromium	90.7	82	82.0
Copper	87.8		87.8
Lead	95.0	61	61.0
Mercury	95.5		95.5
Molybdenum	55.1		55.1
Nickel	57.0		57.0
Selenium	61.9	50	50.0
Silver	34.7	75	75.0
Zinc	81.0		81.0
BOD_5	94.6		94.6
TSS	96.8		
Bis-2(ethylhexyl)phthalate	12.7		12.7

Removal Efficiency calculations based upon influent and effluent loading due to I&I. EPA literature data was used where most influent and/or effluent data was <MDL and <RL.

Table I-8 - Allowable Headworks Loading Calculations

AHL Calculations Pollutant	Acute NPDES mg/L	Chronic NPDES mg/L	POTW Design lbs/day	Marine State Acute WQS lbs/day	Marine State Chronic WQS lbs/day	Human Health Organism lbs/day	Sludge lbs/day	City-specific Criteria lbs/day	Most Stringent AHL for Common Stds lbs/day	Name of Most Stringent AHL
Arsenic				405.5603	470.9491		0.3881		0.3881	Sludge
Cadmium				326.9865	162.1495		0.3031		0.3031	Sludge
Chromium								1051.4700	1051.4700	City Specific Standard
Copper				112.5686	151.9583		8.8946		8.8946	Sludge
Lead				1518.1475	131.7253		2.5605		2.5605	Sludge
Mercury				126.3131	126.2594		0.0927		0.0927	Sludge
Molybdenum							0.7100		0.7100	Sludge
Nickel				463.3986	110.1656	1399.8454	3.8362		3.8362	Sludge
Selenium				1558.4090	860.2609	2418.5012	1.0413		1.0413	Sludge
Silver				23.9209					23.9209	Marine State Acute WQS
Zinc				1314.6437	2513.7343	31758.5050	17.9972		17.9972	Sludge
BOD_5			10600						10600	POTW Design
TSS			12000						12000	POTW Design
Bis-2(ethylhexyl)phthalate	0.1513	0.1036							0.1064	Chronic NPDES

Table I-9 - Maximum Allowable Industrial Loading (MAIL) Calculation

Pollutant	MAHL lbs/day	Controlling Criteria or Standard for MAHL	Safety Factor %	MAHL minus Safety Factor lbs/day	Subtract out Domestic+Commercial Loadings lbs/day	MAIL Maximum Available Industrial Loading lbs/day
Arsenic	0.3881	Sludge	10	0.3493	0.2744	0.2744
Cadmium	0.3031	Sludge	10	0.2728	0.2616	0.2616
Chromium	1079.5185	City Specific Standard	10	946.3230	946.2032	946.2032
Copper	8.8946	Sludge	10	8.0051	6.3205	6.3205
Lead	2.5605	Sludge	10	2.3045	2.0050	2.0050
Mercury	0.0927	Sludge	10	0.0834	0.0812	0.0812
Molybdenum	0.7087	Sludge	10	0.6390	0.6091	0.6091
Nickel	3.8362	Sludge	10	3.4526	3.3272	3.3272
Selenium	1.0413	Sludge	10	0.9372	0.9117	0.9117
Silver	23.9300	Marine State Acute WQS	10	21.5288	21.5168	21.5168
Zinc	17.9972	Sludge	10	16.1975	11.5555	11.5555
BOD_5	10600	POTW Design	5	10070	449	449
TSS	12000	POTW Design	5	11400	2153	2153
Bis-2(ethylhexyl)phthalate	0.1036	Chronic NPDES	5	0.0984	Zero lbs	Zero lbs

Table I-10 - Calculation of the Local Limits

Local Limits Pollutant	MAHL lbs/day	MAIL lbs/day	Expansion Factor(1) %	Adjusted POTW Controlled Loading w/ expansion factor lbs/day	Calculated SIU Limits	Units	Existing Local Limits (for Central Treatment Plant)	
							Existing Pollutant Name	Existing Local Limits mg/L
Arsenic	0.3881	0.2744	15	0.2332	0.559	mg/L	Arsenic	0.1
Cadmium	0.3031	0.2616	60	0.1046	0.251	mg/L	Cadmium	0.3
Chromium	1079.5185	946.2032	99.5	4.7310	11.34	mg/L	Chromium	1.0
Copper	8.8946	6.3205	85	0.9481	2.27	mg/L	Copper	1.0
Lead	2.5605	2.0050	75	0.5013	1.20	mg/L	Lead	0.4
Mercury	0.0927	0.0812	50	0.0406	0.097	mg/L	Mercury	0.05
Molybdenum	0.7087	0.6091	0	0.6091	1.46	mg/L	Molybdenum	1.0
Nickel	3.8362	3.3272	65	1.1645	2.79	mg/L	Nickel	1.0
Selenium	1.0413	0.9117	80	0.1823	0.437	mg/L	Selenium	0.1
Silver	23.9300	21.5168	97	0.6455	1.55	mg/L	Silver	0.2
Zinc	17.9972	11.5555	80	2.3111	5.54	mg/L	Zinc	2.0
BOD_5	10600	449	0	449	449	lbs/day		
TSS	12000	2153	0	2153	2153	lbs/day		
Bis-2(ethylhexyl)phthalate	0.1036	Zero lbs	N/A	N/A	< 0.0005(2)	mg/L		

(1) The Expansion Factor is set on a pollutant-by-pollutant basis to set aside some loading for the new SIUs or expansion of existing SIUs or other permitted IUs. The Expansion Factor decision is at the full discretion of the City and does not affect the final MAIL that is being adopted.

(2) The States specifies a required Quantification Level of 0.0005 mg/L in the Central Treatment Plant for this pollutant.

J. Summary Pollutant Data (POTW Influent, Effluent, Domestic+Commercial)

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from samples 2016-2018.

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Arsenic, Total	0.0020	0.00365	0.00146	11	0	0
Cadmium, Total	0.0003	0.000356	0.000165	11	4	4
Chromium, Total	0.0032	0.00501	0.00131	11	0	0
Copper, Total	0.045	0.112	0.0226	12	0	0
Lead, Total	0.00800	0.0157	0.00526	11	0	0
Mercury, Total	0.000059	0.000207	0.0000082	11	0	0
Molybdenum, Total	0.0008	0.00151	0.00025	11	4	0
Nickel, Total	0.00335	0.00513	0.00226	11	0	0
Selenium, Total	0.00068	0.000887	0.000468	11	0	1
Silver, Total	0.00032	0.000616	0.00025	11	6	3
Zinc, Total	0.124	0.199	0.0786	12	0	0
Ammonia	30.8	82.0	12.2	29	0	0
BOD_5	257	525	65	378	0	0
Total Suspended Solids (TSS)	247	494	85	378	0	0
1,2-Dichlorobenzene	0.0001	0.0002	0.00003	3	2	1
1,2-Diphenylhydrazine	0.0006	0.0008	0.0004	3	0	1
1,3-Dichlorobenzene	0.0001	0.0002	0.00004	3	2	1
2,4,6-Trichlorphenol	0.0005	0.0007	0.00015	3	2	1
2,4-Dichlorophenol	0.0003	0.0006	0.00015	3	2	1
2,4-Dinitrotoluene	0.0005	0.0008	0.0003	3	2	1

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
2.Chlorophenol	0.0003	0.0004	0.00015	3	2	1
2-Methylphenol	0.0003	0.0004	0.00025	3	1	2
2-Nitrophenol	0.0005	0.0007	0.00035	3	2	1
3&4-Methylphenol	0.0270	0.039	0.011	3	0	0
3-Methylcholanthrene	0.0005	0.0008	0.0002	3	2	1
4-Bromophenylether	0.0003	0.0004	0.00015	3	2	1
Acenaphthalyene	0.0002	0.0004	0.0001	3	2	0
Acenaphthene	0.0003	0.0004	0.00015	3	2	0
Aniline	0.0012	0.0012	0.0012	1	0	0
Anthracene	0.0003	0.0005	0.0001	3	2	1
Antimony	0.0004	0.000865	0.00025	11	6	0
Benzo(a) anthracene	0.0003	0.0005	0.0001	3	2	1
Benzo(a) pyrene	0.0004	0.0006	0.00015	3	2	1
Benzo(b,j,k) fluoranthene	0.0012	0.0015	0.00045	3	2	1
Benzoic Acid	0.0720	0.072	0.072	1	0	0
Beryllium	0.000	0.00025	0.000003	11	11	0
Bis(2-chloroethoxy)methane	0.0003	0.0006	0.00015	3	2	1
Bis(2-chloroethyl) ether	0.0003	0.0004	0.00015	3	2	1
Bis(2-ethylhexyl)phthalate	0.0173	0.022	0.015	3	0	0
Butylbenzyphthalate	0.0007	0.0008	0.0005	3	1	0
Chloride	50	50	50	1	1	0
Chloroform	0.0012	0.0017	0.0005	3	0	1
Chrysene	0.0002	0.0004	0.0001	3	2	1
Cyanide	0.0037	0.005	0.001	11	9	2
Dibenz(a,e)pyrene	0.0006	0.0011	0.00025	3	2	1
Dibenz(a,h)acridine	0.0005	0.0009	0.0002	3	2	1

