Permit No.: ID-002381-7

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

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",

City of Rexburg
525 North 5th West
Rexburg, Idaho 83440

is authorized to discharge from the City of Rexburg facility located in Rexburg, Idaho, Madison County at the following location(s):

Outfall	Receiving Water	Latitude	Longitude
001	South Fork Teton River	43° 50' 24.1186"	111° 48' 28.8383"
002	Rexburg Canal	43° 49' 58"	111° 48' 28.1"

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

This permit shall become effective, September 11, 2001

This permit and the authorization to discharge shall expire at midnight, September 11, 2006

Signed this 9th day of August, 2001

/s/ Mike Bussell for
Randall F. Smith
Director
Office of Water, Region 10
U.S. Environmental Protection Agency

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I. LIMITATIONS AND MONITORING REQUIREMENTS

During the effective period of this permit, the permittee is authorized to discharge pollutants from the outfalls specified herein to the South Fork Teton River or Rexburg Canal, 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 clearly identified in the permit application process.

A. Effluent Limitations and Monitoring

1. The permittee must limit and monitor discharges from outfalls 001 and 002 as specified in Table 1, below. All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with the effluent limits in the tables at all times unless otherwise indicated, regardless of the frequency of monitoring or reporting required by other provisions of this permit.

2. Surface waters shall be free of floating, suspended, or submerged matter of any kind in concentrations causing nuisance or objectionable conditions or that may impair designated beneficial uses.

3. Surface waters of the state shall be free from excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses.

4. The pH of the effluent must not be less than 6.5 standard units (s.u.) nor greater than 9.0 s.u.

5. Removal Requirements for BOD_5 and TSS: The monthly average effluent concentration must not exceed 15 percent of the monthly average influent concentration.

   Percent removal of BOD_5 and TSS must be reported on the monthly Discharge Monitoring Reports (DMRs). For each parameter, the monthly average percent removal must be calculated from the arithmetic mean of the influent values and the arithmetic mean of the effluent values for that month. Influent and effluent samples must be taken over approximately the same time period.

6. Total Ammonia and Zinc Compliance Schedule.

   a. The permittee must comply with the average monthly and maximum daily total ammonia and zinc effluent limitations in Table 1 on or before **five years from the effective date of the permit**.

   b. Until compliance with the effluent limitations are achieved, the permittee must submit semiannual Reports of Progress to EPA and IDEQ which outline the progress made towards achieving compliance. The reports must be submitted by January 31st and July 31st of each year. At a minimum the reports must include:

      i. An assessment of the previous years ammonia and zinc data and comparison to the final effluent limitations.

      ii. A report on progress made toward meeting the final effluent limitations.

      iii. Further actions and milestones targeted for the upcoming year.

7. The permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.

8. Method Detection Limits. For all effluent monitoring, the permittee must use methods that can achieve a method detection limit (MDL) less than the effluent limitation. For parameters that do not have effluent limitations, the permittee must use methods that can achieve MDLs less than or equal to those specified in Table 2 (Part I.C.6.).

9. For purposes of reporting on the DMR, if a value is greater than the MDL, the permittee must report the actual value. If a value is less than the MDL, the permittee must report "less than {numeric MDL}" on the DMR. For purposes of calculating monthly averages, zero may be used for values less than the MDL.

Table 1 - Effluent Limitations and Monitoring Requirements for Outfalls 001 or 002[1]

