

Issuance Date: 03/27/2019  
Effective Date: 05/01/2019  
Expiration Date: 04/30/2024

**State Waste Discharge Permit Number ST0045520**


State of Washington  
DEPARTMENT OF ECOLOGY  
Industrial Section  
P.O. Box 47600  
Olympia, WA 98504-7600

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

Columbia and Cowlitz Railway, LLC  
P.O. Box 2817  
Longview, Washington 98632

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

Facility Location: 3401 Industrial Way Longview, WA 98632	SIC Codes: 4013, 4011 NAICS Codes: 482112, 482110, 482111
Industry Type: Minor Industrial User Short-Line Freight Railway Locomotive Maintenance and Repair	Treatment Facility Receiving Discharge: Nippon Dynawave Packaging Company, LLC

  
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James DeMay, P.E.  
Industrial Section Manager  
Washington State Department of Ecology

**FINAL**

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## Summary of Permit Report Submittals

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

<b>Permit Section</b>	<b>Submittal</b>	<b>Frequency</b>	<b>First Submittal Date</b>
S3.A	Discharge Monitoring Report (DMR)	Monthly	06/15/2019
S3.F	Reporting Permit Violations	As necessary	
S4.A	Operation and Maintenance Manual	1/permit cycle	05/01/2020
S4.B	Reporting Bypasses	As necessary	
S7.	Application for Permit Renewal	1/permit cycle	04/30/2023
G1.	Notice of Change in Authorization	As necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7	Notice of Permit Transfer	As necessary	
G10	Duty to Provide Information	As necessary	

## Special Conditions

### S1. Discharge Limits

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

#### S1.A. Process Wastewater Discharge

Beginning on the effective date, the Permittee is authorized to discharge process wastewater to Nippon Dynawave Packaging Company, LLC's industrial wastewater treatment plant (Nippon Dynawave Treatment Plant) subject to the following limits:

**Table 1: Effluent Limit: Outfall 001, Latitude 46.128612, Longitude 122.974396**

Parameter	Minimum	Maximum
pH	6.0	12.4

#### S1.B. Sanitary Wastewater Discharge

Beginning on the effective date of this permit, the Permittee is authorized to discharge sanitary wastewater to Nippon Dynawave Packaging Company, LLC's sanitary wastewater treatment plant (Nippon Dynawave Sanitary Treatment Plant).

There are no effluent limits for this discharge.

### S2. Monitoring Requirements

#### S2.A. Monitoring Requirements

The Permittee must monitor the wastewater according to the following schedule.

The Permittee must use the specified analytical methods unless the method used produces measurable results in the sample and EPA has listed it as an EPA-approved method in 40 CFR Part 136. If the Permittee uses an alternative method, not specified in the permit and as allowed above, it must report the test method, DL, and QL on the discharge monitoring report or in the required report. If the Permittee is unable to obtain the required DL and QL in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a quantitation limit (QL) to Ecology with appropriate laboratory documentation.

**Table 2: Monitoring Requirements for Process Water Discharge at Outfall 001**

Parameter	Units	Laboratory Method	Sampling Frequency	Sample Type
pH <sup>b</sup>	standard units	SM4500-H <sup>+</sup> B	Weekly	Grab <sup>a</sup>
Oil and Grease (Hexane Extractable Material, HEM)	mg/L	1664 A or B	Monthly	Grab <sup>a</sup>
Total Suspended Solids (TSS)	mg/L	SM2540-D	Monthly	Grab <sup>a</sup>

Footnotes

- a) Grab means and individual sample collected over a fifteen (15) minute, or less, period.
- b) The Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.

**S2.B. Sampling and Analytical Procedures**

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

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

- Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136
- Standard Methods for the Examination of Water and Wastewater (APHA)

**S2.C. Flow Measurement and Field Measurement**

The Permittee must:

1. Select and use appropriate field measurement and methods consistent with accepted scientific practices.
2. Calibrate and maintain these devices to ensure the accuracy of the measurements is consistent with the accepted industry standard, the manufacturer’s recommendation, and the O&M procedures included in Special Condition S4.