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Dibenz(a,h)pyrene	0.0006	0.001	0.00015	3	2	1
Dibenz(a,i)pyrene	0.0007	0.0012	0.0003	3	2	1
Dibenz(a,j)acridine	0.0005	0.0008	0.0002	3	2	1
Diethylphthalate	0.0034	0.0047	0.0026	3	0	1
Dimethyl phthalate	0.0003	0.0006	0.0001	3	2	1
Di-n-butylphthalate	0.0013	0.0022	0.0007	3	0	1
Di-n-octyl phthalate	0.0012	0.0022	0.00025	3	1	0
Ethylbenzene	0.0001	0.0002	0.000025	3	2	1
Fluoranthene	0.0003	0.0006	0.00004	3	2	1
Fluorene	0.0003	0.0006	0.0001	3	2	1
HEM-Oil and Grease	28.43	53.80	6.3	9	0	0
Hexachlorobenzene	0.0002	0.0004	0.0001	3	2	1
Indeno(1,2,3-c,d)pyrene	0.0005	0.0009	0.0001	3	2	1
Isophorone	0.0003	0.0005	0.0001	3	2	1
m,p-Xylene	0.000	0.0003	0.00015	3	1	2
Naphthalene	0.0003	0.0005	0.0001	3	2	1
Nitrate + Nitrate	0.24	1.15	0.03	26	0	0
n-Nitrosodiphenylamine	0.0003	0.0004	0.0002	3	2	1
n-Octadecane	0.0022	0.0024	0.0019	2	0	0
Orthophosphate	2.38	4.46	1.24	26	0	0
Pentachlorophenol	0.0020	0.0025	0.0013	3	2	0
Perylene	0.0003	0.0005	0.00015	3	2	1
Phenanthrene	0.0002	0.0004	0.0001	3	2	1
Phenol	0.005	0.0089	0.0016	3	0	0
Phosphorus	3.97	6.60	0.59	19	0	0
Pyrene	0.0003	0.0005	0.00005	3	2	1

INFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Pyridene	0.0011	0.0011	0.0011	1	0	1
Thallium	0.0002	0.00025	0.000089	11	9	1
Toluene	0.0016	0.0024	0.001	3	0	1
Total Nitrogen	33.3	51.7	16.4	26	0	0
Pyridene	0.0011	0.0011	0.0011	1	0	1
Thallium	0.0002	0.00025	0.000089	11	9	1
Toluene	0.0016	0.0024	0.001	3	0	1
Total Nitrogen	33.3	51.7	16.4	26	0	0

POTW Influent: POC data as requested by the State (red font is ½ RL and green box is J-Flagged):

INFLUENT - Pollutant	Arsenic, Total	Cadmium, Total	Chromium, Total	Copper, Total	Lead, Total	Mercury, Total	Molybdenum, Total	Nickel, Total	Selenium, Total	Silver, Total	Zinc, Total
1/15/2015	0.00146	0.000278	0.00453	0.0388	0.00912	0.0000585	0.00025	0.00334	0.00062	0.00025	0.113
4/10/2015	0.00156	0.00025	0.00405	0.0414	0.00648	0.000051	0.00097	0.00253	0.00063	0.00025	0.123
7/8-9/2015	0.00322	0.00022	0.00326	0.0721	0.00914	0.0000575	0.00151	0.00367	0.00078	0.00034	0.155
10/8/2015	0.00365	0.00025	0.00501	0.112	0.0157	0.000207	0.00025	0.00513	0.00089	0.00062	0.199
1/21/2016	0.00163	0.000165	0.00273	0.0253	0.0057	0.000045	0.00085	0.00285	0.00047	0.00025	0.0786
4/19/2016	0.00196	0.000348	0.00321	0.0514	0.00578	0.0000082	0.00025	0.00363	0.00072	0.00033	0.135
7/7/2016	0.00179	0.00025	0.00301	0.0373	0.00656	0.0000636	0.00098	0.00312	0.00061	0.00025	0.126
10/7/2016	0.00225	0.000356	0.00248	0.0366	0.00951	0.0000585	0.00107	0.00358	0.00087	0.00043	0.134
1/12/2017	0.00147	0.00025	0.00131	0.0226	0.00526	0.0000285	0.00099	0.00226	0.00065	0.00025	0.0857
4/19/2017	0.00162	0.000229	0.00354	0.0274	0.00734	0.0000435	0.00025	0.00307	0.00054	0.00025	0.0918
6/7/2017				0.0325							0.116
7/12/2017	0.00184	0.000222	0.00196	0.0373	0.00745	0.000032	0.00113	0.00362	0.000727	0.000302	0.129

INFLUENT - Pollutant	Bis(2-ethylhexyl)phthalate
7/8-9/2015	0.0220
4/19/2016	0.015
7/12/2017	0.015

BOD_5 for the NETP Influent

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
1/1/2016	185	11/2/2016	128	9/12/2017	240
1/6/2016	295	11/3/2016	162	9/13/2017	335
1/7/2016	348	11/8/2016	187	9/14/2017	305
1/8/2016	305	11/9/2016	182	9/19/2017	330
1/13/2016	183	11/10/2016	258	9/20/2017	360
1/14/2016	208	11/15/2016	223	9/21/2017	325
1/15/2016	205	11/16/2016	115	9/26/2017	285
1/20/2016	258	11/17/2016	130	9/27/2017	325
1/21/2016	116	11/22/2016	175	9/28/2017	440
1/22/2016	114	11/23/2016	273	10/3/2017	430
1/27/2016	170	11/24/2016	162	10/4/2017	292
1/28/2016	130	11/29/2016	177	10/5/2017	390
1/29/2016	65	11/30/2016	200	10/10/2017	322
2/3/2016	177	12/1/2016	245	10/11/2017	252
2/4/2016	168	12/6/2016	215	10/12/2017	285
2/5/2016	108	12/7/2016	323	10/17/2017	310
2/10/2016	110	12/8/2016	243	10/18/2017	270
2/11/2016	288	12/13/2016	218	10/19/2017	235
2/12/2016	143	12/14/2016	220	10/24/2017	315
2/17/2016	128	12/15/2016	212	10/25/2017	200
2/18/2016	162	12/20/2016	300	10/26/2017	190
2/19/2016	148	12/21/2016	268	10/31/2017	340
2/24/2016	170	12/22/2016	295	11/1/2017	425

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
2/25/2016	200	12/27/2016	210	11/2/2017	390
2/26/2016	240	12/28/2016	228	11/7/2017	280
3/2/2016	318	12/29/2016	205	11/8/2017	245
3/3/2016	190	1/3/2017	318	11/9/2017	225
3/4/2016	440	1/4/2017	282	11/14/2017	147
3/9/2016	167	1/5/2017	320	11/15/2017	167
3/10/2016	103	1/10/2017	245	11/16/2017	205
3/11/2016	131	1/11/2017	222	11/21/2017	155
3/16/2016	173	1/12/2017	262	11/22/2017	182
3/17/2016	250	1/17/2017	288	11/23/2017	130
3/18/2016	207	1/18/2017	115	11/28/2017	138
3/23/2016	242	1/19/2017	157	11/29/2017	158
3/24/2016	228	1/24/2017	255	11/30/2017	140
3/25/2016	325	1/25/2017	245	12/5/2017	142
3/30/2016	295	1/26/2017	240	12/6/2017	198
3/31/2016	288	1/31/2017	235	12/7/2017	250
4/1/2016	242	2/1/2017	230	12/12/2017	300
4/6/2016	255	2/2/2017	215	12/13/2017	368
4/7/2016	250	2/7/2017	115	12/14/2017	270
4/8/2016	318	2/8/2017	132	12/19/2017	157
4/13/2016	348	2/9/2017	106	12/20/2017	180
4/14/2016	310	2/14/2017	172	12/21/2017	197
4/15/2016	340	2/15/2017	128	12/26/2017	308
4/20/2016	245	2/16/2017	112	12/27/2017	295
4/21/2016	322	2/21/2017	128	12/28/2017	180
4/22/2016	298	2/22/2017	150	1/2/2018	167

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
4/27/2016	355	2/23/2017	163	1/3/2018	247
4/28/2016	355	2/28/2017	227	1/4/2018	200
4/29/2016	305	3/1/2017	265	1/9/2018	197
5/4/2016	355	3/2/2017	203	1/10/2018	172
5/5/2016	328	3/7/2017	172	1/11/2018	143
5/6/2016	323	3/8/2017	158	1/16/2018	217
5/11/2016	378	3/9/2017	180	1/17/2018	205
5/12/2016	375	3/14/2017	100	1/18/2018	180
5/13/2016	333	3/15/2017	118	1/23/2018	220
5/18/2016	328	3/16/2017	133	1/24/2018	168
5/19/2016	283	3/21/2017	228	1/25/2018	173
5/20/2016	320	3/22/2017	157	1/30/2018	152
5/25/2016	325	3/23/2017	203	1/31/2018	153
5/26/2016	325	3/28/2017	131	2/1/2018	153
5/27/2016	300	3/29/2017	112	2/6/2018	248
6/1/2016	275	4/4/2017	148	2/7/2018	248
6/1/2016	300	4/5/2017	183	2/8/2018	250
6/2/2016	298	4/6/2017	133	2/13/2018	212
6/7/2016	358	4/11/2017	202	2/14/2018	255
6/8/2016	198	4/12/2017	185	2/15/2018	280
6/9/2016	295	4/13/2017	150	2/20/2018	300
6/14/2016	238	4/18/2017	148	2/21/2018	240
6/15/2016	190	4/19/2017	245	2/22/2018	275
6/16/2016	220	4/20/2017	260	2/27/2018	248
6/21/2016	305	4/25/2017	192	2/28/2018	232
6/22/2016	320	4/26/2017	193	3/1/2018	240

