United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Authorization to Discharge under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 *et seq*., as amended by the Water Quality Act of 1987, P.L. 100-4, the "Act",

Leavenworth National Fish Hatchery
12790 Fish Hatchery Road
Leavenworth, Washington, 98826

is authorized to discharge from the Leavenworth National Fish Hatchery located in Leavenworth, Washington at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	Icicle Creek	N 47.55816	-120.67201
002	Icicle Creek	N 47.55960	-120.67167
003	Icicle Creek	N 47.55003	-120.67888
004	Icicle Creek	N 47.55787	-120.67217
005	Icicle Creek	N 47.55909	-120.67224
006	Icicle Creek	N 47.55735	-120.67267

in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein.

This Permit shall become effective ***January 1, 2018.***

This Permit and the authorization to discharge shall expire at midnight, ***December 31, 2022.***

The Permittee shall reapply for a Permit reissuance on or before ***July 4, 2022***, 180 days before the expiration of this Permit if the Permittee intends to continue operations and discharges at the facility beyond the term of this Permit.

Signed this 22nd day of November 2017

Lidgard, Acting Director
Office of Water and Watersheds

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Schedule of Submissions

The following is a summary of some of the items that the Permittee must complete and/or submit to the U. S. Environmental Protection Agency Region 10 (EPA) and the Washington Department of Ecology (Ecology) during the term of this Permit.

Item	**Due Date**
1. Discharge Monitoring Reports (DMR)	DMRs are due monthly and must be postmarked on or before the 20th day of the following month. (See Section V.B)
2. Surface Water Monitoring Annual Report	A Surface Water Monitoring Annual Report is due each year to the EPA and Ecology every March 1st. (See II.B)
3. Quality Assurance Plan (QAP)	Written notification that the QAP has been developed and implemented must be submitted to the EPA and Ecology within 120 days after the effective date of the Final Permit. The QAP must be kept on-site and made available to the EPA and Ecology upon request. (See III.A)
4. Best Management Practices (BMP) Plan	Written notification that the BMP Plan has been developed and implemented must be submitted to EPA and Ecology within 120 days after the effective date of the Final Permit. The BMP Plan must be kept on-site and made available to the EPA and Ecology upon request. The BMP Plan must be reviewed annually. A certified statement of the review is due each year to the EPA and Ecology on March 1st. (See III.B)
5. Compliance Schedules for Total Phosphorus and Temperature	Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in the compliance schedules of this Permit must be submitted no later than each anniversary of the effective date of the Final Permit. Implementation of the requirements included in the compliance schedules begins on the effective date of the Final Permit. (See I.E)
6. Twenty-Four Hour Notice of Noncompliance Five Day Written Notice of Noncompliance	The permittee must report certain occurrences of noncompliance by telephone within 24 hours from the time the permittee becomes aware of the circumstances. (See V.G.1) A written submission within five (5) days of the time that the Permittee becomes aware of that same event required to be reported under V.G.1. (See V.G.2)
7. Other Noncompliance Reporting	Report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports (DMRs) for Part V.B ("Reporting of Monitoring Results") are submitted. (See V.H)

Item	**Due Date**
8. Anticipated Investigational New Animal Drug (INAD) Study Participation or Extralabel Drug Use	Written notification to the EPA and Ecology within seven (7) days of signing up for an INAD study or receiving a prescription for extralabel drug use; if the drug was not previously listed on the Permit application or if the drug is being used at a higher dosage than previously approved by the U.S. Food and Drug Administration (FDA) for this or a different species or disease. (See IV.A)
9. INAD Use, Extralabel Drug Use, or First Use of Low Regulatory Priority drugs or Potassium Permanganate	Oral notification to the EPA within seven (7) days of beginning use, and written notification to EPA and Ecology within 30 days of beginning use; if the drug was not previously listed on the Permit application or if the drug is being used at a higher dosage than previously approved by the FDA for this or a different species or disease. (See IV.A)
10. Structural Failure or Damage Notification	Oral notification to the EPA and Ecology within 24 hours of becoming aware of structural damage or failure that caused a release of pollutants to waters of the U.S. Written notification to the EPA and Ecology within five (5) days of becoming aware of such a release. (See IV.B)
11. Notification of release of feed, drugs, pesticides or other chemicals to waters of the United States (U.S.)	Oral notification to the EPA and Ecology within 24 hours of becoming aware of a release of pollutants from fish feed, drugs, pesticides, or other chemicals resulting in a discharge to waters of the U.S. Written notification to the EPA within five (5) days of becoming aware of such a release. (See IV.C)
12. Reporting Releases of Oil or Hazardous Materials	Report releases of oil or hazardous materials to waters of the U.S. immediately to the EPA at 1-800-424-8802 Report any releases of oil or hazardous materials to Ecology at 1-800-258-5990 or 1-800-OILS911 and to the Ecology Central Regional Office. (See IV.C)
13. Annual Report of Operations	An Annual Report of the previous year's Hatchery operations is due to the EPA and Ecology by March 1st each year. (See IV.F)
14. Application for NPDES Permit Renewal	The Permit Application for NPDES Permit Renewal is due to the EPA at least 180 days before the expiration date of the Final Permit. (See VII.B and Appendix F for the Supplemental Information to be provided)
17. Monitoring Records Retention	The Permittee must retain all monitoring information records, data, reports, and application materials for a period of at least five (5) years from the date of the sample, measurement, report, or application submission.

I. Discharge Limitations

A. Discharge Authorization

During the effective period of this Permit, the Permittee is authorized to discharge pollutants, from the outfalls specified herein, to Icicle Creek, within the limits and subject to the conditions set forth herein.

This Permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been identified in the Permit application process.

B. Prohibited Discharges

The Permittee must not discharge to waters of the United States (U.S.):

1. Atlantic salmon (*Salmo salar*);

2. Solids, including sludge and grit that accumulate in raceways or ponds, in off-line or full-flow settling basins, or in other components of the production facility in excess of the applicable limits in this Permit;

3. Hazardous substances, unless authorized by this Permit;

4. Untreated cleaning wastewater (*e.g.*, obtained from a vacuum or standpipe bottom drain system or rearing/holding unit disinfection);

5. Visible foam or floating, suspended or submerged matter, including fish mortalities, kill spawning, processing wastes, and leachate from these materials, in amounts causing or contributing to a nuisance or objectionable condition in the receiving water or that may impair designated uses in the receiving water;

6. Disease control chemicals and drugs except those approved by the Food and Drug Administration (FDA) and/or the EPA for hatchery use, or those reported to the EPA in accordance with Section IV of this Permit (Aquaculture Specific Reporting Requirements);

7. Toxic substances, including drugs, pesticides, or other chemicals, in toxic amounts that may cause or contribute to an impairment of designated uses or violation of State of Washington water quality standards;

8. Any discharges that include copper or copper compounds; or

9. Any oxygen-demanding materials in concentrations that would result in an anaerobic water condition.

C. Prohibited Practices

The Permittee is prohibited from engaging in any of the following practices or otherwise facilitating any of the prohibited discharges described in I.B, above:

1. Practices that allow accumulated solids in excess of the limits to be discharged to waters of the U.S. from the permitted facility (*e.g.*, the removal of dam boards in raceways or ponds, the cleaning of settling basins, etc.);

2. Sweeping, raking, or otherwise intentionally discharging accumulated solids from raceways, ponds, or settling basins to waters of the U.S.; and/or,

3. Rearing fish within an off-line or in-line settling basin or quiescent zone.

D. Wastewater Discharge Limitations

1. The Permittee must comply with the effluent limitations, and influent and effluent monitoring requirements, included in the tables below at all times; unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this Permit.

Table 1. Effluent Limitations, including Influent and Effluent Monitoring Requirements, on Discharges from the Rearing Ponds/Raceways Other than Times of Drawdown for Fish Release for Outfalls 001, 003, 004, 005, and 006

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency	Sample Type
Narrative Criteria		See Part I.D.4 of this Permit				Where Effluent Meets Receiving Water	1/week	Visual Observation
Flow	gpd	Report	--	Report	--	Influent and Effluent[1]	Continuous	Meter[2]
Net Settleable Solids (SS)	ml/L	0.1[3]	--	--	--	Influent and Effluent[4]	1/week	Grab[5]

[1] Influent is the Hatchery or Rearing Facility influent; Effluent is the Hatchery effluent prior to mixing with the receiving water (Icicle Creek) or any other flow.
[2] Appropriate flow measurement devices and methods consistent with accepted aquaculture practice must be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows.
[3] The monthly average concentration limit for SS is a net limit; influent concentration may be subtracted from the gross measurement when determining compliance. Gross influent and effluent values must be reported on the discharge monitoring report (DMR) form along with calculated net values.
[4] For reporting net values, the Permittee must take both influent and effluent samples on the same day and report the results of analysis of each sample. The collection of the influent monitoring for solids analysis is optional if the Permittee chooses to represent the influent measurement as zero concentration.
[5] Effluent sample must be taken during rearing pond or raceway cleaning. If the frequency of rearing pond or raceway cleaning is less than the sampling frequency, the sample may be collected immediately following fish feeding.

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency	Sample Type
Net Total Suspended Solids (TSS)	mg/L	5.0[6]	--	--		Influent and Effluent[4]	1/week	Composite[7]
	mg/L				15.0			Grab[5]
	kg/day	474	--	866[8]	--			Calculation[9]
Interim Temperature Limit [Year-round]	°C	17°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[10]				Influent[11] and Effluent	Continuous[12]	Meter
Final Temperature Limit [August 15 – July 15, inclusive]	°C	13°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[10]				Influent[11] and Effluent	Continuous[12]	Meter
Final Temperature Limit [July 16 – August 14]	°C	16°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[10]				Influent[11] and Effluent	Continuous[12]	Meter
Total Phosphorus Interim Limits [March 1 – May 31 and July 1-October 31]	µg/L	15[13]	--	17[13]	--	Effluent	1/week during periods when limits apply	Composite[7]
	kg/day	1.4[13]	--	1.6[13]	--			Calculation

[6] The monthly average and the instantaneous maximum concentration limits for TSS are net limits; influent concentration may be subtracted from the gross measurement when determining compliance. Gross influent and effluent values must be reported on the DMR form along with calculated net values.

[7] The composite sample must be a combination of at least six (6) representative grab samples collected throughout the day. At least one sample must be collected while the fish are being fed and at least one sample must be collected during rearing pond or raceway cleaning. Equal volumes of 6 or more grab samples must be combined to constitute the total composite sample to be analyzed by a certified laboratory.

[8] The daily maximum mass loading TSS limit is a gross limit; influent concentration may not be subtracted from the measured result.

[9] Loading (in kg/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) and a conversion factor of 3.79. For more information on calculating, averaging, and reporting loads and concentrations see the NPDES Self-Monitoring System User Guide (EPA 833-B-85-100, March 1985).

[10] The 7-Day Average of the Daily Maximum temperatures (7DADM) is the average of seven consecutive measurements of daily maximum temperatures. The 7DADM for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three (3) days prior and the 3 days after that date. On the DMR, the Permittee must report the monthly instantaneous maximum temperature, the maximum daily average, and the 7DADM for the highest 7 consecutive days that month. See Part II.A of this Permit.

[11] The influent must be taken at the point where the water enters the facility, including groundwater wells.

[12] Continuous monitoring should be at a frequency of 15-minute intervals or less.

[13] The interim total phosphorus limits apply during the critical periods of March 1 – May 31 and July 1 –October 31 until the facility is able to comply with the final limit, but no later than the final compliance date of December 1, 2027. The mass limits are total limits that apply to the combined discharge of Outfall 001 and any other Outfalls in use, other than Outfall 002. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency	Sample Type
Total Phosphorus Final Limit [March 1 – May 31 and July 1-October 31]	µg/L	--	--	--	--	Effluent	1/week during periods when limits apply	Composite[7]
	kg/day	--	--	0.52[14]	--			Calculation
Total Residual Chlorine (including when Chloramine-T is used)[15]	µg/L	Report	--	Report	--	Effluent	1/day when in use	Grab
	kg/day	Report	--	Report	--			Calculation[9]
Dissolved Oxygen (DO)	mg/L	Report	--	--	Report **Instantaneous Minimum**--	Effluent	1/day	Grab
pH	standard units (s.u.)	Not less than 6.5 or more than 8.5 at all times				Effluent	3/week	Grab
Total Ammonia as N	mg/L	Report	--	Report	--	Effluent	1/month	Composite
Turbidity	NTU	Report	--	Report	--	Effluent	During rearing pond or raceway cleaning	Grab

[14] The final limit for total phosphorus applies to the total combined hatchery discharge from the raceways, adult ponds, and pollution abatement ponds during the critical periods of March 1 – May 31 and July 1-October 31; as soon as the facility is able to comply with the final limit, but not later than the final compliance date of December 1, 2027. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

[15] Chlorine monitoring is not required if chlorine is allowed to dry completely when/where used.

2. The Permittee must comply with the effluent limitations and Influent and Effluent Monitoring Requirements included in Table 2, below, **during times of Drawdown for Fish Release:**

Table 2. Effluent Limitations, including Influent and Effluent Monitoring for Adults Ponds and Raceways during Drawdown for Fish Release for Outfalls 001, 003, 004, 005 and 006

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency	Sample Type[16]
Narrative		See Part I.D.4 of this Permit				Where Effluent Meets Receiving Water	1/week	Visual Observation
Flow	gpd	Report	--	Report	--	Effluent[17]	Continuous	Meter[18]
Settleable Solids (SS)	ml/L	--	--	--	1.0[19]	Effluent	1/drawdown	Grab[20]
Total Suspended Solids (TSS)	mg/L	--	--	--	100[21]	Effluent	1/drawdown	Grab[20]
	kg/day	--	--	--	9475[22]			Calculation[23]
Interim Temperature Limit [Year-round]	°C	17°C as the 7-Day average of the Daily Maximum (7DADM) Recorded Temperatures[26]				Influent[24] and Effluent	Continuous[25]	Meter
Final Temperature Limit [August 15 – July 15, inclusive]	°C	13°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[26]				Influent[24] and Effluent	Continuous[25]	Meter
Final Temperature Limit [July 16 – August 14]	°C	16°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[26]				Influent[24] and Effluent	Continuous[25]	Meter

[16] Samples of the discharge during drawdown of raceways or rearing ponds fish release must be collected from the last 25% of the total discharge volume that is drawn down. The partitioning of the discharge volume may be based on visual observation.