3. Use field measurement devices as directed by the manufacturer and do not use reagents beyond their expiration dates.
4. Calibrate each device or instrument at the frequency defined in the O&M procedures included in Special Condition S4 or that conforms to the frequency recommended by the manufacturer.
5. Maintain calibration records for at least three years.

#### **S2.D. Laboratory Accreditation**

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

#### **S2.E. Request for Reduction in Monitoring**

The Permittee may request a reduction of the sampling frequency after twelve (12) months of monitoring. Ecology will review each request and at its discretion grant the request when it reissues the permit or by a permit modification.

The Permittee must:

1. Provide a written request.
2. Clearly state the parameters for which it is requesting reduced monitoring.
3. Clearly state the justification for the reduction.

### **S3. Reporting and Recording Requirements**

The Permittee must monitor and report in accordance with the following conditions. Falsification of information submitted to Ecology is a violation of the terms and conditions of this permit.

#### **S3.A. Discharge Monitoring Reports**

The first monitoring period begins on the effective date of the permit (unless otherwise specified). The Permittee must:

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

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

2. Enter the “No Discharge” reporting code for an entire DMR, for a specific monitoring point, or for a specific parameter as appropriate, if the Permittee did not discharge wastewater or a specific pollutant during a given monitoring period.
3. Report single analytical values below detection as “less than the detection level (DL)” by entering < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL and quantitation level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.
4. Report the test method used for analysis in the comments if the laboratory used an alternative method not specified in the permit and as allowed in Special Condition S2.
5. Calculate average values and calculated total values (unless otherwise specified in the permit) using:
  - a. The reported numeric value for all parameters measured between the agency-required detection value and the agency-required quantitation value.
  - b. One-half the detection value (for values reported below detection) if the lab detected the parameter in another sample from the same monitoring point for the reporting period.
  - c. Zero (for values reported below detection) if the lab did not detect the parameter in another sample for the reporting period.
6. Report single-sample grouped parameters (for example: priority pollutants, PAHs, pulp and paper chlorophenolics, TTOs) on the WQWebDMR form and include: sample date, concentration detected, detection limit (DL) (as necessary), and laboratory quantitation level (QL) (as necessary).

The Permittee must also submit an electronic copy of the laboratory report as an attachment using WQWebDMR. The contract laboratory reports must also include information on the chain of custody, QA/QC results, and documentation of accreditation for the parameter.

7. Ensure that DMRs are electronically submitted no later than the dates specified below, unless otherwise specified in this permit.
8. Submit DMRs for parameters with the monitoring frequencies specified in Special Condition S2 (monthly, quarterly, annual, etc.) at the reporting schedule identified. The Permittee must submit **monthly** DMRs by the 15<sup>th</sup> day of the following month.



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

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

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

Water Quality Permit Coordinator  
Department of Ecology  
Industrial Section  
P.O. Box 47600  
Olympia, WA 98504-7600

**S3.C. Records Retention**

The Permittee must retain records of all monitoring information for a minimum of three (3) years. Such information must include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

**S3.D. Recording of Results**

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

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

**S3.E. Additional Monitoring by the Permittee**

If the Permittee monitors any pollutant more frequently than required by Special Condition S2 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR unless otherwise specified by Special Condition S2.

**S3.F. Reporting Permit Violations**

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

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

**a. Immediate Reporting**

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

Southwest Regional Office: 360-407-6300

**b. Twenty-Four-Hour Reporting**

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

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

**c. Report within Five Days**

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

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

**d. Waiver of Written Reports**

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

**e. All Other Permit Violation Reporting**

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

**S3.G. Other Reporting**

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

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

**b. Failure to Submit Relevant or Correct Facts**

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

**S3.H. Maintaining a Copy of this Permit**

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

**S3.I. Dangerous Waste Discharge Notification**

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

**S3.J. Spill Notification**

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

**S4. Operation and Maintenance**

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit, including, but not limited to, an oil-water separator. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

**S4.A. Operations and Maintenance Manual**

The Permittee must prepare an Operations and Maintenance (O&M) Manual and submit it to Ecology for approval by **May 1, 2020**.