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
6/23/2016	370	4/27/2017	215	3/6/2018	298
6/28/2016	350	5/2/2017	365	3/7/2018	302
6/29/2016	353	5/3/2017	132	3/8/2018	270
6/30/2016	480	5/4/2017	192	3/13/2018	262
7/5/2016	328	5/9/2017	260	3/14/2018	228
7/6/2016	390	5/10/2017	345	3/15/2018	280
7/7/2016	370	5/11/2017	275	3/20/2018	315
7/12/2016	305	5/16/2017	255	3/21/2018	270
7/13/2016	335	5/17/2017	252	3/22/2018	270
7/14/2016	280	5/18/2017	335	3/27/2018	262
7/19/2016	370	5/23/2017	325	3/28/2018	222
7/20/2016	450	5/24/2017	265	3/29/2018	260
7/21/2016	330	5/25/2017	215	4/3/2018	268
7/26/2016	328	5/30/2017	302	4/4/2018	185
7/27/2016	362	5/31/2017	285	4/5/2018	185
7/28/2016	325	6/1/2017	295	4/10/2018	192
8/2/2016	525	6/6/2017	305	4/11/2018	185
8/3/2016	470	6/7/2017	390	4/12/2018	215
8/4/2016	370	6/8/2017	280	4/17/2018	153
8/9/2016	322	6/13/2017	302	4/18/2018	190
8/10/2016	400	6/14/2017	318	4/19/2018	220
8/11/2016	345	6/15/2017	230	4/24/2018	235
8/16/2016	455	6/20/2017	340	4/25/2018	228
8/17/2016	343	6/21/2017	215	4/26/2018	208
8/18/2016	445	6/22/2017	290	5/1/2018	305
8/23/2016	328	6/27/2017	302	5/2/2018	330

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
8/24/2016	312	6/28/2017	312	5/3/2018	360
8/25/2016	275	6/29/2017	298	5/8/2018	268
8/30/2016	355	7/4/2017	315	5/9/2018	245
8/31/2016	310	7/5/2017	228	5/10/2018	252
9/1/2016	213	7/6/2017	305	5/15/2018	385
9/6/2016	248	7/11/2017	208	5/16/2018	320
9/7/2016	288	7/12/2017	318	5/17/2018	242
9/8/2016	285	7/13/2017	230	5/22/2018	232
9/13/2016	300	7/18/2017	360	5/23/2018	280
9/14/2016	490	7/19/2017	283	5/24/2018	352
9/15/2016	525	7/20/2017	265	5/29/2018	292
9/20/2016	303	7/25/2017	300	5/30/2018	395
9/21/2016	303	7/26/2017	295	5/31/2018	288
9/22/2016	293	7/27/2017	275		
9/27/2016	375	8/1/2017	270		
9/28/2016	365	8/2/2017	222		
9/29/2016	350	8/3/2017	280		
10/4/2016	288	8/8/2017	355		
10/5/2016	280	8/9/2017	295		
10/6/2016	395	8/10/2017	190		
10/11/2016	320	8/15/2017	260		
10/12/2016	295	8/16/2017	300		
10/13/2016	233	8/17/2017	285		
10/18/2016	212	8/22/2017	365		
10/19/2016	195	8/23/2017	320		
10/20/2016	112	8/24/2017	310		

BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
10/25/2016	310	8/29/2017	290		
10/26/2016	246	8/30/2017	245		
10/27/2016	180	8/31/2017	270		
11/1/2016	193	9/5/2017	228		
		9/6/2017	222		
		9/7/2017	160		

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
1/1/2016	180	11/2/2016	260	9/12/2017	311
1/6/2016	288	11/3/2016	190	9/13/2017	337
1/7/2016	258	11/8/2016	190	9/14/2017	283
1/8/2016	335	11/9/2016	222	9/19/2017	260
1/13/2016	259	11/10/2016	246	9/20/2017	339
1/14/2016	406	11/15/2016	157	9/21/2017	318
1/15/2016	204	11/16/2016	100	9/26/2017	294
1/20/2016	305	11/17/2016	213	9/27/2017	314
1/21/2016	95	11/22/2016	282	9/28/2017	293
1/22/2016	174	11/23/2016	311	10/3/2017	319
1/27/2016	131	11/24/2016	195	10/4/2017	226
1/28/2016	244	11/29/2016	202	10/5/2017	206
1/29/2016	93	11/30/2016	197	10/10/2017	305
2/3/2016	207	12/1/2016	192	10/11/2017	256

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
2/4/2016	161	12/6/2016	210	10/12/2017	339
2/5/2016	167	12/7/2016	275	10/17/2017	279
2/10/2016	176	12/8/2016	216	10/18/2017	415
2/11/2016	385	12/13/2016	209	10/19/2017	270
2/12/2016	296	12/14/2016	190	10/24/2017	262
2/17/2016	150	12/15/2016	240	10/25/2017	281
2/18/2016	156	12/20/2016	219	10/26/2017	223
2/19/2016	180	12/21/2016	220	10/31/2017	279
2/24/2016	113	12/22/2016	231	11/1/2017	374
2/25/2016	238	12/27/2016	199	11/2/2017	370
2/26/2016	238	12/28/2016	167	11/7/2017	240
3/2/2016	331	12/29/2016	157	11/8/2017	386
3/3/2016	229	1/3/2017	168	11/9/2017	190
3/4/2016	494	1/4/2017	245	11/14/2017	235
3/9/2016	178	1/5/2017	196	11/15/2017	218
3/10/2016	164	1/10/2017	152	11/16/2017	243
3/11/2016	195	1/11/2017	286	11/21/2017	243
3/16/2016	149	1/12/2017	241	11/22/2017	110
3/17/2016	234	1/17/2017	425	11/23/2017	96
3/18/2016	183	1/18/2017	150	11/28/2017	214
3/23/2016	243	1/19/2017	150	11/29/2017	218
3/24/2016	220	1/24/2017	160	11/30/2017	105
3/25/2016	305	1/25/2017	215	12/5/2017	197
3/30/2016	237	1/26/2017	274	12/6/2017	204
3/31/2016	247	1/31/2017	208	12/7/2017	183
4/1/2016	206	2/1/2017	217	12/12/2017	321

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
4/6/2016	328	2/2/2017	215	12/13/2017	342
4/7/2016	169	2/7/2017	182	12/14/2017	283
4/8/2016	237	2/8/2017	167	12/19/2017	155
4/13/2016	324	2/9/2017	85	12/20/2017	114
4/14/2016	203	2/14/2017	149	12/21/2017	159
4/15/2016	250	2/15/2017	119	12/26/2017	302
4/20/2016	164	2/16/2017	137	12/27/2017	317
4/21/2016	332	2/21/2017	142	12/28/2017	213
4/22/2016	235	2/22/2017	135	1/2/2018	161
4/27/2016	304	2/23/2017	137	1/3/2018	161
4/28/2016	276	2/28/2017	220	1/4/2018	190
4/29/2016	213	3/1/2017	219	1/9/2018	201
5/4/2016	281	3/2/2017	189	1/10/2018	245
5/5/2016	306	3/7/2017	154	1/11/2018	283
5/6/2016	158	3/8/2017	133	1/16/2018	171
5/11/2016	330	3/9/2017	212	1/17/2018	216
5/12/2016	301	3/14/2017	95	1/18/2018	112
5/13/2016	230	3/15/2017	140	1/23/2018	290
5/18/2016	298	3/16/2017	135	1/24/2018	229
5/19/2016	260	3/21/2017	231	1/25/2018	192
5/20/2016	315	3/22/2017	142	1/30/2018	207
5/25/2016	256	3/23/2017	156	1/31/2018	189
5/26/2016	362	3/28/2017	139	2/1/2018	218
5/27/2016	295	3/29/2017	136	2/6/2018	225
6/1/2016	298	4/4/2017	145	2/7/2018	269
6/1/2016	337	4/5/2017	217	2/8/2018	269

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
6/2/2016	317	4/6/2017	152	2/13/2018	155
6/7/2016	328	4/11/2017	197	2/14/2018	224
6/8/2016	283	4/12/2017	184	2/15/2018	189
6/9/2016	298	4/13/2017	147	2/20/2018	279
6/14/2016	310	4/18/2017	183	2/21/2018	248
6/15/2016	280	4/19/2017	197	2/22/2018	262
6/16/2016	298	4/20/2017	284	2/27/2018	223
6/21/2016	321	4/25/2017	186	2/28/2018	268
6/22/2016	236	4/26/2017	207	3/1/2018	219
6/23/2016	290	4/27/2017	195	3/6/2018	319
6/28/2016	195	5/2/2017	324	3/7/2018	320
6/29/2016	341	5/3/2017	199	3/8/2018	319
6/30/2016	406	5/4/2017	177	3/13/2018	190
7/5/2016	300	5/9/2017	228	3/14/2018	216
7/6/2016	333	5/10/2017	291	3/15/2018	249
7/7/2016	286	5/11/2017	244	3/20/2018	289
7/12/2016	316	5/16/2017	329	3/21/2018	252
7/13/2016	251	5/17/2017	243	3/22/2018	313
7/14/2016	263	5/18/2017	267	3/27/2018	205
7/19/2016	365	5/23/2017	288	3/28/2018	203
7/20/2016	470	5/24/2017	187	3/29/2018	208
7/21/2016	288	5/25/2017	219	4/3/2018	172
7/26/2016	418	5/30/2017	257	4/4/2018	206
7/27/2016	335	5/31/2017	359	4/5/2018	186
7/28/2016	275	6/1/2017	278	4/10/2018	163
8/2/2016	283	6/6/2017	320	4/11/2018	173