Parameter	Flow Tier		Effluent Limitations				Monitoring Requirements[2]	
	Flow Tier Location	Receiving Flow Value[3]	Instantaneous Maximum Daily[4]	Maximum Daily[4]	Average Weekly	Average Monthly	Sample Frequency	Sample Type
Effluent Flow, mgd	Not dependent on receiving water flow		---	---	---	Report	Continuous	Recording
5-day Biochemical Oxygen Demand	Not dependent on receiving water flow		---	---	45 mg/L 1350 lbs/day	30 mg/L 901 lbs/day	1/week	24-hour composite
Total Suspended Solids	Not dependent on receiving water flow		---	---	45 mg/L 1350 lbs/day	30 mg/L 901 lbs/day	1/week	24-hour composite
pH, s.u.	Not dependent on receiving water flow		See Part I.A.4				5/week	Grab
Fecal Coliform	Not dependent on receiving water flow		---	---	200/100 ml[5]	---	5/week	Grab
E. coli	Not dependent on receiving water flow		576/100 ml[5]	---	---	126/100 ml[5]	5/month	Grab
Total Residual Chlorine	Not dependent on receiving water flow		---	0.1 mg/L	---	---	5/week	Grab
Total Ammonia (as N)	Teton River upstream of outfall 001 or Rexburg Canal upstream of outfall 002	< 81 cfs	---	1.9 mg/L 58 lbs/day	---	0.69 mg/L 21 lbs/day	5/week	24-hour composite
		≥ 81 cfs	---	2.0 mg/L 61 lbs/day	---	0.73 mg/L 22 lbs/day		
Lead[6]	Teton River upstream of outfall 001 or Rexburg Canal upstream of outfall 002	< 81 cfs	---	11.0 µg/L 0.32 lbs/day	---	5.4 µg/L 0.16 lbs/day	1/month	24-hour composite
		≥ 81 cfs	---	19.0 µg/L 0.56 lbs/day	---	9.2 µg/L 0.28 lbs/day		

Table 1 - Effluent Limitations and Monitoring Requirements for Outfalls 001 or 002[1]

Parameter	Flow Tier		Effluent Limitations				Monitoring Requirements[2]	
	Flow Tier Location	Receiving Flow Value[3]	Instantaneous Maximum Daily[4]	Maximum Daily[4]	Average Weekly	Average Monthly	Sample Frequency	Sample Type
Silver[6]	Teton River upstream of outfall 001 or Rexburg Canal upstream of outfall 002	< 81 cfs	---	11.0 µg/L 0.32 lbs/day	---	5.4 µg/L 0.16 lbs/day	1/month	24-hour composite
		≥ 81 cfs	---	13.0 µg/L 0.39 lbs/day	---	6.5 µg/L 0.20 lbs/day		
Zinc[6]	Teton River upstream of outfall 001 or Rexburg Canal upstream of outfall 002	< 81 cfs	---	190 µg/L 5.7 lbs/day	---	95.0 µg/L 2.8 lbs/day	1/month	24-hour composite
		≥ 81 cfs	---	450 µg/L 14.0 lbs/day	---	230 µg/L 6.8 lbs/day		
Temperature, °C	Not dependent on receiving water flow		---	Report	---	--	1/month	Grab
Nitrate, mg/L	Not dependent on receiving water flow		---	Report	---	---	1/quarter	Grab
Hardness, as $CaCO_3$, mg/l	Not dependent on receiving water flow		---	Report	---	---	1/quarter	24-hour composite

Table 1 - Effluent Limitations and Monitoring Requirements for Outfalls 001 or 002[1]

Parameter	Flow Tier		Effluent Limitations				Monitoring Requirements[2]	
	Flow Tier Location	Receiving Flow Value[3]	Instantaneous Maximum Daily[4]	Maximum Daily[4]	Average Weekly	Average Monthly	Sample Frequency	Sample Type
Whole Effluent Toxicity, TU_c	Not dependent on receiving water flow		See Part I.B				1/year	24-hour composite
Teton River flow, cfs	upstream of outfall 001	---	---	---	---	Report	1/week	Calculated
Rexburg Canal flow, cfs	upstream of outfall 002	--	---	---	---	Report	1/week	Calculated

Footnotes:
1 The permittee may discharge from either outfall 001 or 002, but not from both at the same time.
2 The sample location shall be effluent for all parameters except BOD and TSS. Both influent and effluent BOD and TSS shall be monitored.
3 The effluent limits shall be determined by calculating the monthly average flows measured in the Teton River and/or Rexburg Canal (whichever represents the current discharge location). The permittee must report the average monthly flow on the DMR.
4 Reporting is required within 24 hours of a maximum daily limit violation. See Part III.G.
5 The average weekly fecal coliform count shall not exceed a geometric mean of 200/100 ml. Compliance with the weekly fecal coliform limit and monthly E. coli limit shall determined by calculating a geometric mean. See Part VI for the definition of geometric mean. The E. coli monitoring requires a minimum of 5 samples taken every 3 to 5 days over a thirty day period.
6 These parameters must be reported and analyzed as total recoverable.

