



DEPARTMENT OF THE ARMY

PORTLAND DISTRICT, CORPS OF ENGINEERS

OFFICE OF THE PROJECT MANAGER

BONNEVILLE LOCK AND DAM PROJECT

CASCADE LOCKS, OREGON 97014-0150

September 25, 2002

Mr. Elliot Zais
Water Quality Division
Oregon Department of Environmental Quality
811 SW Sixth Avenue
Portland, OR 97204-1390

Re: Request for Individual NPDES Permit
Bonneville Lock and Dam
Oil / Water Separator -- Powerhouse I

Dear Mr. Zais:

Enclosed is the Bonneville Lock and Dam (Project) application for a discharge permit under the National Pollutant Discharge Elimination System (NPDES), administered by the Oregon Department of Environmental Quality (ODEQ) pursuant to the Oregon Revised Statutes and the Federal Clean Water Act.

As a matter of review, in December 1994, the ODEQ issued a 1300-J permit for the Oil / Water Separator at Powerhouse I, Bonneville Lock and Dam (DEQ File No. 90980). This permit expired in December 1999.

In the summer of 2002, the Project completed extensive modifications to the Oil / Water Separator at the Bonneville I Powerhouse. The modifications consisted of; diversion of existing flow, cleaning of the existing Oil / Water separator, installation of a splash plate, weirs and baffles and modifications to the outfall. In addition, an oil skimmer has been installed to facilitate the surface collection of oil at the separator.

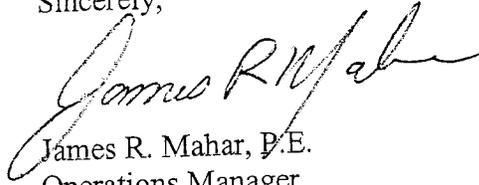
In accordance with the Oregon Revised Statutes 468B.050 and the Federal Clean Water Act, the Project request an individual permit be issued for the Oil / Water separator at Bonneville I.

To facilitate your evaluation, the project has included the following information for your review and comment:

- Application Form 1 – General Information
- Application Form 2E – Facilities which do not discharge process water
- Land Use Compatibility Statement
- NPDES Profile Samples (August 2002)
- Maps identifying the location of the Oil / Water separator
- Copy of the 1994 Oil / Water separator permit (1300-J)

If you have further questions or if additional information is needed, please contact myself or Mr. Jerry Balcom of my staff at (541) 374-8442.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Mahar". The signature is fluid and cursive, written over the typed name.

James R. Mahar, P.E.
Operations Manager
Bonneville Lock and Dam

Cc: Col. Richard Hobernicht
Deborah Chenoweth, Ch, Operations Division
Robert C. Turner, NWP Counsel
Miriam Lindmeier, HTRW-CX Counsel

Form
2E
NPDES



Facilities Which Do Not Discharge Process Wastewater

I. Receiving Waters

For this outfall, list the latitude and longitude, and name of the receiving water(s).

Outfall Number (list)	Latitude			Longitude			Receiving Water (name)
	Deg	Min	Sec	Deg	Min	Sec	
OWS I	45	38	25	121	56	43	COLUMBIA RIVER

II. Discharge Date (If a new discharger, the date you expect to begin discharging)

III. Type of Waste

A. Check the box(es) indicating the general type(s) of wastes discharged.

- Sanitary Wastes
 Restaurant or Cafeteria Wastes
 Noncontact Cooling Water
 Other Nonprocess Wastewater (Identify) **OIL/WATER SEP.**

B. If any cooling water additives are used, list them here. Briefly describe their composition if this information is available.

N/A

IV. Effluent Characteristics

A. Existing Sources — Provide measurements for the parameters listed in the left-hand column below, unless waived by the permitting authority (see instructions).

B. New Dischargers — Provide estimates for the parameters listed in the left-hand column below, unless waived by the permitting authority. Instead of the number of measurements taken, provide the source of estimated values (see instructions).

Pollutant or Parameter	(1) Maximum Daily Value (include units)		EST. (2) Average Daily Value (last year) (include units)		(3) Number of Measurements Taken (last year)	(4) Source of Estimate (if new discharger)
	Mass	Concentration	Mass	Concentration		
Biochemical Oxygen Demand (BOD)			6 kg	8 mg/L	-	
Total Suspended Solids (TSS)			48 kg	64 mg/L	-	
Fecal Coliform (if believed present or if sanitary waste is discharged)			-	-		
Total Residual Chlorine (if chlorine is used)			-	-		
Oil and Grease			4.5 kg	6 mg/L	-	
*Chemical oxygen demand (COD)			31 kg	42 mg/L	-	
*Total organic carbon (TOC)			2 kg	2.8 mg/L	-	
Ammonia (as N)			-	-		
Discharge Flow	Value		196,000 gal/day		-	
pH (give range)	Value		7.6 - 7.9 S.U.			
Temperature (Winter)		°C	4	°C		
Temperature (Summer)		°C	23	°C		

*If noncontact cooling water is discharged

SEE NPDES PROFILE SAMPLES - COLLECTED 27 AUG'02

V. Except for leaks or spills, will the discharge described in this form be intermittent or seasonal?

Yes No

If yes, briefly describe the frequency of flow and duration.

VI. Treatment System (Describe briefly any treatment system(s) used or to be used)

THE CORPS OF ENGINEERS, IN THE SUMMER 2002, MODIFIED THE EXISTING OIL/WATER SEPARATOR AT BONNEVILLE I. THE OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY, WATER QUALITY DIVISION HAS BEEN PROVIDED WITH THE PLANS AND SPECIFICATIONS FOR SAID MODIFICATIONS.

THE OIL/WATER SEPARATOR COLLECTS TYPICAL SUMP FLOWS FROM POWERHOUSE I.

