



REGION 6  
1445 ROSS AVENUE

DALLAS, TEXAS 75202-2733

NPDES Permit No NM0028479

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## AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. 1251 et. seq; the "Act"),

Jemez Valley Public Schools  
8501 Highway 4  
Jemez Pueblo, NM 87024

is authorized to discharge from a facility located at 8501 Highway 4, City of Jemez Pueblo, Sandoval County, New Mexico to the Jemez River to Rio Grande River in Segment 20.6.4.107 of the Rio Grande Basin, from a point located approximately at:

Outfall 001: Latitude 35° 39' 24" N and Longitude 106° 44' 19" W

in accordance with this cover page and the effluent limitations, monitoring requirements, and other conditions set forth in Part I, Part II, Part III, and Part IV.

This permit supersedes and replaces NPDES Permit No. NM0028479 with an effective date of November 1, 2013.

This permit shall become effective on

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

Issued on

Prepared by

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Charles W. Maguire  
Director  
Water Division

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Nichole Young  
Environmental Scientist  
Permitting Section (6WQ-PP)

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## DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

4Q3	lowest four-day average flow rate expected once every three years
BAT	best available technology economically achievable
BCT	best conventional pollutant control technology
BPT	best practicable control technology currently available
BMP	best management plan
BOD5	five-day biochemical oxygen demand
BPJ	best professional judgment
CBOD5	five-day Carbonaceous Biochemical Oxygen Demand
CD	critical dilution
CFR	Code of Federal Regulations
cfs	cubic feet per second
cfu	colony forming units
COD	chemical oxygen demand
COE	United States Corp of Engineers
CWA	Clean Water Act
DMR	discharge monitoring report
EA	environmental assessment
ELG	effluent limitation guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FCB	Fecal coliform bacteria
ft.	feet (measurement of distance)
FWS	United States Fish and Wildlife Service
lbs	pounds
ug/L	micrograms per liter (one part per billion)
mg/L	milligrams per liter (one part per million)
MGD	million gallons per day
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
NMIP	New Mexico NPDES permit implementation procedures
NMWQS	New Mexico state standards for interstate and intrastate surface waters
NPDES	national pollutant discharge elimination system
SQL	minimum quantification level
O&G	oil and grease
PLC	programmable logic controller
POTW	publically owned treatment works
RP	reasonable potential
SBR	sequencing batch reactor
SIC	standard industrial classification
s.u.	standard units (for parameter pH)
SWQB	Surface Water Quality Bureau
TDS	total dissolved solids
TMDL	total maximum daily load
TRC	total residual chlorine
TSS	total suspended solids
UAA	use attainability analysis
USGS	United States Geological Service
WET	whole effluent toxicity
WQCC	New Mexico Water Quality Control Commission
WQMP	water quality management plan
WWTP	wastewater treatment plant

**PART I – REQUIREMENTS FOR NPDES PERMITS****A. LIMITATIONS AND MONITORING REQUIREMENTS****1. FINAL Effluent Limits – 0.01 MGD Design Flow**

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (unless otherwise noted), the permittee is authorized to discharge treated sanitary wastewater from Outfall 001 to Jemez River to Rio Grande River, Segment No. 20.6.4.107 of the Rio Grande basin. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS Standard Units		MONITORING REQUIREMENTS	
	MINIMUM	MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
pH	6.6	8.8	Five/Week (*8)	Instantaneous Grab(*4)

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS lbs/day, unless noted			DISCHARGE LIMITATIONS mg/l, unless noted (*1)				MONITORING REQUIREMENTS	
	30-DAY AVG	7-DAY AVG	DAILY MAX	DAILY MAX	30-DAY AVG	PERCENT REMOVAL (*2)	7-DAY AVG	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow	Report MGD	Report MGD	Report MGD	***	***	N/A	***	Daily	Instantaneous Grab (*5)
Biochemical Oxygen Demand, 5-day	2.503	3.755	N/A	N/A	30	85% min	45	One/Month (*8)	Grab
Total Suspended Solids	2.503	3.755	N/A	N/A	30	85% min	45	One/Month (*8)	Grab
E. Coli Bacteria	4.78 x 10 <sup>7</sup>	N/A	N/A	160 (*3) cfu/100 ml	50 (*3) cfu/100 ml	N/A	N/A	One/Month (*8)	Grab
Total Residual Chlorine	N/A	N/A	N/A	19 ug/l (*4)	N/A	N/A	N/A	Five/week	Instantaneous Grab (*4)
Boron	.158	N/A	N/A	1.894	1.894	N/A	N/A	One/month	Grab
Arsenic	.014	N/A	N/A	0.168	0.168	N/A	N/A	One/month	Grab