The approved O&M Manual must be followed and must be kept at the permitted facility. The O&M Manual must include the following, at a minimum:

1. Oil pit maintenance procedures. The oil pit must be pumped out and the oily sludge removed as needed. The sludge must be disposed of in accordance with all applicable laws and regulations.
2. Operation and maintenance procedures for the oil-water separator. Maintenance shall be completed as needed.

All solids and sludge from the oil-water separator shall be disposed of in accordance with all applicable laws and regulations. The oil-water separator shall be inspected at least monthly and all inspections shall be documented.

3. Maintenance procedures for the discharge line to the Nippon Dynawave Treatment Plant, as necessary.
4. Sampling procedures and methods, as identified in Special Condition S2. All field measurement devices shall be calibrated before each use. Calibration records must be kept for three years, in accordance with Special Condition S2.C.
5. Identification of good housekeeping procedures to prevent the discharge of unauthorized pollutants to the Nippon Dynawave Treatment Plant.
6. Recordkeeping requirements for all operations and maintenance procedures completed. These records shall be kept onsite for at least three years in accordance with Special Condition S3.C.

#### **S4.B. Bypass Procedures**

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

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

This permit authorizes a bypass if it allows for essential maintenance and does not have the potential to cause violations of limits or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

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

This permit authorizes such a bypass only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
- b. No feasible alternatives to the bypass exist, such as:

- The use of auxiliary treatment facilities.
  - Retention of untreated wastes.
  - Stopping production.
  - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass.
  - Transport of untreated wastes to another treatment facility.
- c. The Permittee has properly notified Ecology of the bypass as required in Condition S3.E of this permit.
3. Anticipated bypass for non-essential maintenance .
- a. The Permittee must notify Ecology at least ten (10) days before the planned date of bypass. The notice must contain:
- A description of the bypass and its cause.
  - An analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing.
  - A cost-effectiveness analysis of alternatives including comparative resource damage assessment.
  - The minimum and maximum duration of bypass under each alternative.
  - A recommendation as to the preferred alternative for conducting the bypass.
  - The projected date of bypass initiation.
  - A statement of compliance with SEPA.
  - A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
  - Details of the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- b. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report or facilities plan as well as the plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.

- c. Ecology will determine if the Permittee has met the conditions of special conditions S4.B.2 a and b and consider the following prior to issuing a determination letter, an administrative order, or a permit modification, as appropriate, for this type of bypass:
- If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
  - If feasible alternatives to bypass exist, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
  - If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

## **S5. Prohibited Discharges**

### **S5.A. Process Wastewater Discharge**

The Permittee must comply with these General and Specific Prohibitions for the discharge of process wastewater to the Nippon Dynawave Treatment Plant.

#### **a. General Prohibitions**

The Permittee must not introduce into the privately owned treatment system pollutant(s) which cause Pass Through or Interference.

#### **b. Specific Prohibitions**

In addition, the Permittee must not introduce the following into the privately owned treatment system:

1. Pollutants which create a fire or explosion hazard in the privately owned treatment system, including, but not limited to, waste streams with a closed cup flashpoint of less than 60 degrees C (140 degrees F) using the test methods specified in 40 CFR 261.21.
2. Solid or viscous pollutants in amounts, which will cause obstruction to the flow in the privately owned treatment system resulting in interference.
3. Any pollutant (including oxygen-demanding pollutants (BOD<sub>5</sub>, etc.)) present in a discharge at a flow rate and/or pollutant concentration that will cause interference with the privately owned treatment system.

4. Heat in amounts which will inhibit biological activity in the privately owned treatment system resulting in interference, but in no case heat in such quantities that the temperature at the privately owned treatment plant exceeds 40 degrees C (104 degrees F) unless the approval authority, upon request of the privately owned treatment system, approves alternative temperature limits.
5. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
6. Pollutants which result in the presence of toxic gases, vapors, or fumes within the privately owned treatment system in a quantity that may cause acute worker health and safety problems.
7. Any trucked or hauled pollutants, except at discharge points designated by the privately owned treatment system.
8. Pollutants that will cause corrosive structural damage to the privately owned treatment system.
9. Sanitary wastewaters.