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
8/3/2016	353	6/7/2017	316	4/12/2018	157
8/4/2016	395	6/8/2017	283	4/17/2018	173
8/9/2016	307	6/13/2017	251	4/18/2018	250
8/10/2016	325	6/14/2017	288	4/19/2018	257
8/11/2016	400	6/15/2017	304	4/24/2018	180
8/16/2016	362	6/20/2017	266	4/25/2018	199
8/17/2016	237	6/21/2017	240	4/26/2018	204
8/18/2016	450	6/22/2017	232	5/1/2018	250
8/23/2016	257	6/27/2017	267	5/2/2018	338
8/24/2016	271	6/28/2017	279	5/3/2018	401
8/25/2016	289	6/29/2017	345	5/8/2018	267
8/30/2016	229	7/4/2017	316	5/9/2018	234
8/31/2016	246	7/5/2017	271	5/10/2018	214
9/1/2016	256	7/6/2017	293	5/15/2018	323
9/6/2016	261	7/11/2017	243	5/16/2018	220
9/7/2016	315	7/12/2017	271	5/17/2018	242
9/8/2016	285	7/13/2017	198	5/22/2018	225
9/13/2016	218	7/18/2017	254	5/23/2018	251
9/14/2016	374	7/19/2017	264	5/24/2018	349
9/15/2016	380	7/20/2017	232	5/29/2018	332
9/20/2016	291	7/25/2017	293	5/30/2018	323
9/21/2016	328	7/26/2017	306	5/31/2018	190
9/22/2016	334	7/27/2017	180		
9/27/2016	332	8/1/2017	254		
9/28/2016	147	8/2/2017	238		
9/29/2016	305	8/3/2017	244		

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
10/4/2016	338	8/8/2017	300		
10/5/2016	286	8/9/2017	301		
10/6/2016	343	8/10/2017	208		
10/11/2016	341	8/15/2017	336		
10/12/2016	390	8/16/2017	294		
10/13/2016	341	8/17/2017	397		
10/18/2016	203	8/22/2017	248		
10/19/2016	269	8/23/2017	223		
10/20/2016	143	8/24/2017	174		
10/25/2016	285	8/29/2017	259		
10/26/2016	253	8/30/2017	310		
10/27/2016	183	8/31/2017	276		
11/1/2016	152	9/5/2017	312		
		9/6/2017	246		
		9/7/2017	282		

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from samples 2016-2018.

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Arsenic, Total	0.0009	0.00161	0.00025	11	0	0
Cadmium, Total	0.0002	0.00025	0.000018	11	9	1
Chromium, Total	0.0003	0.000489	0.00025	11	9	1
Copper, Total	0.0055	0.0105	0.00364	11	0	0
Lead, Total	0.0004	0.00047	0.00025	11	2	7
Mercury, Total	0.0000025	0.00000434	0.0000002	11	1	0
Molybdenum, Total	0.00036	0.000794	0.00025	11	8	0
Nickel	0.00144	0.0019	0.000905	11	0	0
Selenium, Total	0.00026	0.000331	0.000239	11	7	4
Silver, Total	0.00021	0.00025	0.000014	11	9	2
Zinc, Total	0.0235	0.0287	0.0189	11	0	0
Ammonia	24.3	34.5	9.2	30	0	0
BOD	14	148	5.7	380	0	0
TSS	8.0	135.0	1.0	367	0	0
1,2-Dichlorobenzene	0.0001	0.0002	0.00003	3	3	0
1,2-Diphenylhydrazine	0.0002	0.0003	0.0002	3	2	1
1,3-Dichlorobenzene	0.0001	0.0002	0.00004	3	3	0
2,4,6-Trichlorphenol	0.0004	0.0005	0.00015	3	3	0
2,4-Dichlorophenol	0.0002	0.0002	0.00015	3	3	0
2,4-Dinitrotoluene	0.0004	0.0005	0.0003	3	3	0
2.Chlorophenol	0.0002	0.0002	0.00015	3	3	0
2-Methylphenol	0.0002	0.00025	0.0001	3	3	0

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
2-Nitrophenol	0.0005	0.0005	0.00035	3	3	0
3&4-Methylphenol	0.0021	0.0032	0.0009	3	0	0
3-Methylcholanthrene	0.0003	0.0005	0.0002	3	3	0
4-Bromophenylether	0.0002	0.0002	0.00015	3	3	0
Acenaphthene	0.0002	0.0002	0.00015	3	3	0
Acenaphthylene	0.0002	0.0002	0.0001	3	3	0
Aniline	0.0002	0.0002	0.0002	1	1	0
Anthracene	0.0002	0.0002	0.0001	3	3	0
Antimony	0.0003	0.000382	0.00025	11	9	1
Benzo(a) anthracene	0.0002	0.0002	0.0001	3	3	0
Benzo(a) pyrene	0.0004	0.0005	0.00015	3	3	0
Benzo(b,j,k) fluoranthene	0.0012	0.0015	0.00045	3	3	0
Beryllium	0.0002	0.00025	0.000003	11	10	0
Bis(2-chloroethoxy)methane	0.0002	0.0002	0.00015	3	3	0
Bis(2-chloroethyl) ether	0.0002	0.0002	0.00015	3	3	0
Bis(2-ethylhexyl)phthalate	0.0151	0.020	0.0083	3	0	0
Butylbenzyphthalate	0.0004	0.0005	0.00015	3	3	0
Chloroform	0.0006	0.001	0.0002	3	0	2
Chrysene	0.0002	0.0002	0.0001	3	3	0
Cyanide, Total	0.0036	0.005	0.001	11	7	3
Dibenz(a,e)pyrene	0.0004	0.0005	0.00025	3	3	0
Dibenz(a,h)acridine	0.0003	0.0005	0.0002	3	2	1
Dibenz(a,h)pyrene	0.0004	0.0005	0.00015	3	3	0
Dibenz(a,i)pyrene	0.0004	0.0005	0.0003	3	3	0
Dibenz(a,j)acridine	0.0004	0.0005	0.0002	3	3	0
Diethylphthalate	0.0005	0.0005	0.0004	3	1	1

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Dimethyl phthalate	0.0003	0.0005	0.0001	3	3	0
Di-n-butylphthalate	0.0004	0.0005	0.0003	3	2	1
Di-n-octyl phthalate	0.0004	0.0005	0.00025	3	3	0
Ethylbenzene	0.0001	0.0001	0.000025	3	3	0
Fluoranthene	0.0003	0.0004	0.0002	3	3	0
Fluorene	0.0003	0.0005	0.0001	3	3	0
HEM-Oil and Grease	2.9	4.3	2.2	7	4	0
Hexachlorobenzene	0.0002	0.0002	0.0001	3	3	0
Indeno(1,2,3-c,d)pyrene	0.0004	0.0005	0.0001	3	3	0
Isophorone	0.0002	0.0002	0.0001	3	3	0
m,p-Xylene	0.0002	0.0004	0.00005	3	2	1
Naphthalene	0.0004	0.0005	0.0001	3	3	0
Nitrate+Nitrite	2.7	6.9	0.04	26	0	0
n-Nitrosodiphenylamine	0.0004	0.0005	0.0002	3	3	0
n-Octadecane	0.0002	0.00015	0.00015	1	1	0
Orthophosphate	0.056	0.167	0.01	26	0	0
Pentachlorophenol	0.0017	0.0025	0.0005	3	3	0
Perylene	0.0004	0.0005	0.00015	3	3	0
Phenanthrene	0.0002	0.0002	0.0001	3	3	0
Phenol	0.0003	0.0004	0.00015	3	1	1
Phosphorus	0.18	0.38	0.04	19	0	0
Pyrene	0.0002	0.0002	0.00005	3	3	0
Pyridene	0.0025	0.0025	0.0025	1	1	0
Thallium	0.0002	0.00025	0.000031	11	9	2
Toluene	0.0009	0.0018	0.0002	3	0	2
Total Nitrogen	24.2	35.2	13.0	26	0	0

EFFLUENT - Pollutant	Average	Maximum	Minimum	Count	# <MDL	J Flag
Arsenic, Total	0.0009	0.00161	0.00025	11	0	0
Cadmium, Total	0.0002	0.00025	0.000018	11	9	1
Chromium, Total	0.0003	0.000489	0.00025	11	9	1
Copper, Total	0.0055	0.0105	0.00364	11	0	0

POTW Effluent: POC data as requested by the State (red font is ½ RL and green box is J-Flagged):

EFFLUENT - Pollutant	Arsenic, Total	Cadmium, Total	Chromium, Total	Copper, Total	Lead, Total	Mercury, Total	Molybdenum, Total	Nickel	Selenium, Total	Silver, Total	Zinc, Total
1/15/2015	0.000928	0.00025	0.00025	0.00372	0.000338	0.0000002	0.00025	0.00166	0.00025	0.00025	0.0194
4/10/2015	0.000838	0.00025	0.00025	0.00544	0.000421	0.0000033	0.000587	0.00091	0.00025	0.00025	0.024
7/8-9/2015	0.00161	0.00025	0.000489	0.0105	0.00047	0.00000343	0.000794	0.0015	0.00033	5.7E-05	0.0273
10/8/2015	0.00115	0.00025	0.00025	0.00762	0.000399	0.00000107	0.00025	0.00155	0.00025	0.00025	0.0189
1/21/2016	0.000902	0.000029	0.00025	0.00364	0.00032	0.00000268	0.00025	0.00142	0.00027	0.00025	0.0201
4/19/2016	0.00025	0.000022	0.00025	0.00763	0.000446	0.00000233	0.00025	0.0019	0.00025	0.00025	0.0287
7/7/2016	0.00103	0.00025	0.00025	0.00514	0.00025	0.00000288	0.00025	0.00163	0.00025	0.00025	0.0214
10/7/2016	0.00118	0.00025	0.00025	0.00445	0.000465	0.00000176	0.00025	0.0014	0.00025	0.00025	0.0257
1/12/2017	0.000854	0.00025	0.00025	0.00446	0.00025	0.00000268	0.00025	0.0011	0.00025	0.00025	0.0251
4/19/2017	0.00025	0.00025	0.00025	0.00397	0.000333	0.00000434	0.00025	0.00127	0.00025	0.00025	0.0249
7/12/2017	0.00100	0.000018	0.000336	0.00421	0.000342	0.00000243	0.000545	0.00145	0.00024	#######	0.0225

