



Wastewater Management Department
Industrial Pretreatment Program
Riverside Park Water Reclamation Facility
4401 North Aubrey L. White Parkway
Spokane, WA 99205-3939

WASTEWATER DISCHARGE PERMIT #SIU-xxxx-xx

Effective Date: **DATE**

Expiration Date: **DATE**

Company Name:

Location:

Mailing Address:

Authorized Representative(s):

(Include Phone & Email)

Facility Contact:

(Include Phone & Email)

The above **Significant / Categorical** Industrial User (user) is authorized to discharge industrial wastewater to the City of Spokane Publicly Owned Treatment Works (POTW) in compliance with Spokane Municipal Code (SMC), Chapter 13.03 and 13.03A, the current effective City Wastewater Rates, Rules, and Regulations, as may be amended from time to time, pursuant to the provisions of the General Pretreatment Regulations (40 CFR Part 403) of the Environmental Protection Agency under provisions of the Clean Water Act, 33 U.S.C. 1251 et seq. The applicable State of Washington regulations in WAC 173-208, WAC 173-216, and provisions of Revised Code of Washington (RCW 90.48) were delegated to the City of Spokane Industrial Pretreatment Program to enforce in 1987. This wastewater discharge is approved in accordance with discharge point(s), wastewater discharge limitations, monitoring requirements, and other conditions as set forth in this permit. It is the user's duty to comply with all regulations listed above and all contents of this permit. Noncompliance is a violation of the City's Sewer Use and Pretreatment ordinances and is subject to escalating enforcement action.

This permit is granted in accordance with the permit application form accepted on **DATE**, in the office of the City of Spokane Wastewater Management Department and in conformity with approved engineering reports, detailed plans and specifications, operations and maintenance manuals, and other data submitted to the City in support of the above application. If the user wishes to continue to discharge after the expiration date of this permit, an application must be filed for a permit renewal in accordance with the requirements of SMC 13.03A.0313, a minimum of one hundred eighty calendar days prior to the expiration date listed above.

Public notice of **permit issuance/renewal/modification** was published in *The Spokesman-Review* on **DATE** and **DATE**, to inform the public that an application had been submitted and to invite comment on the issuance of this permit. The permit was available for public commentary from **DATE** to **DATE**.

Raylene Gennett, Wastewater Director

Date

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Commented [BA1]: Chemists: Pick TTO if required by categorical

SECTION 1 – REPORT SUMMARY AND COMPLIANCE DATES

Table 1: Report Summary Chemists: include all reports and due dates for life of permit
Additional compliance dates may also be embodied in the permit.

Report name	Section	Due Date
Monthly Discharge Monitoring Reports (DMR)	4. BD	By the 15 th day of the following month. The first report is due on DATE .
Violation notification	4. CE/DE	Phone City immediately
Baseline Monitoring 90 Day Compliance Report	4. ED	180 days after promulgation of new rule 90 days after effective date of permit
Notification of significant change	4. EF	90 days prior to expected change in process or wastewater volume or character
Accidental spill or slug notification	4. EG	Phone City immediately, written report within five days
Slug Control Plan	5.A	90 days after effective date of permit
Compliance Schedule Milestone X	5.B	Case-by-case basis
Operation and Maintenance Manual	5. C	90 days after effective date of permit
Toxic Organic Management Plan	5. D	90 days after effective date of permit
Permit renewal application	5 6. L	Due 180 days before permit expiration or DATE

Commented [BA2]: Chemists: All Section 4 letters in this table depend on if categorical section is included – **Update as needed**
Likewise letters change in section 5

SECTION 2 – WASTEWATER DISCHARGE LIMITATIONS

A. OUTFALLS

During the period of **DATE** to **DATE**, the industrial user is authorized to discharge process wastewater to the City of Spokane sewer system from the outfalls listed below under the terms and conditions as contained herein.

Table 2: Point of Compliance Information (add outfalls if necessary)

Outfall / Sample Point	Description
001	Clearly ID the outfalls using brief detailed
	narrative and diagrams as necessary

B. LIMITATIONS

1. Wastewater discharges must comply with both the Prohibited Discharge Standards listed in Section 6. **U?-W?** of this permit, and the numerical limits listed below.
2. Numerical wastewater discharge limits for **Outfall 001**, derived from the **Federal Pretreatment Standards for CATEGORICAL NAME**, 40 CFR §**BLANK** for New Source, and City of Spokane Local Effluent Limits (SMC 13.03A.0204), **whichever is more stringent**. If there is an end of process and end of pipe sample point, duplicate this paragraph and discharge limit table for each monitoring point.

Table 3: Discharge limits (modify as necessary for categorical industrial users)

Parameter	Maximum Allowable Discharge Limit ¹	Monthly Average Discharge Limit ² (only if applicable)
Arsenic, total	0.12 mg/L	N/A
Cadmium, total	0.093 mg/L	N/A
Chromium, total	<5.0 mg/L	N/A
Copper, total	0.74 mg/L	N/A
Lead, total	0.32 mg/L	N/A
Mercury, total	0.012 mg/L	N/A

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Molybdenum, total	0.66 mg/L	N/A
Nickel, total	1.74 mg/L	N/A
Selenium, total	0.40 mg/L	N/A
Silver, total	0.46 mg/L	N/A
Zinc, total	2.59 mg/L	N/A
Cyanide, total	1.01 mg/L	N/A
Benzene	<0.5 mg/L	N/A
TTO (total toxic organics)-only for metal finishing, electrical and electronic components, copper forming, aluminum forming, and coil coating, or case by case basis 40 CFR 433	Refer to categorical	N/A
pH	Between 5.0-12.0	N/A
Fats, Oils, and Grease	Cannot cause obstruction or interference	N/A

Notes for Table 3:

1. Maximum Allowable Discharge Limit:

The maximum concentration or loading of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

2. Monthly Average:

The arithmetic mean of the effluent sample results collected during a calendar month or specified thirty-day period. Where the control authority has taken a sample during the period, it must be included in the monthly average if provided in time. However, where composite samples are required, grab samples taken for process control or by the control authority are not to be included in a monthly average.

3. The pH limit set in SMC 13.03A.0201(B)(2) may also be enforced as a local limit.

Table 4: Discharge Flow Limits

Maximum Instantaneous Flow Limit	Shall not exceed XXX gallons per minute
Total Daily Maximum Flow Limit	Shall not exceed XXX gallons per day

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~~Notes for Table 4: The Total Daily Maximum Flow limit is per user request. The Maximum Instantaneous Flow limit has been approved by a City of Spokane Sewer Engineer. A 20% safety factor was added by the City of Spokane if the pipe has adequate capacity.~~

SECTION 3 – MONITORING REQUIREMENTS

A. INDUSTRIAL USER SELF-MONITORING

1. Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored discharge and shall be collected and preserved in accordance with SMC 13.03A.0501, 40 CFR Part 136, and amendments. Alternative procedures must have City approval prior to use.
2. Wastewater monitoring and flow measurement facilities shall be properly operated and maintained in good working order at all times. The user shall keep and maintain an operation and maintenance log on all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this permit. Proper operation and maintenance include, but is not limited to, effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. Failure to keep monitoring facilities in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
3. During the period of **DATE** to **DATE**, the industrial user shall monitor **Outfall 001** for the following parameters, at the indicated frequency. **(Add paragraphs as necessary for each outfall)**

Table 5: Self-Monitoring Requirements Specify where this applies if more than one outfall

Parameter	Analytical Method	Frequency	Sample Type
Flow (gallons per day)	N/A	Daily	Meter
Flow (gallons per minute)	N/A	Continuous	Meter
pH	SM 4500-H+	Continuous	Meter

Note: Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The time interval for the associated data logger must be no greater than 2 minutes.