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
WHOLE EFFLUENT LETHALITY (48 Hour Static Renewal) (*6, 7)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<i>Daphnia pulex</i>	Report	Once/Term	24- Hr Composite
<i>Pimephales Promelas</i>	Report	Once/Term	24-Hr Composite

Footnotes:

- \*1 See **Appendix A of Part II** of the permit for minimum quantification limits.
- \*2 Percent removal is calculated using the following equation:  
$$[\text{average monthly influent concentration (mg/l)} - \text{average monthly effluent concentration (mg/l)}] \div [\text{average monthly influent concentration (mg/l)}] \times 100.$$
- \*3 Bacteria reporting units may either be cfu/100 mL OR MPN.
- \*4 Regulations at 40 CFR Part 136 define "grab" as instantaneous grab, analyzed within 15 minutes of collection. The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes.
- \*5 Regulations at 40 CFR Part 136 define "grab" as instantaneous grab, analyzed within 15 minutes of collection.
- \*6 Monitoring and reporting requirements begin on the effective date of this permit. See Part II of the permit for WET testing requirements for additional WET monitoring and reporting conditions.
- \*7 The tests shall take place between November 1 and April 30. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple failures. However, upon failure of any WET test, the permittee must report the results to EPA and NMED, Surface Water Quality Bureau, in writing, within 5 business days of notification of the test failure. EPA and NMED will review the test results and determine the appropriate action necessary, if any.
- \*8 Sample events for any reporting shall be taken at least fifteen (15) days from the first sample event of the previous reporting period.

## 2. FLOATING SOLIDS, VISIBLE FOAM AND/OR OILS

There shall be no discharge of oils, scum, grease and other floating materials that would cause the formation of a visible sheen or visible deposits on the arroyo bottom or stream banks, or would damage or impair the normal growth, function or reproduction of human, animal, plant or aquatic life.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge from the final treatment unit prior to the receiving stream.

## B. SCHEDULE OF COMPLIANCE

N/A

## C. MONITORING AND REPORTING (MINOR DISCHARGERS)

1. Discharge Monitoring Report (DMR) results shall be electronically reported to EPA per 40 CFR 127.16. To submit electronically, access the NetDMR website at <https://netdmr.epa.gov>. Until approved for Net DMR, the permittee shall request temporary or emergency waivers from electronic reporting. To obtain the waiver, please contact: U.S. EPA - Region 6, Water Enforcement Branch, New Mexico State Coordinator (6EN-WC), (214) 665-7179. If paper reporting is granted temporarily, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and copies to NMED as required (See Part III.D.IV of the permit ). Reports shall be submitted quarterly. Each quarterly submittal shall include separate forms for each month of the reporting period.
2. Reporting periods shall end on the last day of the months March, June, September, and December.
3. The permittee is required to submit regular quarterly reports as described above no later than the 28th day of the month following each reporting period.
4. If any 30-day average, monthly average, 7-day average, weekly average, or daily maximum value exceeds the effluent limitations specified in Part I.A, the permittee shall report the excursion in accordance with the requirements of Part III.D.
5. Any 30-day average, monthly average, 7 day average, weekly average, or daily maximum value reported in the required Discharge Monitoring Report which is in excess of the effluent limitation specified in Part I.A shall constitute evidence of violation of such effluent limitation and of this permit.
6. Other measurements of oxygen demand (e.g., TOC and COD) may be substituted for five-day Biochemical Oxygen Demand (BOD5) or for five-day Carbonaceous Biochemical Oxygen Demand (CBOD5), as applicable, where the permittee can demonstrate long term

correlation of the method with BOD5 or CBOD5 values, as applicable. Details of the correlation procedures used must be submitted and prior approval granted by the permitting authority for this procedure to be acceptable. Data reported must also include evidence to show that the proper correlation continues to exist after approval.

7. The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary). Any noncompliance which may endanger health or the environment shall also be orally reported to the New Mexico Environment Department at (505) 827-0187 as soon as possible, but within 12 hours from the time the permittee becomes aware of the circumstance. A written report of overflows which endanger health or the environment shall be provided to EPA and New Mexico Environment Department within 5 days of the time the permittee becomes aware of the circumstance.

