

Issuance Date: July 7, 2022  
Effective Date: August 1, 2022  
Expiration Date: July 30, 2027

**State Waste Discharge Permit Number ST0003861**

State of Washington  
DEPARTMENT OF ECOLOGY  
Northwest Regional Office  
15700 Dayton Ave N  
Shoreline, WA 98133

In compliance with the provisions of the  
State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington, as amended,

**Perdue Foods, LLC – Draper Valley Farms**  
1500 E. College Way, Suite A PMB 449  
Mount Vernon, WA 98273

is authorized to discharge wastewater in accordance with the special and general conditions which follow.

Facility Location: Draper Valley Farms 1000 Jason Lane Mount Vernon, WA 98273	SIC Code: 2015 NAICS Code: 311615
Industry Type: Poultry processing POTW Receiving Discharge: City of Mount Vernon WWTP (NPDES Permit No. WA0024074)	Significant Industrial User



Rachel McCrea  
Water Quality Section Manager  
Northwest Regional Office  
Washington State Department of Ecology

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## Summary of Permit Report Submittals

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

**Table 1: Summary of Permit Report Submittals**

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report (DMR)	Monthly	September 28, 2022
S3.A	Discharge Monitoring Report (DMR)	Quarterly	January 28, 2023
S3.F	Reporting Permit Violations	As necessary	
S4.A.	Operation and Maintenance Manual	1/permit cycle	July 1, 2023
S4.B	Reporting Bypasses	As necessary	
S8.	Compliance Schedule: Engineering Report	1/permit cycle	August 1, 2022
S8.	Compliance Schedule: Plans and Specifications	1/permit cycle	October 1, 2022
S10.	Application for Permit Renewal	1/permit cycle	June 1, 2027
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.	Notice of Permit Transfer	As necessary	
G10.	Duty to Provide Information	As necessary	

## Special Conditions

### S1. Discharge limits

All discharges and activities authorized by this permit must comply with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a concentration in excess of, that authorized by this permit violates the terms and conditions of this permit.

The Permittee is authorized to discharge poultry processing wastewater, contaminated stormwater from outdoor storage areas, and cooling tower blowdown to the City of Mount Vernon (Mount Vernon) sanitary sewer system subject to the following limits:

**Table 2: Effluent Limits – Outfall 001**  
**Latitude 48.433821 Longitude -122.330796**

Parameter	Rolling 3-Day Average <sup>a</sup>	Maximum Daily <sup>b</sup>
Flow	720,000 gpd	N/A
Biochemical Oxygen Demand (BOD <sub>5</sub> ) <i>Effective 8/1/2022 through 6/30/2023</i>	1,520 lbs/day	N/A
Biochemical Oxygen Demand (BOD <sub>5</sub> ) <i>Effective 7/1/2023</i>	1,450 lbs/day	N/A
Total Suspended Solids (TSS)	825 lbs/day	N/A
Oil and Grease	N/A	100 mg/L

Parameter	Daily Minimum	Daily Maximum
pH <sup>c</sup>	6.2	11.0

<sup>a</sup>	The rolling 3-day average is the average over three consecutive operating days. Non-operating days must not be used in averaging.
<sup>b</sup>	Maximum daily effluent limit means the highest allowable daily discharge. The daily discharge means the maximum discharge of a pollutant measured during a calendar day.
<sup>c</sup>	When the pH is continuously monitored, individual pH excursions not exceeding five minutes in duration within the pH ranges of 5.0 to 6.1 and 11.01 to 12.0 will not be considered violations provided that the total time during which pH values are less than 6.1 or greater than 11.0 do not exceed two hours during a calendar month. This exemption is only applicable to individual pH excursions which do not exceed five minutes in length.

### S2. Monitoring requirements

#### S2.A. Monitoring requirements

The Permittee must monitor the wastewater according to the following schedule. The Permittee must use the specified analytical methods unless the method used produces measurable results in the sample and EPA has listed it as an EPA-approved method in 40 CFR Part 136. If the Permittee uses an alternative method, not specified in the permit and as allowed above, it must report the test method, detection limit (DL), and quantitation limit (QL) on the discharge

monitoring report or in the required report. If the Permittee is unable to obtain the required DL and QL in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a quantitation limit (QL) to Ecology with appropriate laboratory documentation.