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4. **Monitoring Flow:**

- a. Daily flows are to be recorded from the industrial user's flow meter.
- b. If the manufacturer specifies a method of calibration, the flow meter must be calibrated at least annually by a factory representative or equivalent third party. Certification of calibration must be provided upon request by the City of Spokane. If no calibration is required by the manufacturer, an excerpt from the manufacturer's documentation may be presented in place of the calibration record.

5. **Monitoring pH:**

pH measurements must be generated using instrumentation and approved methods as outlined in 40 CFR Part 136. Where not specified by 40 CFR 136 or this permit, the manufacturer's instructions shall be followed for use, calibration, maintenance, and storage.

- a. The pH must be measured using a pH meter which has a two-point calibration capability and have automatic temperature compensation (ATC).
- b. The meter must be calibrated, and a log of the sample results and record of calibration must be maintained. Calibration must be performed weekly at a minimum. Additionally, the pH meter must be calibrated at least annually by a factory representative or equivalent third party.
- c. If pH buffer checks are performed between calibrations, the measured buffer results must be within 0.1 units of the true value. If buffer results are out of range, calibration must be done immediately.
- d. During periods of interrupted operation of the continuous pH measurement, manual grab samples must be taken at the point of compliance. Two readings must be taken during each 8-hour shift, preferably midway through the first 4 hours and the last 4 hours. The minimum of two manual grab samples allows for a minimum and maximum daily reading. The pH must be measured within 15 minutes of sample collection. A portable pH measuring system is necessary for grab samples. The portable meter should be calibrated before use if it has been more than 7 days since the last recorded calibration.
- e. Continuous pH measurements taken during calibration, for power failure, or for equipment repair or maintenance, or during periods when process wastewater is

Commented [BA3]: Chemists: delete this if the industry does not continuously monitor for pH

not being discharged do not need to be reported. Only pH measurements taken while the process wastewater is being discharged need to be reported.

- f. Due to the logarithmic nature of pH readings, pH results cannot be averaged under any circumstance.
- g. At no time shall the results from pH litmus paper or pH test strips be a substitute for reporting pH.

~~6.1 REQUIRED FOR CIUS ONLY!!!~~ Categorical industrial users must submit a Baseline Monitoring/90 Day Compliance Report that includes the results of these analyses to the City of Spokane within 180/90 days of the first process wastewater discharge to the sanitary sewer. The following self monitoring analyses shall be performed at the end of process, **LOCATION**, to achieve wastewater characterization and to comply with categorical monitoring requirements. Please refer to Section 4 Part C of this permit for detailed reporting requirements.

Table 6: Monitoring Requirements (Required for CIUs only)

Parameter	Analytical Method	Frequency	Sample Type

B. CITY OF SPOKANE COMPLIANCE MONITORING

During the period of **DATE** to **DATE**, the City of Spokane will perform compliance monitoring at **Outfall 001** for the following parameters, at the frequency indicated in Table **6**. It is the responsibility of the user to make any accommodations necessary to ensure sampling can occur at the frequency required by this permit.

Table 7: Compliance Monitoring performed by the City of Spokane (can exclude parameters based on past compliance)

Parameter	Analytical Method ¹	Frequency ²	Sample Type
pH	SM 4500-H+B	at least 2x/year	Grab ³

Commented [AB4]: Chemists: Insert a separate table for categorical end of process monitoring, then update table numbers.

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Arsenic, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite ⁴
Cadmium, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Chromium, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Copper, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Lead, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Mercury, total	EPA 245.1 or 245.2 or SM3112B	at least 2x/year	Grab-composite
Molybdenum, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Nickel, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Selenium, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Silver, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Zinc, total	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B	at least 2x/year	Grab-composite
Cyanide, total	EPA 335.4 or SM 4500-CN-B, C, D or E	at least 2x/year	4 Grab-Lab composite ⁵
Benzene	EPA 602 or EPA 624.1 or SM 6200 C	at least 2x/year	4 Grab/ event ⁶
TTO⁷	EPA 608.3 + EPA 624.1 + EPA 625.1	at least 1x/permit cycle or every 6 months if regulated and no TOMP	4 Grab/ event⁶
PPS⁷	EPA 608.3 + EPA 624.1 + EPA 625.1 + EPA 200.7 or SM 3120B + EPA 245.1 or 245.2 or SM 3112B	1x/permit cycle	4 Grab/ event⁶
TTO ⁷	EPA 608 +	Twice per calendar year, every 6 months if no TOMP in place, OR once per permit cycle if TOMP is in place	24hr comp OR grab-composite
	EPA 624 (VOC + acrolein) ±		4 grab/event ⁶
	EPA 625		24hr comp OR grab-composite
PPS ⁷	EPA 200.7 or EPA 200.8 or SM 3120B or SM 3125B (for all Local Limit metals + Sb, Tl, Be) + EPA 245.1 or 245.2 or SM3112B ±	1x/permit cycle	24hr comp OR grab-composite

Commented [BA5]: Chemists: If an industry has 24 hour operation or variable production throughout the day an automatic sampler can be used to obtain a more representative sample, specify 24 hr grab/comp if appropriate. If 24 hour grab composites are used, please specify that grab only samples are done during day shift.

Commented [BA6]: Chemists: If required by categorical select TTO and omit PPS. All other users must have PPS.

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	EPA 608 +		24hr comp OR grab-composite
	EPA 624 (VOC + acrolein)		4 grab/event⁶
	±		
	EPA 625		24hr comp OR grab-composite

- ¹ Methods for analysis must conform to those specified in 40 CFR Part 136.
- ² The City may increase the frequency of sampling based on analytical results. Required minimum of two samples per year at least five months apart.
- ³ A “grab” sample is a sample which is taken from a wastestream on a one-time basis without regard to flow in the waste stream and without consideration of time.
- ⁴ A “grab-composite” is a minimum of four grab samples collected and preserved over a twenty four-hour period and equally combined to provide a representative sample of effluent being discharged.
- ⁵ A “4 grab-Lab Composite” is a minimum of four grab samples collected and preserved at selected intervals based on an increment of time, composited in the laboratory and analyzed as a single sample.
- ⁶ “4 grab/event” is a minimum of four grab samples collected at selected intervals based on an increment of **either flow or time (PLEASE SPECIFY WHICH)**, preserved, analyzed separately, with the four results averaged to provide a representative sample of effluent being discharged.
- ⁷ **Total Toxic Organic (TTO) is the summation of all values greater than 0.01 mg/L for each of the toxic organics specified in 40 CFR 433.11(e). If the user discharges TTOs and is in compliance with the limit, it must develop a toxic organic management plan (TOMP). Users not in compliance with the limit, or those who choose not to develop a TOMP must sample for TTO every 6 months. Refer to Section 5.E for requirements of the toxic organic management plan. Refer to Section 8 for a list of total toxic organic compounds.**
- ⁷ Priority Pollutant Scan (PPS) is used for permit application or renewal. PPS will be tested 1x/permit cycle to be sampled 9-12 months before permit expiration so data can be used in the permit renewal process and/or engineering report. If a **particular full suite of metal s and mercury** is already being analyzed as part of the regularly scheduled permit monitoring, they do not need to be duplicated for the PPS testing.