[17] Effluent is the Hatchery effluent prior to mixing with the receiving water (Icicle Creek) or any other flow.

[18] Appropriate flow measurement devices and methods consistent with accepted aquaculture practice must be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows.

[19] The Instantaneous Maximum SS concentration limit is a **gross limit**; influent concentration may not be subtracted from the measured result.

[20] If multiple raceways or rearing ponds are being drawn down for fish release at the same time, grab samples from individual discharges may be combined into a flow-proportional composite sample for analysis.

[21] The Instantaneous Maximum TSS concentration limit is a **gross limit.**

[22] The Instantaneous Maximum mass TSS loading limit is a **gross limit**.

[23] Loading (in kg/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) and a conversion factor of 3.79. For more information on calculating, averaging, and reporting loads and concentrations see the NPDES Self-Monitoring System User Guide (EPA 833-B-85-100, March 1985).

[24] The influent must be taken at the point where the water enters the facility, including groundwater wells.

[25] Continuous monitoring should be at a frequency of 15-minute intervals or less.

[26] The 7-Day Average of the Daily Maximum temperatures (7DADM) is the average of seven consecutive measurements of daily maximum temperatures. The 7DADM for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three (3) days prior and the 3 days after that date. On the DMR, the Permittee must report the monthly instantaneous maximum temperature, the maximum daily average, and the 7DADM for the highest 7 consecutive days that month. See Part II.A.

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency	Sample Type[16]
Total Phosphorus Interim Limits [March 1 – May 31 and July 1 - October 31]	µg/L	15[27]	--	17[27]	--	Effluent	1/week during drawdown; during period when limits apply	Composite[28]
	kg/day	1.4[27]	--	1.6[27]	--			
Total Phosphorus Final Limit [March 1 – May 31 and July 1 – October 31]	µg/L	--	--	--	--	Effluent	1/week drawdown; during period when limit applies	Composite[28]
	kg/day	--	--	0.52[29]	--			

[27] The interim total phosphorus limits apply during the critical periods of March 1 – May 31 and July 1 – October 31 until the facility is able to comply with the final limit, but no later than the final compliance date of December 1, 2027. The mass limits are total limits that apply to the combined discharge of Outfall 001 and any other Outfalls in use, other than Outfall 002. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

[28] The composite sample must be a combination of at least six (6) representative grab samples collected throughout the day. Equal volumes of 6 or more grab samples must be combined to constitute the total composite sample to be analyzed by a certified laboratory.

[29] The final limit for total phosphorus applies to the total combined hatchery discharge from the raceways, adult ponds, and pollution abatement ponds during the critical periods of March 1 – May 31 and July 1 - October 31; as soon as the facility is able to comply with the final limit, but not later than the final compliance date of December 1, 2027. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

3. The Permittee must comply with the effluent limitations and Influent and Effluent Monitoring Requirements included in Table 3., below, when discharging **from the Offline Settling Basins/Pollution Abatement Ponds (Outfall 002):**

Table 3. Effluent Limitations, including Influent and Effluent Monitoring for Outfall 002

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency[30]	Sample Type[31]
Narrative		See Part I.D.4 of this Permit				Where Effluent Meets Receiving Water	1/week	Visual Observation
Flow	gpd	Report	--	Report	--	Effluent[32]	Continuous[33]	Meter[34]
Settleable Solids (SS)	ml/L	--	--	--	0.2[35]	Effluent	1/week	Grab
Net Total Suspended Solids (TSS)	mg/L	--	--	--	15	Influent[36] and Effluent	1/week	Grab
	kg/day	--	--	--	262			Calculation[37]
Interim Temperature Limit [Year-round]	°C	17°C as the 7-Day average of the Daily Maximum (7DADM) Recorded Temperatures[38]				Influent and Effluent	Hourly	Meter

[30] Pollution abatement ponds discharges must be monitored for all parameters 12 months out of the year if there is a discharge, except for total phosphorus, regardless of pounds of fish present; total phosphorus must be monitored in the months specified.

[31] Effluent samples from pollution abatement ponds that receive water from a rearing pond or raceway cleaning event must be collected from the last 25% of discharge volume of the total discharge volume of the cleaning event. The partitioning of the discharge volume may be based on visual observation.

[32] "Effluent" in Table 3 means pollution abatement ponds effluent sample taken prior to mixing with any other hatchery or rearing flows or receiving waters.

[33] If the pollution abatement ponds discharge less frequently than the required sampling frequency, the testing frequency must be the pollution abatement ponds discharge frequency. Testing of the pollution abatement ponds discharge is unnecessary **if the ponds do not discharge during the reporting period.** "No Discharge" must be noted for Outfall 002 on the DMR form when that is the case.

[34] Appropriate flow measurement devices and methods consistent with accepted aquaculture practice must be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows.

[35] The Instantaneous Maximum SS concentration limit is a **gross limit**; influent concentration may not be subtracted from the measured result.

[36] "Influent" in Table 3 means pollution abatement pond influent. The collection of this measurement for TSS analysis is optional if the Permittee chooses to represent the influent measurement as zero concentration. Influent and effluent solids must be characteristically similar to use net calculations.

[37] Loading (in kg/day) is calculated by multiplying the concentration (in mg/L) by the corresponding flow (in mgd) and a conversion factor of 3.79. For more information on calculating, averaging, and reporting loads and concentrations, see the NPDES Self-Monitoring System User Guide (EPA 833-B-85-100, March 1985).

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency[30]	Sample Type[31]
Final Temperature Limit [August 15 – July 15, inclusive]	°C	13°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[38]				Influent and Effluent	Continuous[39]	Meter
Final Temperature Limit [July 16 – August 14]	°C	16°C as the 7-Day Average of the Daily Maximum (7DADM) Recorded Temperatures[38]				Influent and Effluent	Continuous[39]	Meter
Total Phosphorus Interim Limits [March 1 – May 31 and July 1-October 31]	µg/L	97[40]	--	108[40]	--	Effluent	1/week during periods when limits apply	Grab
	kg/day	1.7[40]	--	1.9[40]	--			Calculation[37]
Total Phosphorus Final Limit [March 1 – May 31 and July 1-October 31]	kg/day	--	--	0.52[41]	--	Effluent	1/week during periods when limits apply	Grab
Total Residual Chlorine[42]	µg/L	Report	--	Report	--	Effluent	1/day when in use	Grab
	kg/day	Report	--	Report	--			Calculation[37]
Total Ammonia as N	mg/L	Report	--	Report	--	Effluent	1/month	Composite
DO	mg/L	9.5 or above at all times. Report instantaneous minimum and average monthly values.				Effluent	1/day	Grab

[38] The 7-Day Average of the Daily Maximum temperatures (7DADM) is the average of seven consecutive measurements of daily maximum temperatures. The 7DADM for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three (3) days prior and the 3 days after that date. On the DMR, the Permittee must report the monthly instantaneous maximum temperature, the maximum daily average, and the 7DADM for the highest 7 consecutive days that month. See II.A.

[39] Continuous monitoring should be at a frequency of 15-minute intervals or less.

[40] The interim total phosphorus limits apply during the critical periods of March 1 – May 31 and July 1 –October 31 until the facility is able to comply with the final limit, but no later than the final compliance date of December 1, 2027. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

[41] The final limit for total phosphorus applies to the total combined hatchery discharge from the raceways, adult ponds, and pollution abatement ponds during the critical periods of March 1 – May 31 and July 1-October 31; as soon as the facility is able to comply with the final limit, but not later than the final compliance date of December 1, 2027. Compliance of the phosphorus limits will be based on a monthly compliance assessment in each discharge monitoring report.

[42] Chlorine monitoring is not required if chlorine is allowed to dry completely when/where used.

Parameter	Units	Effluent Limitations				Monitoring Requirements		
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum	Sample Location	Sample Frequency[30]	Sample Type[31]
pH[43]	s.u.	Report	--	Report	--	Effluent	1/month	Grab
Turbidity	NTU	Report	--	Report	--	Effluent	During pollution abatement pond cleaning events throughout the year	Grab

4. Narrative limitations that apply at each Outfall:

   (a) Toxic, radioactive, or deleterious material concentrations must be below those which have the potential, either singularly or cumulatively, to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon those waters, or adversely affect public health.

   (b) Aesthetic values must not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

   (c) The Permittee must conduct a weekly visual inspection of the effluent at the location where the effluent enters the surface water to confirm that the effluent meets the narrative criterion for aesthetic values above. A written log of the weekly inspection which includes the date, time, observer, and observation must be retained and made available to the EPA or Ecology upon request.

5. Other numeric limitations that apply at each Outfall

   The Permittee must comply with WAC 173-201A-200(1)(c)(ii)(A), which states that "Incremental temperature increases resulting from individual point source activities must not, at any time, exceed 28/(T+7) as measured at the edge of a mixing zone boundary (where "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge)."

6. Any commingled discharges are subject to the most stringent effluent limitations for each individual discharge. If any individual discharge is not authorized, then a commingled discharge is not authorized.

[43] The pH monitoring sample must be taken at the same time as the grab sample for ammonia monitoring. The samples must be analyzed separately.

E. Temperature and Total Phosphorus Schedules of Compliance

The Permittee must comply with all effluent limitations and monitoring requirements in Part I.D of this Permit immediately upon the effective date of this Permit, with the exception of the final effluent limitations for temperature and total phosphorus.

1. The Permittee must achieve compliance with the final temperature and total phosphorus effluent limitations in Part I.D of this Permit as soon as possible, but not later than nine (9) years and eleven (11) months after the effective date of this Permit.

2. While the schedules of compliance are in effect, the Permittee must comply with the following interim requirements:

    a) The Permittee must comply with the interim effluent limitations and monitoring requirements in Part I.D of this Permit.

    b) Until compliance with the final temperature and total phosphorus effluent limitations are achieved, at a minimum, the Permittee must complete the tasks and reports listed in the table below, as required under the schedules of compliance.

3. The Permittee must provide certified (See Part VII.E of this Permit, Signatory Requirements) written notification to the EPA and Ecology within 14 days of completing each of the tasks, at the addresses provided in Part I.E.6, below.

4. In addition, the Permittee must submit a certified annual report of progress, in accordance with Part VII.E of this Permit. The Annual Report must outline the progress made towards reaching the final compliance dates for achieving the final temperature and total phosphorus effluent limitations. The certified annual report of progress must be submitted to the EPA and Ecology by January 1st of each year (See Part VII.E of this Permit). The first report is due January 1, 2019 and annually thereafter, until compliance with the final temperature and total phosphorus effluent limitations is achieved. The Permittee may submit the annual report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Progress_CS010, where YYYY_MM_DD is the date that the Permittee submits the written report." See also Part V.I. of this Permit. At a minimum, the Annual Report must include:

    a) An assessment of the previous year of temperature and total phosphorus monitoring data, including a comparison to the interim and final effluent limitations in the Permit.

    b) A report on progress made towards meeting the final effluent limitations, including any applicable deliverables required as per Table 4, below.

    c) Further actions and milestones targeted for the upcoming year.

5. Provisions herein should not be interpreted to require obligations or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341.
6. Submittals required in this schedule are due as listed in Table 4 and must be submitted to the:

US EPA Region 10
Office of Compliance and Enforcement
NPDES Compliance Unit
1200 Sixth Avenue, OCE-101
Seattle, Washington 98101-3140

Water Quality Section Manager
Washington Department of Ecology
Central Regional Office
1250 West Alder Street
Union Gap, Washington 98903-0009

Table 4. Temperature and Total Phosphorus Schedules of Compliance for Meeting Final Effluent Limitations

Task No.	Task Completion Date	Task Activity
1	18 months after the effective date of the Permit	**Phosphorus Source Investigation:** The Permittee must investigate the sources, extent, and transport of phosphorus in the hatchery discharges. At a minimum, the investigation must include a determination of the amount of phosphorus introduced to the hatchery operation via the influent and feed (or other sources of phosphorus introduced into hatchery waters) and the amount of phosphorus contained in the discharges. Testing of the discharge must determine the portion of dissolved inorganic phosphorus (filtered sample with analyses for orthophosphate) that is contained in the total phosphorus discharge from the Hatchery. Deliverable: 1. The Permittee must submit the findings and recommendations to EPA and Ecology for further actions to reduce total phosphorus concentrations in the Hatchery effluent, by June 1, 2019, 18 months after the effective date of the Permit. The Permittee may submit the findings and recommendations as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_PhosInvest_90408, where YYYY_MM_DD is the date that the Permittee submits the findings and recommendations.
2	Three years after the effective date of the Permit	**Overall Planning Phase/Feasibility study/Alternatives Evaluation:** A. The Permittee must complete an overall Facility Plan to comply with the final effluent limitations for temperature and total phosphorus, included in Tables 1-3 of this Permit, by the end of this compliance schedule. As part of the Facility Plan, the Permittee must evaluate alternatives to achieve compliance. The Permittee must therefore investigate the feasibility of measures available to the Hatchery to reduce the temperature and mass load of total phosphorus in the discharges. At a minimum, the feasibility of the following measures must be evaluated for achieving compliance with the effluent temperature limits: 1) facility improvements and/or adding additional technologies to facility operations; 2) offsets and/or possible trading mechanisms; such as offsite mitigation; 3) shading and riparian restoration; and

Task No.	Task Completion Date	Task Activity
		4) changes in/to sources of Hatchery influent, in addition to any other measures evaluated by the Permittee. At a minimum, the feasibility of the following measures must be evaluated for reducing the mass load of total phosphorus in the effluent: 1) investigation of the use of low level phosphorus fish food; 2) evaluation of hatchery raceway cleaning procedures; 3) feasibility of switching to recirculating tank technology/re-use; 4) efficiency and operation of the pollution abatement ponds; and, 5) adding chemical and/or biological treatment technologies to the production line; in addition to any other measures evaluated by the Permittee. B. "Feasibility" is defined to include effectiveness, ability to implement, and cost. All alternative evaluations developed with the Facility Plan should consider short- and long-term aspects of these three (3) factors of feasibility. Readily implementable measures must be designed and constructed as soon as feasible. Measures that are more technically difficult or have more unknowns may need further investigations. Deliverables: 1. Permittee must provide a certified Final Facility Plan to the EPA and Ecology, including the findings of the alternatives evaluation, by January 1, 2021, three years after the effective date of the Permit. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Plan_43699, where YYYY_MM_DD is the date that the Permittee submits the written notification. 2. Permittee must submit the final design documents, and/or construction completion reports, to the EPA and Ecology, for any measures selected during this 3-year Planning Phase that are determined to be readily implementable. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_ConstructTask2_90408, where YYYY_MM_DD is the date that the Permittee submits the written notification.