EFFLUENT - Pollutant	Bis(2-ethylhexyl)phthalate
7/8-9/2015	0.0083
4/19/2016	0.017
7/12/2017	0.02

BOD_5 for the NETP Effluent

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
1/1/2016	14.9	11/2/2016	12.9	9/12/2017	10.8
1/6/2016	14.6	11/3/2016	16.5	9/13/2017	10
1/7/2016	12.7	11/8/2016	17.5	9/14/2017	18.2
1/8/2016	11	11/9/2016	16	9/19/2017	10
1/13/2016	16.3	11/10/2016	10.7	9/20/2017	9
1/14/2016	15.4	11/15/2016	10.6	9/21/2017	7.8
1/15/2016	12.7	11/16/2016	12.3	9/26/2017	9.4
1/20/2016	11.4	11/17/2016	12.9	9/27/2017	9.2
1/21/2016	12.9	11/22/2016	7.5	9/28/2017	8.9
1/22/2016	14.8	11/23/2016	12.5	10/3/2017	14.2
1/27/2016	20.5	11/24/2016	17.6	10/4/2017	15.2
1/28/2016	11.4	11/29/2016	13.3	10/5/2017	12.9
1/29/2016	14.3	11/30/2016	13	10/10/2017	11.4
2/3/2016	9.8	12/1/2016	12.3	10/11/2017	10.6
2/4/2016	12.6	12/6/2016	11.3	10/12/2017	13.8

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
2/5/2016	11	12/7/2016	14.3	10/17/2017	8.8
2/10/2016	10.2	12/8/2016	10.7	10/18/2017	18.2
2/11/2016	11.2	12/13/2016	12.3	10/19/2017	11.7
2/12/2016	12	12/14/2016	9.4	10/24/2017	16.6
2/17/2016	7.5	12/15/2016	10.5	10/25/2017	7.2
2/18/2016	15.5	12/20/2016	22.7	10/26/2017	9.2
2/19/2016	13.4	12/21/2016	11.7	10/31/2017	6.8
2/24/2016	15.5	12/22/2016	15.3	11/1/2017	11
2/25/2016	13.2	12/27/2016	22	11/2/2017	10.6
2/26/2016	14.7	12/28/2016	17.9	11/7/2017	9.3
3/2/2016	16.4	12/29/2016	13.8	11/8/2017	13.2
3/3/2016	16.3	1/3/2017	14.4	11/9/2017	13.6
3/4/2016	15.3	1/4/2017	17.9	11/14/2017	15.7
3/9/2016	14.3	1/5/2017	11.1	11/15/2017	17
3/10/2016	13	1/10/2017	16.8	11/16/2017	12.5
3/11/2016	14	1/11/2017	18.3	11/21/2017	13.6
3/16/2016	13.6	1/12/2017	18.7	11/22/2017	19.1
3/17/2016	14.2	1/17/2017	27	11/23/2017	18.9
3/18/2016	16.8	1/18/2017	19.2	11/28/2017	15.4
3/23/2016	15.3	1/19/2017	16.9	11/29/2017	14.4
3/24/2016	19	1/24/2017	24.7	11/30/2017	15.6
3/25/2016	16	1/25/2017	19.6	12/5/2017	11.4
3/30/2016	17.6	1/26/2017	20.3	12/6/2017	11.7
3/31/2016	14.4	1/31/2017	15.7	12/7/2017	13.6

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
4/1/2016	14.5	2/1/2017	16.2	12/12/2017	12.6
4/6/2016	13	2/2/2017	13.9	12/13/2017	11
4/7/2016	10	2/7/2017	17.3	12/14/2017	9.8
4/8/2016	14.5	2/8/2017	19.2	12/19/2017	15.9
4/13/2016	22.3	2/9/2017	15.2	12/20/2017	13.9
4/14/2016	17	2/14/2017	22.3	12/21/2017	12.2
4/15/2016	14.8	2/15/2017	14.9	12/26/2017	13
4/20/2016	17.4	2/16/2017	16.2	12/27/2017	12.1
4/21/2016	16.6	2/21/2017	19.5	12/28/2017	23.7
4/22/2016	14.8	2/22/2017	22.2	1/2/2018	16
4/27/2016	16.3	2/23/2017	21.7	1/3/2018	15.9
4/28/2016	13.2	2/28/2017	22	1/4/2018	17.4
4/29/2016	13.2	3/1/2017	24.7	1/9/2018	17.2
5/4/2016	10.3	3/2/2017	21.2	1/10/2018	18.1
5/5/2016	14.9	3/7/2017	18.5	1/11/2018	16.7
5/6/2016	13.3	3/8/2017	17.4	1/16/2018	15.6
5/11/2016	14	3/9/2017	16.8	1/17/2018	17.9
5/12/2016	9.9	3/14/2017	15.6	1/18/2018	18.2
5/13/2016	12.3	3/15/2017	16.5	1/23/2018	16
5/18/2016	15	3/16/2017	16.5	1/24/2018	18
5/19/2016	7.7	3/21/2017	17.2	1/25/2018	15.5
5/20/2016	7.8	3/22/2017	23	1/30/2018	14.6
5/25/2016	8.7	3/23/2017	18.6	1/31/2018	16
5/26/2016	12.2	3/28/2017	18.4	2/1/2018	16.8
5/27/2016	11.7	3/29/2017	11.8	2/6/2018	13.4

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
6/1/2016	18.9	3/30/2017	148	2/7/2018	14.9
6/1/2016	8.9	3/30/2017	16.5	2/8/2018	13.9
6/2/2016	15.2	4/4/2017	11.5	2/13/2018	18.9
6/7/2016	12.2	4/5/2017	15.2	2/14/2018	13.8
6/8/2016	9.2	4/6/2017	12.8	2/15/2018	12.8
6/9/2016	6	4/11/2017	25	2/20/2018	14.7
6/14/2016	11.4	4/12/2017	20.6	2/21/2018	14.2
6/15/2016	6	4/13/2017	14.7	2/22/2018	11.8
6/16/2016	7.5	4/18/2017	23.4	2/27/2018	15.8
6/21/2016	8.7	4/19/2017	23.2	2/28/2018	15.4
6/22/2016	7.6	4/20/2017	18.2	3/1/2018	12
6/23/2016	8	4/25/2017	16.8	3/6/2018	12.2
6/28/2016	13.8	4/26/2017	13	3/7/2018	11.6
6/29/2016	8.4	4/27/2017	16	3/8/2018	11.8
6/30/2016	10.9	5/2/2017	11.4	3/13/2018	16.2
7/5/2016	13.5	5/3/2017	11.6	3/14/2018	10.9
7/6/2016	12.6	5/4/2017	15	3/15/2018	13.1
7/7/2016	22	5/9/2017	9.4	3/20/2018	16.8
7/12/2016	18.3	5/10/2017	8.7	3/21/2018	14.4
7/13/2016	12.9	5/11/2017	14.1	3/22/2018	14
7/14/2016	11.5	5/16/2017	9.7	3/27/2018	15.8
7/19/2016	15.2	5/17/2017	8.5	3/28/2018	16.4
7/20/2016	9.8	5/18/2017	8.6	3/29/2018	13.2
7/21/2016	9.8	5/23/2017	12.1	4/3/2018	19.8
7/26/2016	11.1	5/24/2017	15	4/4/2018	23.2

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
7/27/2016	11.3	5/25/2017	19.6	4/5/2018	18.5
7/28/2016	10.6	5/30/2017	9	4/10/2018	16.4
8/2/2016	12	5/31/2017	7.3	4/11/2018	18.6
8/3/2016	11.6	6/1/2017	8.4	4/12/2018	14
8/4/2016	8.5	6/6/2017	9.6	4/17/2018	15.8
8/9/2016	12.8	6/7/2017	16.9	4/18/2018	27.6
8/10/2016	9.8	6/8/2017	21.6	4/19/2018	15.5
8/11/2016	10.1	6/13/2017	6.2	4/24/2018	12.9
8/16/2016	13.6	6/14/2017	6.5	4/25/2018	11.9
8/17/2016	9.7	6/15/2017	11.5	4/26/2018	11.3
8/18/2016	8.8	6/20/2017	17.5	5/1/2018	12.8
8/23/2016	12.8	6/21/2017	8	5/2/2018	8
8/24/2016	11.2	6/22/2017	14.3	5/3/2018	9
8/25/2016	10.7	6/27/2017	8.2	5/8/2018	11.5
8/30/2016	15.1	6/28/2017	10.5	5/9/2018	8.4
8/31/2016	13.7	6/29/2017	9.6	5/10/2018	8.1
9/1/2016	7.4	7/4/2017	11.4	5/15/2018	13.4
9/6/2016	10	7/5/2017	8.4	5/16/2018	11.1
9/7/2016	9.8	7/6/2017	9.2	5/17/2018	9.7
9/8/2016	8.5	7/11/2017	6	5/22/2018	12
9/13/2016	15.8	7/12/2017	14.6	5/23/2018	8.8
9/14/2016	13	7/13/2017	13.7	5/24/2018	9.2
9/15/2016	13.8	7/18/2017	8.7	5/29/2018	14.6
9/20/2016	17.1	7/19/2017	5.8	5/30/2018	11.8
9/21/2016	16.2	7/20/2017	7.3	5/31/2018	13.3