B. Whole Effluent Toxicity Testing Requirements. The permittee must conduct chronic toxicity tests on effluent samples from either outfall 001 or 002, whichever outfall represents the current operating condition. Testing must be conducted in accordance with subsections 1 through 4, below.

1. Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters required in Part 1.A above. When the timing of sample collection coincides with that of the sampling required in Part I.A, analysis of the split sample will fulfill the requirements of Part I.A.

2. Chronic Test Species and Methods

    1. For outfalls 001 and 002, one chronic test must be conducted per year.

    b. The permittee must conduct short-term tests with the water flea, *Ceriodaphnia dubia* (survival and reproduction test) and the fathead minnow, *Pimephales promelas* (larval survival and growth test), for the first three suites of tests. After this screening period, monitoring shall be conducted using the most sensitive species.

    c. The presence of chronic toxicity must be determined as specified in *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Third Edition, EPA/600-4-91-002, July 1994.

    d. Results must be reported in TU_c (chronic toxic units), where TU_c = 100/NOEC. See Part VI. for a definition of NOEC.

3. Quality Assurance

    a. The toxicity testing on each organism must include a series of five test dilutions and a control. The dilution series must include 5, 11 , 22, 39 and 80 percent effluent .

b. All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Third Edition, EPA/600-4-91-002, July 1994,* and individual test protocols.

c. In addition to those quality assurance measures specified in the methodology, the following quality assurance procedures must be followed:

i) If organisms are not cultured in-house, concurrent testing with reference toxicants must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests must be conducted using the same test conditions as the effluent toxicity tests.

ii) If either of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

iii) Control and dilution water must be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water must also be used. Receiving water may be used as control and dilution water upon notification of EPA and IDEQ. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

4. Reporting

a. The permittee must submit the results of the toxicity tests with the following monthly DMR.

b. The report of toxicity test results must include all relevant information outlined in Section 10, Report Preparation, of *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Third Edition, EPA/600-4-91-002, July 1994.* In addition to toxicity test results, the permittee must report: dates of sample collection and initiation

of each test; flow rate at the time of sample collection; and the results of the monitoring required in Part I.A.

C. Surface Water Monitoring. The permittee must conduct surface water monitoring. Surface water monitoring is required beginning **four (4) months from the effective date of the permit** when not frozen over and containing flow. The program must meet the following requirements:

1. Monitoring stations must be established in the South Fork Teton River and Rexburg Canal at the following locations:

   - above the influence of the facility's discharge (outfall 001 and 002), and
   - below the facility's discharges (outfalls 001 and 002) at a point where the effluent and the receiving water are completely mixed.

   Monitoring stations must be submitted to IDEQ for review and approval within **two months of the effective date of the permit**.

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

3. The flow rate must be measured as near as practical to the time that other ambient parameters are sampled.

4. Samples must be analyzed for the parameters listed in Table 2, and must achieve the Minimum Levels (MLs) that are equivalent to or less than those listed in Table 2 for those parameters without effluent limits. MLs are defined the minimum level at which the entire Gas Chromatography/Mass spectrometry system must give recognizable mass spectra (background corrected) and acceptable calibration points. The permittee may request different MDLs. The request must be in writing and must be approved by EPA.

Table 2- Surface Water Monitoring Parameter, Locations, and Method Detection Limits

Parameter	Monitoring Location	Sampling Frequency[1]	Sampling Type	Minimum Levels
Flow, mgd	upstream of 001 in Teton River[2] and upstream of 002 in Rexburg Canal[3]	1/week	Calculated	---
Nitrate, mg/L	downstream of 001 in Teton River and downstream of 002 in Rexburg Canal	1/quarter	Grab	100 µg/L
Total Ammonia as N, mg/L	upstream and downstream of 001 in Teton River	1/quarter	24-hour composite	---
Temperature, °C	downstream of 001 in Teton River	1/quarter	Grab	---
pH, standard units	downstream of 001 in Teton River	1/quarter	Grab	---
Hardness as $CaCO_3$, mg/L	downstream of 001 in Teton River	1/quarter	24-hour composite	10 mg/L
Total Recoverable Lead, µg/L	upstream of 001 in Teton River	1/quarter	24-hour composite	---
Total Recoverable Silver, µg/L	upstream of 001 in Teton River	1/quarter	24-hour composite	---
Total Recoverable Zinc, µg/L	upstream of 001 in Teton River	1/quarter	24-hour composite	---