Commented [BA7]: Pick TTO or PPS here and in the chart above

REQUIRED FOR NEW CIUS ONLY!!! Categorical industrial users must submit a Baseline Monitoring/90-Day Compliance Report 90 day report on compliance with categorical pretreatment standards that includes the results of these analyses in Table 7, to the City of Spokane within 180/90 days of the first process wastewater discharge to the sanitary sewer. The following self-monitoring analyses shall be performed The City of Spokane will collect

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samples at the end of process, LOCATION, to achieve wastewater characterization and to comply with categorical monitoring requirements. Three sets of samples will be collected by the City of Spokane within the first two months of the effective date of this permit OR first process wastewater discharge to the sanitary sewer]. Please refer to Section 4 Part C of this permit for detailed reporting requirements.

Table 67: 90 Day Report Monitoring Requirements (Required for new CIUs only!)

Parameter	Analytical Method	Sample Type

SECTION 4 – REPORTING REQUIREMENTS

A. ELECTRONIC REPORTING

1. The signed Electronic Signature Agreement submitted must be kept up-to-date by the industrial user to reflect current authorized representative(s) as defined in SMC 13.03A.0103. Any updates to the Electronic Signature Agreement must be submitted to the Pretreatment Program at the address below as a hard copy with a wet ink signature.

City of Spokane Industrial Pretreatment Program

CHEMIST

4401 N Aubrey L White Parkway
Spokane, WA 99205

2. Authorized representatives are required to maintain an account on the Shared CROMERR Services website (<https://encromerr.epa.gov/?theme=Spokane>) in order to upload documents related to this permit.
3. All reports and submissions required by this permit, and responses to enforcement actions, must be submitted by an authorized representative through the Shared CROMERR Services website.

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B. COMPUTATION OF TIME

1. All submissions must be uploaded by the date specified by the City. The upload date will be considered the date received by the City of Spokane. The time stamp on the website will be in Eastern Time.
2. The City's Computation of Time is defined in SMC 13.03A.0108:

Whenever an action is specified to be done within a stated number of days, the date upon which the time begins to run is not counted and the last day is counted. Whenever a time period is specified of five days or less, weekends and holidays are not included. Time periods over five days shall mean calendar days. If the last day by which an action must be accomplished falls on a weekend or holiday, the time is extended to the next day not a weekend or holiday. Holidays means legal holidays as stated in SMC 3.03.010.

C. SIGNATORY AND CERTIFICATION REQUIREMENTS

1. All discharge permit applications and user reports submitted to the City must be signed and certified by an authorized representative as defined in SMC 13.03A.0103. The representative must further include the following certification:

"I certify under penalty of perjury of the laws of the State of Washington (or state of execution):

That I am authorized to sign this statement on behalf of the person or entity for which it is submitted. That this document and all attachments are reliable and were prepared based upon my personal knowledge or under my direction or supervision, after diligent inquiry in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge or 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 inaccurate or false information, including the possibility of fine and imprisonment."

2. If an authorization under Section 4.A.1 of this permit 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 Section 4.A.1 must be submitted to the City prior to or together with any reports, information, or applications to be signed by an authorized representative. For requirements for submitting a new authorized representative refer to SMC 13.03A.0103 - Definitions. [1.3], Part D, Section 4.

D. MONTHLY DISCHARGE MONITORING REPORTS

1. Self-monitoring results shall be summarized each month on a Discharge Monitoring Report and must be received by the City of Spokane on or before the 15th day of each following month. The first report is due on DATE.
2. The report must include a record of the nature and concentration (and mass if specified in the permit) of pollutants listed in the discharge permit (list of pollutants required OR reference Table ###) and a record of all flow measurements (average and maximum) taken at the designated sampling location(s) as well as any other information required in this permit for the reporting period. Daily and monthly minimum and maximum pH shall be included. Production data must be reported if required. Both daily maximum and average concentration for mass must be reported.
3. If there is no discharge of process wastewater within a reporting period, a report must be submitted stating such.
4. Legible copies of these and all other reports required of this permit shall be signed and certified in accordance with the requirements of Section 4.A.1. of this permit and submitted to Shared CROMERR Services website.
(<https://encromerr.epa.gov/?theme=Spokane>)
5. If the industrial user monitors any regulated pollutant at the appropriate sampling location more frequently than required, the results of the monitoring shall be included in the monthly Discharge Monitoring Report.
6. If the Plant Manager calculated limits to factor out dilution flows or non-regulated flows, the user is responsible to provide flows from regulated process flows, dilution flows and non-regulated process flows.
7. The user shall include calculations of monthly averages. Also, copies of laboratory reports and copies of filed documents, such as logs of routine measurements shall be included.
8. In cases where the pretreatment standard requires compliance with Best Management Practices or pollution prevention alternatives, the user must submit documentation to demonstrate compliance.

E. ~~BASELINE MONITORING 90 DAY COMPLIANCE REPORT (required for CIUs only)~~

Commented [AB8]: This section was omitted since the BMR requirements are basically met by the permit application

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~~A Baseline Monitoring Report (BMR) is required when a new categorical pretreatment standard is promulgated by the Environmental Protection Agency (EPA). Within one hundred eighty days after the effective date of a new categorical Pretreatment Standard, or one hundred eighty days after the final administrative decision made upon a category determination submission under §403.6(a)(4), whichever is later, existing industrial users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit a BMR. The purpose of this report is to provide baseline data to the Control Authority, determine sampling points, and determine compliance status with categorical Pretreatment Standards.~~

~~The report must contain:~~

- ~~1. Identifying information: The name and address of the facility, operator, and owners.~~
- ~~2. Permits: A list of any environmental control discharge permits held by or for the facility.~~
- ~~3. Description of operations: A brief description of the nature, average rate of production, and the North American Industry Classification of the operation(s) carried out by such user. This must include a schematic process diagram which indicates points of discharge to the POTW from the regulated or manufacturing processes.~~
- ~~4. Flow measurement: Information showing the measured average daily and daily maximum flow, in gallons per day, to the POTW from each of the regulated or manufacturing process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(c).~~
- ~~5. Measurement of Pollutants:~~
 - ~~i. The categorical pretreatment standards for each regulated or manufacturing process.~~
 - ~~ii. The results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the categorical pretreatment standard or the Plant Manager) in the discharge from each regulated or manufacturing process. Instantaneous, daily maximum, and long term average concentrations (or mass, where required) shall be reported on forms signed as required under SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401. The sample shall be representative of daily operations and conform to the sampling and analytical procedures in Article V of this chapter.~~
- ~~6. Statement by qualified professional: The user must submit a statement reviewed by an authorized representative and certified by a qualified professional signed as provided in SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401. The statement must indicate whether the applicable pretreatment standards are being met on a consistent basis, and, if not, whether additional~~

Commented [AB9]: Chemist, please pick green for existing sources, blue for new sources to which new EPA rules apply

Commented [AB10R9]: Existing sources submit #1-7, New sources submit #1-5 below.