BOD_5 Date	BOD_5 Effluent (mg/L)	BOD_5 Date	BOD_5 (mg/L)	BOD_5 Date	BOD_5 (mg/L)
9/22/2016	11.9	7/25/2017	8.7		
9/27/2016	17.2	7/26/2017	5.7		
9/28/2016	13.9	7/27/2017	8.9		
9/29/2016	11.1	8/1/2017	14.3		
10/4/2016	11.1	8/2/2017	8.2		
10/5/2016	12.2	8/3/2017	9.4		
10/6/2016	16.8	8/8/2017	10.6		
10/11/2016	18.3	8/9/2017	9.9		
10/12/2016	17.2	8/10/2017	7.5		
10/13/2016	10.1	8/15/2017	10.4		
10/18/2016	17.4	8/16/2017	7.2		
10/19/2016	19.7	8/17/2017	7.2		
10/20/2016	15.4	8/22/2017	9.6		
10/25/2016	17	8/23/2017	10.6		
10/26/2016	19.1	8/24/2017	11.4		
10/27/2016	14	8/29/2017	8.4		
11/1/2016	15.3	8/30/2017	7.1		
		8/31/2017	8		
		9/5/2017	12.6		
		9/6/2017	8.7		
		9/7/2017	13.9		

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
1/1/2016	6.0	11/2/2016	3.0	9/12/2017	9.0
1/6/2016	11.0	11/3/2016	8.0	9/13/2017	10.0
1/7/2016	8.0	11/8/2016	10.0	9/14/2017	4.7
1/8/2016	8.0	11/9/2016	12.0	9/19/2017	8.0
1/13/2016	8.0	11/10/2016	10.0	9/20/2017	3.7
1/14/2016	12.0	11/15/2016	9.0	9/21/2017	4.3
1/15/2016	9.0	11/16/2016	5.0	9/26/2017	7.0
1/20/2016	9.0	11/17/2016	5.0	9/27/2017	3.0
1/21/2016	7.0	11/22/2016	7.0	9/28/2017	3.0
1/22/2016	17.0	11/23/2016	6.0	10/3/2017	6.7
1/27/2016	9.0	11/24/2016	5.0	10/4/2017	5.0
1/28/2016	8.0	11/29/2016	4.0	10/5/2017	10.3
1/29/2016	14.0	11/30/2016	4.0	10/10/2017	6.0
2/3/2016	6.0	12/1/2016	5.0	10/11/2017	6.0
2/4/2016	7.0	12/6/2016	3.0	10/12/2017	6.0
2/5/2016	5.0	12/7/2016	4.0	10/17/2017	3.3
2/10/2016	11.0	12/8/2016	7.0	10/18/2017	5.0
2/11/2016	15.0	12/13/2016	8.0	10/19/2017	3.0
2/12/2016	16.0	12/14/2016	5.0	10/24/2017	12.0
2/17/2016	4.0	12/15/2016	8.0	10/25/2017	6.0
2/18/2016	4.0	12/20/2016	5.0	10/26/2017	7.0
2/19/2016	5.0	12/21/2016	7.0	10/31/2017	4.3
2/24/2016	5.0	12/22/2016	9.0	11/1/2017	12.0
2/25/2016	4.0	12/27/2016	9.0	11/2/2017	7.3
2/26/2016	2.0	12/28/2016	8.0	11/7/2017	4.0

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
3/2/2016	2.0	12/29/2016	12.3	11/8/2017	8.0
3/3/2016	8.0	2/1/2017	4.0	11/9/2017	6.0
3/4/2016	7.0	2/2/2017	19.0	11/14/2017	3.3
3/9/2016	3.0	2/7/2017	6.7	11/15/2017	9.0
3/10/2016	6.0	2/8/2017	11.3	11/16/2017	2.0
3/11/2016	5.0	2/9/2017	11.3	11/21/2017	4.7
3/16/2016	2.0	2/14/2017	13.7	11/22/2017	9.0
3/17/2016	11.0	2/15/2017	15.0	11/23/2017	8.0
3/18/2016	5.0	2/16/2017	13.7	11/28/2017	6.0
3/23/2016	12.0	2/21/2017	7.3	11/29/2017	9.3
3/24/2016	11.0	2/22/2017	5.0	11/30/2017	9.0
3/25/2016	11.0	2/23/2017	5.7	12/5/2017	7.0
3/30/2016	7.0	2/28/2017	11.0	12/6/2017	4.0
3/31/2016	8.0	3/1/2017	14.0	12/7/2017	5.3
4/1/2016	5.0	3/2/2017	15.0	12/12/2017	3.0
4/6/2016	7.0	3/7/2017	4.7	12/13/2017	4.7
4/7/2016	5.0	3/8/2017	6.0	12/14/2017	5.3
4/8/2016	7.0	3/9/2017	4.7	12/19/2017	10.7
4/13/2016	10.0	3/14/2017	12.0	12/20/2017	5.0
4/14/2016	8.0	3/15/2017	14.0	12/21/2017	3.6
4/15/2016	8.0	3/16/2017	7.0	12/26/2017	4.0
4/20/2016	11.0	3/21/2017	3.7	12/27/2017	7.0
4/21/2016	9.0	3/22/2017	11.3	12/28/2017	10.0
4/22/2016	9.0	3/23/2017	10.3	1/2/2018	5.7
4/27/2016	11.0	3/28/2017	9.0	1/3/2018	4
4/28/2016	26.0	3/29/2017	2.7	1/4/2018	8

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
4/29/2016	8.0	3/30/2017	135.0	1/9/2018	5
5/4/2016	7.0	3/30/2017	17.7	1/10/2018	3.3
5/5/2016	10.0	4/4/2017	10.7	1/11/2018	7
5/6/2016	7.0	4/5/2017	5.7	1/16/2018	9
5/11/2016	21.0	4/6/2017	6.7	1/17/2018	3.3
5/12/2016	5.0	4/11/2017	12.0	1/18/2018	11.3
5/13/2016	8.0	4/12/2017	8.0	1/23/2018	2.7
5/18/2016	9.0	4/13/2017	9.3	1/24/2018	10
5/19/2016	4.0	4/18/2017	6.3	1/25/2018	5.3
5/20/2016	7.0	4/19/2017	9.0	1/30/2018	6
5/25/2016	10.0	4/20/2017	6.0	1/31/2018	9.9
5/26/2016	11.0	4/25/2017	9.0	2/1/2018	8
5/27/2016	8.0	4/26/2017	10.0	2/6/2018	4
6/1/2016	13.0	4/27/2017	4.7	2/7/2018	11
6/1/2016	19.0	5/2/2017	7.0	2/8/2018	6
6/2/2016	22.0	5/3/2017	4.7	2/13/2018	18.8
6/7/2016	7.0	5/4/2017	6.0	2/14/2018	6
6/8/2016	16.0	5/9/2017	12.0	2/15/2018	5.9
6/9/2016	11.0	5/10/2017	3.0	2/20/2018	3.7
6/14/2016	17.0	5/11/2017	5.0	2/21/2018	7
6/15/2016	6.0	5/16/2017	1.3	2/22/2018	7.7
6/16/2016	11.0	5/17/2017	4.3	2/27/2018	13.2
6/21/2016	8.0	5/18/2017	6.0	2/28/2018	8.2
6/22/2016	7.0	5/23/2017	10.0	3/1/2018	7
6/23/2016	6.0	5/24/2017	8.0	3/6/2018	3.3
6/28/2016	10.0	5/25/2017	10.3	3/7/2018	2.7

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
6/29/2016	2.0	5/30/2017	14.0	3/8/2018	5.3
6/30/2016	6.0	5/31/2017	4.3	3/13/2018	12.9
7/5/2016	7.0	6/1/2017	4.0	3/14/2018	9.3
7/6/2016	3.0	6/6/2017	5.7	3/15/2018	10
7/7/2016	7.0	6/7/2017	13.0	3/20/2018	8.7
7/12/2016	9.0	6/8/2017	13.0	3/21/2018	7
7/13/2016	10.0	6/13/2017	4.3	3/22/2018	7
7/14/2016	9.0	6/14/2017	3.0	3/27/2018	13.2
7/19/2016	8.0	6/15/2017	4.7	3/28/2018	9.4
7/20/2016	5.0	6/20/2017	4.0	3/29/2018	10.9
7/21/2016	9.0	6/21/2017	8.0	4/3/2018	13
7/26/2016	9.0	6/22/2017	10.0	4/4/2018	13
7/27/2016	6.0	6/27/2017	7.7	4/5/2018	12
7/28/2016	9.0	6/28/2017	16.0	4/10/2018	4.3
8/2/2016	11.0	6/29/2017	3.0	4/11/2018	7
8/3/2016	6.0	7/4/2017	2.0	4/12/2018	3
8/4/2016	10.0	7/5/2017	6.0	4/17/2018	7
8/9/2016	11.0	7/6/2017	3.0	4/18/2018	5
8/10/2016	2.0	7/11/2017	4.7	4/19/2018	5.3
8/11/2016	7.0	7/12/2017	5.7	4/24/2018	8.8
8/16/2016	8.0	7/13/2017	10.7	4/25/2018	6.1
8/17/2016	1.0	7/18/2017	5.3	4/26/2018	7
8/18/2016	8.0	7/19/2017	3.7	5/1/2018	11
8/23/2016	3.0	7/20/2017	3.0	5/2/2018	5
8/24/2016	7.0	7/25/2017	9.0	5/3/2018	4
8/25/2016	7.0	7/26/2017	5.0	5/8/2018	12