Task No.	Task Completion Date	Task Activity
3	Six years after the effective date of the Permit	**Funding Phase:** The Permittee must acquire the funds necessary to complete all facility upgrades/changes in facility operations required to meet the final effluent limitations for temperature and total phosphorus by the end of this compliance schedule. Deliverables: 1. Permittee must provide the progress on securing necessary funding to the EPA and Ecology in the annual progress report, beginning 3 years after the effective date of the permit and annually thereafter. 2. Permittee must provide a certified written notice to the EPA and Ecology that the funding necessary to upgrade the facility is in place within 6 years after the effective date of the permit.[44] The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Fund_90408 where YYYY_MM_DD is the date that the Permittee submits the written notification.

[44] If funding is not able to be obtained, see Section I.E.5 on the Anti-Deficiency Act and Section VI.J on Anticipated Noncompliance.

Task No.	Task Completion Date	Task Activity
4	Six years after the effective date of the Permit	**Facility Design of Significant Construction Projects:** The Permittee will have completed the detailed designs for all projects necessary to construct an upgraded Hatchery facility which will achieve compliance with the final temperature and total phosphorus effluent limitations, including the design of all remaining selected alternatives that were not submitted to the EPA in Step 2 of this compliance schedule (readily implemented). Deliverables: 1. The Permittee must implement best management practices and operational measures to reduce total phosphorus in the discharge to the maximum extent practical while design and construction are occurring. 2. Permittee must provide certified written notice that the final design report has been submitted to Ecology for approval within 6 years of the effective date of the permit. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Plan_90408 where YYYY_MM_DD is the date that the Permittee submits the written notification. 3. Permittee must provide certified written notice to the EPA that the final hatchery upgrade design has been approved by Ecology within 14 days of receiving that approval. YYYY_MM_DD_WA0001902_Design_90408 where YYYY_MM_DD is the date that the Permittee submits the written notification.

Task No.	Task Completion Date	Task Activity
5	Seven years after the effective date of the Permit for Deliverable 1; Nine years after the effective date of the Permit	**Final Facility Construction Phase:** The Permittee will have completed construction for the upgraded Hatchery facility to meet the final temperature and total phosphorus effluent limitations, and any other mitigation measures undertaken by the Hatchery to meet the final limitations. Deliverables: 1. Permittee must provide a certified progress report to the EPA and Ecology on construction activity, starting on January 1, 2025, and each year thereafter until final construction is completed. The Permittee may submit the report as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_ConstructTask5_90408 where YYYY_MM_DD is the date that the Permittee submits the report. 2. Permittee must provide certified written notice to the EPA and Ecology that the facility construction has been completed within 9 years of the effective date of the permit. The Permittee may submit the written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_ConstructComplete_90408 where YYYY_MM_DD is the date that the Permittee submits the written notification.
6	Nine years, 11 months after the effective date of the Permit	**Achieve Final Effluent Limitations** (nine years eleven months after the effective date of the Permit) Deliverable: Permittee must achieve compliance with the final temperature and total phosphorus effluent limitations within 9 years and 11 months after the effective date of the permit and must submit a certified written notice of compliance to EPA and Ecology within 14 days of achieving compliance with the final limitations. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Limits_FELAC where YYYY_MM_DD is the date that the Permittee submits the written notification."

II. Specific Monitoring Requirements

A. Influent and Effluent Monitoring

1. Effluent samples taken in compliance with the monitoring and testing requirements established in this Permit, under Tables 1 and 2, must be collected from the effluent stream prior to discharge into the receiving water. Table 3 specifies where to take effluent samples from the pollution abatement ponds.

2. Influent samples, under the requirements of Tables 1 and 2, must be taken at the point where the water enters the facility, including groundwater wells. Table 3 specifies where to take influent samples for the pollution abatement ponds.

3. Temperature Monitoring: Continuous temperature monitoring must begin immediately upon the effective date of this Permit. The Permittee must monitor the temperature of the effluent from Outfalls 001 (and any other Outfalls in use that pull from Outfall 001) and 002, as well as the temperature of Icicle Creek at the intake, continuously, for the duration of this Permit term. Upstream and effluent temperature monitoring must occur simultaneously in recorded one (1) hour increments.

   Temperature data must be recorded using a micro-recording device known as a thermistor. The data that must be collected and reported on the Discharge Monitoring Report (DMR) includes:

   a) The Monthly Instantaneous Maximum Temperature;

   b) The Maximum Daily Average Temperature; and,

   c) The Highest Seven (7) Day Average of the Daily Instantaneous Maximum. The 7-Day Average of the Daily Maximum temperatures (7DADM) is the average of seven consecutive measurements of daily maximum temperatures. The 7DADM for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three (3) days prior and the 3 days after that date.

      The Permittee must use the device manufacturer's software to generate (export) an Excel Spreadsheet, text, or electronic ASCII file once a month, that must be submitted to the EPA with the DMR. The spreadsheet attachment to the DMR must include daily minimum temperature, daily maximum temperature, and the running 7DADM for each day of the month. The Permittee may submit the file as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_temperature_43599, where YYYY_MM_DD is the date that the Permittee submits the file. The placement logs should include the following information for both thermistor deployment and retrieval:

   a) Date;

   b) Time;

   c) Device Manufacturer Identification;

   d) Location;

e) Depth;

f) Whether air or water temperature was measured; and,

g) Any other details that may explain any data anomalies.

4. Dissolved Oxygen (DO) Monitoring: The Permittee must monitor the DO concentration in the effluent from Outfalls 001 (and any other Outfalls in use that pull from Outfall 001) and 002, for the duration of this Permit term. Effluent DO monitoring must occur once a day using a grab sample type.

   The data that must be collected and reported on the DMR includes:

   a) The average monthly DO concentration value; and,

   b) The instantaneous minimum DO concentration value for the month.

5. Minimum Levels (MLs) and Method Detection Limits (MDLs)

   a) For all effluent monitoring, the Permittee must use sufficiently sensitive analytical methods which meet the following:

      (i) Parameters with an effluent limit. The method must achieve a minimum level (ML) less than the effluent limitation unless otherwise specified in Tables 1 - 3, above.

      (ii) Parameters that do not have effluent limitations.

         (a) The Permittee must use a method that detects and quantifies the level of the pollutant; or,

         (b) The Permittee must use a method that can achieve a maximum ML less than or equal to those specified in Appendix A.

         (c) For parameters that do not have an effluent limit, the Permittee may request different MLs from the EPA Region 10 NPDES Permits Unit Manager. The request must be in writing and must be approved by the EPA before any alternative ML will be allowed for use in compliance with this Permit.

         (d) See also Part V.C of this Permit.

   b) For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the Permittee must report “less than {numeric value of the MDL}” and, if a value is less than the ML, the Permittee must report “less than {numeric value of the ML}.”

c) For purposes of calculating monthly averages, zero may be assigned for values less than the MDL, and the {numeric value of the MDL} may be assigned for values between the MDL and the ML. If the average value is less than the MDL, the Permittee must report "less than {numeric value of the MDL}" and if the average value is less than the ML, the Permittee must report "less than {numeric value of the ML}." If a value is equal to or greater than the ML, the Permittee must report and use the actual value. The resulting average value must be compared to the compliance level, the ML, in assessing compliance.

B. Surface Water Monitoring

The Permittee must conduct surface water monitoring. Surface water monitoring must start immediately after the effective date of the Permit and continue for the life of the Permit. The program must meet the following requirements:

1. Monitoring stations must be established in Icicle Creek at the following locations:

   a) Above the influence of the facility's discharge; and,

   b) Below the facility's discharge, at a point where the effluent and Icicle Creek are completely mixed.

2. The Permittee must seek approval of the surface water monitoring stations from Ecology.

3. A failure to obtain Ecology approval of surface water monitoring stations does not relieve the Permittee of the surface water monitoring requirements of this Permit.

4. To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.

5. The flow rate of Icicle Creek must be measured as near as practicable to the time that other required surface waters parameters are sampled.

6. Samples must be analyzed for the parameters listed in the table below.

7. For all surface water monitoring, the Permittee must use sufficiently sensitive analytical methods which meet the following:

   a) The method must detect and quantify the level of the pollutant, or,

   b) The Permittee must use a method that can achieve MLs less than or equal to those specified in Appendix A. The Permittee may request different MLs from the EPA Region 10 NPDES Permits Unit Manager. The request must be in writing and must be approved by the EPA before any alternative ML will be allowed for use in compliance with this Permit.

Table 5. Surface Water Monitoring Requirements

Parameter	Units of Measurement	Frequency	Location	Type of Sample
Flow	gpd	Near as practicable to the time that grab and composite samples are collected	Upstream[1] and downstream[2]	Meter[7]
Temperature	ºC	Continuous	Upstream[1] and downstream[2]	Recorded
		Quarterly[3]	Upstream of Outfall 002	Grab[4]
Total Phosphorus	µg/L	Weekly	Upstream[1] and downstream[2]	Grab
pH	s.u.	Quarterly[3]	Upstream and downstream[2] of Outfall 002	Grab[4]
Ammonia Nitrogen as N	mg/L	Quarterly[3]	Upstream of Outfall 002	Composite[4]
Turbidity	NTU	During cleaning event[5]	Upstream[1] and downstream[2]	Turbidity meter[6]
DO	mg/L	Daily	Downstream[2] of Outfall 002	Grab

Notes:

1 At a location on the creek upstream, above the intake for the Hatchery.

2 At a location on the creek downstream, where the Hatchery effluent can be reasonably believed to have achieved complete mixing with the receiving water.

3 Quarterly monitoring must begin in the first full calendar quarter of Permit coverage, and quarterly samples for these parameters should be taken on the creek, above Outfall 002.

4 Quarterly surface water samples for temperature, pH, and ammonia must be collected concurrently with the required effluent sampling of the discharge from Outfall 002 for these parameters.

5 Cleaning events include those of the sand settling basin, the conveyance channel, behind the fish screens after the sand settling basins, and the pollution abatement ponds.

6 Turbidity analysis must be performed with a calibrated turbidity meter, either on-site or at an accredited lab; results must be recorded in a site log book in Nephelometric Turbidity Units (NTUs) and submitted to the EPA with the Surface Water Monitoring Annual Report.

7 Appropriate flow measurement devices and methods consistent with accepted aquaculture practice must be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows.

8. Quality assurance/quality control (QA/QC) plans for all the monitoring must be documented in the Quality Assurance Plan (QAP) required under Part III.A of this Permit.

9. Submission of Surface Water Monitoring Results

   a) Surface water monitoring results must be reported on the monthly DMR.

b) In addition, the Permittee must submit all surface water monitoring results for the previous calendar year for all parameters in a Surface Water Monitoring Annual Report to the EPA and Ecology by March 1st of the following year and with the next Permit application (see Part V.B of this Permit). The file must be in the format of one analytical result per row and include the following information:

   i) Name and contact information of laboratory;

   ii) Sample identification number;

   iii) Sample location in latitude and longitude (decimal degrees format);

   iv) Method of location determination (i.e., GPS, survey etc.);

   v) Date and time of sample collection;

   vi) Water quality parameter (or characteristic being measured);

   vii) Analysis result;

   viii) Result units;

   ix) Detection limit and definition (i.e., MDL etc.);

   x) Analytical method;

   xi) Date completed; and,

   xii) Any applicable notes.

c) The Permittee may submit the surface water monitoring report as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_SWMRP_CS010, where YYYY_MM_DD is the date that the Permittee submits the report.

III. Special Conditions

A. Quality Assurance Plan (QAP)

The Permittee must develop a Quality Assurance Plan (QAP) for all monitoring required by this Permit. Within 120 days of the effective date of this Permit, the Permittee must submit written notice to EPA and Ecology that the QAP has been developed and implemented. (See Appendix B). The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_QAP_55099, where YYYY_MM_DD is the

date that the Permittee submits the written notification. Any existing QAPs may be modified for compliance with this section.

1. The QAP must be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the Permit and in explaining data anomalies when they occur.

2. Throughout all sample collection and analysis activities, the Permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in the *EPA Requirements for Quality Assurance Project Plans* (EPA/QA/R-5)[45] and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5)[46]. The QAP must be prepared in the format that is specified in these documents.

3. At a minimum, the QAP must include the following:

   a) Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.

   b) Map(s) indicating the location of each sampling point.

   c) Qualification and training of personnel.

   d) Name(s), address(es) and telephone number(s) of the laboratories used by or proposed to be used by the permittee.

4. The Permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.

5. Copies of the QAP must be kept on site and made available to EPA and Ecology upon request.

B. Best Management Practices Plan

1. Purpose

Through implementation of the best management practices (BMP) plan, the Permittee must prevent or minimize the generation and discharge of wastes and pollutants from the facility to waters of the U.S. to meet water quality standards and permit requirements; the Permittee must also ensure that disposal or land application of wastes is carried out in such a way as to minimize negative environmental impact and to comply with Washington State solid waste disposal regulations.

[45] https://www.epa.gov/sites/production/files/2015-07/documents/r5-final.pdf
[46] https://www.epa.gov/sites/production/files/2015-06/documents/g5-final.pdf

2. Development and Implementation Deadline

The Permittee must develop and implement a BMP Plan that meets the specific requirements listed in Part III.B.5, below. An existing BMP Plan may be modified for use under this section. The Permittee must implement the provisions of the BMP Plan as conditions of this Permit within 120 days of the effective date of this Permit.