**Table 3: Monitoring requirements – Outfall 001 <sup>a</sup>**

Parameter	Units	Laboratory Method	Required DL/QL <sup>b</sup>	Sampling Frequency	Sample Type
Flow	gpd	N/A	N/A	1/day	Metered
Flow, 3-day Rolling Average	gpd	N/A	N/A	1/day	Calculated <sup>e</sup>
Biochemical Oxygen Demand (BOD <sub>5</sub> )	mg/L	SM 5210 B	--/5	1/day	24-hr Composite <sup>d</sup>
BOD <sub>5</sub>	lbs/day	N/A	N/A	1/day	Calculated <sup>e</sup>
BOD <sub>5</sub> , 3-day Rolling Average	lbs/day	N/A	N/A	1/day	Calculated <sup>e</sup>
Total Suspended Solids (TSS)	mg/L	SM 2540 D	--/2	1/day	24-hour Composite <sup>d</sup>
TSS	lbs/day	N/A	N/A	1/day	Calculated <sup>e</sup>
TSS, 3-day Rolling Average	lbs/day	N/A	N/A	1/day	Calculated <sup>e</sup>
Oil and Grease	mg/L	1664 A or B	1.4/5	Quarterly <sup>f</sup>	Grab <sup>g</sup>
pH <sup>h</sup>	standard units	SM 4500-H <sup>+</sup> B	N/A	Continuous <sup>c</sup>	Metered
Ammonia, total	mg/L	SM4500-NH <sub>3</sub> -B and C/D/E/G/H	--/20 (µg/L)	2/year <sup>i</sup> (January & July)	24-hour Composite <sup>d</sup>
Nitrate+Nitrite Nitrogen, as N	mg/L	SM4500-NO <sub>3</sub> - E/F/H	--/100 (µg/L)	2/year <sup>i</sup> (January & July)	24-hour Composite <sup>d</sup>
Total Kjeldahl Nitrogen	mg/L	SM4500-N <sub>org</sub> B/C and SM4500NH <sub>3</sub> -B/C/D/EF/G/H	--/20 (µg/L)	2/year <sup>i</sup> (January & July)	24-hour Composite <sup>d</sup>

<sup>a</sup>	The Permittee must sample the treated effluent after all treatment processes prior to combining with non-industrial wastewater sources.
<sup>b</sup>	<p>The detection limit (DL) and quantitation limit (QL) are in mg/L units, unless otherwise noted.</p> <p>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</p>

	<p>concentration is greater than zero as determined by the procedure give in 40 CFR Part 136, Appendix B.</p> <p>Quantitation level (QL), or minimum level of quantitation, is the lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and routing the result to the number nearest to (1, 2, or 5) x 10<sup>n</sup>, where n is an integer. (64 FR 30417).</p> <p>Also Given As: The smallest detectable concentration of analyte greater than the detection limit (DL) where the accuracy (precision &amp; bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007).</p>
c	Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The Permittee must sample once per hour, during times when discharge is occurring, when continuous monitoring is not available.
d	24-hour composite means a series of individual samples collected over a 24-hour period into a single container, and analyzed as one sample.
e	<p>The Permittee must use the following calculations accordingly.</p> <p>Daily BOD5 loading (lbs/day) = Concentration (in mg/L) X [Flow (in gpd) ÷ 1,000,000] X 8.34 (conversion factor)</p> <p>BOD5, 3-day Rolling Average = Average of three consecutive operating days. For the first two days of each operating month, the Permittee must use values from operating days in the previous month in order to calculate the 3-day rolling average. Consider operating days separated by non-operating days as consecutive operating days.</p>
f	Quarterly sampling periods are January through March, April through June, July through September, and October through December. The Permittee must begin quarterly monitoring for the quarter beginning on 10/1/2022 and submit results by 1/28/2023.
g	Grab means an individual sample collected over a 15 minute, or less, period.
h	The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.
i	2/Year means 2 times per year in January and July. The Permittee must report the January data on the February monthly DMR and the July data on the August monthly DMR. The Permittee must begin 2/year monitoring on 1/1/2023 and submit results on the February DMR by 2/28/2023.