Footnotes:
1 The quarterly monitoring shall be conducted on a calendar quarter (i.e. January-March, April-June, July-September, and October-December).
2 When discharging through outfall 001, the average monthly flow can be reported from USGS station 13055340 for compliance determinations. If USGS monitoring is discontinued at this site, it shall be continued by the permittee.
3 When discharging through outfall 002, the permittee must report the average monthly flow in the Rexburg Canal upstream of outfall 002 for compliance determinations. The weekly flow monitoring shall occur at this site irregardless of the use of outfall 002.

5. Quality assurance/quality control plans for all the monitoring must be documented in the Quality Assurance Plan required under Part I.D., Quality Assurance Plan.

6. Surface water monitoring results must be submitted to EPA and IDEQ with the following month's discharge monitoring report. At a minimum, the results must include the following:

   a. Dates of sample collection and analyses.
   b. Results of sample analysis.
   c. Relevant quality assurance/quality control (QA/QC) information.

D. **Quality Assurance Plan**. The permittee must develop and implement a quality assurance plan (QAP) for all monitoring required by this permit. The plan must be submitted to EPA and IDEQ within **90 days of the effective date of this permit**. Any existing QAPs may be modified for submittal under 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 *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). The QAP must be prepared in the format which is specified in these documents.

   The following references may be helpful in preparing the Quality Assurance Plan for this permit:

   U.S. Environmental Protection Agency, Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, 1995 (EPA-821-R-95-034), and
   U.S. Environmental Protection Agency, Sampling Ambient and Effluent Waters for Trace Metals (EPA-821-V-97-001).

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/or IDEQ upon request.

II. PRETREATMENT REQUIREMENTS

A. Implementation. The permittee must implement its pretreatment program in accordance with the legal authorities, policies, procedures, staffing levels and financial provisions described in its original approved pretreatment program submission entitled Industrial Pretreatment Program for the City of Rexburg, Idaho, which was approved by EPA Region 10 on December 20, 1984; in any program amendments submitted thereafter and approved by EPA; and in the General Pretreatment Regulations (40 CFR 403) and any amendments thereof. At a minimum, the permittee must carry out the following activities:

1. Enforce prohibitive discharge standards as set forth in 40 CFR 403.5(a) and (b), categorical pretreatment standards promulgated pursuant to Section 307(b) and (c) of the Act (where applicable), and local limitations developed by the permittee in accordance with 40 CFR 403.5(c), whichever are more stringent and are applicable to non-domestic users discharging wastewater into the permittee's collection system. Locally derived limitations must be defined as pretreatment standards under Section 307(d) of the Act.

2. Implement and enforce the requirements of the most recent and EPA-approved portions of local law and regulations (e.g. municipal code, sewer use ordinance) addressing the regulation of non-domestic users.

3. Update its inventory of non-domestic users at a frequency and diligence adequate to ensure proper identification of non-domestic users subject to pretreatment standards, but no less than once per year. The permittee must notify these users of applicable pretreatment standards in accordance with 40 CFR 403.8(f)(2)(iii).

4. Issue, reissue, and modify, in a timely manner, industrial wastewater discharge permits to at least all Significant Industrial Users (SIUs) and categorical industrial users. These documents must contain, at a minimum, conditions identified in 40 CFR 403.8(f)(1)(iii). The permittee must follow the methods described in its implementation procedures for

issuance of individual permits.

5. Develop and maintain a data management system designed to track the status of the permittee's non-domestic user inventory, non-domestic user discharge characteristics, and their compliance with applicable pretreatment standards and requirements. The permittee must retain all records relating to its pretreatment program activities for a minimum of three years and must make such records available to EPA upon request. The permittee must also provide public access to information considered effluent data under 40 CFR 2.