Commented [AB11R9]: Update sections!

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~~operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet the applicable pretreatment standards and requirements, to include without limitation AKART.~~

- ~~7. Compliance schedule: If additional pretreatment/O&M are required to meet the applicable pretreatment standards, the user must include the shortest schedule by which it will provide such additional pretreatment and/or O&M remediation. The compliance schedule must meet the requirements in SMC 13.03A.0404. It must be signed as provided in SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401.~~

Commented [AB12]: For existing sources with new EPA rules

E. 90 DAY COMPLIANCE REPORT (for new CIUs)

No more than 90 days after ~~commencement of their discharge~~ OR the effective date of the permit], ~~new sources~~ users shall submit a 90 Day Compliance Report to include a statement on whether or not applicable standards are being met on a consistent basis. (40 CFR §403.12(b)(1)-(7) and 40 CFR §403.12(d))

The report must contain:

- ~~1. Identifying information: The name and address of the facility, operator, and owners.~~
- ~~2. Permits: A list of any environmental control discharge permits held by or for the facility.~~
- ~~3. Description of operations: A brief description of the nature, average rate of production, and the North American Industry Classification of the operation(s) carried out by such user. This must include a schematic process diagram which indicates points of discharge to the POTW from the regulated or manufacturing processes.~~

Commented [AB13]: Technically these three are not required by 40 CFR 403.12(d). We should already have this information in their permit application, right?

- ~~4.1~~ Flow measurement: Information showing the measured average daily and daily maximum flow, in gallons per day, to the POTW from each of the regulated or manufacturing process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

~~5.2~~ Measurement of Pollutants.

- i. The categorical pretreatment standards for each regulated or manufacturing process.
- ii. The results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the categorical pretreatment standard or the Plant Manager) in the discharge from each regulated or manufacturing process. Instantaneous, daily maximum, and long-term average concentrations (or mass, where required) shall be reported on forms signed as required under SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401. The sample shall

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be representative of daily operations and conform to the sampling and analytical procedures in Article V of this chapter.

~~6.3.~~ Statement by qualified professional: The user must submit a statement reviewed by an authorized representative and certified by a qualified professional signed as provided in SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401. The statement must indicate whether the applicable pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet the applicable pretreatment standards and requirements, to include without limitation AKART.

~~7. Compliance schedule: If additional pretreatment/O&M are required to meet the applicable pretreatment standards, the user must include the shortest schedule by which it will provide such additional pretreatment and/or O&M remediation. The compliance schedule must meet the requirements in SMC 13.03A.0404. It must be signed as provided in SMC 13.03A.0305(A). Fees will be assessed in accordance with SMC 13.03A.1401.~~

Commented [AT14]: Why was this one taken out? If they don't meet all the limits after the first 90 days, won't they have to come up with a plan?

F. NON-COMPLIANCE REPORTING

If sampling performed by a user indicates a violation, the user must notify the Plant Manager within twenty four hours of becoming aware of the violation. Within five (5) days following such discharge, the user shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. If the user would like to request the incident be established as upset, refer to Section 6 Part P below.

Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Plant Manager within thirty calendar days after becoming aware of the violation. Resampling is not required if:

1. the City performs sampling at the user's facility at least once a month, or
2. if the City performs sampling at the user's facility between the time when the initial sampling was conducted and the time when the user or the City receives the results of this sampling. (See 40 CFR §403.12(g)(2)).

Any costs associated with sampling or resampling shall be borne by the user. [SMC 13.03A.0408]

G. NOTICE OF CHANGED DISCHARGE OR CHANGE IN PRODUCTION

1. The user must notify the Plant Manager in writing at least ninety days (preliminary notice), followed by a confirming notice at least thirty days before any substantial change in volume or character of pollutants in their discharge, or any significant manufacturing process changes or pretreatment modifications which could be reasonably expected to result in such a pollutant change. As used herein, a substantial or significant change is a change of 20% or more in production levels or levels of any pollutant or other parameter specified by the Plant Manager. Where advance notice is not possible or has not been given, notice shall be given as required in SMC 13.03A.0407, but that does not excuse compliance with this permit. All submittals must be signed as provided in Section 4.A.1 of this permit. Fees will be assessed in accordance with SMC 13.03A.1401.
2. Additionally, the user must submit a permit modification application as provided in SMC 13.03A.0310, which must include an engineering report detailing the features of the change, including pertinent data and analysis.
3. Any user operating under a permit incorporating equivalent mass or concentration limits calculated from a production-based standard that does not notify the City of such anticipated increase will be required to meet the mass or concentration limits in its permit that were based on the original estimate of the long-term average production rate.

Commented [BA15]: Chemists please point out this new requirement to your industries, it's a big change from the last shell

Commented [BA16R15]: The 90 days requirement began Oct 2020, so this comment should remain until Oct 2025.

H. NOTICE OF POTENTIAL PROBLEMS, ACCIDENTAL SPILLS, SLUG LOADS

1. In the case of an accidental spill or slug load, the user shall immediately telephone and notify the Plant Manager of the incident. This notification shall include the location of the discharge, date and time thereof, type of waste, concentration and volume, and corrective actions taken by the user.
2. Within five business days following an accidental spill or slug load, the user shall, unless waived by the Plant Manager, submit a detailed written report describing the cause(s) of the accidental spill or slug load and the measures to be taken by the user to prevent similar future occurrences. If the user wishes to request the incident be established as upset, refer to Section 6 Part P below.
3. A notice [or spill sign] shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of an accidental spill or slug load. Employers shall ensure that all employees who could cause or might be aware of an accidental spill or slug load occurring are advised of the emergency notification procedure.

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4. Significant Industrial Users are required to notify the Plant Manager immediately of any changes at its facility affecting the potential of a slug load.
5. Failure to pay any fees, costs, or assessments associated with potential problems, accidental spills and/or slug loads may result in revocation of permit or termination of service.
[SMC 13.03A.0407]

SECTION 5 – SPECIAL CONDITIONS

Special conditions can include, but are not limited to special definitions, compliance schedules, equivalent mass limit requirements, equivalent concentration limit requirements, one time monitoring requirements, biomonitoring or other toxicity requirements, sludge disposal plans, or additional monitoring of pollutants that are limited in the permit in response to noncompliance.
[Describe requirement here if not covered under one of the section headings below]