VII. Other Information (Optional)

Use the space below to expand upon any of the above questions or to bring to the attention of the reviewer any other information you feel should be considered in establishing permit limitations. Attach additional sheets, if necessary.

THE DISCHARGE FLOWS FROM OWS I ARE DEPENDENT ON SEVERAL FACTORS INCLUDING; THE NUMBER OF GENERATOR UNITS ON-LINE, OPERATION AND MAINTENANCE ACTIVITY WITHIN THE PLANT, AND RIVER TEMPERATURE. RIVER WATER LEAKAGE TO THE OIL/WATER SEPARATOR VARIES AS EXPANSION/CONTRACTION JOINTS WITHIN THE STRUCTURE MOVE IN RESPONSE TO TEMPERATURE CHANGES

ANALYTICAL INFORMATION ON REVERSE PAGE ARE MEASUREMENTS CALCULATED FROM AVAILABLE PROJECT INFORMATION.

NPDES PROFILE SAMPLES WERE COLLECTED FROM THE DISCHARGE PIPE ON 27 AUGUST 2002. ANALYTICAL REUSULTS ARE ATTACHED FOR YOUR REVIEW.

VIII. 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.

A. Name & Official Title

JAMES R. MAHAR, OEPRATIONS MGR. BONNEVILLE LOCK AND DAM

B. Phone No. (area code & no.)

(541) 374-8442

C. Signature

D. Date Signed

Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)



WHAT IS A LUCS? The Land Use Compatibility Statement is the process used by the DEQ to determine whether DEQ permits and other approvals affecting land use are consistent with local government comprehensive plans.

WHY IS A LUCS REQUIRED? Oregon law requires state agency activities that impact land use be consistent with local comprehensive plans. DEQ Division 18 administrative rules identify agency activities or programs that significantly affect land use. These programs must have a process for determining local plan consistency.

WHEN IS A LUCS REQUIRED? A LUCS is required for nearly all DEQ permits, some general permits, and certain approvals of plans or related activities that affect land use. These activities are listed in this form. A single LUCS can be used if more than one DEQ permit/approval is being applied for concurrently.

A permit modification requires a LUCS when any of the following applies:

1. physical expansion on the property or proposed use of additional land;
2. a significant increase in discharges to water;
3. a relocation of an outfall outside of the source property; or
4. any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

A permit renewal requires a LUCS if one has not previously been submitted, or if any of the above four permit modification factors apply.

HOW TO COMPLETE A LUCS:

<u>Step</u>	<u>Who Does It</u>	<u>What Happens</u>
1.	Applicant	Completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2.	City or County Planning Office	Determines if the business or facility meets all local planning requirements, and returns to the applicant the signed and dated LUCS form <u>with findings of fact for any local reviews or necessary planning approvals.</u>
3.	Applicant	Includes the completed LUCS and findings with the DEQ permit or approval submittal application to the DEQ.

WHERE TO GET HELP: Questions about the LUCS process can be directed to DEQ staff responsible for processing the permit/approval, or directed to DEQ's Intergovernmental Coordinator at 503.229.6408. Headquarters and regional offices may also be reached using DEQ's toll-free telephone number 800.452.4011.

SECTION 1 - TO BE FILLED OUT BY APPLICANT

1. **Applicant Name:** U.S. ARMY CORPS OF ENGINEERS **Contact Person:** JAMES R. MAHAR
Location Address: BONNEVILLE LOCK AND DAM **Mailing Address:** BONNEVILLE LOCK AND DAM
P.O. BOX 150 P.O. BOX 150
CASCADE LOCKS, OR 97014 CASCADE LOCKS, OR 97014

Telephone Number: (541) 374-8442 **Tax Account No:** _____ **Tax Lot No:** _____

Township: 2N **Range:** 7E **Section:** 21

Latitude: 45 38 25 **Longitude:** -121 56 43

i Use the *DEQ Location Finder* (<http://deq12.deq.state.or.us/website/findloc>) to determine latitude/longitude.

2. **Describe the type of business or facility and services or products provided:** BONNEVILLE DAM IS LOCATED 40 MILES EAST OF PORTLAND. CONSTRUCTED IN THE LATE 1930'S
BONNEVILLE LOCK AND DAM PROVIDES; HYDROPOWER, NAVIGATION AND RECREATION ON THE LOWER
COLUMBIA RIVER SYSTEM.

3. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

- | | | |
|---|---|---|
| <input type="checkbox"/> Air Notice of Construction | <input type="checkbox"/> Solid Waste Compost Registration - Permit | <input type="checkbox"/> Water Quality NPDES/WPCF Permit
<i>(for onsite construction-installation permits use DEQ form F:\WLANDUSE.OSS)</i> |
| <input type="checkbox"/> Air Discharge Permit <i>(excludes portable facility permits)</i> | <input type="checkbox"/> Solid Waste Letter Authorization Permit | <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications <i>(includes review of plan changes that require use of new land)</i> |
| <input type="checkbox"/> Title V Air Permit | <input type="checkbox"/> Solid Waste Material Recovery Facility Permit | <input type="checkbox"/> Water Quality Storm Water General Permit |
| <input type="checkbox"/> Parking/Traffic Circulation Plan | <input type="checkbox"/> Solid Waste Transfer Station Permit | <input type="checkbox"/> Other Water Quality General Permit
<i>(Generals: 600 (if mobile), 700, 1200CA, 1500, 1700 (if mobile) are exempted)</i> |
| <input type="checkbox"/> Air Indirect Source Permit | <input type="checkbox"/> Solid Waste - Waste Tire Storage Permit | <input checked="" type="checkbox"/> Federal Permit - Water Quality 401 Certification |
| <input type="checkbox"/> Solid Waste Disposal Permit | <input type="checkbox"/> Hazardous Waste/PCB Storage/Treatment/Discharge Permit | |
| <input type="checkbox"/> Solid Waste Treatment Permit | <input type="checkbox"/> Clean Water State Revolving Fund Loan Request | |
| <input type="checkbox"/> Pollution Control Bond Request | | |

4. This application is for a: permit renewal new permit permit modification other _____

SECTION 2 - TO BE FILLED OUT BY CITY OF COUNTY PLANNING OFFICIAL

5. The facility proposal is located: inside city limits inside UGB outside UGB

6. Name of the city or county that has land use jurisdiction *(the legal entity responsible for land use decisions for the subject property or land use)*: _____

7. Does the business or facility comply with all applicable local land use requirements?

- YES; then attach findings to support the affirmative compliance decision (as required by Oregon Administrative Rules (OAR) 660, Division 31).
- NO; then state the reasons for noncompliance, or list requirements the applicant must comply with before LUCS compatibility can be determined.