3. Required Submittal

The Permittee must certify that a BMP Plan has been developed and is being implemented. The certification must be submitted to EPA and Ecology and must include the information specified in Appendix B within 120 days after the effective date of this Permit. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_BMP_05899 where YYYY_MM_DD is the date that the Permittee submits the written notification.

4. Annual Review

a) The Permittee must review the BMP Plan annually.

b) A certified statement that the annual review has been completed and that the BMP Plan fulfills the requirements set forth in this Permit must be submitted to EPA and Ecology by March 1st each year. See Appendix B of this Permit. The Permittee may submit the certification as an attachment to the DMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_BMP_05899 , where YYYY_MM_DD is the date that the Permittee submits the report.

5. Requirements of the BMP Plan

The BMP Plan must include, at a minimum, the following BMPs. Where a particular practice below is infeasible, the Permittee will substitute another practice into the BMP Plan in order to achieve the same result.

a) Solids Control

(i) Employ efficient feed management and feeding strategies that limit feed to the minimum amount reasonably necessary to achieve production goals and sustain targeted rates of aquatic animal growth, in order to minimize potential discharges of uneaten food and waste products to waters of the U.S.

(ii) Minimize the discharge of accumulated solids from settling ponds, basins, and production systems. Identify and implement procedures for routine cleaning of rearing units and off-line settling basins, and procedures to minimize any discharges of accumulated solids during the inventorying, grading, and harvesting of aquatic animals in the production system. Ensure that in the

future the pollution abatement ponds are cleaned on a regular basis, regardless of whether the ponds are physically full or not.

b) Materials Storage

(i) Ensure the proper storage of feed, drugs, and other chemicals in order to prevent spills that discharge to waters of the U.S.

(ii) Implement procedures for properly containing, cleaning, and disposing of any spilled materials.

c) Structural Maintenance

(i) Routinely inspect rearing and holding units and waste collection and containment systems to identify and promptly repair damage.

(ii) Regularly conduct maintenance of rearing and holding units and waste collection and containment systems to ensure their proper function.

d) Record Keeping

(i) Document feed amounts and numbers and weights of aquatic animals to calculate feed conversion ratios.

(ii) Document the frequency of cleanings, inspections, maintenance, and repairs.

(iii) Maintain records of all medicinal and therapeutic chemical usage for each treatment at the facility. Include the information required in the Chemical Log Sheet in Appendix D and in the Annual Report in Appendix E.

(iv) Maintain a copy of the label (with treatment application requirements) and the Material Safety Data Sheet (MSDS) in the facility's records for each drug or chemical used at the facility.

(v) Maintain records by chemical, and by outfall, of the approach/analyses used to determine the elapsed time from chlorine (and/or Chloramine-T) application to its maximum effluent concentration, giving consideration to retention times within the facility, in order to show how the maximum concentrations of chlorine and/or Chloramine-T were derived (see Monitoring Requirements).

(vi) Keep the records necessary to provide the water-borne treatment/calculations information required in the Annual Report (see Appendix E).

e) Training Requirements

(i) Train all relevant personnel in spill prevention and how to respond in the event of a spill to ensure proper clean-up and disposal of spilled materials.

(ii) Train personnel on proper structural inspection and maintenance of rearing and holding units and waste collection and containment systems.

f) Operational Requirements

(i) Raceways and ponds must be cleaned at such a frequency and in such a manner that minimizes accumulated solids discharged to waters of the U.S., including within one (1) week prior to drawdown for fish release, where practical.

(ii) Since the Permittee obtains some of its water from groundwater and then discharges to surface water, it must, to the greatest extent feasible, conduct phased reductions in the amount of water discharged prior to a complete shutdown.

(iii) Fish feeding must be conducted in such a manner as to minimize the discharge of unconsumed food.

(iv) Fish grading, harvesting, and other activities within ponds or raceways must be conducted in such a way as to minimize the discharge of accumulated solids and blood wastes.

(v) Animal mortalities must be removed and disposed of on a regular basis to the greatest extent feasible, to prevent discharge to waters of the U.S.

(vi) Water used in the rearing and holding units or hauling trucks that is disinfected with chlorine or other chemicals must be treated before it is discharged to waters of the U.S.

(vii) Treatment equipment used to control the discharge of floating, suspended or submerged matter must be cleaned and maintained at a frequency sufficient to minimize overflow or bypass of the treatment unit by floating, suspended, or submerged matter; turbulent flow must be minimized to avoid entrainment of solids.

(viii) Procedures must be implemented to prevent fish from entering quiescent zones, full-flow and off-line settling basins. Fish that have entered quiescent zones or basins must be removed as soon as practicable.

(ix) Procedures must be implemented to minimize the release of diseased fish from the facility.

(x) All drugs and pesticides must be used in accordance with applicable label directions (FIFRA or FDA), except under the following conditions, both of which must be reported to EPA and Ecology in accordance below:

(a) Participation in Investigational New Animal Drug (INAD) studies, using established protocols; or,

(b) Extralabel drug use, as prescribed by a veterinarian.

(xi) Procedures must be identified and implemented to collect, store, and dispose of solid wastes, such as biological wastes in such a manner as to prevent its or its leachate's entry into waters of the U.S. or state ground water. Such wastes include all processing solid wastes from aquaculture operations, including:

(a) Sands, silts, and other debris collected from facility source waters;

(b) Accumulated settled solids in rearing ponds and settling ponds;

(c) Any fish mortalities under normal hatchery operation;

(d) Fish mortalities due to a fish kill involving more than five percent of the fish in any raceway or pond, or due to kill spawning operations;

(e) Blood from kill spawning or harvesting operations; and,

(f) Floating debris removed from ponds and raceways.

(xii) Procedures must be implemented to prevent or respond to spills and unplanned discharges of oil and hazardous substances. These procedures must address the following:

(a) A description of the reporting system which will be used to alert responsible facility management and appropriate legal authorities;

(b) A description of facilities (including an overall facility site plan) which prevent, control, or treat spills and unplanned discharges and compliance schedule to install any necessary facilities in accordance with the approved plan; and,

(c) A list of all hazardous substances used, processed, or stored at the facility that may be spilled directly or indirectly into state waters.

(xiii) Procedures must be implemented to identify and prevent existing and potential sources of stormwater pollution.

(xiv) The facility must dispose of excess/unused disinfectants in a way that does not allow them to enters waters of the U.S.

(xv) The facility must implement procedures to eliminate the release of polychlorinated biphenyls (PCBs) from any known sources in the facility, including paint, caulk, or feed. If removing paint or caulk applied prior to 1980, refer to the EPA guidance at http://www.epa.gov/epawaste/hazard/tsd/pcbs/pubs/caulk/guide/guide-sect4a.htm Any future application of paint or caulk must be below the allowable Toxics Substances Control Act (TSCA) level of 50 ppm. The facility must implement purchasing procedures that give preference for fish food that contains the lowest amount of PCBs that is economically and practically feasible.

g) Documentation: The Permittee must maintain a copy of the BMP Plan at the facility and make it available to EPA or an authorized representative and Ecology upon request.

h) BMP Plan Modification: The Permittee must amend the BMP Plan whenever there is a change in the facility or in the operation of the facility which materially increases the generation of pollutants or their release or potential release to surface waters. With any change in operator, the BMP Plan must be reviewed and modified, if necessary. The new operator must submit a certification in accordance with Part VII.E, below.

IV. Aquaculture-Specific Reporting Requirements

A. Drug and Other Chemical Use and Reporting Requirements

The following requirements apply to chemicals that are used in such a way that they will be or may be discharged to waters of the U.S., regardless of whether or not they were listed in the Permit application.

1. Use of Drugs, Pesticides, and Other Chemicals

a) Only disease control chemicals and drugs approved for hatchery use by the U.S. Food and Drug Administration or by the EPA may be used.

b) The following drugs may also be used, subject to the following conditions:

(1) Investigational New Animal Drugs (INADs) for which the FDA has authorized use on a case-by-case basis;

(2) Extralabel drug use of approved animal and human drugs by, or on the order of, a licensed veterinarian, as provided in Part IV.A.2, below;

(3) Low Regulatory Priority (LRP) compounds in accordance with conditions included on the list in the FDA policy 1240.4200: *Enforcement Priorities for Drug Use in Aquaculture* (08/09/2002; 4/26/07 minor revisions; 07/26/2011 correction)[47] p.13-15 (See Appendix C of this Permit.) These compounds must be reported in the Permit application and in annual reports. If they have not previously been reported on a Permit application, the Permittee must report its first use in accordance with the requirements in Part IV.A.2.b, below.

(4) Potassium permanganate, a deferred regulatory priority drug, also needs to be reported on the Permit application, the Annual Report of Operations to the EPA and Ecology, and upon first use in accordance with the requirements in IV.A.2.b, below.

c) All other drugs, pesticides, and other chemicals not mentioned in Part IV.A.1.b, above, must be applied in accordance with label directions.

d) Records of all applications of drugs, pesticides, and other chemicals must be maintained and must, at a minimum, include information specified in Appendix D of this Permit. This information must also be summarized in the Annual Report of Operations, as required in Part IV.F, below.

2. Reporting Drug Usage

INADs and Extralabel Drug Use: The following written and oral reports must be provided to the EPA and Ecology when an INAD or extralabel drug is used for the first time at a facility (not previously listed on a Permit application) and when an INAD or extralabel drug is used at a higher dosage than previously approved by the FDA for this or a different animal species or disease. The Permittee must include descriptions of all disease control chemicals used during the past year on the Annual Report of Operations.

(1) Anticipated INAD Study Participation and Extralabel Drug Usage

Written Report: The Permittee must provide a written report to EPA and Ecology within seven (7) days of agreeing or signing up to participate in an INAD drug study or receiving a prescription for extralabel drug use. The report must include the information specified in Appendix D.

(2) Actual Use of INADs or Extralabel Drug Use

(a) Oral report: For INAD and extralabel drug uses, the Permittee must provide an oral report to the EPA Region 10 Compliance Report Hotline, at 206-553-

47 http://www.fda.gov/downloads/AnimalVeterinary/GuidanceComplianceEnforcement/PoliciesProceduresManual/UCM046931.pdf&title=CVM%20Program%20Policy%20and%20Procedures%20Manual%20PPM%201240.4200

1846, as soon as possible during business hours, preferably in advance of use, but no later than seven (7) days after initiating use of the drug. The report must include the drug(s) used, the method of application, and the reasons for the drug(s).

(b) Written report: For INADs and extralabel drug uses, the Permittee must provide a written report to the EPA and Ecology within 30 days after initiating use of the drug. The report must include the information specified in Appendix D. This information must also be included in the Annual Report of Operations to the EPA and Ecology.

First Use of Low Regulatory Priority (LRP) Drugs or Potassium Permanganate

(1) Oral report: For the first use of an LRP drug or potassium permanganate, if it was not listed in the Permit application, the Permittee must provide an oral report to the EPA Compliance Report Hotline, at 206-553-1846, as soon as possible during business hours, preferably in advance of use, but no later than seven (7) days after initiating use of the drug. The report must include the information specified in Appendix D.

(2) Written report: For the first use of an LRP drug or potassium permanganate, if it was not listed in the Permit application, the Permittee must provide a written report to the EPA and Ecology within 30 days after initiating use of the drug. The report must include the information specified in Appendix D. This information must also be included in the Annual Report of Operations to the EPA and Ecology. (See Appendix E)

B. Structural Failure or Damage to the Facility

1. Structural failure in or damage to the aquatic animal containment system must be reported to the EPA and Ecology orally, within 24 hours of discovery of any reportable failure or damage that results in a material discharge of pollutants, describing the cause of failure or damage in the containment system and identifying materials that may have been released to the environment as a result.

2. The Permittee must provide a written report to the EPA and Ecology within five (5) days of discovery of the failure or damage documenting the cause, the estimate time elapsed until the failure or damage was repaired, an estimate of the identity and quantity of materials released as a result, and the steps being taken to prevent a recurrence, when there is a resulting discharge of pollutants to waters of the U.S. (See Part V.G)

C. Spills of Feed, Drugs, Pesticides or Other Chemicals

1. Feed, Drugs, Pesticides or other chemicals

The Permittee must monitor, and report to the EPA and Ecology, any spills of feed, drugs, pesticides, or other chemicals that result in a discharge to waters of the U.S.; these must be reported orally within 24 hours and in writing within five (5) days. Reports must include the identity and quantity of pollutants released. (See Representative Sampling and Notice of Noncompliance in Parts V.A and V.G)

2. Spill Reporting for Oil or Hazardous Substances Releases

a) To the EPA

The Permittee must report immediately to the EPA, at 1-800-424-8802, any spills of oil or hazardous substances to waters of the U.S.

b) To Ecology

The Permittee must also report any spills of oil or hazardous substances to Ecology HQ at 1-800-258-5990 or 1-800-OILS-911, and to the Ecology Central Region office at 509-575-2490.

D. Records of Fish Mortalities

1. Maintenance of Records. Records of routine and mass mortalities must be maintained on site for at least three (3) years.

2. Annual Reporting. Summaries of mortality data must be included in the Annual Report of Operations.

E. Records of Production and Feed Levels

The Permittee must keep records on the average loading of fish in pounds and the total pounds of food fed for each calendar month. The Permittee must provide a copy of loading and feeding records to the EPA and Ecology upon request and must provide a summary in the Annual Report of Operations required by Part IV.F, below. The Permittee may submit the records to EPA and Ecology as Net DMR attachments. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Feeding_CS010, where YYYY_MM_DD is the date that the Permittee submits the report.

F. Annual Report of Operations

During the term of this Permit, the Permittee must prepare, by March 1st of each year, an Annual Report of the previous year's operations. The report must include the information specified in Appendix E. The Report must be submitted annually to the addresses provided in Part I.E of this Permit (Compliance Schedules). In addition, a copy of the Annual Report and the data used to compile it must be kept on-site at the Hatchery and made available to EPA and Ecology upon request. The Permittee may submit the annual report of operations as an attachment to the DMR. The file name of the electronic attachment must be as follows:

YYYY_MM_DD_WA0001902_ARO_CS010 where YYYY_MM_DD is the date that the Permittee submits the report.