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
8/30/2016	8.0	7/27/2017	15.0	5/9/2018	6.7
8/31/2016	8.0	8/1/2017	8.0	5/10/2018	5.1
9/1/2016	12.7	8/2/2017	6.7	5/15/2018	8
9/6/2016	3.0	8/3/2017	7.3	5/16/2018	7.7
9/7/2016	6.0	8/8/2017	3.0	5/17/2018	9.7
9/8/2016	4.7	8/9/2017	6.7	5/22/2018	7.7
9/13/2016	11.0	8/10/2017	2.7	5/23/2018	9.3
9/14/2016	8.0	8/15/2017	12.0	5/24/2018	7.7
9/15/2016	5.0	8/16/2017	6.0	5/29/2018	7
9/20/2016	7.0	8/17/2017	3.7	5/30/2018	8.3
9/21/2016	8.0	8/22/2017	9.3	5/31/2018	8
9/22/2016	9.0	8/23/2017	9.7		
9/27/2016	7.0	8/24/2017	9.3		
9/28/2016	5.0	8/29/2017	8.0		
9/29/2016	5.0	8/30/2017	6.0		
10/4/2016	3.0	8/31/2017	5.3		
10/5/2016	7.0	9/5/2017	5.0		
10/6/2016	9.0	9/6/2017	3.0		
10/11/2016	8.0	9/7/2017	4.7		
10/12/2016	8.0				
10/13/2016	7.0				
10/18/2016	7.0				
10/19/2016	9.0				
10/20/2016	10.0				
10/25/2016	10.0				
10/26/2016	8.0				

TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)	TSS Date	TSS (mg/L)
10/27/2016	11.0				
11/1/2016	5.0				

The pollutants in the following table are as mg/L and total unless otherwise specified. Pollutant data is from Domestic+Commercial samples collected in 2017.

Domestic+Commercial - Pollutant	**Average**	**Maximum**	**Minimum**	**Count**	**# <MDL**
Ammonia	30.8 (from NETP Inf)	82.0	12.2	29	0
Arsenic, Total	0.000930	0.00112	0.000718	11	0
BOD5	329	454	257	14	0
Cadmium, Total	0.000136	0.000202	0.000094	11	0
Chloride	42	58.6	31.8	3	1
Chromium, Total	0.00320	0.00482	0.00135	11	0
COD	775	1090	598	14	0
Copper, Total	0.0271	0.0369	0.0221	14	0
Lead, Total	0.002364	0.00297	0.00179	11	0
Mercury, Total	0.0000259	0.00006	0.0000003	11	0
Molybdenum, Total	0.000857	0.00102	0.000736	11	0
Nickel, Total	0.002699	0.00321	0.00218	11	0
Phosphorus	3.26	4.9	0.624	3	0
Selenium, Total	0.000731	0.00105	0.000627	11	0
Silver, Total	0.000239	0.000597	0.000125	11	0
TSS	257	434	120	13	0
Zinc, Total	0.137	0.161	0.122	14	0

K. Analytical and Sampling Methods

1. Analytical Methods and Sample Preservation

All wastewater samples were collected, preserved and analyzed using methods approved pursuant to 40 CFR Part 136 and 40 CFR Part 403, Appendix E and were of such quality as to be legally defensible. The City uses a mix of in-house and external support for analytical work performed under its pretreatment program.

2. Sample Types

POTW influent and effluent samples were collected as required by the NPDES Permit. If sampling for oil and grease, cyanide, pH, sulfides, phenols or volatile organic compounds, the City would use the appropriate sample type as allowed in its NPDES permit.

3. Example Liquid Matrix Sampling Criteria

Pollutant	Sample Type	Sample Hold Time	Sample Preservation
Arsenic	24 hr Composite	6 Months	HNO_3 to pH <2
Biochemical Oxygen Demand (BOD5)	24 hr Composite	48 Hours	Cool to 6ºC
Cadmium	24 hr Composite	6 Months	HNO_3 to pH <2
Chromium (total)	24 hr Composite	6 Months	HNO_3 to pH <2
Copper	24 hr Composite	6 Months	HNO_3 to pH <2
Cyanide	Grab (for Pretreatment Required Sampling)	14 Days	Cool to 6ºC, 1:1 NaOH to pH >12
Lead	24 hr Composite	6 Months	HNO_3 to pH <2
Mercury 1631E	Grab	90 Days	5 mL/L 12N HCl or 5 mL/L BrCl
Mercury 245.1	24 hr Composite	28 Days	HNO_3 to pH <2
Molybdenum	24 hr Composite	6 Months	HNO_3 to pH <2
Nickel	24 hr Composite	6 Months	HNO_3 to pH <2
Phosphorus	24 hr Composite	28 days	Cool to 6ºC, 1:1 H_2SO_4 to pH <2
Selenium	24 hr Composite	6 Months	Cool to 6ºC, 1:1 HNO_3 to pH <2
Silver	24 hr Composite	6 Months	HNO_3 to pH <2
Total Suspended Solids (TSS)	24 hr Composite	7 Days	Cool to 6ºC
Zinc	24 hr Composite	6 Months	HNO_3 to pH <2

4. Chain of Custody (COC)

All samples included a COC for sample identification (sample location) and tracking. COC information and records are maintained at the Environmental Services, Business Operations Division, Environmental Compliance Group for sampling and is provided with each sample report by the City laboratory.

L. Recordkeeping

All records that are the basis for the local limits developed shall be maintained for at least three years beyond when the local limits are no longer implemented and enforced. The records will be kept at the Environmental Services, Business Operations Division, Environmental Compliance Group as a hardcopy and/or in electronic (.pdf) format.

Attachment 1
Example Calculation and Formulas

Process and Formulas used in Calculating Allowable Headworks Loadings (from 2004 EPA Guidance) – Copper Example

1. Applicable Allowable Headworks Loadings (AHLs)

Water Quality: $(8.345*(WQS*(Q_{recH2O} + Q_{POTW})-(Q_{recH2O} * C_{stream})))/(1-(R_{POTW}/100))$

WQS: Applicable Water Quality Standard (mg/L): Acute or Chronic as appropriate
Q_{recH2O}: Receiving Water Dilution Flow (mgd): Acute or Chronic as appropriate. 0 mgd.
Q_{POTW}: POTW flow for local limits (mgd)
C_{stream}: Upstream or Ambient Receiving Water Concentration (mg/L) if specified by State
R_{POTW}: Removal Efficiency for POTW (%). Typically, the Mean Removal Efficiency or EPA Literature data typically used.

Rounding may change the values below from that in the submittal.

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1. Calculate the AHLs

Water Quality Acute = (8.345) * (0.00578 mg/L * (316.8 mgd + 4.436 mgd)-(0.000668 * 316.8 mgd))/(1-(87.8/100)) = 112.5686 lbs/day

Water Quality Chronic = (8.345) * (0.00373 mg/L * (720 mgd + 4.436 mgd) - (0.000668 * 720 mgd))/(1-(87.8/100)) = 151.9583 lbs/day

Sludge AHL = (8.345 * 1500 mg/Kg * (% solids/100) * Sludge Flow (mgd) * (Sp Grav)) / (Reff/100) = 8.8946 lbs/day

2. Determine MAHL (most stringent AHL) = 8.8946 lbs/day, Sludge.

3. Determine the Maximum Allowable Industrial Loading (MAIL)

MAIL = MAHL * 1-SF/100 - Domestic+Commercial Loading
MAIL = ((8.8946 lbs/day * 0.9) – 1.6846 lbs/day) = 6.3205 lbs/day

4. Apply Expansion Factor (85%) at the POTW's discretion to obtain an adjusted POTW loading for concentration-based limits.

Adjusted Loading = MAIL * (1-(Exp Factor/100))
= 6.3205 * 0.85= 0.9481 lbs/day

5. Calculate concentration-based limits

Local Limits (mg/L) = Adjusted IU Loading/(IU flow for Local Limits (mgd) * 8.345)
= 0.9481 lbs/day/(0.05 mgd * 8.345) = 2.27 mg/L

APPENDIX U

Permit Specific Limit SOP

CALCULATING PERMIT SPECIFIC LIMITS SOP

Local limits and the General and Specific Prohibitions are included in Tacoma Municipal Code (TMC) Chapter 12.08C (Pretreatment Regulations) and the Industrial Wastewater Discharge Permit. In certain cases, a permitted industrial user may discharge a pollutant that is not controlled by local limits. The General and Specific Prohibitions may allow the City (Control Authority) to react to a violation of these pretreatment standards, but not address instances where the Control Authority could apply a numeric Standard or Best Management Practice (BMP) to prevent a reasonably expected impact due to discharge of the pollutant.