8. Planning Review Signature.

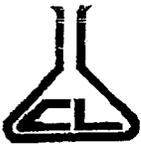
Planning Official Signature: _____ Title: _____
 Print Name: _____ Telephone No.: _____ Date: _____

*Planning Official Signature: _____ Title: _____
 Print Name: _____ Telephone No.: _____ Date: _____

*(*If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB.)*

Please Note: A LUCS approval cannot be accepted by DEQ until all local requirements have been met. Written findings of fact for all local decisions addressed under Item No. 7 above **must be attached to the LUCS.**

CULTURAL RESOURCES PROTECTION LAWS: Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. *ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.*



Report Date: September 19, 2002
Job Number: A20827AU
PO Number: 9489
Project No: None Provided
Project Name: USCOE Bonneville Dam

Jerry Balcom
US Army Corps of Engineers-Bonneville Dam
P.O. Box 150
Cascade Locks, OR 97014

Analytical Narrative

The sample was received on 08/27/02 by Coffey Laboratories, Inc. (CLI) Sample Reception personnel under strict chain of custody protocol. The following information was provided at the time of sample reception:

Laboratory Sample ID	Field Identification	Matrix	Collection Date	Collection Time
A20827AU-1	OWSI	Water	08/27/02	0850

The recommended holding time for each batch of analyses was in accordance with the data quality objectives as specified in the CLI Quality Assurance Plan unless otherwise noted.

Acceptable precision and accuracy were achieved for all analyses associated with this work order as demonstrated by the recoveries of the quality control samples analyzed concurrently with each batch.

The data submitted in this report is for the sole and exclusive use of the above-named client. All samples associated with the work order will be retained a maximum of 15 days from the report date or until the maximum holding time expires. All results pertain only to samples submitted.

Thank you for allowing Coffey Laboratories to be of service to you. If you have questions or need further assistance, please do not hesitate to call our Customer Services Department.

Sincerely,

Technical Services

TS /atc

Coffey Laboratories, Inc.