A. ACCIDENTAL SPILL PREVENTION PLAN/SLUG CONTROL PLAN

1. The user must develop and implement accidental spill prevention plan (ASPP) or slug control plan (SCP), including any facilities or procedures to provide this protection, all at the user's expense. The plan must be submitted to the City of Spokane for approval within 90 calendar days from the effective date of the permit, or by **DATE**. The user must implement the plans as approved by the Plant Manager. These requirements are cumulative with other requirements and not in the alternative. An ASPP and/or SCP shall address, at a minimum, the following:
 - a. Description of discharge practices, including non-routine batch discharges.
 - b. Description of stored chemicals, secondary containment, and spill/warning signs posted.
 - c. Procedures for immediate notification to the Plant Manager of any accidental spill or slug discharge which could violate SMC 13.03A.0201 through SMC 13.03A.0204 and/or this permit.
 - d. Procedures to prevent adverse impact from an accidental spill and/or slug discharge. Such procedures include, but are not limited to,
 - inspection and maintenance of storage areas and containers,
 - handling and transfer of materials, loading and unloading operations,
 - control of plant site runoff,
 - worker training,
 - building of containment structures or equipment,

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- measures for containing toxic organic pollutants, including solvents, and/or
 - measures and equipment for emergency response.
2. ASPPs and/or slug control plans must be filed with the Plant Manager, upon such forms and with such information as required by the Plant Manager, signed by an authorized representative and certified as provided in Section 4.A.1 of this permit.
 3. EPA's Control of Slug Loading to POTWs Guidance Manual can be used as a guide in developing a Slug Control Plan.

B. COMPLIANCE SCHEDULE

1. The following table represents the compliance schedule milestones for the development, delivery, and acceptance of the required **XXXX**.

Table 87: Compliance Schedule

Milestone	Action	Due Date
1	Other milestone	DATE
2	Other milestone	XX months following milestone 3
3	Other milestone	XX months following milestone 4
4	Other milestone	XX months following milestone 5

2. Not later than fourteen days following each milestone date, and the final date for compliance, the user must submit a progress report to the Plant Manager specifying whether it has complied with the schedule and if not, when it expects to comply, reasons for delay and steps taken to avoid further delays.

C. OPERATION AND MAINTENANCE MANUAL

1. A detailed Operation and Maintenance Manual must be prepared for an industrial wastewater facility that includes mechanical components before completing the construction, or as part of a new or renewed permit. The Operation and Maintenance Manual must be submitted by **DATE**.
2. The Operation and Maintenance Manual shall include the following:
 - a. The names and phone numbers of the responsible individuals.

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- b. A description of plant type, flow pattern, operation, and efficiency expected. The principal design criteria.
- c. A process description of each plant unit that includes function, relationship to other plant units, and schematic diagrams.
- d. An explanation of the operational objectives for the various wastewater parameters, such as sludge age, settleability, etc.
- e. A discussion of the detailed operation of each unit and a description of various controls, recommended settings, fail-safe features, etc.
- f. A discussion of how the facilities are to be operated during anticipated startups and shutdowns, maintenance procedures, and less than design loading conditions, so as to maintain efficient treatment.
- g. A section on laboratory procedures that includes sampling techniques, monitoring requirements, and sample analysis.
- h. Recordkeeping procedures and sample forms to be used.
- i. A maintenance schedule that incorporates manufacturer's recommendations, preventative maintenance and housekeeping schedules, and special tools and equipment usage.
- j. A section on safety.
- k. A section that contains the spare parts inventory, address of local suppliers, equipment warranties, and appropriate equipment catalogues.
- l. Emergency plans and procedures.

D. AKART AND BEST MANAGEMENT PRACTICES

The user must treat wastewater using all known, available, reasonable methods of prevention, control, and treatment (AKART) [RCW 90.48]. The facility meets the AKART standard with the following methods, as described in the Engineering Report: **[DESCRIBE METHODS]**. These methods shall be practiced and applied to the wastewater discharge.

The user must follow the best management practices as listed below:

List/describe BMPs specific to this user here.

Pollution Prevention BMPs:

- 1. Chemicals shall be stored in a manner that will prevent the entry of these solutions into the sanitary sewer, storm sewer system, or waters of the state.
- 2. All liquid chemicals will be stored in a no-outlet area approved by the City of Spokane or have proper secondary containment. Proper containment means an area capable of containing 110 percent of the volume of the largest container or tank.
- 3. If appropriate, the user shall obtain a hazardous waste generator number from EPA or the state for proper disposal of hazardous wastes.

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4. The user shall use spill prevention practices to preclude the discharge of any substance that violates General Discharge Prohibitions, or conditions of this permit.
5. The disposal of sludges and spent chemicals generated shall be done in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, and any state hazardous waste requirements.

E. TOXIC ORGANIC MANAGEMENT PLAN

If the user elects to develop a Toxic Organic Management Plan in lieu of sampling for Total Toxic Organics (TTO) every six months, in accordance with Section 3.B of this permit, the plan must be developed and submitted within 90 calendar days from the effective date of this permit, or by **DATE**. The plan must include the following information:

1. The toxic organic compounds used;
2. The method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and
3. Procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater.

The plan must be submitted to the City for review and approval. Once approved, the user must comply with the plan and any reporting requirements specified by the City, and the user must make the following certification statement **on each discharge monitoring report**:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation or pretreatment standard for TTO, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewater has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the control authority."

SECTION 6 – STANDARD CONDITIONS

A. DUTY TO COMPLY

The user shall comply with all the general and specific ~~prohibitive~~ prohibited discharge standards in SMC 13.03A.0201 and is responsible to take whatever steps are necessary to ensure all requirements of this permit are met. Any permit non-compliance constitutes a violation and may be grounds for enforcement action.

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B. MONITORING FACILITIES

Each user must provide and operate at its own expense and liability a good and sufficient monitoring facility to allow inspections, sampling, and flow measurement of all discharges to the POTW or for other needs identified in this discharge permit. A user must always maintain adequate space for sampling access. The monitoring facility and any sampling or measuring equipment must be well maintained by the user at all times. All devices used to measure wastewater flows and quality must be properly calibrated to ensure accuracy, with records of such calibration maintained by the user. [SMC 13.03A.0602]

C. RIGHT OF ENTRY

As a condition of continued utility service and requirement of this permit, the Plant Manager has a right of entry on any premises to determine whether a user is complying with all requirements of SMC 13.03A and any discharge permit or order issued hereunder. All users must fully cooperate to allow the Plant Manager, or designee, ready access to all parts of any premises with their ownership or control for the purposes of inspection, sampling, records examination and copying, or other needs the Plant Manager may require. Inspections and compliance monitoring are performed unannounced so that information and samples collected are representative of daily operations. The user must make necessary arrangement on request of the Plant Manager or other City representatives for prompt access.

D. RECORDS RETENTION

1. All users must maintain records of any information relating to any reporting or disclosure requirements under SMC 13.03A and the same shall be readily available for inspection and copying by the Plant Manager upon request.
2. All such records must be maintained for at least three years, unless a longer time is ordered by the Plant Manager. If any enforcement action or litigation arises in relation to SMC 13.03A, the retention period is automatically extended to an additional one year after final disposition by the last court or resort. [SMC 13.03.0411]
3. For each measurement or sample taken pursuant to the requirement of this permit, the user shall record the following information:
 - a. Any monitoring results, whether or not required under this permit;
 - b. Sampling records must include the exact place, date and time of sampling;
 - c. The name of the person taking the sample;
 - d. The date(s) analyses were performed;
 - e. Who performed the analysis; and
 - f. The analytical techniques or methods used.