## S2.B. Sampling and analytical procedures

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

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit must conform to the latest revision of the following rules and documents unless otherwise specified in this permit or approved in writing by Ecology.

### **S2.C. Flow measurement and continuous monitoring devices**

The Permittee must:

1. Select and use appropriate flow measurement and continuous monitoring devices consistent with accepted scientific practices.
2. Install, calibrate, and maintain these devices to ensure the accuracy of the measurements is consistent with the accepted industry standard, the manufacturer's recommendation, and approved O&M manual procedures for the device and the wastestream.
3. Calibrate continuous monitoring instruments weekly unless the Permittee can demonstrate a longer period is sufficient based on monitoring records.  
The Permittee:

- a. Must calibrate continuous pH measurement instruments using a grab sample analyzed in the lab with a pH meter calibrated with standard buffers and analyzed within 15 minutes of sampling.
4. Do not use reagents beyond their expiration dates.
5. Maintain calibration records for at least three years.

### **S2.D. Laboratory accreditation**

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

## **S3. Reporting and recording 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.

### **S3.A. Discharge monitoring reports**

The first monitoring period begins on the effective date of the permit.

The Permittee must:

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



To find out more information and to sign up for the [Water Quality Permitting Portal](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance) go to <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>.

2. Enter the “No Discharge” reporting code for an entire DMR or for a specific monitoring point if the Permittee did not discharge wastewater during a given monitoring period.
3. Report single analytical values below detection as “less than the detection level (DL)” by entering < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL and quantitation level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.
4. Report the test method used for analysis in the comments if the laboratory used an alternative method not specified in the permit and as allowed in S2.
5. Calculate average values and total values as specified in S2.
6. Ensure that DMRs are electronically submitted no later than the dates specified below.
7. Submit DMRs for parameters with the monitoring frequencies specified in S2 (monthly, quarterly, annual, etc.) at the reporting schedule identified below. The Permittee must:
  - a. Submit **monthly** DMRs by the 28<sup>th</sup> day of the following month.
  - b. Submit **quarterly DMRs** by the 28<sup>th</sup> day of the month following the monitoring period. Quarterly sampling periods are January through March, April through June, July through September, and October through December. The Permittee must submit the first quarterly DMR on 1/28/2023 for the quarter beginning on 10/1/2022.

### **S3.B. Permit Submittals and Schedules**

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

The permit application, S10, requires submittal of a paper (hard-copy) application form. The Permittee must ensure that it is postmarked or received by Ecology no later than the dates specified by this permit. Send these paper reports to Ecology at:

Water Quality Permit Coordinator  
Department of Ecology  
Northwest Regional Office  
PO Box 330316  
Shoreline, WA 98113-9716

### **S3.C. 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.

### **S3.D. Recording of results**

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

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

### **S3.E. 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 unless otherwise specified by Condition S2.

### **S3.F. Reporting permit violations**

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

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

#### **a. Immediate reporting**

The Permittee must report any noncompliance that may endanger health or the environment immediately to the Department of Ecology's Regional Office 24-hr. number and to the City of Mount Vernon number listed below:

Northwest Regional Office	(206) 594-0000
City of Mount Vernon	(360) 336-6219

**b. Twenty-four-hour reporting**

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

The Permittee must report:

1. Any noncompliance that may endanger health or the environment, unless previously reported under immediate reporting requirements.
2. Any unanticipated bypass that causes an exceedance of an effluent limit in the permit (See Part S4.B., "Bypass Procedures").
3. Any upset that causes an exceedance of an effluent limit in the permit. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limits because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
4. Any violation of a maximum (or minimum, in the case of pH) daily discharge limit for any of the pollutants in Section S1.A of this permit.
5. Any overflow prior to the treatment works, whether or not such overflow endangers health or the environment or exceeds any effluent limit in the permit. This requirement does not include industrial process wastewater overflows to impermeable surfaces which are collected and routed to the treatment works.