12423 N.E. Whitaker Way • Portland, OR • 97230 • (503) 254-1794 • FAX (503) 254-1452



Analytical Data

US Army Corps of Engineers

Job Number: A20827AU
Page Number: 2 of 2

Lab Sample ID: A20827AU-1
Field ID: OWSI
Date/Time: 08/27/02 0850
Matrix: Water

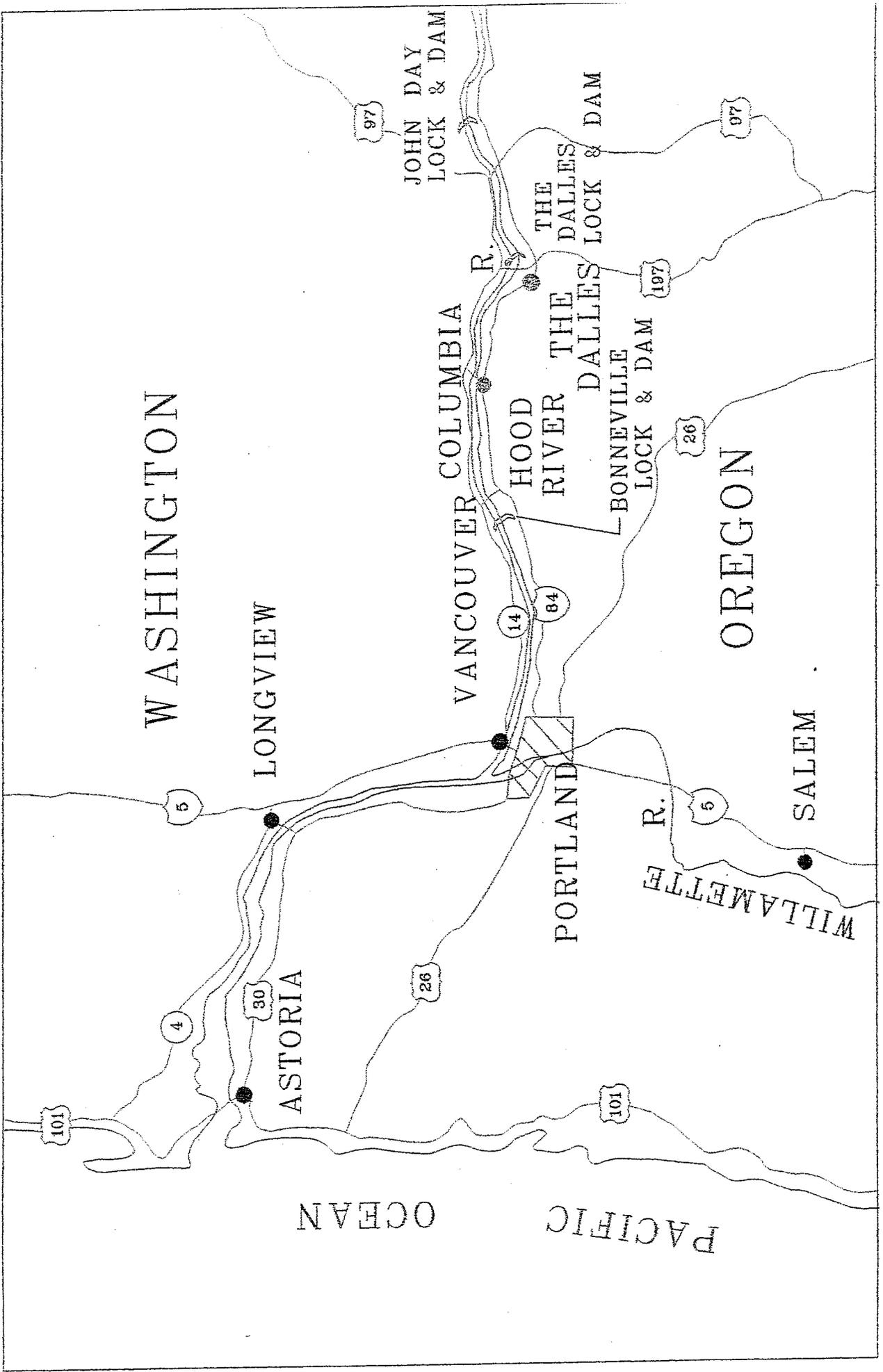
EPA Category: Inorganic Chemicals

Parameter	Method	Detection Limit	Analytical Result	Units
Total Oil & Grease	EPA 1664A	5.	6.	mg/L
pH	EPA 150.1	---	7.90	S.U.
Total Suspended Solids	EPA 160.2	1.	3.	mg/L
Biochemical Oxygen Demand	EPA 405.1	3.	ND	mg/L
Chemical Oxygen Demand	EPA 410.4	15.	ND	mg/L
Total Organic Carbon	EPA 415.1	0.8	ND	mg/L
Arsenic	EPA 200.8	0.05	ND	mg/L
Barium	EPA 200.8	0.02	ND	mg/L
Cadmium	EPA 200.8	0.02	ND	mg/L
Chromium	EPA 200.8	0.1	ND	mg/L
Lead	EPA 200.8	0.02	ND	mg/L
Selenium	EPA 200.8	0.1	ND	mg/L
Silver	EPA 200.8	0.05	ND	mg/L
Mercury	EPA 245.1	0.0005	ND	mg/L

ND means none detected at or above the detection limit listed.

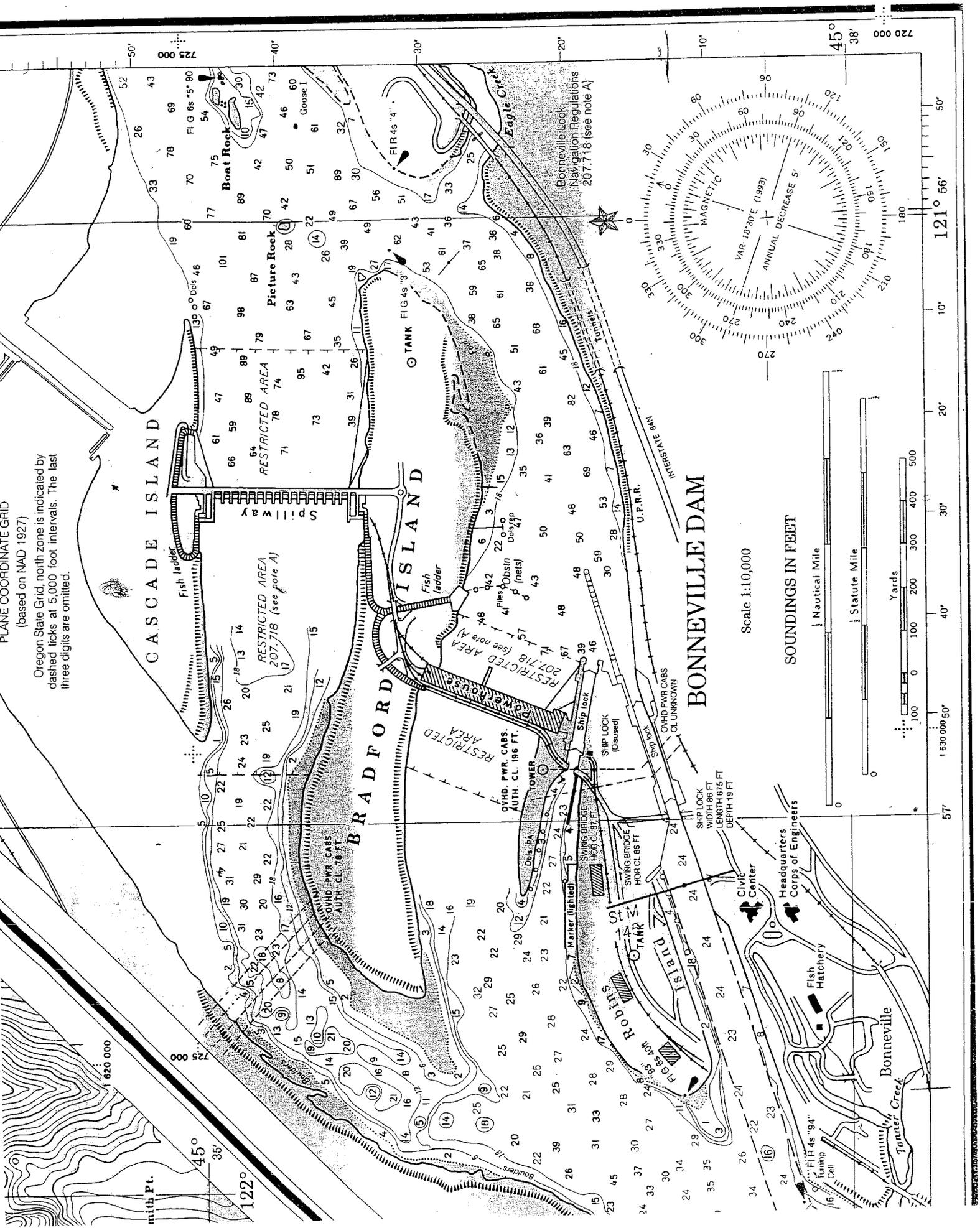
Coffey Laboratories, Inc.