E. CONFIDENTIAL INFORMATION

Except for data determined to be confidential under SMC 13.03A.0701, all reports required by this permit shall be freely available to the public via public records request from the City of Spokane Records Officer.

F. SEVERABILITY

If any provision of this permit is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect. All pending enforcement actions are saved. [SMC 13.03A.0109]

G. RIGHT OF REVISION

SMC 13.03A and any permits or approvals granted pursuant to its authority create no vested or property rights, and the City at times reserves the right to revise any provision at any time, with or without showing of cause or need. [SMC 13.03A.0205]

H. PERMIT MODIFICATION

1. The Plant Manager may modify a discharge permit with or without a request to do so:
 - a. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
 - b. To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of the discharge permit issuance in the opinion of the Plant Manager;
 - c. Where there is a change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge in the opinion of the Plant Manager;
 - d. Where there is information indicating that the discharge poses a threat to the POTW, City personnel, any beneficial sludge use, or the receiving waters in the opinion of the Plant Manager;
 - e. Because of violation of any terms or conditions of the individual discharge permit;
 - f. Because of misrepresentations or failure to fully disclose all relevant facts in the permit application or in any required reporting;
 - g. Because of a revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
 - h. To correct typographical or other errors in the individual discharge permit;
 - i. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested; or
 - j. For any other reason deemed due and sufficient.
2. Permit modification requests must be verified, signed by an authorized representative as provided in SMC 13.03A.0305(B) and include a fee as specified in SMC 13.03A.1401. Charges will be added to the next utility bill. Submitting a permit modification request

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does not stay the running of the time within which an administrative appeal from a permit decision must be filed with the City Hearings Examiner. A permit modification is not required if there is no substantial change in a discharge, no increased pollutants or other conditions upon which modifications may be based, all in the opinion of the Plant Manager. Permit modification requests must address changes in slug control plans and industrial stormwater. [SMC 13.03A.0310]

3. If the Plant Manager deems the modification significant, notice is issued in like manner as an original permit decision and may be appealed in the same manner as for a permit decision.

I. SUSPENSION, TERMINATION OF SERVICE

Not by way of limitation of other enforcement remedies:

1. The Plant Manager may immediately suspend a user's discharge, after informal notice to the user, whenever the suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Plant Manager may also immediately suspend a user's discharge, after notice and an opportunity to respond, that threatens to interfere with the operation of the POTW or which presents or may present an endangerment to the environment.
 - a. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Plant Manager shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Plant Manager shall allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the City that the period of endangerment has passed, unless the termination proceedings as outlined in SMC 13.03A are initiated against the user.
 - b. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Plant Manager prior to the date of any show cause or termination hearing under SMC 13.03A.
2. Users are fully responsible for any loss or liability to the City because of the quality or quantity of a discharge or for any other reason relating to requirements of this permit or SMC 13.03A and must pay all costs to the City as a condition of continued City utility service. Such costs include out of pocket expenses, as well as in house staff time and materials costs, as well as professional services costs either in house or out of pocket. [SMC 13.03A.0903]

J. DISCHARGE PERMIT REVOCATION

The Plant Manager may suspend or revoke any discharge permit because of:

1. Failure to notify the Plant Manager of significant changes to the wastewater in advance. A “significant change” is one which affects compliance with applicable pretreatment standards or requirements;
2. Failure to provide prior written notification to the Plant Manager of changed conditions;
3. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
4. Late filing or significant or repeated errors or falsifying self-monitoring reports, certification statements, or any other disclosures;
5. Tampering with monitoring equipment;
6. Refusing to allow the Plant Manager timely access to the facility premises and records;
7. Failure to meet discharge/effluent limitations or conditions set forth in this permit;
8. Failure to pay discharge permit fees or other charges assessed under the authority of SMC 13.03A, including fines or penalties;
9. Failure to pay application, sewer, or other applicable charges;
10. Failure to meet compliance schedules;
11. Failure to complete a wastewater survey or wastewater discharge permit application;
12. Failure to provide advance notice of a permit transfer or modification where needed;
13. If the City has to invoke its emergency provision as cited in SMC 13.03A.0903;
14. Violation of any pretreatment standard or requirement, or any terms or conditions of this permit or SMC 13.03A; or
15. Any other reason stated in SMC 13.03A or otherwise deemed due and sufficient.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user. [SMC 13.03A.0312]

K. PERMIT TRANSFER

1. Upon written approval of the Plant Manager, discharge permits may be transferred to a new owner or operator. An applicant must give at least thirty calendar days advance notice to the Plant Manager. Applications must be filed with the Plant Manager, upon such forms and with such information as required by the Plant Manager, signed by an authorized representative and certified as provided in SMC 13.03A.0305 B, and include the fee as provided in SMC 13.03A.1401. [SMC 13.03A.0311]
2. Applications must include a written statement by an authorized representative of the transferee, signed under penalty of perjury of the laws of the State of Washington or the State or residence of the signatory which:
 - a. States that the transferee applicant has no plans to change the facility’s operations and processes;

- b. Acknowledges the obligation to apply for a discharge permit modification in writing should any such change be planned prior to implementing such change;
 - c. Identifies the specific date on which the transfer is requested to occur; and
 - d. Acknowledges full responsibility for complying with the existing discharge permit;
 - e. Permit modification requests must address any applicable changes in slug control plans.
3. If there are no changes in the facility, operation, or discharge and proper advance notice was given, the Plant Manager may consider the transferee as an existing user upon satisfaction of the conditions of SMC 13.03A.0311. If a transfer request is not submitted as required, the permit expires, and a new application must be made. The Plant Manager may impose any temporary conditions on continuing discharge of permit expiring under this provision until a new permit is obtained.

L. DISCHARGE PERMIT RENEWAL

A user with an expiring discharge permit desiring to continue to discharge must apply for a renewal, updating all information required in the original application. Applications must be filed with the Plant Manager, upon such forms and with such information as required by the Plant Manager, signed by an authorized representative and certified as provided in SMC 13.03A.0305(B), and include the fee as provided in SMC 13.03A.1401. The renewal application must be received as required no later than **one hundred eighty calendar days prior to the expiration** of the user's existing discharge permit. If a renewal is timely submitted in complete form, signed and with appropriate fees, the expiring permit may be deemed to continue until the permit is renewed, a new permit is issued, the permit is denied, or other action is taken. A user whose existing wastewater discharge permit has expired and who failed to submit its re-application within the time period specified herein will be deemed to be discharging without a wastewater discharge permit. [SMC 13.03A.0313]

Where two or more years has elapsed since approval of the engineering report or plans and specifications, it may be necessary to update that document to reflect changed water quality conditions, regulatory requirements, or engineering technology. [WAC 173-240-110]

M. DILUTION

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with an applicable pretreatment standard or requirement unless expressly authorized by the pretreatment standard or requirement. [SMC 13.03A.0207]

N. ANALYTICAL METHODS

1. All pollutant analyses, including sampling techniques, must be performed by a laboratory accredited by the Washington State Department of Ecology in accordance with the

techniques prescribed in 40 CFR Part 136 unless otherwise specified in an applicable categorical pretreatment standard.

2. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accord with procedures approved by the EPA. [40 CFR 403.12(b)(5)(vii)]. [SMC 13.03A.0502]

O. BYPASS OF TREATMENT FACILITIES

1. For the purposes of this section:
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
2. A user may allow any bypass to occur which does not cause applicable pretreatment standards or requirements to be violated, but only if it is also for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs 3 and 4 of this section.
3. Notice of Bypass:
 - a. If a user knows, or should know in the exercise of reasonable prudence and caution, in advance of the need for a bypass, it shall submit prior notice to the Plant Manager, at least ten business days before the date of the bypass, wherever possible.
 - b. A user shall submit oral notice to the Plant Manager of an unanticipated bypass that exceeds applicable pretreatment standards within twenty four hours from the time the user becomes aware or reasonably should have known of the bypass. The notice must include the information required for the written submission below. A written submission shall also be provided within five business days of the time the user becomes aware of the bypass. Unless waived by the Plant Manager on a case-by-case basis, after oral notice has been received within the time required, the written report must contain:
 - i. A description of the bypass (volume, pollutants, etc.);
 - ii. What caused the bypass;
 - iii. When, specifically, the bypass started and ended;
 - iv. When the bypass is expected to stop (if ongoing);
 - v. What steps the user has taken or plans to take to reduce, eliminate, and prevent the bypass from reoccurring.
4. Bypass - further prohibitions - approval:
 - a. Bypass is prohibited, and the City may take enforcement action against a user for a bypass, unless:

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- i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage,
 - ii. 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 backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal equipment downtime or preventative maintenance, and
 - iii. The user submitted notices as required under paragraph 3 of this section.
- b. The Plant Manager may approve an anticipated bypass, after considering its adverse effect, if the Plant Manager determines that it will meet the three conditions listed in paragraph 4.a. of this section. [SMC 13.03A.1203]

P. UPSET

1. "Upset" means an exceptional incident in which there is unintentional and temporary non-compliance with applicable pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. An upset shall constitute an affirmative defense to punitive actions in response to non-compliance with applicable pretreatment standards if the requirements below are met.
3. A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and the user can identify the specific cause(s) of the upset;
 - b. 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
 - c. The user has submitted the following information to the Plant Manager within twenty four hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five days.
 - i. A description of the discharge and cause of non-compliance;
 - ii. The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
 - iii. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.
4. In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
5. Users shall control production of all discharges to the extent necessary to maintain compliance with applicable pretreatment standards upon reduction, loss, or failure of its

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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. [SMC 13.03A.1201]

Q. FALSIFYING INFORMATION

A user which knowingly made any false statements, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this discharge permit, or order issued hereunder, or who falsified, tampered with, or knowingly rendered inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a gross misdemeanor and be subject to a penalty of up to ten thousand dollars and the costs of prosecution, per violation per day, and/or be subject to imprisonment for up to three hundred sixty-four days. [SMC 13.03A.1003]

R. VANDALISM, TAMPERING, DISTURBING EQUIPMENT OR PROPERTY

It is a violation of this permit and SMC 13.03A for anyone to vandalize, damage, disturb, tamper with, or injure any facility, equipment or property used in connection with fulfilling the requirements of this permit or SMC 13.03A or any part of appurtenance of the POTW.

S. ADMINISTRATIVE ENFORCEMENT

1. The City may seek any or all of the remedies or penalties (including civil and judicial action) provided in SMC 13.03A.0901-1005, including recovery costs incurred by the City, in response to the following:
 - a. Any violation by the user of the provision of the wastewater discharge permit;
 - b. Any violation by the user of the provisions of SMC 13.03 and 13.03A, the current effective City Wastewater Rates, Rules, and Regulations, any other applicable City ordinance or regulation; or
 - c. Any violation by the user of any order of the City with respect to provisions set forth in the wastewater discharge permit or the City Code.

T. CRIMINAL PROSECUTION

A user which has willfully or negligently violated any provision of SMC 13.03A, this discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a gross misdemeanor, punishable by a fine of not more than ten thousand dollars per violation per day and the costs for prosecution, or imprisonment for not more than three hundred sixty-four days, or by both. [SMC 13.03A.1003]

U. CIVIL PENALTIES

A user which has violated or continues to violate any provision of SMC 13.03A, a discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of ten thousand dollars, but not less than one thousand dollars per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation. [SMC 13.03A.1001]

V. BILLING

The user is responsible for all fees and costs associated with this permit. All fees will be included in the user's City of Spokane utility bill. Charges for fines and cost recovery will be billed separately. [SMC 13.03A.1401]

W. PROHIBITED DISCHARGE STANDARDS

The industrial user shall comply with all prohibited discharge standards in SMC 13.03A, which include:

A. General Prohibition.

No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. This requirement applies to all users of the POTW, whether or not they are subject to categorical pretreatment standards or any other federal, state or local pretreatment standards or requirements.

B. Specific Prohibitions.

No user shall introduce or cause to be introduced into the POTW anything listed hereafter. Where two or more items apply, the more stringent governs:

1. Pollutants which either alone or by interaction may create a fire or explosive hazard in the POTW or any part thereof, a public nuisance or hazard to life, or prevent entry into the sewers for maintenance and repair or which are in any way injurious to the operation of the system or operating personnel. This includes wastestreams with a closed cup flashpoint of less than one hundred forty degrees F (sixty degrees C) using the test methods specified in 40 CFR §261.21.
2. Wastewater having a pH less than 5.0 or more than 12.0, or otherwise having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel. (Cross Reference: [SMC 13.03A.0204\(A\)](#))
3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW. In general, the cutting up or reducing to smaller pieces of any solid materials as a means to enable their introduction into the POTW is prohibited. In addition, in no case shall solids greater than one-quarter inch (0.64 cm) in any dimension be discharged.

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4. Pollutants, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW.
5. Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference, but in no case, wastewater which causes the temperature at the point of introduction into the treatment plant to exceed one hundred four degrees F (forty degrees C) unless the approval authority, upon request of the Plant Manager, approves alternative temperature limits.
6. Wastewater which causes the temperature at the point of introduction into the sanitary sewer to exceed one hundred thirty degrees F (fifty-four degrees C).
7. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause obstruction of the POTW, interference or pass through.
8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause risk to worker health and safety, in the Plant Manager's judgment and/or substances identified as toxic pollutants or any wastewater containing any pollutant, including oxygen demanding pollutants, in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or be in violation of any applicable statute, rule, regulation, or ordinance of any public agency, including the EPA.
9. Trucked or hauled pollutants, wastewater or other materials (hauled wastewater), except at discharge points designated by the Plant Manager in accordance with [SMC 13.03A.0212](#).
10. The following are prohibited unless approved by the Plant Manager under special circumstances, such as lack of direct discharge alternatives due to combined sewer service or need to augment domestic wastewater flows due to septic conditions as required under WAC 173-216-050:
 - a. Non-contact cooling water in volumes deemed significant by the Plant Manager because of adverse effects or consequences.
 - b. Stormwater, or other direct inflow sources.
 - c. Wastewater significantly affecting POTW hydraulic loading, which does not require treatment or would not be afforded a significant degree of treatment by the POTW.
11. Wastewater which imparts color which cannot be removed by the treatment process, such as dye wastes and vegetable tanning solutions, which imparts color to the treatment plant effluent causing violation of the City's NPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than ten percent from the seasonably established norm for aquatic life, as determined by the Plant Manager.