TMC 12.08C.300 authorizes the Control Authority to issue permits and apply applicable standards. In addition, TMC 12.08C provides the Control Authority with the authority to develop and apply pretreatment standards and requirements as needed. The following SOP provides a framework for the Control Authority to develop and implement pretreatment standards for pollutants not already specifically adopted in TMC 12.08C. The Control Authority will typically identify pollutants of concern not already addressed by existing pretreatment standards, collect additional information to characterize the pollutant, calculate a Maximum Allowable Headwork's Loading (MAHL), calculate a permit-specific limit, allow public participation for the permit limit and issue the permit with the permit-specific limit. The overall process is shown in Figure 1.

1. IDENTIFY THE POLLUTANT OF CONCERN

The Control Authority and industrial user typically perform analytical tests of wastewater as part of the required pretreatment program. The monitoring activities include:

A. BMR at Section 12.08C.600;

B. Wastewater Discharge Permit Application at Section 12.08C.340;

C. 90-Day Compliance Report at Section 12.08C.810;

D. Periodic Compliance Report at Section 12.08C.630;

E. Control Authority annual monitoring as required by Section 403.8(f)(2)(v);

F. Resampling by IU after violation at Section 12.08C.680;

G. Notice of Slug Discharge at Section 12.08C.660;

H. Notice of Change in Discharge at Section 12.08C.640;

I. Notice of Bypass or Upsets at Section 12.08C.1110; and

J. Other information generated by the Control Authority or Industrial User.

The Control Authority reviews the monitoring required by the permit application (and other monitoring), to identify any pollutants that are present. The Control Authority uses the information to draft appropriate permits. As shown in Figure 1, whether adopting a new numeric limit or applying a new permit-specific BMP or Prohibition, the public participation process is the same. The Control Authority should contact the Approval Authority of any specific requirements the State may have for applying permit-specific pretreatment standards.

Calculate a Permit Specific Local Limit for a Pollutant not Discharged by Other SIUs in Significant Quantities

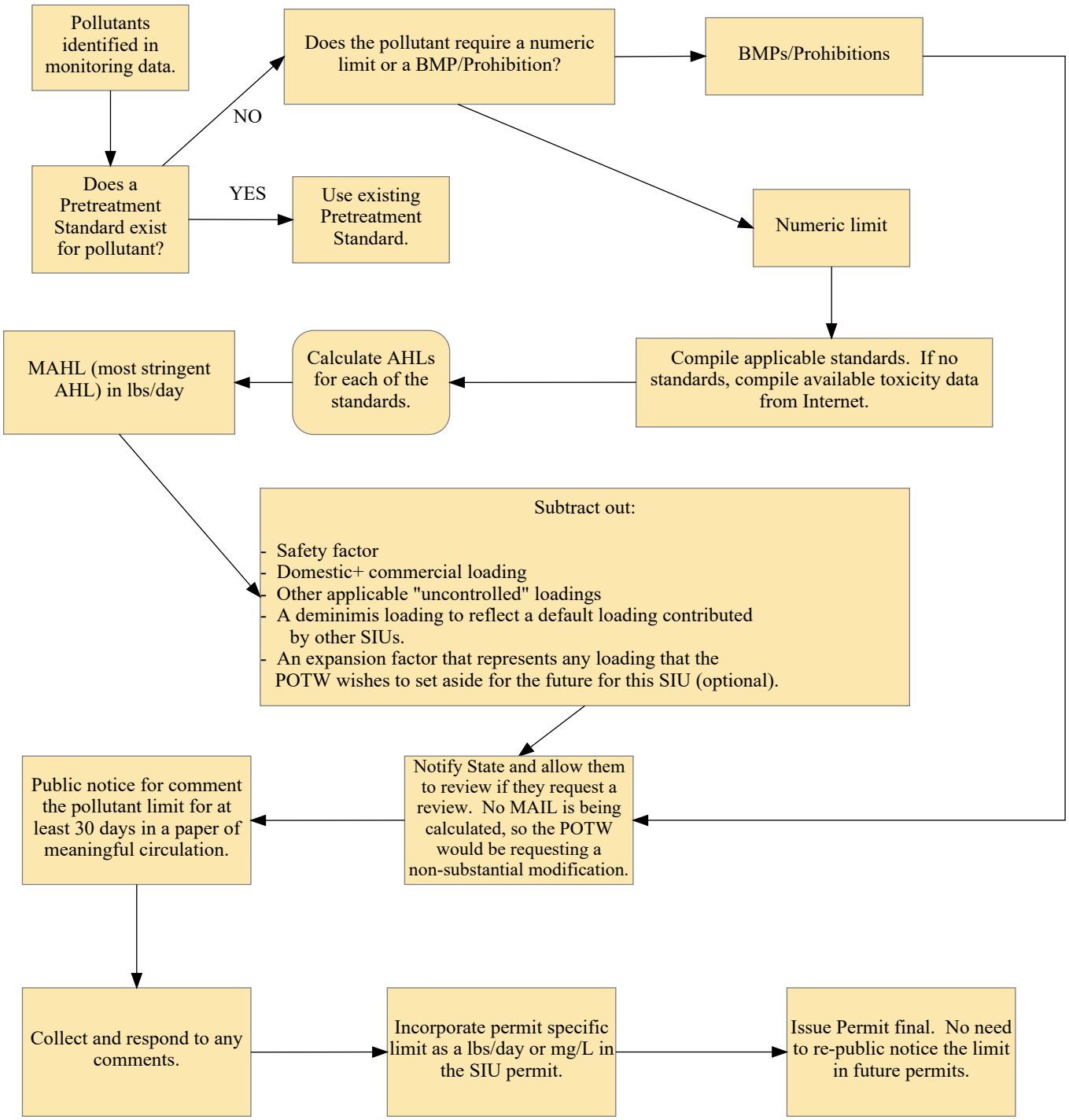

Figure 1.1 - Overview of Process

2. Pollutants with No Existing Standards

For pollutants that have no existing standards, the Control Authority will have to use the Internet to identify whether relevant toxicity information exists. In addition to the general search for a specific pollutant, some other potential sources include:

- Human Health Benchmarks for Pesticides
  https://iaspub.epa.gov/apex/pesticides/f?p=HHBP:home
- Integrated Risk Information System
  https://www.epa.gov/iris
- Common Chemistry
  http://www.commonchemistry.org/
- TOXNET
  https://toxnet.nlm.nih.gov/newtoxnet/hsdb.htm
- NIOSH Health Guidelines for Chemical Hazards
  https://www.cdc.gov/niosh/docs/81-123/
- Cleanup Levels and Risk Calculation (CLARC)
  https://fortress.wa.gov/ecy/clarc/CLARCHome.aspx
- Nanomaterial Registry
  https://www.nanomaterialregistry.org/Default.aspx
- OSHA Permissible Exposure Limits
  https://www.osha.gov/dsg/annotated-pels/index.html
  https://www.osha.gov/chemicaldata/
- Pesticide Action Network Pesticide Database
  http://www.pesticideinfo.org/Docs/ref_parent.html
- MSDS Databases
  http://www.msds.com/
  http://www.ehs.ucsb.edu/labsafety/msds
  http://ccinfoweb.ccohs.ca/msds/search.html
  https://www.sciencelab.com/msdsList.php

The objective is for the Control Authority to identify criteria to protect the Control Authority, receiving water, sludge disposal and worker health and safety. In addition to existing toxicological information, the Control Authority may also opt to perform "jar tests" to model impacts to treatment and bioassays (used to identify the level of the pollutant that impacts WET test organisms). The Control Authority may also do research on treatment technologies that are specific to this pollutant or pollutant-type to develop a limit based upon the State's NPDES guidance and regulations on developing technology-based limits as All Known, Available, and Reasonable Methods of Treatment (AKART).

3. Calculating the Maximum Allowable Headworks Loading (MAHL)

The Control Authority would use the same process for calculating Allowable Headworks Loadings (AHLs) and the MAHL as shown in the 2004 EPA Local Limits Development Guidance.

4. Calculating the Permit-Specific Limit

The Control Authority uses a process for calculating a permit-specific limit that differs from typical calculations for local limits. Because the Control Authority is calculating a pollutant limit specific to a single industrial user permit, a Maximum Allowable Industrial Loading (MAIL) is not calculated. Because a MAIL is not being calculated, the Control Authority is not triggering the substantial modification process specified at 40 CFR Section 403.18.

The calculation for a Permit Specific Limit is as follows:

MAHL - Safety Factor - Domestic+Commercial Loading - Loading from other SIUs (may use default data if not present) = Permit Specific Load(lbs/day).

If the Control Authority is applying a mg/L limit through the permit, the following formula is used:

Permit Specific Load (lbs/day)/(SIU permitted flow (mgd) * 8.345) = permit limit (mg/L).

The basis for these permit-specific limits should be written up and documented as a part of the permit fact sheet.

5. APPROVAL AUTHORITY REVIEW.

Some approval authorities (e.g. State) may request to review the permit-specific limit, BMP or Prohibition as it is developed. Other approval authorities review during a Pretreatment Compliance Inspection or Pretreatment Audit. The Control Authority needs to coordinate with the Approval Authority from the beginning to make sure the expectations are clear.

6. PUBLIC PARTICIPATION.

Where the Control Authority intends to enforce a limit, BMP or Prohibition that has not been previously adopted, the Control Authority must allow for public participation. The public notice requirement shall be followed as per TMC 12.08C.470

Once the Control Authority considers any comments that have been provided, the permit will typically be issued containing the final permit-specific limit. The Control Authority is not required to public notice the permit limit in the future unless the limit changes. The final permit-specific limit is a Pretreatment Standard.