**c. Report within five days**

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

The report must contain:

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

**d. Waiver of written reports**

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

**e. All other permit violation reporting**

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

**S3.G. Other reporting**

**a. Spills of Oil or Hazardous Materials**

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and chapter 173-303-145. You can obtain further instructions at the [Report a spill of oil or hazardous materials website](https://ecology.wa.gov/About-us/Get-involved/Report-an-environmental-issue/Report-a-spill) at <https://ecology.wa.gov/About-us/Get-involved/Report-an-environmental-issue/Report-a-spill>.

**b. Failure to submit relevant or correct facts**

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

**S3.H. Maintaining a copy of this permit**

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

**S3.I. Dangerous waste discharge notification**

The Permittee must notify the publicly owned treatment works (POTW) and Ecology in writing of the intent to discharge into the POTW any substance designated as a dangerous waste in accordance with the provisions of WAC 173-303-070. It must make this notification at least 90 days prior to the date that it proposes to initiate the discharge. The Permittee must not discharge this substance until authorized by Ecology and the POTW. It must also comply with the notification requirements of Special Condition S8 and General Condition G4.

### **S3.J. Spill notification**

The Permittee must notify the POTW immediately (as soon as discovered) of all discharges that could cause problems to the POTW, such as process spills and unauthorized discharges (including slug discharges).

## **S4. Operation and maintenance**

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

### **S4.A. Operations and maintenance manual**

#### **a. O&M manual submittal and requirements**

The Permittee must:

1. Prepare an Operations and Maintenance (O&M) Manual that meets the requirements of WAC 173-240-150 and submit it to Ecology for approval by July 1, 2023.
2. Submit to Ecology for review and approval substantial changes or updates to the O&M Manual.
3. Keep the approved O&M Manual at the permitted facility.
4. Follow the instructions and procedures of this manual.

#### **b. O&M manual components**

In addition to the requirements of WAC 173-240-150, the O&M manual must include:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limits of S1.
2. Emergency procedures for plant shutdown and cleanup in event of wastewater system upset, spill, failure, or demand by the publicly owned treatment works (POTW) treating the discharge.
3. Wastewater system maintenance procedures that contribute to the generation of process wastewater.
4. 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.)

5. Wastewater sampling protocols and procedures for compliance with the sampling and reporting requirements in the wastewater discharge permit.
6. Minimum staffing adequate to operate and maintain the treatment processes and carry out compliance monitoring required by the permit.
7. Treatment plant process control monitoring schedule.

#### **S4.B. Bypass procedures**

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

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

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

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

This permit authorizes such a bypass 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. No feasible alternatives to the bypass exist, such as:
  - The use of auxiliary treatment facilities.
  - Retention of untreated wastes.
  - Stopping production.
  - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.
  - Transport of untreated wastes to another treatment facility.
- c. The Permittee has properly notified Ecology of the bypass as required in Condition S3.E of this permit.

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

- a. The Permittee must notify Ecology at least 30 days before the planned date of bypass.

The notice must contain:

- A description of the bypass and its cause.
  - An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
  - A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
  - The minimum and maximum duration of bypass under each alternative.
  - A recommendation as to the preferred alternative for conducting the bypass.
  - The projected date of bypass initiation.
  - A statement of compliance with SEPA.
  - A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
  - Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- b. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report or facilities plan as well as the plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.
- c. Ecology will consider the following prior to issuing an administrative order for this type of bypass:
- If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
  - If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
  - If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

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

#### **S4.C. Best management practices**

The Permittee must:

1. Dispose of sludge from settling tanks and sumps and solids from grease traps in an approved manner other than to the sanitary sewer system.
2. Store all barrels or similar containers containing toxic or deleterious materials in a bermed and covered area (or otherwise in some form of containment) to prevent discharge into the sanitary sewer or storm sewer or into ground or surface waters in the event of leakage or rupture.
3. Store empty barrels with all openings plugged and in an upright position.
4. Store waste chemicals awaiting disposal in such a manner as to not enter waters of the state.
5. Exclude stormwater from the sanitary sewer system except as specifically authorized in this permit.
6. Segregate and store non-compatible chemicals and waste in separate containment areas that prevent mixing of incompatible or reactive materials.
7. Locate process tanks in a bermed area capable of containing a minimum of 110% of the volume capacity of the largest tank within that enclosure.
8. Maintain any grease traps and oil/water separators which discharge to the sanitary sewer system in good working order. Inspect traps at least monthly basis and clean as necessary. Maintain a log of each inspection and cleaning performed.
9. Not discharge the following to the sanitary sewer,
  - a. Concentrated organic compounds.
  - b. Fire retardant foaming agents, such as AFFF, in quantities sufficient to cause excessive foaming in the POTW effluent or to otherwise cause interference at the POTW.
  - c. Surfactant materials, such as soaps and detergents, in quantities sufficient to cause excessive foaming in the POTW effluent or to otherwise cause interference at the POTW.
  - d. Colored materials or other low-transmittance material in such quantities or concentrations as to interfere with disinfection at the POTW or which cause pass-through resulting in impairment of the aesthetic character or designated uses of the receiving water.
  - e. Motor oil, brake fluid, gear oil, and automatic transmission fluid drained or leaked from vehicles or equipment.

#### **S5. Prohibited discharges**

The Permittee must comply with these General and Specific Prohibitions.



### **S5.A. General prohibitions**

The Permittee must not introduce into the POTW pollutant(s), which cause Pass Through or Interference.

### **S5.B. Specific prohibitions**

In addition, the Permittee must not introduce the following into the POTW:

1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 60 degrees C (140 degrees F) using the test methods specified in 40 CFR 261.21
2. Solid or viscous pollutants in amounts, which will cause obstruction to the flow in the POTW resulting in interference
3. Any pollutant (including oxygen-demanding pollutants (BOD<sub>5</sub>, etc.), released in a discharge at a flow rate and/or pollutant concentration that will cause interference with the POTW
4. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 degrees C (104 degrees F) unless the approval authority, upon request of the POTW, approves alternative temperature limits
5. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems
7. Any trucked or hauled pollutants, except at discharge points designated by the POTW
8. Pollutants that will cause corrosive structural damage to the POTW.

### **S5.C. Prohibited unless approved**

Any of the following discharges are prohibited unless approved by Ecology under extraordinary circumstances (such as a lack of direct discharge alternatives due to combined sewer service or a need to augment sewage flows due to septic conditions):

1. Noncontact cooling water in significant volumes
2. Storm water and other direct inflow sources
3. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system

4. The discharge of dangerous wastes as defined in Chapter 173-303 WAC  
(Unless specifically authorized in this permit)

## **S6. Dilution prohibited**

The Permittee must not dilute the wastewater discharge with stormwater or increase the use of potable water, process water, noncontact cooling water, or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limits contained in this permit.

## **S7. Solid waste disposal**

### **S7.A. Solid waste handling**

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

### **S7.B. Leachate**

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

## **S8. Compliance schedule**

By the dates tabulated below, the Permittee must complete the following tasks and submit a report describing, at a minimum:

- Whether it completed the task, and if not, the date on which it expects to complete the task.
- The reasons for delay and the steps it is taking to return the project to the established schedule.

**Table 4 Compliance schedule**

	<b>Task</b>	<b>Date Due</b>
1	Prepare and submit for approval an engineering report on upgrades to control BOD <sub>5</sub> in the wastewater discharge to the City of Mount Vernon sewer system that meets the requirements of WAC 173-240 and Special Conditions S1 and G5.	8/1/2022
2	Prepare and submit for approval engineering plans and specifications for the treatment system proposed in Task 1.	10/1/2022
3	Comply with BOD <sub>5</sub> limit in condition S1.	7/1/2023

## **S9. Slug discharge control plan**

### **S9.A. Slug discharge control plan requirements**

The Permittee must:

1. Prepare and maintain a plan to minimize the potential of slug discharges from the facility covered by this permit.
2. Review its slug discharge plan and update it as needed.
3. Keep the current approved plan on the plant site and make it readily available to facility personnel and Ecology, upon request.
4. Follow the plan and any supplements throughout the term of the permit.