8. The permittee shall submit a copy of an annual summary of the data that results from whole effluent toxicity testing to:

Field Supervisor  
U.S. Fish and Wildlife Service  
New Mexico Ecological Services Field Office  
2105 Osuna NE  
Albuquerque, NM 87113

And

EPA:  
Compliance Assurance and Enforcement Division  
Water Enforcement Branch (6EN-W)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

And

New Mexico:  
Program Manager  
Surface Water Quality Bureau  
New Mexico Environment Department  
P.O. Box 5469

1190 Saint Francis Drive  
Santa Fe, NM 87502-5469  
And

Pueblo Jemez x110  
Natural Resources Director  
P. O. Box 100  
Jemez Pueblo, NM 87024

And

Zia Pueblo  
Environmental and Natural Resources Department

And

Santa Ana Pueblo  
Environmental and Natural Resources Department

#### **D. OVERFLOW REPORTING**

The permittee shall report all overflows with the Discharge Monitoring Report submittal. These reports shall be summarized and reported in tabular format. The summaries shall include: the date, time, duration, location, estimated volume, and cause of the overflow; observed environmental impacts from the overflow; actions taken to address the overflow; and ultimate discharge location if not contained (e.g., storm sewer system, ditch, tributary).

Overflows that endanger health or the environment shall be orally reported to EPA at (214) 665-6595, and NMED Surface Water Quality Bureau at (505) 827-0187, within 24 hours from the time the permittee becomes aware of the circumstance. A written report of overflows that endanger health or the environment shall be provided to EPA and the NMED Surface Water Quality Bureau within 5 days of the time the permittee becomes aware of the circumstance.



## **PART II - OTHER CONDITIONS**

### **A. MINIMUM QUANTIFICATION LEVEL (MQL)**

EPA-approved test procedures (methods) for the analysis and quantification of pollutants or pollutant parameters, including for the purposes of compliance monitoring/DMR reporting, permit renewal applications, or any other reporting that may be required as a condition of this permit, shall be sufficiently sensitive. A method is "sufficiently sensitive" when (1) the method minimum level (ML) of quantification is at or below the level of the applicable effluent limit for the measured pollutant or pollutant parameter; or (2) if there is no EPA-approved analytical method with a published ML at or below the effluent limit (see table below), then the method has the lowest published ML (is the most sensitive) of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or (3) the method is specified in this permit or has been otherwise approved in writing by the permitting authority (EPA Region 6) for the measured pollutant or pollutant parameter. The Permittee has the option of developing and submitting a report to justify the use of matrix or sample-specific MLs rather than the published levels. Upon written approval by EPA Region 6 the matrix or sample-specific MLs may be utilized by the Permittee for all future Discharge Monitoring Report (DMR) reporting requirements.

Current EPA Region 6 minimum quantification levels (MQLs) for reporting and compliance are provided in Appendix A of Part II of this permit. The following pollutants may not have EPA approved methods with a published ML at or below the effluent limit, if specified:

<b>POLLUTANT</b>	<b>CAS Number</b>	<b>STORET Code</b>
Total Residual Chlorine	7782-50-5	50060
Cadmium	7440-43-9	01027
Silver	7440-22-4	01077
Thallium	7440-28-0	01059
Cyanide	57-12-5	78248
Dioxin (2,3,7,8-TCDD)	1764-01-6	34675
4, 6-Dinitro-0-Cresol	534-52-1	34657
Pentachlorophenol	87-86-5	39032
Benzidine	92-87-5	39120
Chrysene	218-01-9	34320
Hexachlorobenzene	118-74-1	39700
N-Nitrosodimethylamine	62-75-9	34438
Aldrin	309-00-2	39330
Chlordane	57-74-9	39350
Dieldrin	60-57-1	39380
Heptachlor	76-44-8	39410
Heptachlor epoxide	1024-57-3	39420
Toxaphene	8001-35-2	39400

Unless otherwise indicated in this permit, if the EPA Region 6 MQL for a pollutant or pollutant parameter is sufficiently sensitive (as defined above) and the analytical test result is less than the MQL, then a value of zero (0) may be used for reporting purposes on DMRs. Furthermore, if the EPA Region 6 MQL for a pollutant or parameter is not sufficiently sensitive, but the analytical test result is less than the published ML from a sufficiently sensitive method, then a value of zero (0) may be used for reporting purposes on DMRs.