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VICINITY MAP

PLANE COORDINATE GRID
 (based on NAD 1927)
 Oregon State Grid, north zone is indicated by
 dashed ticks at 5,000 foot intervals. The last
 three digits are omitted.



CASCADE ISLAND

BRADFORD ISLAND

BONNEVILLE DAM

Scale 1:10,000

SOUNDINGS IN FEET

Nautical Mile

Statute Mile

Yards

1 630 000 50'

121° 56'

10'

20'

30'

40'

50'

60'

70'

80'

90'

mith Pt.

122°

35'

45°

1 620 000

1 725 000

1 830 000

1 935 000

2 040 000

2 145 000

2 250 000

2 355 000

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2 565 000

2 670 000

2 775 000

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4 140 000

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COPY

Permit Number: 1300-J
Expiration Date: 12-31-99
Page 2 of 21 Pages

SCHEDULE A

1. Waste Discharge Limitations not to be Exceeded by Facilities Covered by this General Permit

<u>Parameters</u>	<u>Limitations</u>	
	<u>Monthly Average</u> <u>mg/l</u>	<u>Daily Maximum</u> <u>mg/l</u>
Oil and Grease	10	15

2. Notwithstanding the effluent limitations established by this permit, no wastes shall be discharged and no activities shall be conducted which will violate Water Quality Standards as adopted in OAR Chapter 340 Division 41 except in the following defined mixing zone:

The allowable mixing zone shall not extend beyond 25 feet from the point of each discharge to public waters. For discharges to storm sewers, the allowable mixing zone shall not extend beyond 25 feet from the point where the storm sewer intersects public waters.

3. Any facility which collects, treats and discharges wastewater to a municipally owned "storm sewer" may require a permit or other approval from the municipality. No discharge is allowed by this permit without that prior approval.

4. An adequate contingency plan for prevention and handling of spills and unplanned discharges shall be in force at all times. All areas where bulk petroleum or vegetable oil tanks are located shall be bermed to prevent discharge of product to surface waters or groundwater in the event of a tank rupture or overflow. All bermed area drains must be valved. Unless otherwise approved in writing by the Department, valves must be kept closed unless water is being drained from the enclosure. An adequate inventory of spill cleanup equipment must be readily available to areas where bulk petroleum or vegetable oil products are stored.

5. Except as provided below, all oily waters shall be collected and provided adequate treatment through an oil/water separation device prior to discharge to public waters or storm sewers leading to public waters.

6. Floating matter and settled matter shall be removed as necessary from oil/water separation devices to assure their efficient operation at all times. All floating matter and grit or other settled matter removed from the oil/water separator or otherwise collected on site shall be disposed in a manner and location approved by the Department.

COPY

Permit Number: 1300-J
Expiration Date: 12-31-99
Page 3 of 21 Pages

The following activities (Condition 7) are allowed without registering with the DEQ. However, violation of water quality standards, including causing an oily sheen on public waters, is not allowed. Any facility found to be adversely affecting water quality will be required to register with DEQ and comply with Condition 2 of Schedule C of this permit, and is subject to possible enforcement action.

7. Facilities where the only source(s) of discharge is(are) from:

- a. Storm water runoff which contacts oil-filled electrical equipment in transformer substations which are equipped with oil spill prevention measures such as containment areas and/or oil/water separators.
 - b. Storm water runoff which contacts petroleum product receiving or dispensing areas and/or product dispensing equipment, whether or not the discharge is treated by an oil/water separator.
 - c. Storm water which collects in a secondary containment area at a petroleum product dispensing site, where the secondary containment area is associated with storage tanks from which product is dispensed only to final users, and the discharge from the containment area is treated by an oil/water separator.
 - d. Storm water which collects in a secondary containment area at a bulk petroleum product storage site, where the total storage capacity at the site does not exceed 150,000 gallons, and the discharge from the containment area is treated by an oil/water separator. A site with multiple containment areas is considered a single site for determining total storage capacity.
- * Conditions 7b and 7c are generally intended to cover retail and/or fleet fueling stations where the only fuel dispensing that occurs is to the final user of the fuel; it is not intended to cover bulk storage facilities or facilities where product is transferred to delivery vehicles.

Definitions

"Product dispensing equipment" means the pump/hose/nozzle/meter assembly used to dispense product.

A "product dispensing site" means a site where product is dispensed for final use; e.g., a vehicle fueling station.

"Secondary containment area" means a containment area for a tank or tanks, intended to prevent a release to the environment in the event of an accidental release of product.

COPY

Permit Number: 1300-J
Expiration Date: 12-31-99
Page 4 of 21 Pages

The following conditions (8 through 11) are in addition to conditions 1 through 6 above, and apply to facilities covered by this permit that perform vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations in locations where storm water is likely to become contaminated by wastes resulting from the maintenance or cleaning activity. These conditions do not apply to those facilities covered by condition 7.