6. Establish, where necessary, contracts or legally binding agreements with contributing jurisdictions to ensure compliance with applicable pretreatment requirements by non-domestic users within these jurisdictions. These contracts or agreements must identify the agency responsible for the various implementation and enforcement activities in the contributing jurisdiction. In addition, the permittee may be required to develop a Memorandum of Understanding that outlines the specific roles, responsibilities and pretreatment activities of each jurisdiction.

7. Carry out inspections, surveillance, and monitoring of non-domestic users to determine compliance with applicable pretreatment standards and requirements. A complete inspection of all SIUs and sampling of all SIUs' effluent must be conducted at least annually.

8. Require SIUs to conduct wastewater sampling as specified in 40 CFR 403.12(e) or (h). Frequency of wastewater sampling by the SIUs must be appropriate for the character and volume of the wastewater but no less than twice per year. Sample collection and analysis must be performed in accordance with 40 CFR 403.12 (b)(5)(ii) through (v) and 40 CFR 136. If the permittee elects to conduct all the non-domestic user monitoring for any SIU instead of requiring self-monitoring, the permittee must conduct sampling in accordance with the requirements of this paragraph.

9. Enforce and obtain remedies for any industrial user noncompliance with applicable pretreatment standards and requirements. This must include timely and appropriate reviews of industrial reports to identify all violations of the user's permit, the local ordinance, and federal pretreatment standards and requirements. Once violations have been uncovered, the permittee must take timely and appropriate action to address the noncompliance. The permittee's enforcement actions must follow its EPA-approved enforcement response procedures.

10. Publish, at least annually in the largest daily newspaper in the permittee's service area, a list of all non-domestic users which, at any time in the previous 12 months, were in significant noncompliance as defined in 40 CFR 403.8 (f)(2)(vii).

11. Maintain adequate staff, funds and equipment to implement its pretreatment program.

12. Conduct an analysis annually to determine whether influent pollutant loadings are approaching the maximum allowable headworks loadings calculated in the permittee's most recent local limits calculations. Any local limits found to be inadequate by this analysis must be revised. The permittee may be required to revise existing local limits or develop new limits if deemed necessary by EPA.

B. Spill Prevention. The permittee must implement an accidental spill prevention program to reduce and prevent spills and slug discharges of pollutants from non-domestic users.

C. Enforcement Requirement. Whenever, on the basis of information provided to EPA, it is determined that any source contributes pollutants to the permittee's facility in violation of subsection (b), (c), or (d) of Section 307 of the Act, EPA will notify the permittee. Failure by the permittee to commence an appropriate enforcement action within 30 days of this notification may result in appropriate enforcement action by the EPA against the source and permittee.

D. Modification of the Pretreatment Program. If the permittee elects to modify any components of its pretreatment program, it must comply with the requirements of 40 CFR 403.18. No substantial program modification, as defined in 40 CFR 403.18(b), may be implemented prior to receiving written authorization from EPA.

E. Local Limits Evaluation. By one year from the effective date of this permit, the permittee must submit to EPA a complete local limits evaluation. The study must take into account water quality in the receiving stream, inhibition levels for biological processes in the treatment plant, and sludge quality goals. The study must address at least the following pollutants: arsenic, cadmium, chromium, copper, cyanide, lead, mercury, nickel, silver, and zinc. Submitted results of the study must include proposed local limits, maximum allowable headworks loadings, all supporting calculations, and all assumptions.

F. Control of Undesirable Pollutants. The permittee must not allow introduction of the following pollutants into the publicly owned treatment works (POTW):

1. Pollutants which will create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140° F or 60° C using the test methods specified in 40 CFR 261.21;

2. Pollutants which will cause corrosive structural damage to the POTW, but in no case, discharges with a pH lower than 5.0, unless the POTW is designed to accommodate such discharges;

3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW (including sewers) resulting in interference;

4. Wastewater at a flow rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;

5. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;

6. Heat in amounts which inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 ^{o}C (104^{o} F) unless the Regional Administrator, upon request of the POTW, approves alternate temperature limits;

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

8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; and

9. Any trucked or hauled pollutants, except at discharge points designated by the POTW .

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G. Requirements for Industrial Users. The permittee must require any industrial user of its treatment works to comply with any applicable requirements in 40 CFR 403 through 471.