**B. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS**

Under the provisions of Part III.D.7.b.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to EPA Region 6, Compliance and Assurance Division, Water Enforcement Branch (6EN-W), Dallas, Texas and NMED within 24 hours from the time the permittee becomes aware of the violation followed by a written report in five days.

E. Coli Bacteria  
Total Residual Chlorine

**C. PERMIT MODIFICATION AND REOPENER**

In accordance with [40 CFR Part 122.44(d)], the permit may be reopened and modified during the life of the permit if relevant portions of New Mexico's Water Quality Standards for Interstate and Intrastate Streams are revised, or new State water quality standards are established and/or remanded by the New Mexico Water Quality Control Commission and/or downstream tribal nations establish and/or remand water quality standards.

In accordance with [40 CFR Part 122.62], the permit may be reopened and modified if new information is received that was not available at the time of permit issuance that would have justified the application of different permit conditions at the time of permit issuance. Permit modifications shall reflect the results of any of these actions and shall follow regulations listed at 40 CFR Part 124.5.

**D. POLLUTION PREVENTION REQUIREMENTS**

The permittee shall institute a program within 12 months of the effective date of the permit (or continue an existing one) directed towards optimizing the efficiency and extending the useful life of the facility. The permittee shall consider the following items in the program:

- (a) The influent loadings, flow and design capacity;
- (b) The effluent quality and plant performance;
- (c) The age and expected life of the wastewater treatment facility's equipment;
- (d) Bypasses and overflows of the tributary sewerage system and treatment works;
- (e) New developments at the facility;
- (f) Operator certification and training plans and status;
- (g) The financial status of the facility;
- (h) Preventative maintenance programs and equipment conditions and;
- (i) An overall evaluation of conditions at the facility.

**E. CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS**

1. The following pollutants may not be introduced into the treatment facility:

- (a) Pollutants which create a fire or explosion hazard in the treatment facility, including, but not limited to, waste streams with a closed cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21;

- (b) Pollutants which will cause corrosive structural damage to the facility, but in no case discharges with pH lower than 5.0, unless the works are specifically designed to accommodate such discharges;
- (c) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the facility, resulting in Interference;
- (d) Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or concentration which will cause Interference with the facility;
- (e) Heat in amounts which will inhibit biological activity in the POTW resulting in Interference but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40E C (104E F) unless the Approval Authority, upon request of the facility, approves alternate temperature limits;
- (f) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- (g) Pollutants which result in the presence of toxic gases, vapors, or fumes within the facility in a quantity that may cause acute worker health and safety problems; and
- (h) Any trucked or hauled pollutants, except at discharge points designated by the facility.

2. The permittee shall require any indirect discharger to the treatment works to comply with the reporting requirements of 40 CFR Sections 204(b), 307, & 308 of the Act, and requirements established under 40 CFR 403.

3. The permittee shall provide adequate notice of the following:

- (a) Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to 40 CFR Sections 301 and 306 of the Act if it were directly discharging those pollutants; and
- (b) Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit.
- (c) Any notice shall include information on (i) the quality and quantity of effluent to be introduced into the treatment works, and (ii) any anticipated impact of such change in the quality or quantity of effluent to be discharged from the publicly owned treatment works.

#### **D. WHOLE EFFLUENT TOXICITY TESTING (48-HOUR ACUTE NOEC FRESHWATER)**

It is unlawful and a violation of this permit for a permittee or his designated agent, to manipulate test samples in any manner, to delay sample shipment, or to terminate or to cause to terminate a toxicity test.

Once initiated, all toxicity tests must be completed unless specific authority has been granted by EPA Region 6 or the State NPDES permitting authority.

1. Scope and methodology

(a) The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

Applicable to final outfall(s): 001

Reported as final outfall: 001

Critical dilution (%): 1.0%

Effluent dilution series (%): 0.4%, 0.6%, 0.8%, 1.0%, and 1.3%.