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12. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
13. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations and approved by the Plant Manager.
14. Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the Plant Manager.
15. Sludges, screenings, or other residues from the pretreatment of industrial wastewaters, or from industrial processes unless authorized by the Plant Manager.
16. Medical wastes, except as specifically authorized by the Plant Manager through a discharge permit issued under Article 3.
17. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity tests from applicable regulations. (Cross Reference: WAC 173-205-020, 40 C.F.R. § 122.21 (5))
18. Detergents, surface active agents, or other substances that might cause excessive foaming or interfere with effective function of the POTW.
19. Fats, oils, or greases or any other materials of animal (including human) or vegetable origin in quantities which could cause obstruction of the POTW or interference with conveyance or treatment
20. Animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
21. Liquids, solids, or gas, which by reason of their nature or quantity may be sufficient, alone or by interaction with other materials, to cause fire or explosion, which might cause obstruction or interference or be injurious in any other way to the POTW, its operations, staff or the environment. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the POTW system, or at any point in the POTW system, exceed five percent or any single reading exceed ten percent of the lower explosive limit based on an explosivity meter reading.
22. Anything which in the opinion of the Plant Manager may cause harm either to the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters or outside environment, or otherwise endanger life, limb or property, or constitute a nuisance, unless allowed under special agreement, except that no special waiver shall be given from categorical pretreatment standards.
23. Any dangerous wastes as defined in WAC 173-216-030 or hazardous wastes as defined in 40 CFR §261.
24. Hazardous waste pharmaceuticals as listed in 40 CFR 261 subparts C, D generated from healthcare facilities or reverse distributors, pursuant to 40 CFR 266.505.

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25. Bulk, expired, outdated, or concentrated prescription or non-prescription drugs.
 26. Persistent pesticides and/or pesticides regulated by FIFRA (Federal Insecticide Fungicide Rodenticide Act).
 27. The contents of any tank or other vessel owned or used by any person in the business of collecting or pumping sewage, effluent, septic tank waste, or other wastewater unless said person has first obtained testing and approval as may be generally required by the City of Spokane and paid all fees assessed for the privilege of said discharge.
 28. Anything else not authorized by the Plant Manager. The Plant Manager may specify such substances in a specific user permit, considering the appendices hereto.
 29. Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits.
- C. Supplementing subsections (A) and (B) of this section, no industrial user shall violate the provisions of 40 CFR §403.5(a) and (b) or WAC 173-216-060 or any statute or regulation referenced therein. Such provisions are all fully incorporated herein.
- D. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. [SMC 13.03A.0201]

SECTION 7 – PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an Engineering Report, Operation and Maintenance Manual, and detailed Plans and Specifications must be submitted to the City of Spokane, for approval in accordance with WAC Chapter 173-240. Engineering Reports, Operation and Maintenance Manual, and 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. [RCW 90.48.110 and WAC 173-240-110(1) and WAC 173-216-040(2)]

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SECTION 8 – TOTAL TOXIC ORGANICS & PRIORITY POLLUTANTS

Commented [BA17]: Chemists: all users test PPS once per permit cycle, but the red font is just for TTO testing. Please delete red font if only testing PPS.

The term “TTO” shall mean total toxic organics. This shall be tabulated as the summation of all quantifiable values greater than .01 milligrams per liter for the following pollutants:

Volatiles

1V acrolein
2V acrylonitrile
3V benzene
5V bromoform
6V carbon tetrachloride
7V chlorobenzene
8V chlorodibromomethane
9V chloroethane
10V 2-chloroethylvinyl ether
11V chloroform
12V dichlorobromomethane
14V 1,1-dichloroethane
15V 1,2-dichloroethane
16V 1,1-dichloroethylene
17V 1,2-dichloropropane
18V 1,3-dichloropropylene
19V ethylbenzene
20V methyl bromide
21V methyl chloride
22V methylene chloride
23V 1,1,2,2-tetrachloroethane
24V tetrachloroethylene
25V toluene
26V 1,2-trans-dichloroethylene
27V 1,1,1-trichloroethane
28V 1,1,2-trichloroethane
29V trichloroethylene
31V vinyl chloride

Acid Compounds

1A 2-chlorophenol
2A 2,4-dichlorophenol
3A 2,4-dimethylphenol
4A 4,6-dinitro-o-cresol
5A 2,4-dinitrophenol
6A 2-nitrophenol
7A 4-nitrophenol
8A p-chloro-m-cresol
9A pentachlorophenol
10A phenol
11A 2,4,6-trichlorophenol

Base/Neutral

1B acenaphthene
2B acenaphthylene
3B anthracene
4B benzidine
5B benzo(a)anthracene
6B benzo(a)pyrene
7B 3,4-benzofluoranthene
8B benzo(ghi)perylene
9B benzo(k)fluoranthene
10B bis(2-chloroethoxy) methane
11B bis(2-chloroethyl)ether
12B bis(2-chloroisopropyl)ether
13B bis (2-ethylhexyl)phthalate
14B 4-bromophenyl phenyl ether
15B butylbenzyl phthalate
16B 2-chloronaphthalene
17B 4-chlorophenyl phenyl ether
18B chrysene
19B dibenzo(a, h)anthracene
20B 1,2-dichlorobenzene
21B 1,3-dichlorobenzene
22B 1,4-dichlorobenzene
23B 3,3'-dichlorobenzidine
24B diethyl phthalate
25B dimethyl phthalate
26B di-n-butyl phthalate
27B 2,4-dinitrotoluene
28B 2,6-dinitrotoluene
29B di-n-octyl phthalate
30B 1,2-diphenylhydrazine
(as azobenzene)
31B fluoroanthene
32B fluorene
33B hexachlorobenzene
34B hexachlorobutadiene
35B hexachlorocyclopentadiene
36B hexachloroethane
37B indeno(1,2,3-cd)pyrene
38B isophorone
39B naphthalene
40B nitrobenzene
41B N-nitrosodimethylamine
42B N-nitrosodi-n-propylamine
43B N-nitrosodiphenylamine
44B phenanthrene
45B pyrene
46B 1,2,4-trichlorobenzene

Pesticides

1P aldrin
2P alpha-BHC
3P beta-BHC
4P gamma-BHC
5P delta-BHC
6P chlordane
7P 4,4'-DDT
8P 4,4'-DDE
9P 4,4'-DDD
10P dieldrin
11P alpha-endosulfan
12P beta-endosulfan
13P endosulfan sulfate
14P endrin
15P endrin aldehyde
16P heptachlor
17P heptachlor epoxide
18P PCB-1242
19P PCB-1254
20P PCB-1221
21P PCB-1232
22P PCB-1248
23P PCB-1260
24P PCB-1016
25P toxaphene
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

Additional Pollutants for PPS

Antimony
Arsenic
Beryllium
Cadmium
Chromium
Copper
Cyanide, Total
Lead
Mercury
Nickel
Selenium
Silver
Thallium
Zinc

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