### **S9.B. Slug discharge control plan components**

The slug discharge control plan must include the following information and procedures relating to the prevention of unauthorized slug discharges; it must include:

1. A description of a reporting system the Permittee will use to immediately notify facility management, the POTW operator, and appropriate state, federal, and local authorities of any slug discharges, and provisions to provide a written follow-up report within five days.
2. A description of operator training, equipment, and facilities (including overall facility plan) for preventing, containing, or treating slug discharges.
3. Procedures to prevent adverse impact from accidental spills including:
  - a. Inspection and maintenance of storage areas
  - b. Handling and transfer of materials
  - c. Loading and unloading operations
  - d. Control of plant site run-off
  - e. Worker training
  - f. Building of containment structures or equipment
  - g. Measures for containing toxic organic pollutants (including solvents)
  - h. Measures and equipment for emergency response
4. A list of all raw materials, products, chemicals, and hazardous materials used, processed, or stored at the facility; the normal quantity maintained on the premises for each listed material; and a map showing where they are located.
5. A description of discharge practices for batch and continuous processes under normal and non-routine circumstances.

6. A brief description of any unauthorized discharges which occurred during the previous permit term and subsequent measures taken by Permittee to prevent or to reduce the possibility of further unauthorized discharges.
7. An implementation schedule including additional operator training and procurement and installation of equipment or facilities required to properly implement the plan.

#### **S10. Application for permit renewal or modification for facility changes**

The Permittee must submit an application for renewal of this permit by June 1, 2027. The complete application must be submitted to Ecology through the WQWebPortal and as a hard copy in accordance with permit condition S3.B.

The Permittee must also submit a new application or addendum at least 60 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.

## **General Conditions**

### **G1. Signatory requirements**

All applications, reports, or information submitted to Ecology must be signed as follows:

1. All permit applications must be signed by either a principal executive officer or ranking elected official.
2. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by the person described above and is submitted to Ecology at the time of authorization, and
  - b. The authorization specifies either a named individual or any individual occupying a named position.
3. Changes to authorization. If an authorization under paragraph G1.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section must make the following certification:

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

### **G2. Right of entry**

Representatives of Ecology 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 include normal business hours; hours during which production, treatment, or discharge occurs; or times when Ecology suspects a violation requiring immediate inspection. Representatives of Ecology must 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.

### **G3. Permit actions**

This permit is subject to modification, suspension, or termination, in whole or in part by Ecology for any of the following causes:

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 material change in the condition of the waters of the state; or
5. Nonpayment of fees assessed pursuant to RCW 90.48.465.

Ecology may also modify this permit, including the schedule of compliance or other conditions, if it determines good and valid cause exists, including promulgation or revisions of regulations or new information.

### **G4. Reporting a cause for modification**

The Permittee must submit a new application, or a supplement to the previous application, 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 this permit. This application must be submitted at least 60 days prior to any proposed changes. Submission of this application 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 must be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities must be constructed and operated in accordance with the approved plans.

### **G6. Compliance with other laws and statutes**

Nothing in the permit excuses the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

### **G7. Transfer of this permit**

This permit is automatically transferred to a new owner or operator if:

1. 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 Ecology;
2. A copy of the permit is provided to the new owner and;
3. Ecology does not notify the Permittee of the need to modify the permit.

Unless this permit is automatically transferred according to Section 1. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

## **G8. Reduced production for compliance**

The Permittee must control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity 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 for the treatment facility is reduced, lost, or fails.

## **G9. Removed substances**

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

## **G10. Payment of fees**

The Permittee must submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit if the permit fees established under Chapter 173-224 WAC are not paid.

## **G11. Penalties for violating permit conditions**

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

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

## **G12. Duty to provide information**

The Permittee must submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to Ecology upon request, copies of records required to be kept by this permit.

## **G13. Duty to comply**

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of chapter 90.48 RCW and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.