Controls and Limitations for Storm Water Discharges

8. The Permittee shall prepare and implement a Storm Water Pollution Control Plan (SWPCP). For facilities which employ 10 people or more, the SWPCP shall be prepared by or reviewed and stamped by a registered engineer or architect. The SWPCP shall include at least the following items:

a. Site Description. Each plan shall, at a minimum, provide the following:

- (1) A description of the nature of the industrial activities conducted at the site, including a description of "significant materials" (see Definitions) that are treated, stored or disposed of in a manner to allow exposure to storm water; and the methods of treatment, storage or disposal.
- (2) A general location map showing the location of the site in relation to major transportation routes, surface waters and other relevant features.
- (3) A site map indicating: drainage patterns, each drainage and discharge structure; an outline of the drainage area of each storm water outfall; paved areas and buildings within the drainage area of each discharge point; areas used for outdoor manufacturing, storage or disposal of significant materials; each existing structural control measure for reducing pollutants in storm water runoff; materials loading and access areas; hazardous waste storage or disposal facilities; location of wells (including waste injection wells, seepage pits, dry wells, and etc.), springs, wetlands and other surface water bodies.
- (4) Estimates of the amount of impervious surface area (including paved areas and building roofs) relative to the total area drained by each storm water outfall.
- (5) For each area of the site which generates storm water associated with site activities and where a reasonable potential exists for contributing significant amounts of pollutants to storm water runoff, identify the potential pollutants which could be present in storm water discharge.

COPY

Permit Number: 1300-J
Expiration Date: 12-31-99
Page 5 of 21 Pages

- (6) The name(s) of the receiving water(s), or if the discharge is to a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving waters.
- (7) Identify the discharge outfalls and the point or points where storm water monitoring will occur as required by this permit.
- (8) A certification that all storm water outfalls associated with industrial activities have been evaluated for the presence of non-storm water discharges not otherwise covered by a NPDES permit and description of the method used to evaluate for the presence of non-storm water discharges.
- (9) Description of any leaks or spills or other instances of storm water contamination occurred at the facility within the last three (3) years.

b. Controls. Each operator covered by this permit shall develop a description of controls appropriate for the site and a time line for implementing such controls. The following minimum components shall be addressed along with a schedule for implementation:

- (1) Storm Water Management - The plan shall contain a narrative description of the materials and storm water management practices employed or scheduled for employment, to minimize contact of significant materials with storm water runoff; structural and non-structural control measures to reduce pollutants in storm water runoff; treatment (if any) and ultimate disposal of solid or fluid wastes other than by surface discharge. In developing the plan the permittee shall consider but not be limited to the following management practices:
 - A. Containment - All hazardous chemicals shall be stored within berms or other secondary containment devices to prevent leaks and spills from entering storm water runoff.
 - B. Oil & Grease Separation - Oil/water separators, booms, skimmers or other methods should be employed to minimize oil contaminated storm water discharge.
 - C. Waste Chemical Disposal - Waste chemicals such as antifreeze, degreasers, used oils, and etc. shall be recycled or disposed of in an approved manner and in a way which prevents them from entering storm water discharges.
 - D. Debris & Sediment Control - Screens, booms, sediment ponds or other methods should be employed to reduce debris and sediment in storm water discharge.

- E. Storm Water Diversion - Wherever possible, storm water should be diverted away from materials manufacturing, storage and other areas of potential storm water contamination.
- F. Covered Storage or Manufacturing Areas - Wherever practicable, fueling operations, materials manufacturing and storage areas should be covered to prevent contact with storm water.
- (2) Spill Prevention and Response Procedures - Areas where potential spills of significant materials can impact storm water runoff and their associated drainage points shall be clearly identified. Methods to prevent spills along with cleanup and notification procedures shall be identified in the plan and made available to the appropriate personnel. The required cleanup equipment must be on site or readily available.
- (3) Preventive Maintenance - A preventive maintenance program should be implemented to insure the effective operation of materials management facilities, structural and non-structural control facilities, and any treatment facilities used to comply with the requirements of this permit. The preventive maintenance program should include the following:
- A. Areas where potential spills of significant materials could impact storm water runoff, control structures, and any treatment facilities should be inspected monthly during the rainfall season.
- B. A regular program of cleaning and repairing storm water control structures, treatment facilities, and materials handling and storage facilities should be conducted throughout the rainfall season.
- (4) Employee Education - An employee awareness program should inform personnel of the components and goals of the SWPCP, and address spill response procedures, good housekeeping and materials management practices.
- (5) Record Keeping and Internal Reporting Procedures - Incidents of spills or leaks of significant materials which could impact storm water runoff, along with corrective actions, surface water discharge (if any), and other relevant information should be included in the plant records. Inspection and maintenance activities such as cleaning and repairing storm water control and treatment facilities should also be documented and recorded.

(6) Annual Plan Review - A full plan review should be made by the permittee annually, prior to the onset of the rainfall season. The plan review should include a complete site inspection of all areas where potential spills of significant materials can impact storm water runoff. The SWPCP should be updated as necessary.

9. The Storm Water Pollution Control Plan shall include procedures for meeting any Oregon Administrative Rules (OARs) for storm water control specific to the applicable river basin. These procedures should include a schedule of steps and key milestone dates for implementing monitoring activities, materials management practices, and SWPCP plan components not already in place at the time the permit is issued. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
10. Storm water carrying pollutants regulated by this permit shall not be allowed to discharge to seepage ponds, seepage pits, dry wells, injection wells, or any other on-site disposal facilities if discharge to surface waters is possible. If discharge to surface waters is not possible and on-site disposal methods are used, the storm water discharge limitations and monitoring requirements of this permit shall still apply, in addition to the limitations and restrictions found in OAR 340-44-050, Waste Disposal Wells for Surface Drainage and OAR 340, Division 40, Groundwater Quality Protection.
11. Specific Storm Water Discharge Limitations (These Limitations apply to each source discharge that is not controlled by an oil/water separator. Point source discharges controlled by an oil/water separator must meet the limitations in Condition 1, Schedule A).

Parameters

Limitations

Oil & Grease

Shall not exceed 10 mg/L

pH

Shall be between 6 and 9

12. No discharge of toxic chemicals in "toxic concentrations" is permitted. Toxic concentrations is defined in the definitions, Section E, Definitions and Acronyms, General Conditions.
13. Allowable Mixing Zone - Notwithstanding the effluent limitations in this permit, no wastes shall be discharged and no activities shall be conducted which will violate applicable water quality standards as adopted in OAR 340, Division 41, except within a mixing zone (in the receiving stream) of a size which would provide a 10:1 dilution of the storm water discharged.