H. Sampling Requirements.

1. Parameters: The permittee must sample influent, effluent and sludge from the POTW for arsenic, cadmium, chromium, copper, cyanide, lead, mercury, nickel, silver, and zinc. Metals must be analyzed and reported as total metals. Sludge must also be analyzed for percent solids. The effluent sampling of lead, silver and zinc required in this part may also be used for the effluent sampling required in Part I.A.

2. Frequency: Sampling must be conducted twice per year: once between June 1st and August 31st and once between September 1st and May 31st; the two sampling events must be approximately 6 months apart.

3. Sampling Locations and Sample Type: The permittee must sample as described in Table 3.

Table 3: Pretreatment Monitoring - Sample Types and Frequency

Wastestream	Sample Type	Frequency
Influent	24-hour Composite[1]	3 days within a week (Mon - Fri)
Effluent	24-hour Composite[1]	3 days within a week (Mon - Fri)
Sludge	Grab	Once, during the same time period that influent and effluent samples are being taken

Footnote:
1 Influent and effluent samples for cyanide must be collected and analyzed as required in paragraph H.8. of this part.

4. Analytical Methods: For influent and effluent pretreatment sampling, the permittee must use EPA-approved analytical methods that achieve the method detection limits (MDLs) in Table 4, unless higher detection limits are approved by EPA.

Table 4: Method Detection Limits	
Parameter	**MDL, µg/L**
Arsenic	1.0
Cadmium	0.1
Chromium	1.0
Copper	1.0
Cyanide	5.0
Lead	1.0
Mercury	0.2
Nickel	5.0
Silver	0.2
Zinc	5.0

Requests for higher MDLs for pretreatment monitoring must be submitted in writing to the Pretreatment Coordinator at the address in paragraph I, below.

5. Sludge Sampling: Sludge samples must be taken as the sludge leaves the dewatering device or digesters.

6. Sludge Reporting: Metals concentrations in sludge must be reported in mg/kg, dry weight.

7. Reporting Results: Analytical results for each day's samples must be reported separately. Sample results must be submitted with the pretreatment annual report required in paragraph H., below.

8. Cyanide sampling: Influent and effluent sampling for cyanide must be conducted as follows. Eight discrete grab samples must be collected over a 24-hour day. Each grab sample must be at least 100 ml. Each sample must be checked for the presence of chlorine and/or sulfides prior to preserving and compositing (refer to *Standard Methods*, 4500-CN B). If chlorine and/or sulfides are detected, the sample must be treated to remove

any trace of these parameters. After testing and treating for the interference compounds, the pH of each sample must be adjusted, using sodium hydroxide, to 12.0 standard units. Each sample can then be composited into a larger container which has been chilled to 4 degrees Celsius, to allow for one analysis for the day.

I. Pretreatment Report.

1. The permittee must submit an annual report that describes the permittee's program activities over the January –December report year. This report must be submitted to the following address no later than February 1 of the following year:

   Pretreatment Coordinator
   U.S. Environmental Protection Agency
   Region 10
   1200 Sixth Avenue, OW-130
   Seattle, WA 98101

2. The pretreatment report must be compiled following the *Region 10 Annual Report Guidance*. At a minimum, the report must include:

   a. An updated non-domestic user inventory, including those facilities that are no longer discharging (with explanation), and new dischargers, appropriately categorized and characterized. Categorical users should have the applicable category noted as well as cases where more stringent local limits apply instead of the categorical standard.

   b. Results of wastewater and sludge sampling at the POTW as specified in Part II.H (above).

   c. Calculations of removal rates for each pollutant for each day of sampling.

   d. An analysis and discussion of whether the existing local limitations in the permittee's sewer use ordinance continue to be appropriate to prevent treatment plant interference and pass through of pollutants that could affect water quality or sludge quality. This should include a comparison with the most recent relevant maximum allowable headworks loadings calculated for the treatment plant.

e. Status of program implementation, including:

1) Any planned modifications to the pretreatment program that has been approved by EPA, including staffing and funding updates.

2) A description of any interference, upset, or NPDES permit violations experienced at the POTW which were directly or indirectly attributable to non-domestic users, including:

(a) Date & time of the incident
(b) Description of the effect on the POTW's operation
(c) Effects on the POTW's effluent and biosolids quality
(d) Identification of suspected or known sources of the discharge causing the upset
(e) Steps taken to remedy the situation and to prevent recurrence

3) Listing of non-domestic users inspected and/or monitored during the report year with dates and an indication compliance status.