V. Standard Monitoring, Recordkeeping and Reporting Requirements

A. Representative Sampling (Routine and Non-Routine Discharges)

1. Samples and measurements must be representative of the volume and nature of the monitored discharge.

2. In order to ensure that the effluent limits set forth in this Permit are not violated at times other than when routine samples are taken, the Permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The Permittee must analyze the additional samples for those parameters limited in Part I.D of this Permit that are likely to be affected by the discharge.

3. The Permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with Part V.C. The Permittee must report all additional monitoring in accordance with Part V.D.

B. Reporting of Monitoring Results

1. The Permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR). Monitoring data must be submitted electronically using NetDMR. NetDMR is described in more detail below. If additional monitoring of any pollutant is performed more frequently than required by the Permit, the additional results for the parameter must be included on the DMR.

2. The Permittee is not required to monitor when the facility is not discharging. However, the DMR must indicate that the facility is not discharging and must be submitted to the EPA as described below.

3. Electronic Copy Submissions

   a) Monitoring data must be submitted electronically to the EPA no later than the 20th of the month following the completed reporting period. All reports required under this Permit must be submitted to the EPA as a legible electronic attachment to the DMR. The Permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part VII.E of this Permit. Once a Permittee begins submitting reports using NetDMR, it will no longer be required to submit paper copies of DMRs or other reports to the EPA and Ecology.

b) The Permittee may use NetDMR after requesting and receiving permission from US EPA Region 10. NetDMR can be accessed from https://netdmr.zendesk.com/home.

4. Unless otherwise specified in this permit, the Permittee may submit all reports to EPA and Ecology as NetDMR attachments rather than as hard copies. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Report Type Name_Identifying Code, where YYYY_MM_DD is the date that the Permittee submits the attachment."

C. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless another method is required under 40 CFR subchapters N or O, or other test procedures have been specified in this Permit or approved by the EPA as an alternate test procedure under 40 CFR 136.5.

D. Additional Monitoring by Permittee

If the Permittee monitors any pollutant more frequently than required by this Permit, using test procedures approved under 40 CFR 136 or as specified in this Permit or approved by the Regional Administrator, the Permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMR. Upon request by the EPA, the Permittee must submit results of any other sampling, regardless of the test method used.

E. Records Contents

Records of monitoring information must include:

1. the date, exact place, and time of sampling or measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the date(s) analyses were performed;
4. the names of the individual(s) who performed the analyses;
5. the analytical techniques or methods used; and,
6. the results of such analyses.

F. Retention of Records

The Permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, copies of DMRs, a copy of the NPDES Permit, and records of all data used to complete the application for this Permit, for a

period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the EPA or Ecology at any time.

G. Twenty-four Hour Notice of Noncompliance Reporting

1. The Permittee must report the following occurrences of noncompliance by telephone within 24 hours from the time the Permittee becomes aware of the circumstances:

   a) Any noncompliance that may endanger health or the environment;

   b) Any unanticipated bypass that exceeds any effluent limitation in the Permit (See Part VI.F of this Permit);

   c) Any upset that exceeds any effluent limitation in the Permit (see Part VI.G of this Permit);

   d) Any violation of a maximum daily discharge limitation for applicable pollutants identified by Tables 1-3 of Part I.D; or,

2. The Permittee must also provide a written submission within five (5) days of the time that the Permittee becomes aware of any event required to be reported under Paragraph 1, above. The written submission must contain:

   a) A description of the noncompliance and its cause;

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

   c) The estimated time that the noncompliance is expected to continue if it has not been corrected; and,

   d) The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

3. The Director of the Office of Compliance and Enforcement may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the NPDES Compliance Hotline in Seattle, Washington at (206) 553-1846.

4. The Permittee must report noncompliance of the maximum daily phosphorus limits by telephone within 24 hours to National Marine Fisheries Service Sustainable Fisheries Division (NMFS SFD) in Portland, Oregon at (503) 230-5412.

H. Other Noncompliance Reporting

1. The Permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part V.B are submitted. The reports must contain the information listed in Part V.G.2 of this Permit.

2. The Permittee must report noncompliance of the average monthly phosphorus limits to the NMFS SFD at the time that monitoring reports for Part V.B. are submitted.

I. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Permit must be submitted no later than 14 days following each schedule date.

VI. Compliance Responsibilities

A. Duty to Comply

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

B. Penalties for Violations of Permit Conditions

1. Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $37,500 per day for each violation).

2. Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $16,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $37,500). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not

to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently $16,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $187,500).

3. Criminal Penalties:

   a. Negligent Violations. The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than 2 years, or both.

   b. Knowing Violations. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than 6 years, or both.

   c. Knowing Endangerment. Any person who knowingly violates Section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

   d. False Statements. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act

further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

C. Need To Halt or Reduce Activity not a Defense

It must not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Permit.

D. Duty to Mitigate

The Permittee must take all reasonable steps to minimize or prevent any discharge in violation of this Permit that has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance

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

F. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Paragraphs 2 and 3 of this Part.

2. Notice.

    a) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it must submit prior written notice, if possible at least 10 days before the date of the bypass.

    b) Unanticipated bypass. The Permittee must submit notice of an unanticipated bypass as required under Part V.G of this Permit.

3. Prohibition of bypass.
   a) Bypass is prohibited, and the Director of the Office of Compliance and Enforcement may take enforcement action against the Permittee for a bypass, unless:

      (i) The 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 back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and,

      (iii) The Permittee submitted notices as required under Paragraph 2 of this Part.

   b) The Director of the Office of Compliance and Enforcement may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in Paragraph 3.a. of this Part.

G. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based effluent limitations if the Permittee meets the requirements of Paragraph 2 of this Part. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

2. Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the Permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

   a) An upset occurred and that the Permittee can identify the cause(s) of the upset;

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

   c) The Permittee submitted notice of the upset as required under Part V.G. of this Permit; and,

   d) The Permittee complied with any remedial measures required under Part VI.D of this Permit.

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

H. Toxic Pollutants

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

I. Planned Changes

The Permittee must give notice to the Director of the Office of Water and Watersheds and Ecology as soon as possible of any planned physical alterations or additions to the permitted facility whenever:

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

2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in the Permit.

J. Anticipated Noncompliance

The Permittee must give advance notice to the Director of the Office of Compliance and Enforcement and Ecology of any planned changes in the permitted facility or activity that may result in noncompliance with this Permit.

VII. General Provisions

A. Permit Actions

This Permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 124.5. The filing of a request by the Permittee for a Permit modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any Permit condition.

B. Duty to Reapply

If the Permittee intends to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must apply for and obtain a new Permit. In accordance with 40 CFR 122.21(d), and, unless permission for the application to be submitted at a later date has been granted by the Regional Administrator, the Permittee must submit a new application **at least 180 days** before the expiration date of this Permit. If the application is received by the deadline, the conditions of this Permit will continue in force until the effective date of the subsequently reissued Permit.

C. Duty to Provide Information

The Permittee must furnish to the EPA and Ecology, within the time specified in the request, any information that the EPA or 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 furnish to EPA or to Ecology, upon request, copies of records required to be kept by this Permit.

D. Other Information

When the Permittee becomes aware that it failed to submit any relevant facts in a Permit application, or that it submitted incorrect information in a Permit application or any report to the EPA or Ecology, it must promptly submit the omitted facts or corrected information in writing.

E. Signatory Requirements

All applications, reports or information submitted to the EPA and Ecology must be signed and certified as follows:

1. All permit applications must be signed

   a) For a corporation: by a responsible corporate officer.

   b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

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

2. All reports required by the Permit and other information requested by the EPA or 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 a person described above;

   b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and,

   c) The written authorization is submitted to the EPA Region 10 Director of the Office of Compliance and Enforcement and Ecology.

3. Changes to authorization. If an authorization under Paragraph 2, above, is no longer accurate because a different individual or position has responsibility for the overall

operation of the facility, a new authorization satisfying the requirements of Paragraph 2 must be submitted to the EPA Region 10 Director of the Office of Compliance and Enforcement and Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a Permit related document under this Part 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

F. Availability of Reports

In accordance with 40 CFR Part 2, information submitted to the EPA pursuant to this Permit may be claimed as confidential by the Permittee. In accordance with the Act, Permit applications, Permits, and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the EPA may make the information available to the public without further notice to the Permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR 2, Subpart B (Public Information) and 41 Fed. Reg. 36902 through 36924 (September 1, 1976), as amended.

G. Inspection and Entry

The permittee must allow the Director of the Office of Compliance and Enforcement, EPA Region 10; Ecology; or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to:

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

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

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

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

H. Property Rights

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, nor any infringement of federal, tribal, state or local laws or regulations.

I. Transfers

This Permit is not transferable to any person except after notice to the EPA Region 10 Director of the Office of Water and Watersheds. The Director may require modification or revocation and reissuance of the Permit to change the name of the Permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61; in some cases, modification or revocation and reissuance is mandatory).

J. State Laws

Nothing in this Permit must be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

VIII. Definitions and Acronyms

The Act means the Clean Water Act, codified at 33 U.S.C. §1251 et seq.

The Administrator is the Administrator of the United States Environmental Protection Agency (EPA), or an authorized representative (40 CFR 122.2).

Application means the EPA standard form for applying for an NPDES Permit [40 CFR 122.21(a)(2)].

Approved dosage means the dose of a drug that has been found to be safe and effective under the conditions of a new animal drug application [40 CFR 451.2].

Aquaculture facility means a hatchery, fish farm, or other facility which contains, grows, or holds fish for later harvest (or process) and sale, or for release.

Aquatic animal containment system means a culture or rearing unit such as a raceway, pond, tank, net or other structure used to contain, hold, or produce aquatic animals. The containment system includes structures designed to hold sediments and other materials that are part of a wastewater treatment system [40 CFR 451.2].

Average monthly limit means the maximum allowable average of "daily discharges" over a monitoring month, calculated as the sum of all "daily discharges" measured during a monitoring month divided by the number of "daily discharges" measured during that month. It may also be referred to as the "monthly average discharge" (40 CFR 122).

Background means the biological, physical, or chemical condition of waters measured at a point immediately upstream of the influence of the discharge.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [40 CFR 122.2].

Bypass means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR 122.41 (m)].

CAAP or *Concentrated Aquatic Animal Production Facility* means a hatchery, fish farm, or other facility that contains, grows, or holds either (a) cold water fish species or other cold water aquatic animals in ponds, raceways, or other similar structures, which discharge at least 30 days per year, but does not include facilities that produce less than 9,090 harvest weight kilograms (equivalent to 20,000 pounds) of aquatic animals per year or facilities that feed less than 2,272 kilograms (equivalent to 5000 pounds) of food during the calendar month of maximum feeding, or (b) warm water fish species or other warm water aquatic animals in

ponds, raceways, or other similar structures, which discharge at least 30 days per year, but does not include closed ponds that discharge only during periods of excess runoff or facilities that produce less than 45,454 harvest weight kilograms (equivalent to 100,000 pounds) of aquatic animals per year [40 CFR 122.24 and Appendix C of 40 CFR 122].

CFR means the Code of Federal Regulations. Title 40 of the Code of Federal Regulations, Parts 1-1499, contains the regulations promulgated by and for the Environmental Protection Agency.

Chemical means any substance that is added to the aquatic animal production facility to maintain or restore water quality for aquatic animal production and that may be discharged to Waters of the United States.

Clean Water Act or CWA was formerly referred to as the Federal Water Pollution Control Act of 1972, and is codified at 33 U.S.C. §1251 et seq.

Composite means a combination of (6) six or more discrete sample aliquots of at least 100 milliliters, collected over periodic intervals from the same location, during the operating hours of a facility over a 24-hour period. At least one fourth (1/4) of the samples must be taken while cleaning. Facilities with multiple effluent discharge points and/or influent points must composite samples from all points proportionally to their respective flows.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the day.

Discharge means any addition of any pollutant or combination of pollutants from any point source to waters of the U.S. [40 CFR 122.2].

Director of the Office of Compliance and Enforcement means the Director of the Office of Compliance and Enforcement, EPA Region 10, or an authorized representative thereof.

Director of the Office of Water and Watersheds means the Director of the Office of Water and Watersheds, EPA Region 10, or an authorized representative.

DMR means discharge monitoring report; the EPA uses a standard national format for Permittees to report monitoring results to the EPA [40 CFR 122.2].

Drug means any substance defined as a drug in Section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act [21 USC § 321].

Ecology means the Washington Department of Ecology.

EPA means the United States Environmental Protection Agency. The State of Washington is located in Region 10 of the EPA.

Extralabel Drug Use means a drug approved under the Federal Food, Drug, and Cosmetic Act (FDCA) that is not used in accordance with the approved label directions; see 21 CFR 530. [40 CFR 451.2(f)]

FDA means the U.S. Food and Drug Administration

FIFRA means the U.S. Federal Insecticide, Fungicide, and Rodenticide Act

Fish Hatcheries means hatcheries, fish farms, or other such facilities that contain, grow, or hold warm water and cold water fish species.

Flow-Through System means a system designed to provide continuous water flow to Waters of the United States through chambers used to produce aquatic animals. [40 CFR 451.2(g)]

Grab Samples means a discrete volume of water collected by hand or machine during one short sampling period (not exceeding 15 minutes).

Hazardous Substance means any substance designated under 40 CFR Part 116, pursuant to Section 311 of the CWA. [40 CFR 116.4]

INAD means Investigational New Animal Drug; a drug for which there is a valid exemption in effect under section 512(j) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b(j), to conduct experiments. [40 CFR 451.2(h)]

MDL means method detection limit; the minimum concentration of a substance (analyte) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

ML means minimum level, the concentration at which the entire analytical system must give a recognizable signal and an acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed.

New Source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(a) After promulgation of standards of performance under Section 306 of the CWA, which are applicable to such source, or

(b) After proposal of standards of performance in accordance with Section 306 of the CWA, which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal [40 CFR 122.2].

NPDES means the National Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing [wastewater discharge] permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the CWA. [40 CFR 122.2]

Off-line Settling Basin means a constructed retention basin that receives wastewater from cleaning of aquaculture facility rearing or holding units and/or quiescent zones for the retention and treatment of the wastewater through settling of solids.

Outfall means a discrete point or outlet where the discharge is released to the receiving water.