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SCHEDULE B

Minimum Monitoring and Reporting Requirements (unless otherwise approved in writing by the Department)

1. Facilities covered by this permit that are listed in Condition 7 of Schedule A of this permit.

No monitoring or reporting is required.

②
Bonn
Oil/Water
SEPARATOR

Facilities covered by this permit that only discharge storm water, and no pollutants, such as degreasers, antifreeze, etc., other than oil and grease or fuel additives are likely to be in the discharge, and the discharge is treated with an oil/water separator.

<u>Item or Parameter</u>	<u>Minimum Frequency*</u>	<u>Type of Sample</u>
Oil and Grease	Twice/month	Grab
Oil/Water Separator	Daily	Visual observations**
Flow	Daily when discharging	Estimate
Oxygenated fuel additives***	Quarterly	Grab

3. All other facilities covered by this permit.

<u>Item or Parameter</u>	<u>Minimum Frequency*</u>	<u>Type of Sample</u>
Oil and Grease	Weekly	Grab
Oil/Water Separator	Daily	Visual observations**
Flow	Daily when discharging	Estimate
Oxygenated fuel additives***	Quarterly	Grab

Reporting Procedures

Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports shall be submitted to the Department by the 15th day of the following month.

The monitoring reports shall also include dates when the oil/water separator is cleaned, the amount of material removed (in gallons for liquids and cubic feet for solids), and the location where waste materials were disposed.

Monitoring records shall be maintained by the permittee for at least three years.

* The oil and grease sample is required wherever oily discharges are occurring and whenever there is a discharge from the oil water separator. All collected water in product containment areas must be drained through an oil water separation device.

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** Daily observation should include observation of the runoff collection and treatment system, as well as any discharge to public waters, where practicable.

*** Oxygenated fuel additives means ethyl alcohol (ethanol) and/or Methyl-t-Butyl Ether (MTBE). Sampling for either or both of these compounds is required only during calendar quarters when either or both of these compounds is on site in bulk quantities. Sampling need only be done for the specific oxygenated fuel additive(s) actually on site in bulk quantities. Sampling for oxygenated fuel additives is not required if these compounds are on site only in the form of a ready-to-use pre-blended fuel mixture.

The following conditions (4 through 7) are in addition to conditions 1 through 3 above, and apply to facilities covered by this permit that perform vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations in locations where storm water is likely to become contaminated by wastes resulting from the maintenance or cleaning activity.

4. Parameters - The permittee shall make visual observations and analyze grab samples of all point source discharges for the following parameters:

A. General Parameters:

- i. Color and/or foam (visual observation)
- ii. Oil & Grease Sheen (visual observation)*
- iii. pH
- iv. Oil & Grease (mg/L)
- v. Total Phosphorus (mg/L)
- vi. COD (mg/L)
- vii. TOC (mg/L)
- viii. Metals**
- ix. Total Suspended Solids (mg/L)

+ Whenever a visible oil sheen is detected in a storm water discharge during a required monthly visual observation, it shall be sampled for Oil & Grease.

** Arsenic, Cadmium, Chromium, Copper, Lead, Mercury, Nickel, and Zinc.

B. Other Parameters - Any parameter for which the receiving stream is water quality limited, if the facility discharges storm water to a water quality limited stream with established Total Maximum Daily Loads (TMDL).

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5. Frequency of Monitoring - Sampling for compliance with this section shall be conducted two times per year, with samples being collected at least 60 days apart. One of the samples shall be collected during the month in the fall when runoff first occurs. Visual observations of surface drainage areas shall be made monthly, during those months when at least one storm event occurs which produces runoff.
6. Records Retention and/or Reporting - Monitoring results shall be reported in approved forms and shall be submitted to the appropriate Regional Office by July 1 of each year. All records shall be retained by the permittee for at least 3 years.
7. Representative Sampling - All sampling shall be representative of the discharge.

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SCHEDULE C

Compliance Conditions and Schedules (unless otherwise approved in writing by the Department)

The following conditions (1 through 4) apply to facilities covered by this permit that perform vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations in locations where storm water is likely to become contaminated by wastes resulting from the maintenance or cleaning activity.

1. Within 180 days of receiving this permit*, the permittee shall complete a Storm Water Pollution Control Plan (SWPCP) as required by Condition 8, Schedule A.
2. The permittee shall be in compliance with the SWPCP and the effluent limitations in this permit within 360 days of receiving this permit*.
3. The permittee is expected to meet the compliance dates which have been established in this schedule. Either prior to or no later than 14 days following any compliance date, the permittee shall submit to the Department a notice of compliance or noncompliance with the established schedule. The Department may revise a schedule of compliance if good and valid cause over which the permittee has little or no control has been determined.
4. For new facilities, the SWPCP shall be prepared and implemented prior to startup of the facility.

* If this source was previously covered by a Series 1200 General Permit for storm water, the compliance schedule in that permit preempts this schedule.

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SCHEDULE D

Special Conditions

The following conditions (1 through 5) apply to facilities covered by this permit that perform vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling and lubrication) and/or equipment cleaning operations in locations where storm water is likely to become contaminated by wastes resulting from the maintenance or cleaning activity.