**c. Prohibited Unless Approved**

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

1. Noncontact cooling water in significant volumes.
2. Storm water and other direct inflow sources.
3. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
4. The discharge of dangerous wastes as defined in Chapter 173-303 WAC (Unless specifically authorized in this permit).

**S5.B. Sanitary Wastewater Discharges**

The Permittee must not introduce process wastewaters into the Nippon Dynawave Sanitary Treatment Plant.

**S6. Dilution Prohibited**

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



**S7. Application for Permit Renewal or Modification for Facility Changes**

The Permittee must submit an application for renewal of this permit by **April 30, 2023**.

The Permittee must also submit a new application or addendum at least one hundred eighty (180) days prior to commencement of discharges, resulting from the activities listed below, which may result in permit violations. These activities include any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility.

**S8. Non-Routine and Unanticipated Discharges**

1. Beginning on the effective date of this permit, the Permittee is authorized to discharge non-routine wastewater on a case-by-case basis to the sewer if approved by Ecology and the privately owned treatment system. Prior to any such discharge, the Permittee must contact Ecology and **at a minimum** provide the following information:
  - a. The proposed discharge location.
  - b. The nature of the activity that will generate the discharge.
  - c. Any alternatives to the discharge, such as reuse, storage, or recycling of the water.
  - d. The total volume of water it expects to discharge.
  - e. The results of the chemical analysis of the water.
  - f. The date of proposed discharge.
  - g. The expected rate of discharge discharged, in gallons per day.
  - h. The expected rate of discharge in gallons per minute for discharges greater than 20,000 gallons.
2. The Permittee must analyze the water for all constituents limited for the discharge and report them as required by subpart 1.e above. The analysis must also include any parameter deemed necessary by Ecology. All discharges must comply with the effluent limits as established in Special Condition S1 of this permit and any other limits imposed by Ecology.
3. The discharge cannot proceed until Ecology has reviewed the information provided and has authorized the discharge by letter to the Permittee or by an Administrative Order.

## **General Conditions**

### **G1. Signatory Requirements**

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

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

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

### **G2. Right of Entry**

Representatives of Ecology have the right to enter at all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution or the possible pollution of any waters of the state. Reasonable times include normal business hours; hours during which production, treatment, or discharge occurs; or times when Ecology suspects a violation requiring immediate inspection.

Representatives of Ecology must be allowed to have access to, and copy at reasonable cost, any records required to be kept under terms and conditions of the permit; to inspect any monitoring equipment or method required in the permit; and to sample the discharge, waste treatment processes, or internal waste streams.

### **G3. Permit Actions**

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

1. Violation of any permit term or condition;
2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;
3. A material change in quantity or type of waste disposal;
4. A material change in the condition of the waters of the state; or
5. Nonpayment of fees assessed pursuant to RCW 90.48.465.

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

### **G4. Reporting a Cause for Modification**

The Permittee must submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a new or increased discharge or change in the nature of the discharge is anticipated which is not specifically authorized by this permit. This application must be submitted at least one hundred eighty (180) days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

### **G5. Plan Review Required**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to Ecology for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities must be constructed and operated in accordance with the approved plans.

### **G6. Compliance with Other Laws and Statutes**

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

## **G7. Transfer of this Permit**

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

1. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology;
2. A copy of the permit is provided to the new owner and;
3. Ecology does not notify the Permittee of the need to modify the permit.

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

## **G8. Reduced Production for Compliance**

The Permittee must control production or discharge to the extent necessary to maintain compliance with the terms and conditions of this permit upon reduction of efficiency, loss, or failure of its treatment facility until the treatment capacity is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power for the treatment facility is reduced, lost, or fails.

## **G9. Removed Substances**

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

## **G10. Payment of fees**

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

## **G11. Penalties for Violating Permit Conditions**

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

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

**G12. Duty to Provide Information**

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

**G13. Duty to Comply**

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