Permittee means an individual, association, partnership, corporation, municipality, government or tribal agency, or an agent or employee thereof, who is issued authorized by EPA to discharge in accordance with the requirements of an NPDES Permit.

Pesticide means any substance defined as a pesticide in Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136(u)] [40 CFR 451.2(l)].

Point Source means any discernible, confined, and discreet conveyance from which pollutants are or may be discharged [40 CFR 122.2].

Pollutant means chemical wastes, biological materials, or industrial waste discharged into water [40 CFR 122.2].

Production means the act of harvesting, processing or releasing fish, or the harvest weight of fish contained, grown, or held in a CAAP facility [40 CFR 122, Appx. C].

QA/QC means quality assurance/quality control; an integrated system of management activities involving planning, implementation, documentation, assessment, reporting, and quality improvement to ensure that a process, item, or service is of the type and quality needed to meet the performance criteria.

QAP means Quality Assurance Plan.

Recirculating system means a system that filters and reuses water in which the aquatic animals are produced prior to discharge. Recirculating systems typically use tanks, biological or mechanical filtration, and mechanical support equipment to maintain high quality water to produce aquatic animals [40 CFR 451.2(n)].

Regional Administrator means the Administrator of Region 10 of the United States Environmental Protection Agency, or an authorized representative [40 CFR 122.2].

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 which 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 [40 CFR 122.41(m)(ii)].

Toxic pollutants means those pollutants, or combinations of pollutants, including disease-causing agents, which, after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Administrator, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions in reproduction) or physical deformation in such organisms or their offspring [CWA Section 502(13)].

Toxic substances means substances that when discharged above natural background levels in waters of the state have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic toxicity to the most sensitive biota dependent upon those waters, or adversely affect public health, as determined by the Department of Ecology [Washington Administrative Code (WAC) 173-201A-240].

TSCA means the United States Toxic Substances Control Act.

TSS means Total Suspended Solids.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation [40 CFR 122.41 (n)(1)].

Waters of the United States include:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) All interstate waters, including interstate wetlands;

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) Which are or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as Waters of the United States under this definition;

(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) The territorial sea; and,

(g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition [40 CFR 122.2].

Appendix A: Minimum Levels

The tables below list the Minimum Levels (ML) for pollutants that may have effluent and surface monitoring requirements in the Permit. The Permittee may request different MLs from the EPA Region 10 NPDES Unit. The request must be in writing and must be approved by the EPA. If the Permittee is unable to meet a specific ML value for a pollutant present in the effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and ML request to the EPA along with the appropriate laboratory documentation.

CONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Biochemical Oxygen Demand	2 mg/L
Soluble Biochemical Oxygen Demand	2 mg/L
Chemical Oxygen Demand	10 mg/L
Dissolved Organic Carbon	1 mg/L
Total Organic Carbon	1 mg/L
Total Suspended Solids	5 mg/L
Total Ammonia (as N)	50
Dissolved oxygen	+/- 0.2 mg/L
Temperature	+/- 0.2º C
pH	N/A

NONCONVENTIONAL PARAMETERS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Total Alkalinity	5 mg/L as CaCO3
Chlorine, Total Residual	50.0
Color	10 color units
Fluoride (16984-48-8)	100
Nitrate + Nitrite Nitrogen (as N)	100
Nitrogen, Total Kjeldahl (as N)	300
Soluble Reactive Phosphorus (as P)	10
Phosphorus, Total (as P)	10
Oil and Grease (HEM) (Hexane Extractable Material)	5,000
Salinity	3 practical salinity units or scale (PSU or PSS)
Settleable Solids	500 (or 0.1 mL/L)
Sulfate (as mg/L SO4)	0.2 mg/L

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Sulfide (as mg/L S)	0.2 mg/L
Sulfite (as mg/L SO3)	2 mg/L
Total dissolved solids	20 mg/L
Total Hardness	200 as CaCO3
Aluminum, Total (7429-90-5)	10
Barium Total (7440-39-3)	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2
Boron Total (7440-42-8)	10.0
Cobalt, Total (7440-48-4)	0.25
Iron, Total (7439-89-6)	50
Magnesium, Total (7439-95-4)	50
Molybdenum, Total (7439-98-7)	0.5
Manganese, Total (7439-96-5)	0.5
Tin, Total (7440-31-5)	1.5
Titanium, Total (7440-32-6)	2.5

PRIORITY POLLUTANTS

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS	
Antimony, Total (7440-36-0)	1.0
Arsenic, Total (7440-38-2)	0.5
Beryllium, Total (7440-41-7)	0.5
Cadmium, Total (7440-43-9)	0.1
Chromium (hex) dissolved (18540-29-9)	1.2
Chromium, Total (7440-47-3)	1.0
Copper, Total (7440-50-8)	2.0
Lead, Total (7439-92-1)	0.16
Mercury, Total (7439-97-6)	0.0005
Nickel, Total (7440-02-0)	0.5
Selenium, Total (7782-49-2)	1.0
Silver, Total (7440-22-4)	0.2
Thallium, Total (7440-28-0)	0.36
Zinc, Total (7440-66-6)	2.5

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Cyanide, Total (57-12-5)	10
Cyanide, Weak Acid Dissociable	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	10
Phenols, Total	50
2-Chlorophenol (95-57-8)	2.0
2,4-Dichlorophenol (120-83-2)	1.0
2,4-Dimethylphenol (105-67-9)	1.0
4,6-dinitro-o-cresol (534-52-1) (2-methyl-4,6,-dinitrophenol)	2.0
2,4 dinitrophenol (51-28-5)	2.0
2-Nitrophenol (88-75-5)	1.0
4-nitrophenol (100-02-7)	1.0
Parachlorometa cresol (59-50-7) (4-chloro-3-methylphenol)	2.0
Pentachlorophenol (87-86-5)	1.0
Phenol (108-95-2)	4.0
2,4,6-Trichlorophenol (88-06-2)	4.0
VOLATILE COMPOUNDS	
Acrolein (107-02-8)	10
Acrylonitrile (107-13-1)	2.0
Benzene (71-43-2)	2.0
Bromoform (75-25-2)	2.0
Carbon tetrachloride (56-23-5)	2.0
Chlorobenzene (108-90-7)	2.0
Chloroethane (75-00-3)	2.0
2-Chloroethylvinyl Ether (110-75-8)	2.0
Chloroform (67-66-3)	2.0
Dibromochloromethane (124-48-1)	2.0
1,2-Dichlorobenzene (95-50-1)	7.6
1,3-Dichlorobenzene (541-73-1)	7.6
1,4-Dichlorobenzene (106-46-7)	17.6
Dichlorobromomethane (75-27-4)	2.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
1,1-Dichloroethane (75-34-3)	2.0
1,2-Dichloroethane (107-06-2)	2.0
1,1-Dichloroethylene (75-35-4)	2.0
1,2-Dichloropropane (78-87-5)	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) (542-75-6) 6	2.0
Ethylbenzene (100-41-4)	2.0
Methyl bromide (74-83-9) (Bromomethane)	10.0
Methyl chloride (74-87-3) (Chloromethane)	2.0
Methylene chloride (75-09-2)	10.0
1,1,2,2-Tetrachloroethane (79-34-5)	2.0
Tetrachloroethylene (127-18-4)	2.0
Toluene (108-88-3)	2.0
1,2-Trans-Dichloroethylene (156-60-5) (Ethylene dichloride)	2.0
1,1,1-Trichloroethane (71-55-6)	2.0
1,1,2-Trichloroethane (79-00-5)	2.0
Trichloroethylene (79-01-6)	2.0
Vinyl chloride (75-01-4)	2.0
BASE/NEUTRAL COMPOUNDS	
Acenaphthene (83-32-9)	0.4
Acenaphthylene (208-96-8)	0.6
Anthracene (120-12-7)	0.6
Benzidine (92-87-5)	24
Benzyl butyl phthalate (85-68-7)	0.6
Benzo(a)anthracene (56-55-3)	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) (205-99-2) 7	1.6
Benzo(j)fluoranthene (205-82-3) 7	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) (207-08-9) 7	1.6
Benzo(r,s,t)pentaphene (189-55-9)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Benzo(a)pyrene (50-32-8)	1.0
Benzo(ghi)Perylene (191-24-2)	1.0
Bis(2-chloroethoxy)methane (111-91-1)	21.2
Bis(2-chloroethyl)ether (111-44-4)	1.0
Bis(2-chloroisopropyl)ether (39638-32-9)	0.6
Bis(2-ethylhexyl)phthalate (117-81-7)	0.5
4-Bromophenyl phenyl ether (101-55-3)	0.4
2-Chloronaphthalene (91-58-7)	0.6
4-Chlorophenyl phenyl ether (7005-72-3)	0.5
Chrysene (218-01-9)	0.6
Dibenzo (a,h)acridine (226-36-8)	10.0
Dibenzo (a,j)acridine (224-42-0)	10.0
Dibenzo(a-h)anthracene (53-70-3)(1,2,5,6-dibenzanthracene)	1.6
Dibenzo(a,e)pyrene (192-65-4)	10.0
Dibenzo(a,h)pyrene (189-64-0)	10.0
3,3-Dichlorobenzidine (91-94-1)	1.0
Diethyl phthalate (84-66-2)	7.6
Dimethyl phthalate (131-11-3)	6.4
Di-n-butyl phthalate (84-74-2)	1.0
2,4-dinitrotoluene (121-14-2)	0.4
2,6-dinitrotoluene (606-20-2)	0.4
Di-n-octyl phthalate (117-84-0)	0.6
1,2-Diphenylhydrazine (as Azobenzene) (122-66-7)	20
Fluoranthene (206-44-0)	0.6
Fluorene (86-73-7)	0.6
Hexachlorobenzene (118-74-1)	0.6
Hexachlorobutadiene (87-68-3)	1.0
Hexachlorocyclopentadiene (77-47-4)	1.0
Hexachloroethane (67-72-1)	1.0
Indeno(1,2,3-cd)Pyrene (193-39-5)	1.0

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
Isophorone (78-59-1)	1.0
3-Methyl cholanthrene (56-49-5)	8.0
Naphthalene (91-20-3)	0.6
Nitrobenzene (98-95-3)	1.0
N-Nitrosodimethylamine (62-75-9)	4.0
N-Nitrosodi-n-propylamine (621-64-7)	1.0
N-Nitrosodiphenylamine (86-30-6)	1.0
Perylene (198-55-0)	7.6
Phenanthrene (85-01-8)	0.6
Pyrene (129-00-0)	0.6
1,2,4-Trichlorobenzene (120-82-1)	0.6
DIOXIN	
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (176-40-16) (2,3,7,8 TCDD)	5 pg/L
PESTICIDES/PCBs	
Aldrin (309-00-2)	0.05
alpha-BHC (319-84-6)	0.05
beta-BHC (319-85-7)	0.05
gamma-BHC (58-89-9)	0.05
delta-BHC (319-86-8)	0.05
Chlordane (57-74-9)	0.05
4,4'-DDT (50-29-3)	0.05
4,4'-DDE (72-55-9)	0.05
4,4' DDD (72-54-8)	0.05
Dieldrin (60-57-1)	0.05
alpha-Endosulfan (959-98-8)	0.05
beta-Endosulfan (33213-65-9)	0.05
Endosulfan Sulfate (1031-07-8)	0.05
Endrin (72-20-8)	0.05
Endrin Aldehyde (7421-93-4)	0.05
Heptachlor (76-44-8)	0.05
Heptachlor Epoxide (1024-57-3)	0.05

Pollutant & CAS No. (if available)	Minimum Level (ML) µg/L unless specified
PCB-1242 (53469-21-9)	0.5
PCB-1254 (11097-69-1)	0.5
PCB-1221 (11104-28-2)	0.5
PCB-1232 (11141-16-5)	0.5
PCB-1248 (12672-29-6)	0.5
PCB-1260 (11096-82-5)	0.5
PCB-1016 (12674-11-2)	0.5
Toxaphene (8001-35-2)	0.5

Appendix B: Quality Assurance Plan (QAP) and Best Management Practices (BMP) Plan Certifications

Facility Name: _____
NPDES Permit Number: _____

The QA Plan is complete and is available upon request to EPA and Ecology.
The QA Plan is being implemented by trained employees.
The QA Plan has been reviewed and endorsed by the facility manager.
The individuals responsible for implementation of the QA Plan have been properly trained.

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

Signature:	**Title/Agency:**
Print Name:	**Date:**

The Permittee must submit this certification within 120 days of the effective date of this Permit. The certification must be submitted to the EPA. (See Part III.A)

Best Management Practices (BMP) Plan Certification

Facility Name: _____
NPDES Permit Number: _____

The BMP Plan is complete and is available upon request to EPA and Ecology.
The BMP Plan is being implemented by trained employees.
The BMP Plan has been reviewed and endorsed by the facility manager.
The individuals responsible for implementation of the BMP Plan have been properly trained.

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

Signature:	**Title/Agency:**
Print Name:	**Date:**

The Permittee must submit this certification within 120 days of the effective date of this Permit to the EPA and by March 1st each year thereafter. (See Part III.B)

Appendix C: Low Regulatory Priority Aquaculture Drugs

FOOD AND DRUG ADMINISTRATION CENTER FOR VETERINARY MEDICINE
PROGRAM POLICY AND PROCEDURES MANUAL 1240.4200
SUPPLEMENTAL POLICIES

The following compounds have undergone review by the Food and Drug Administration and have been determined to be new animal drugs of low regulatory priority. 07/26/2011 Correction.

ACETIC ACID - 1000 to 2000 ppm dip for 1 to 10 minutes as a parasiticide for fish.

CALCIUM CHLORIDE - Used to increase water calcium concentration to ensure proper egg hardening. Dosages used would be those necessary to raise calcium concentration to 10-20 ppm $CaCO_3$.

- Up to 150 ppm indefinitely to increase the hardness of water for holding and transporting fish in order to enable fish to maintain osmotic balance.

CALCIUM OXIDE - Used as an external protozoacide for fingerlings to adult fish at a concentration of 2000 mg/L for 5 seconds.

CARBON DIOXIDE GAS - For anesthetic purposes in cold, cool, and warm water fish.

FULLER'S EARTH - Used to reduce the adhesiveness of fish eggs to improve hatchability.