Composite sample type: Defined at PART I

Test species/methods: 40 CFR Part 136

*Daphnia pulex* acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

Pimephales promelas (Fathead minnow) acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with eight (8) organisms per replicate must be used in the control and in each effluent dilution of this test.

b. The NOEC (No Observed Lethal Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Acute test failure is defined as a demonstration of a statistically significant lethal effect at test completion to a test species at or below the critical dilution.

c. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

d. Test failure is defined as a demonstration of statistically significant lethal effects to a test species at or below the effluent critical dilution.

e. This permit does not establish requirements to automatically increase the WET testing frequency after a test failure, or to begin a toxicity reduction evaluation (TRE) in the event of multiple test failures. However, upon failure of any WET test, the permittee must report the test results to NMED, Surface

Water Quality Bureau, in writing, within 5 business days of notification the test failure. NMED will review the test results and determine the appropriate action necessary, if any.

## 2. REQUIRED TOXICITY TESTING CONDITIONS

### a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.
- ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for: *Daphnia pulex* survival test; and Fathead minnow survival test.
- iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for: *Daphnia pulex* survival test; and Fathead minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

### b. Statistical Interpretation

For the *Daphnia pulex* survival test and the Fathead minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-012 or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the reporting requirements found in Item 3 below.

### c. Dilution Water

- i. Dilution water used in the toxicity tests will be receiving water collected as close to the point of discharge as possible but unaffected by the discharge. The permittee shall substitute synthetic dilution water of similar pH, hardness, and alkalinity to the closest downstream perennial water for;

(A) toxicity tests conducted on effluent discharges to receiving water classified as intermittent streams; and

(B) toxicity tests conducted on effluent discharges where no receiving water is available due to zero flow conditions.

- ii. If the receiving water is unsatisfactory as a result of instream toxicity (fails to fulfill the test acceptance criteria of Item 3.a), the permittee may substitute synthetic dilution water for the receiving

water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

- (A) a synthetic dilution water control which fulfills the test acceptance requirements of Item 3.a was run concurrently with the receiving water control;
- (B) the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);
- (C) the permittee includes all test results indicating receiving water toxicity with the full report and information required by Item 4 below; and
- (D) the synthetic dilution water shall have a pH, hardness, and alkalinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Samples and Composites (Grab Samples Are Authorized For this Permit)

- i. The permittee shall collect two grab samples from the outfall(s) listed at Item 1.a above.
- ii. The permittee shall collect a second grab sample for use during the 24-hour renewal of each dilution concentration for both tests. The permittee must collect the grab samples so that the maximum holding time for any effluent sample shall not exceed 36 hours. The permittee must have initiated the toxicity test within 36 hours after the collection of the last portion of the first grab sample. Samples shall be chilled to 4 degrees Centigrade during collection, shipping, and/or storage.
- iii. The permittee must collect the grab samples such that the effluent samples are representative of any periodic episode of chlorination, biocide usage or other potentially toxic substance discharged on an intermittent basis.
- iv. If the flow from the outfall(s) being tested ceases during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time are waived during that sampling period. However, the permittee must collect an effluent grab sample volume during the period of discharge that is sufficient to complete the required toxicity tests with daily renewal of effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days. The effluent grab sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report required in Item 3 of this section.

### 3. REPORTING

- a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this Part in accordance with the Report Preparation Section of EPA-821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of PART III.C.3 of this permit. The permittee shall submit full reports upon the specific request of the Agency. For any test which fails, is considered invalid or which is terminated early for any reason, the full report must be submitted for agency review.
- b. A valid test for each species must be reported during each reporting period specified in PART I of this permit unless the permittee is performing a TRE which may increase the frequency of testing and

reporting. Only ONE set of biomonitoring data for each species is to be recorded for each reporting period. The data submitted should reflect the LOWEST Survival results for each species during the reporting period. All invalid tests, repeat tests (for invalid tests), and retests (for tests previously failed) performed during the reporting period must be attached for EPA review.

c. The permittee shall report the following results of each valid toxicity test. Submit retest information, if required, clearly marked as such. Only results of valid tests are to be reported.

i. Pimephales promelas (Fathead minnow)

(A) If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6C.

(B) Report the NOEC value for survival, Parameter No. TOM6C.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM6C.

ii. Daphnia pulex

(A) If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3D.

(B) Report the NOEC value for survival, Parameter No. TOM3D.

(C) Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3D.

d. If retests are required by NMED, enter the following codes:

i. For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

ii. For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

iii. For retest number 3, Parameter 55413, enter a "1" if the NOED for survival is less than the critical dilution; otherwise, enter a "0"