4) Listing of non-domestic users planned for inspection and/or monitoring for the coming year along with associated frequencies.

5) Listing of non-domestic users whose permits have been issued, reissued, or modified during the report year along with current permit expiration dates.

6) Listing of non-domestic users notified of promulgated pretreatment standards and/or local standards during the report year as required in 40 CFR 403.8(f)(2)(iii).

7) Listing of non-domestic users notified of promulgated pretreatment standards or applicable local standards who are on compliance schedules. The listing must include the final date of compliance for each facility.

f. Status of enforcement activities including:

1) Listing of non-domestic users who failed to comply with applicable pretreatment standards and requirements, including:

(a) Summary of the violation(s).

(b) Enforcement action taken or planned by the permittee.

(c) Present compliance status as of the date of preparation of the pretreatment report.

2) Listing of those users in significant noncompliance during the report year as defined in 40 CFR 403.8(f)(2)(vii) and a copy of the newspaper publication of those users' names.

EPA may require more frequent reporting on those users who are determined to be in significant noncompliance.

III. MONITORING, RECORDING AND REPORTING REQUIREMENTS

A. Representative Sampling (Routine and Non-Routine Discharges). Samples and measurements must be representative of the volume and nature of the monitored discharge.

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.A. of this permit that are likely to be affected by the discharge.

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 paragraph III.C ("Monitoring Procedures"). The permittee must report all additional monitoring in accordance with paragraph III.D ("Additional Monitoring by Permittee").

B. **Reporting of Monitoring Results.** The permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1) or equivalent or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. The permittee must submit reports monthly, postmarked by the **10th day of the following month**. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part V.E. of this permit ("Signatory Requirements"). The permittee must submit the legible originals of these documents to the Director, Office of Water, with copies to IDEQ at the following addresses:

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, OW-133
Seattle, Washington 98101

Idaho Department of Environmental Quality
900 North Skyline, Suite B
Idaho Falls, Idaho 83402

C. **Monitoring Procedures**. Monitoring must be conducted according to test procedures approved under 40 CFR 136 or, in the case of sludge use or disposal, approved under 40 CFR 503, unless other test procedures have been specified in this permit.

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, in the case of sludge use or disposal, approved under 40 CFR 136 unless otherwise specified in 40 CFR 503, or as specified in this permit, the permittee must include the results of this monitoring in the calculation and reporting of the data submitted in the DMR or sludge reporting forms specified by the Director.

Upon request by the Director, 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. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), 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 years from the date of the sample, measurement, report or application. This period may be extended by request of the Director or IDEQ 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 IV.F., "Bypass of Treatment Facilities");

    c. any upset that exceeds any effluent limitation in the permit (See Part IV.G., "Upset Conditions");

    d. any violation of a maximum daily discharge limitation for any of the pollutants in Table 1 of Part I.A.; or

    e. any overflow prior to the treatment works (i.e. sanitary sewer overflow), whether or not such overflow endangers health or the environment or exceeds any effluent limitation in the permit.

2. The permittee must also provide a written submission within five days of the time that the permittee becomes aware of any event required to be reported under subpart 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 noncompliance is expected to continue if it has not been corrected;

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

e. if the non compliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

3. The Director 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, by telephone, (206) 553-1846.

4. Reports must be submitted to the addresses in Part III.B ("Reporting of Monitoring Results").

H. Other Noncompliance Reporting. The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time that monitoring reports for Part III.B ("Reporting of Monitoring Results") are submitted. The reports must contain the information listed in Part III.G.2 of this permit ("Twenty-four Hour Notice of Noncompliance Reporting").

I. Notice of New Introduction of Pollutants. The permittee must provide notice to the Director and IDEQ of:

1. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Act if it were directly discharging those pollutants; and

2. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

3. For the purposes of this section, adequate notice must include information on:

a. The quality and quantity of effluent to be introduced into the POTW, and

b. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

J. 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.

IV. 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 $27,500 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 $11,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $27,500). 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 $11,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $137,500).

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 shall 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 or sludge use or disposal 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.