GARLIC (Whole Form) - Used for control of helminth and sea lice infestations of marine salmonids at all life stages.

HYDROGEN PEROXIDE - Used at 250-500 mg/L to control fungi on all species and life stages of fish, including eggs.

ICE - Used to reduce metabolic rate of fish during transport.

MAGNESIUM SULFATE - Used to treat external monogenic trematode infestations and external crustacean infestations in fish at all life stages. Used in all freshwater species. Fish are immersed in a 30,000 mg $MgSO_4$/L and 7000 mg/L NaCl solutions for 5 to 10 minutes.

ONION (Whole Form) - Used to treat external crustacean parasites, and to deter sea lice from infesting external surface of salmonids at all life stages.

PAPAIN - Use of a 0.2% solution in removing the gelatinous matrix of fish egg masses in order to improve hatchability and decrease the incidence of disease.

POTASSIUM CHLORIDE - Used as an aid in osmoregulation; relieves stress and prevents shock. Dosages used would be those necessary to increase chloride ion concentration to 10-2000 mg/L.

POVIDONE IODINE - 100 ppm solution for 10 minutes as an egg surface disinfectant during and after water hardening.

SODIUM BICARBONATE - 142 to 642 ppm for 5 minutes as a means of introducing carbon dioxide into the water to anesthetize fish.

SODIUM CHLORIDE - 0.5% to 1.0% solution for an indefinite period as an osmoregulatory aid for the relief of stress and prevention of shock; and 3% solution for 10 to 30 minutes as a parasiticide.

SODIUM SULFITE – 1.5% solution for 5 to 8 minutes to treat eggs in order to improve their hatchability.

THIAMINE HYDROCHLORIDE - Used to prevent or treat thiamine deficiency in salmonids. Eggs are immersed in an aqueous solution of up to 100 ppm for up to four hours during water hardening. Sac fry are immersed in an aqueous solution of up to 1,000 ppm for up to one hour.

UREA and TANNIC ACID - Used to denature the adhesive component of fish eggs at concentrations of 15g urea and 20g NaCl/5 liters of water for approximately 6 minutes, followed by a separate solution of 0.75 g tannic acid/5 liters of water for an additional 6 minutes. These amounts will treat approximately 400,000 eggs.

The Agency is unlikely to object to the use of these substances if the following conditions are met:
(1) The substances are used for these indications;
(2) The substances are used at the prescribed levels;
(3) The substances are used according to good management practices;
(4) The product is of an appropriate grade for use in food animals, and
(5) There is not likely to be an adverse effect on the environment.

The Agency's enforcement position on the use of these substances should not be considered an approval nor an affirmation of their safety and effectiveness. Based on the information available at some time in the future, the Agency may take a different position on the use of any or all of these substances.

Classification of these substances as new animal drugs of low regulatory priority does not exempt facilities from complying with other Federal, State, and local environmental requirements. For example, facilities using these substances would still be required to comply with National Pollutant Discharge Elimination System (NPDES) requirements.
NOTE: The primary long range goals in enforcement prioritization will be to protect public health and encourage submission of INADs and NADAs with a view toward obtaining approvals to meet therapeutic and production needs in aquaculture.

(6) Labeling and GMPs for Low Priority Drugs.

a. Labeling for low priority use will not be required for a chemical that is commonly used for nondrug purposes even if the manufacturer or distributor promotes the chemical for the permitted low priority use.

b. However, a chemical that has significant animal or human drug uses in addition to the low priority aquaculture use will be required to be labeled for the low priority uses if the manufacturer or distributor establishes the intended low priority use for its product by promotion or other means.

c. Where labeling is required, all other provisions of the Act pertaining to drugs except the approval requirement will apply. This includes registration, drug listing and Current Good Manufacturing Practices (CGMPs), etc.

d. Low regulatory priority compounds may be marketed for aquaculture use with drug claims (the claims permitted for such compounds) but must be of an appropriate quality for use in food animals.

e. If drug claims appear on the product label, in product catalogs, or in promotional material, the following conditions must be met:

   (i) The product must have been manufactured according to CGMPs as defined in 21 CFR 210 & 211;

   (ii) the product manufacturer must be registered with the FDA; and

   (iii) The product must be drug-listed with FDA.

   (iv) Material deviations in labeling or promotion from the permitted low priority claims might cause a particular product to be removed from the low priority category.

II. SPECIAL CATEGORY

Products found not to be low regulatory priority but regulatory action deferred pending further study:

Copper sulfate

Potassium permanganate

III. EXAMPLES OF DRUGS WITH HIGH ENFORCEMENT PRIORITY

Chloramphenicol Nitrofurans Fluoroquinolones and Quinolones Malachite Green Steroid Hormones

Appendix D: Drug and Chemical Use

Checklist for Oral Report for Investigational New Animal Drug (INAD) Use, Extralabel Drug Use, and First Use of Low Regulatory Priority Drugs and Potassium Permanganate

(Provide an oral report to EPA: 206-553-1846 and to Ecology within 7 days after initiating use of the drug)

(First row is an example.)

Name of Drug (INAD & Extralabel) Used & Reason for Use	Method of Application	First Date of Drug Use	Date Oral Report to EPA	Person reporting
Extralabel: Erythromycin Treat bacterial infections	*Injection*	*09/09/04*	*09/10/04*	*MJ*

Written Report for Agreeing to Participate in an INAD Study

(Submit a written report to EPA and Ecology within 7 days of agreeing or signing up to participate in an INAD study)

Facility Name:_____ NPDES Permit Number:_____

Name of person submitting this report:_____

Date of agreement to participate in INAD study: _____

Date this written report will be submitted:_____
The first row is an example. Add Rows as Necessary.

Expected Dates of Use	Name of INAD Used	Disease or Condition Intended to Treat	Method of Application	Dosage
09/09/04	*Oxytetracycline*	*II. For controlling columnaris in trout*	☑ *Medicated feed* ☐ *Injection* ☐ *Bath treatment* ☐ *Other:* _____	
			☐ Medicated feed ☐ Injection ☐ Bath treatment ☐ Other: _____	
			☐ Medicated feed ☐ Injection ☐ Bath treatment ☐ Other: _____	
			☐ Medicated feed ☐ Injection ☐ Bath treatment ☐ Other: _____	

Written Report for INAD and Extralabel Drug Use and First Use of Low Regulatory Priority Drugs and Potassium Permanganate

Submit a written report to EPA and Ecology within 30 days after first use of the drug.

Facility Name:_____NPDES Permit Number:_____

Name of person submitting this report:_____

Date this written report will be submitted to EPA:_____

Note: For Extralabel Drug Use, include the **name of the prescribing veterinarian** and **date of the prescription** in a footnote.

The first row is an example. Add Rows to the Table as Necessary.

Name of Drug & Reason for Use	Date and Time of Application (start & end)	Duration	Method of Application	Total Amount of Active Ingredient Added	Total Amount of Medicated Feed Added*
Oxytetracycline *For control of columnaris in walleye*	*09/09/04 10:00 AM* *09/13/04 10:00 AM*	*5 consecutive days*	☑ *Medicated feed* ☐ *Injection* ☐ *Bath treatment* ☐ *Other:* _____	*1 g/lb as sole ration*	*50 lbs*
			☐ Medicated feed ☐ Injection ☐ Bath treatment ☐ Other: _____ _____		
			☐ Medicated feed ☐ Injection ☐ Bath treatment ☐ Other: _____ _____		

* Applies only to drugs applied through medicated feed.

Chemical Use Log Sheet (for water-borne treatments)

See Also the Reporting Requirements in the Annual Report of Operations

Facility Name:_____ NPDES Permit Number:_____

Add Rows to the Table As Necessary

Date	Raceway Treated	Chemical Name[1]	Active Ingredient	Amount Applied	Units	Duration of Treatment	Treatment Type[2]	Flow Treated (cfs)	Total Effluent Flow (cfs)	Effluent Concentration (ppb)	Person applying

[1]Both a copy of the label with application requirements and the Material Safety Data Sheet (MSDS) must be kept in your records.
[2]Treatment type means, for example, static or flush bath, injection or feed.

Appendix E: Annual Report of Operations Form

Annual Report of Operations for Year _____

Facility & Owner Information, If Changed Since Last Year:	
Operator Name (Permittee):	
Address:	
Email:	Phone:
Owner Name (if different from operator):	
Email:	Phone:

Best Management Practices (BMP) Plan

Has the BMP Plan been reviewed this year? □ Yes □ No

Does the BMP Plan fulfill the requirements of NPDES Permit WA0001902?
□ Yes □ No

Summarize any changes to the BMP Plan since the last annual report. Attach additional pages if necessary.

Operations and Production

Total harvestable weight produced in the past calendar year in pounds (lbs):
Pounds of food fed to fish during the maximum month:

List the species grown or held at your facility and the annual production of each in gross harvestable weight. If fish were released rather than harvested, list the weight at time of release.

Species	Fish Produced (lbs)	Receiving Water(s) to which Fish were Released	Month Released/ Spawned

Fill in the table below with production numbers from the past year. List the **maximum** amount of fish on-site and the maximum amount of food fed **per month**.

Month	Total Fish (lbs)	Fish Feed (lbs)	Month	Total Fish (lbs)	Fish Feed (lbs)
January			July		
February			August		
March			September		
April			October		
May			November		
June			December		

Additional Comments:

Solid Waste Disposal

Describe annual quantities of solids (including fish mortalities) disposed and location of disposal.

Type of Solid Disposed	Date Disposed	Location Disposed
Additional Comments:		

Fish Mortalities

Include a description and the dates of mass mortalities in the past year (more than 5% per week). Attach additional pages, if necessary. Include total mortalities from all causes.

Date	Cause of Death	Steps Taken to Correct Problem	Pounds of Fish
Additional Comments:			

Noncompliance Summary

Include a description and the dates of NPDES Permit noncompliance events (including spills), the reasons for the incidents, and the steps taken to correct the problems. Attach additional pages, if necessary.

Inspections & Repairs for Production & Wastewater Treatment Systems

Date Inspected	Date Repaired	Description of System Inspected and/or Repaired

Aquaculture Drugs and Chemicals

Please indicate whether you used each drug/chemical **during the past calendar year**.
Describe the use of each drug/chemical in more detail on the following pages.

Used in the past year?	Drug or Chemical
☐ Yes ☐ No	Azithromycin
☐ Yes ☐ No	Chloramine-T: ***See additional reporting requirements on page 7***
☐ Yes ☐ No	Chlorine
☐ Yes ☐ No	Draxxin
☐ Yes ☐ No	Erythromycin - injectable
☐ Yes ☐ No	Erythromycin - medicated feed
☐ Yes ☐ No	Florfenicol (Aquaflor)
☐ Yes ☐ No	Formalin - 37% formaldehyde: ***See additional reporting requirements on page 7***
☐ Yes ☐ No	Herbicide - describe:

☐ Yes ☐ No	Hormone - describe:
☐ Yes ☐ No	Hydrogen Peroxide: ***See additional reporting requirements on page 7***
☐ Yes ☐ No	Iodine: ***See additional reporting requirements on page 7***
☐ Yes ☐ No	Oxytetracycline
☐ Yes ☐ No	Potassium Permanganate: ***See additional reporting requirements on page 7***
☐ Yes ☐ No	Romet
☐ Yes ☐ No	SLICE (emamectin benzoate)
☐ Yes ☐ No	Sodium Chloride - salt
☐ Yes ☐ No	Vibrio vaccine
☐ Yes ☐ No	Other:
☐ Yes ☐ No	Other:

Aquaculture Drugs and Chemicals (cont'd)

Describe all drug and/or chemical treatments that occurred during the year. Fill out the information below for each drug or chemical, plus page 7 for water-borne treatments. Attach additional pages as necessary.

Brand Name:		Generic Name:	
Reason for use:			
☐ Preventative/Prophylactic ☐ As-needed	Total quantity of formulated product per treatment (specify units):	Total quantity of formulated product used in past year (specify units):	
Date(s) of treatment:			Total number of treatments in past year:
Maximum daily volume of treated water:	Treatment concentration (specify units):	Duration and frequency of treatment(s):	
Method of application:	☐ Static Bath ☐ Flow-through	☐ Medicated Feed ☐ Other (describe):	
Location in facility chemical was used (check all that apply):	☐ Raceways ☐ Incubation building	☐ Ponds ☐ Off-line settling basin	☐ Other (describe):
Where did water treated with this chemical go? (check all that apply):	☐ Discharged w/o treatment ☐ Settling basin	☐ Septic System ☐ Publicly owned treatment works	☐ Other (describe):
Provide any additional information about how this chemical was used and/or special pollution prevention practices during use:			
Brand Name:		Generic Name:	
Reason for use:			
☐ Preventative/Prophylactic ☐ As-needed	Total quantity of formulated product per treatment:	Total quantity of formulated product used in past year (specify units):	
Date(s) of treatment:			Total number of treatments in past year:
Maximum daily volume of treated water:	Treatment concentration (specify units):	Duration and frequency of treatment(s):	
Method of application:	☐ Static Bath ☐ Flow-through	☐ Medicated Feed ☐ Other (describe):	
Location in facility chemical was used (check all that apply):	☐ Raceways ☐ Incubation building	☐ Ponds ☐ Off-line settling basin	☐ Other (describe):
Where did water treated with this chemical go? (check all that apply):	☐ Discharged w/o treatment ☐ Settling basin	☐ Septic System ☐ Publicly owned treatment works	☐ Other (describe):

Provide any additional information about how this chemical was used and/or special pollution prevention practices during use:

Aquaculture Drugs and Chemicals (cont'd)

Additional Reporting Requirements for Water-Borne Treatments

- **If a water-borne treatment was used during the calendar year, Permittees must include detailed records/calculations as an attachment to this Annual Report in order to demonstrate how the maximum effluent concentrations of solution and active ingredient were calculated for each chemical.**
- The EPA recognizes that water-borne treatments may vary in the volume of the vessels treated, concentration, quantity of product, etc. The Permittee must provide the information listed in the following tables for a reasonable worst case (i.e., maximum effluent concentration) scenario; not for each individual treatment.
- The Permittee must submit this information and calculate the maximum effluent concentration for each water-borne chemical used during the past calendar year.
- See also Appendix D of the Permit for the Chemical Log Sheet.

Static Bath Treatments	
Tank Volume	Liters
Desired Static Bath Treatment Concentration	µg/L
Volume of Product Needed	Liters Product
Maximum Effluent Concentration of: 1) Solution and 2) Active Ingredient	Solution: Active Ingredient: Specify Units
Minimum Volume of Total (treated + untreated) Water Discharged from the Facility per day	Specify Units
Maximum % of Facility Discharge Treated	% of Total Discharge
Flow-Through Treatments	
Tank Volume	Liters
Calculated Flow Rate	Liters/Minute
Duration of Treatment	Minutes
Desired Flow-Through Treatment Concentration of Product	µg/L
Amount of Product to Add Initially	Liters Product
Amount of Product to Add During Treatment	mL/Minute
Total Volume of Product Needed	Liters Product
Maximum Effluent Concentration of: 1) Solution and 2) Active Ingredient	Solution: Active Ingredient: Specify Units

Minimum Volume of Total (treated + untreated) Water Discharged from the Facility per day	Specify Units
Maximum % of Facility Discharge Treated	% of Total Discharge

Changes to the Facility or Operations

Describe any changes to the facility or operations since the last annual report.

Signature and Certification

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

Printed name of person signing	Title
Applicant Signature	Date Signed

Submittal Information

Send the complete, signed information, along with any attachments, to the following address:

U.S. EPA Region 10, OCE-101

NPDES Permit Compliance Unit

1200 Sixth Avenue, Suite 900

Seattle, WA 98101-3140

Appendix F: Supplemental NPDES Application Information

Leavenworth National Fish Hatchery NPDES Permit Supplemental Application Information

EPA NPDES Permit No WA0001902

In addition to the standard NPDES Application Forms 1 and 2b that must be submitted to the EPA, a complete application must also include:

☐ 1) An area map showing regional context

☐ 2) A sketch, aerial photograph, or map of the existing or proposed facility with the following clearly marked (include scale):

- ☐ Approximate overall dimensions of the facility
- ☐ All raceways and rearing ponds
- ☐ All water sources and water flow rates
- ☐ Any settling ponds, including dimensions and volume
- ☐ All discharge points and receiving waters
- ☐ All water flow paths
- ☐ Sludge disposal areas
- ☐ Water conditioning units
- ☐ Water treatment units (such as off-line settling basins)
- ☐ Holding tanks
- ☐ Locations where flows are measured
- ☐ Points of chemical and therapeutic drug addition
- ☐ Points of feed addition
- ☐ Painted or caulked surfaces in contact with water

☐ 3) A sketch, aerial photograph, or map of all satellite facilities that are part of the facility for which you are requesting a NPDES Permit (for authorization to discharge pursuant to the Clean Water Act).

☐ 4) A map to accompany driving directions to the facility (if address is not posted or visible on-site)

☐ 5) A completed signature page

Section 1. Facility Information

Facility Mailing /Physical Address Information included on NPDES Application Form 2B

Facility Owner Name/Phone Number/Email Address

Operator Name/Phone Number/Email Address (if different from owner)

Any Additional Notes on Facility Information:

Section 1. Facility Information (cont'd)

Date(s) facility remodeled, expanded, or upgraded (MM/DD/YYYY):

Have there been any changes or additions to the facility that will increase it to more than 100,000 lbs of annual production since the last permit application? □ Yes □ No

Describe:

Are there any planned remodels, additions, or expansions that will increase annual production to over 100,000 lbs during the next 5 years? □ Yes □ No

Describe:

Section 1. Facility Information (cont'd) Satellite Facilities

Please describe any satellite facilities that operate in tandem with the NPDES-permitted facility as part of the hatchery program. This may include off-site acclimation ponds, net pens, other hatcheries that fish are transported to or from, facilities from which eggs are delivered, etc.

Attach a sketch, aerial photograph, or map to show where any satellite facilities are located in relation to the facility for which you are seeking NPDES coverage in this application. Submit additional pages as necessary to cover all additional facilities. Label pages *Satellite Facilities.*

Name of facility:
Describe the function of satellite facility and how it relates to the facility for which this NOI is requesting NPDES coverage. Include the species raised and life stage for each facility that is part of the hatchery program.

Satellite Facility Physical Address

Line 1:		
Line 2:		
City:	State:	Zip:
County/Reservation:		

Satellite Facility Operator Information

Agency/Tribe/Entity:	Name of Facility Manager:
Phone:	
Email:	

Satellite Facility Operator Mailing Address

Line 1:		
Line 2:		
City:	State:	Zip:

Section 2. Operations and Production

Is the production system best described as:

□ Flow through □ Recirculating □ Pond system □ Other_____

Does the facility operate year-round? □ Yes □ No
If not, please indicate which months the facility holds fish or eggs:
List the species grown or held at your facility and estimate the annual production of each in gross harvestable weight. If fish are released rather than harvested, list the estimated weight at time of release. The estimate can be a range over the next 5 years, if appropriate.

Species	Fish Produced	Receiving Water to which Fish are Released	Month Released/ Spawned

Fill in the table below with the highest production numbers expected for the next 5 years. List the maximum amount of fish on-site and the maximum amount of food **per month** for the year of maximum production.

Month	Total Fish (lbs)	Fish Feed (lbs)	Month	Total Fish (lbs)	Fish Feed (lbs)
January			July		
February			August		
March			September		
April			October		
May			November		
June			December		

From what year are these data? _____

Section 2. Operations and Production (cont'd)

Does this facility process fish for market at this location? ☐ Yes ☐ No
Are fish spawned on-site? ☐ Yes ☐ No During which months?
Describe wastes generated as a result of on-site spawning (e.g., blood, anesthetics, disinfectants, carcasses):
Describe how spawning wastes are disposed of and to which outfall (if any):

Provide the percentage of fish released from the facility <u>directly</u> to a lake, river, or other location.		
☐ Lake_____% Approximate lbs fish: Location/Receiving water name:	☐ River_____% Approximate lbs fish: Location/Receiving water name:	☐ Other_____% Approximate lbs fish: Location/Receiving water name:
Provide the percentage of fish <u>hauled off-site</u> to a lake, river, or other location.		
☐ Lake_____% Approximate lbs fish: Location/Receiving water name:	☐ River_____% Approximate lbs fish: Location/Receiving water name:	☐ Other_____% Approximate lbs fish: Location/Receiving water name:
Are fish held on-site for broodstock? ☐ Yes ☐ No Describe the species, where obtained, quantity, and where held (i.e., raceway or pond):		

Section 3. Source Waters (Intakes)

Describe the facility's water sources. Attach additional pages as necessary.

Source No. 1	Source Water Name:	Max Flow	Min Flow	Avg Flow	Units (cfs or gpm)
Source Water Treatment:					
Are solids removed from influent water? ☐ Yes ☐ No Describe:					
Source No. 2	Source Water Name:	Max Flow	Min Flow	Avg Flow	Units (cfs or gpm)
Source Water Treatment:					
Are solids removed from influent water? ☐ Yes ☐ No Describe:					
Source No. 3	Source Water Name:	Max Flow	Min Flow	Avg Flow	Units (cfs or gpm)
Source Water Treatment:					
Are solids removed from influent water? ☐ Yes ☐ No Describe:					
Source No. 4	Source Water Name:	Max Flow	Min Flow	Avg Flow	Units (cfs or gpm)
Source Water Treatment:					
Are solids removed from influent water? ☐ Yes ☐ No Describe:					
Source No. 5	Source Water Name:	Max Flow	Min Flow	Avg Flow	Units (cfs or gpm)
Source Water Treatment:					
Are solids removed from influent water? ☐ Yes ☐ No Describe:					

Section 4. Receiving Waters

Do the receiving waters primarily consist of: ☐ Freshwater ☐ Salt/Brackish water ☐ Other (Describe below)
Notes:

- Indicate if a receiving water is listed as impaired, in accordance with Section 303(d) of the Clean Water Act.
- Indicate the pollutants for which the water body is impaired and any wasteload allocations that have been assigned to the facility.
- Indicate if the discharge is to waters in Indian Country located within one mile upstream of a waterbody listed as impaired.
- Refer to the 303(d) list of impaired waters at http://www.ecy.wa.gov/programs/Wq/303d/ index.html.
- If there is an applicable Total Maximum Daily Load (TMDL) with a Wasteload Allocation assigned to the facility, include that information here.

Receiving Water			
Receiving Water	Pollutant for which impaired	Wasteload Allocations (WLA)	TMDL document the WLA is referenced from
Additional Notes:			

Section 5. Wastewater

Wastewater Discharges						
Outfall	Location of Outfall				Notes: Include source (where in the facility the wastewater is generated), frequency, duration & volume (cfs or gpm) of discharge)	Name of Receiving Water
		Degrees	Minutes	Seconds		
001	Latitude					
	Longitude					
002	Latitude					
	Longitude					
003	Latitude					
	Longitude					
004	Latitude					
	Longitude					
005	Latitude					
	Longitude					
006	Latitude					
	Longitude					
007	Latitude					
	Longitude					
008	Latitude					
	Longitude					
009	Latitude					
	Longitude					
010	Latitude					
	Longitude					

Indicate the type(s) of wastewater treatment provided at this facility. In-line Settling Basin:

Off-line Settling Basin

Does the facility use an off-line settling basin? ☐ Yes ☐ No Number of off-line settling basins:
Which rearing units discharge to the off-line settling basin, and when/under what circumstances?
Does the off-line settling basin discharge directly to surface water? ☐ Yes ☐ No Describe:

Basin size:	Retention time:

Water volume of off-line settling basin:
Estimate the number of discharges from the off-line settling basin per year:
How often is the off-line settling basin cleaned/excavated?
If an off-line settling basin is used for cleaning wastes, is there a quiescent zone at the end of the last raceway or rearing pond in each series? ☐ Yes ☐ No Describe:
Is there a mechanism to block discharges of floating material? ☐ Yes ☐ No Describe:
Does the facility discharge to the ground? ☐ Yes ☐ No Describe:
Does the facility have unlined structures? ☐ Yes ☐ No

Material:	Quantity:

Describe:

Construction of Off-line Settling Basin (if known)	
Liner Material	Thickness
Concrete	Inches
Asphalt	Inches
Clay or earthen	Inches
Plastic PVC/HDPE/other Describe:	mils

Pond and Raceway Cleaning

How frequently are the ponds and/or raceways cleaned (specify which)?
Notes:

Methods of cleaning: ☐ Vacuum ☐ Manually ☐ Other _____

What is done with the removed solids?

Are ponds cleaned prior to fish release? ☐ Yes ☐ No

Are any liquid or solid wastes discharged to the ground? ☐ Yes ☐ No
If yes, describe:

Are any wastes (other than domestic sewage) discharged to a septic system? ☐ Yes ☐ No
If yes, describe:

Are any solids or wastes (other than domestic waste) discharged to a publicly owned treatment works?
☐ Yes ☐ No
If yes, name of facility:

Describe waste:

Are wastes discharged to any other waste treatment system? ☐ Yes ☐ No
If yes, describe:

Describe annual quantities of solids (including fish mortalities) disposed and location of disposal.

Type of Solid Disposed	Quantity Disposed	Date Disposed	Location Disposed

Notes:

Section 7. Aquaculture Drugs and Chemicals

Please indicate which drugs or chemicals you plan to use at the facility during the next 5 years.

Plan to use in the next 5 years?	Investigational New Animal Drug	Drug or Chemical
☐ Yes ☐ No	☐ Yes ☐ No	Azithromyicin
☐ Yes ☐ No	☐ Yes ☐ No	Chloramine-T
☐ Yes ☐ No	☐ Yes ☐ No	Chlorine
☐ Yes ☐ No	☐ Yes ☐ No	Draxxin
☐ Yes ☐ No	☐ Yes ☐ No	Erythromycin - injectable
☐ Yes ☐ No	☐ Yes ☐ No	Erythromycin - medicated feed
☐ Yes ☐ No	☐ Yes ☐ No	Florfenicol (Aquaflor)
☐ Yes ☐ No	☐ Yes ☐ No	Formalin - 37% formaldehyde
☐ Yes ☐ No	☐ Yes ☐ No	Herbicide - describe:
☐ Yes ☐ No	☐ Yes ☐ No	Hormone - describe:
☐ Yes ☐ No	☐ Yes ☐ No	Hydrogen Peroxide
☐ Yes ☐ No	☐ Yes ☐ No	Iodine
☐ Yes ☐ No	☐ Yes ☐ No	Oxytetracycline
☐ Yes ☐ No	☐ Yes ☐ No	Potassium Permanganate
☐ Yes ☐ No	☐ Yes ☐ No	Romet
☐ Yes ☐ No	☐ Yes ☐ No	SLICE (emamectin benzoate)
☐ Yes ☐ No	☐ Yes ☐ No	Sodium Chloride - salt
☐ Yes ☐ No	☐ Yes ☐ No	Vibrio vaccine
☐ Yes ☐ No	☐ Yes ☐ No	Other:
☐ Yes ☐ No	☐ Yes ☐ No	Other:
☐ Yes ☐ No	☐ Yes ☐ No	Other:

Section 8. Painted or Caulked Surfaces

Describe all painted and caulked surfaces that are in regular contact with water that is discharged to waters of the U.S.

Location of such surfaces should appear in the drawing required as part of the checklist on page 1.

Type of Paint/Caulk	Where applied (including area)	Amount applied	Date applied	Reason for application

Notes:

Section 9. Other Information/Changes

Describe any changes to the facility or operations since the last permit application. Disregard this section if this is a new or proposed facility.

Section 10. Signature and Certification

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

Printed name of person signing	Title
Applicant Signature	Date Signed

All permit applications must be signed as follows:

a. For a corporation: by a responsible corporate officer.

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

c. For a municipality, state, federal, Indian tribe, or other public agency: by either a principal executive officer or ranking elected official.

Section 11. Submittal Information

Send the complete, signed information, along with the required standard NPDES Application Forms and any required attachments, to the following address:

U.S. EPA Region 10,

OWW-191 NPDES

Permits Unit

1200 Sixth Avenue, Suite 900

Seattle, WA 98101-3140