The permittee shall incorporate appropriate Best Management Practices into the Operation and Maintenance plan within **180 days of the effective date of the permit.** The permittee must consider spill prevention and control, optimization of chemical use, public education aimed at controlling the introduction of household hazardous materials to the sewer system, and water conservation. To the extent that any of these issues have already been addressed, the permittee need only reference the appropriate document. The Operation and Maintenance plan must be revised as new practices are developed.

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 notice, to the Director and IDEQ 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 III.G ("Twenty-four Hour Notice of Noncompliance Reporting").

3. Prohibition of bypass.

   a. Bypass is prohibited, and the Director 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 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 permit 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 III.G, "Twenty-four Hour Notice of Noncompliance Reporting;" and

   d. The permittee complied with any remedial measures required under Part IV.D, "Duty to Mitigate."

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 and with standards for sewage sludge use or disposal established under section 405(d) of the Act 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 and IDEQ 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 this permit.

3. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application site.

J. Anticipated Noncompliance. The permittee must give advance notice to the Director and IDEQ of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

V. 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 Director, the permittee must submit a new application at least 180 days before the expiration date of this permit.

C. Duty to Provide Information. The permittee must furnish to the Director and IDEQ, within the time specified in the request, any information that the Director or IDEQ 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 the Director or IDEQ, 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 Director or IDEQ, it must promptly submit such facts or information.

E. **Signatory Requirements**. All applications, reports or information submitted to the Director and IDEQ must be signed and certified as follows.

1. 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, 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 Director or IDEQ 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 Director and IDEQ.

3. Changes to authorization. If an authorization under Part V.E.2 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 Part V.E.2. must be submitted to the Director and IDEQ prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this 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 2, information submitted to 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, 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, IDEQ, 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 state or local laws or regulations.

I. Transfers. This permit is not transferable to any person except after notice to the Director. 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 shall 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.

K. Reopener. This permit may be reopened to include any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Act. The Director may modify or revoke and reissue the permit if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in the permit.

VI. DEFINITIONS

1. "Act" means the Clean Water Act.

2. "Administrator" means the Administrator of the EPA, or an authorized representative.

3. "Average monthly discharge limitation" means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

4. “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 areas.

5. “Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

6. “Chronic toxic unit” (“TU_c”) is a measure of chronic toxicity. TU_c is the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/”NOEC”).

7. “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.

8. “Director” means the Director of the Office of Water, EPA, or an authorized representative.

9. “DMR” means discharge monitoring report.

10. “EPA” means the United States Environmental Protection Agency.

11. “Geometric mean” of “n” quantities is the “nth” root of the product of the quantities. For example the geometric mean of 100, 200 and 300 is $(100 \times 200 \times 300)^{1/3} = 181.7$

12. “Grab" sample is an individual sample collected over a period of time not exceeding 15 minutes.

13. “IDEQ” means the Idaho Department of Environmental Quality.

14. “Instantaneous Maximum Limit” means the maximum allowable concentration of a pollutant determined from the analysis of any discrete sample collected, independent of the flow rate and the duration of the sampling event.

15. "LC_{50}" means the concentration of toxicant (e.g., effluent) which is lethal to 50 percent of the test organisms exposed in the time period prescribed by the test.

16. "Maximum daily discharge limitation" means the highest allowable "daily discharge."

17. "Method Detection Limit (MDL)" means 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.

18. "Minium Level (ML)" means 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.

19. "NOEC" means no observed effect concentration. The NOEC is the highest concentration of toxicant (e.g., effluent) to which organisms are exposed in a chronic toxicity test [full life-cycle or partial life-cycle (short term) test], that causes no observable adverse effects on the test organisms (i.e., the highest concentration of effluent in which the values for the observed responses are not statistically significantly different from the controls).

20. "POTW" means publicly owned treatment works.

21. "QA/QC" means quality assurance/quality control.

22. "Regional Administrator" means the Regional Administrator of Region 10 of the EPA, or the authorized representative of the Regional Administrator.

23. "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.

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

25. “24-hour composite” sample means a combination of at least 8 discrete samples collected at equal time intervals from the same location, over an 24-hour period. The sample aliquots must be collected and stored in accordance in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.