1. Waste Load Allocation - If storm water monitoring or any other wastewater monitoring at the site indicates that a pollutant parameter, for which a stream is water quality limited, is discharging to a water quality limited stream in significant quantities, the permit may be reopened and a waste load allocation for the pollutant added.
2. Additional Limitations or Monitoring Required - If storm water monitoring indicates that certain pollutants are being discharged in quantities which may be a threat to the water quality of the receiving stream, the permit may be reopened and additional effluent limits and/or monitoring requirements added.
3. Releases in Excess of Reportable Quantities. This permit does not relieve the permittee of the reporting requirements of 40 CFR 117 and 40 CFR 302. The discharge of hazardous substances in the storm water discharge(s) from a facility shall be minimized in accordance with the applicable storm water pollution control plan for the facility required by this permit, and in no case, during any 24-hour period, shall the discharge(s) contain a hazardous substance equal to or in excess of reporting quantities.
4. Disposition of SWPCP - The Storm Water Pollution Control Plan, required by Condition 8, Schedule A, shall be kept at the site and made available to the Department upon request.
5. Reporting to Municipality - Any permitted facility discharging to a municipal storm sewer shall provide the municipality with a copy of the monitoring report required by Schedule B. A copy of the SWPCP shall also be provided the municipality upon request.

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GENERAL PERMIT

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

WASTE DISCHARGE PERMIT

Department of Environmental Quality
811 S.W. Sixth Avenue
Portland, OR 97204
Telephone: (503) 229-5696

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act

ISSUED TO:

All Owners or Operators of
Facilities Discharging
Pollutants Covered by
this Permit

SOURCES COVERED BY THIS PERMIT:

Storm water runoff, or water bottoms
from facilities storing, transferring,
formulating and/or packaging bulk
petroleum products or vegetable oils;
motor pools, and other facilities with
oily discharges

Michael Downs

Michael Downs, Administrator
Water Quality Division

DEC 22 1994

Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to discharge to public waters adequately treated wastewater only from the authorized discharge point or points established in Schedule A and only in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

	<u>Page</u>
Schedule A - Waste Discharge Limitations not to be Exceeded.....	2-7
Schedule B - Minimum Monitoring and Reporting Requirements.....	8-10
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Schedule D - Special Conditions.....	12
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Each other direct and indirect waste discharge to public waters is prohibited unless covered by another NPDES permit.

GENERAL CONDITIONS

SECTION A. STANDARD CONDITIONS1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Oregon Revised Statutes (ORS) 468B.025 and is grounds for enforcement action; for permit termination; revocation and re-issuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

Oregon Law (ORS 468.140) allows the Director to impose civil penalties up to \$10,000 per day for violation of the terms or conditions of a permit.

Oregon Law (ORS 468B.990) classifies a willful or negligent violation of the terms of a permit or failure to get a permit as a misdemeanor and a person convicted thereof shall be punishable by a fine of not more than \$25,000 or by imprisonment for not more than one year, or by both. Each day of violation constitutes a separate offense.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. In addition, upon request of the Department, the permittee shall correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Individual NPDES Permit Required

Whenever a facility expansion, production increase, or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, a NPDES application must be submitted together with the necessary reports, plans, and specifications for the proposed changes. No change shall be made until plans have been approved and an individual NPDES permit has been issued.

5. Permit Actions

The Director may revoke a general permit as it applies to any person and require such person to apply for and obtain an individual NPDES permit if:

- a. The covered source or activity is a significant contributor of pollution or creates other environmental problems;

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- b. The permittee is not in compliance with the terms and conditions of this general permit; or
- c. Conditions or standards have changed so that the source or activity no longer qualifies for a general permit.

6. General Permit Coverage

- a. Any permittee not wishing to be covered or limited by this general permit may make application for an individual NPDES permit in accordance with NPDES procedures in OAR 340-45-030.
- b. This general permit does not cover activities or discharges covered by an individual NPDES permit until the individual permit has expired or been cancelled. Any person conducting an activity covered by an individual permit but which could be covered by this general permit may request that the individual permit be cancelled.

7. Toxic Pollutants

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

8. 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 private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall 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 includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2. Duty to Halt or Reduce Activity

Upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This

requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The term "bypass" does not include nonuse of singular or multiple units or processes of a treatment works when the nonuse is insignificant to the quality and/or quantity of the effluent produced by the treatment works. The term "bypass" does not apply if the diversion does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Prohibition of bypass.

- (1) Bypass is prohibited unless:
 - A. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - B. 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 the permittee could have installed adequate backup equipment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - C. The permittee submitted notices as required under paragraph c of this section.
- (2) 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 b(1) of this section.

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c. Notice and request for bypass.

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Paragraph D-5, Section D, (24-hour notice).

4. Removed Substances

Solids, sludges, or other pollutants removed in the course of treatment or control of wastewater shall be disposed of in such a manner as to prevent any pollutant from such materials from entering public waters, causing nuisance conditions, or creating a public health hazard.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Sampling and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and shall be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director.

2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than $\pm 10\%$ from true discharge rates throughout the range of expected discharge volumes.

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Penalties of Tampering

The Clean Water 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 per violation, or by imprisonment for not more than 6 months per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than \$20,000 per day of violation, or by imprisonment of not more than four years or both.

5. Reporting of Monitoring Results

Monitoring results shall be summarized each month on a Discharge Monitoring Report (DMR) form approved by the Department. The reports shall be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR. Such increased frequency shall also be indicated.

7. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean, except for bacteria which shall be averaged based on a geometric or log mean.

8. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records of all original strip chart 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, for a period of at least 3 years from the date of the sample, measurement, or report of application. This period may be extended by request of the Director at any time.

9. Records Contents

Records of monitoring information shall include:

- a. The date, exact place, time and methods of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;

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- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- a. 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;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit, and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall comply with Oregon Administrative Rules (OAR) 340, Division 52, "Review of Plans and Specifications". Except where exempted under OAR 340-52, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers shall be commenced until the plans and specifications are submitted to and approved by the Department. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility.

2. Anticipated Noncompliance

The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

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3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and the rules of the Commission. No permit shall be transferred to a third party without prior written approval from the Director. The permittee shall notify the Department when a transfer of property interest takes place.

4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

5. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally (by telephone) within 24 hours from the time the permittee becomes aware of the circumstances. During normal business hours, the Department's Regional Office shall be contacted. A written report shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written report shall 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; and
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

The following shall be included as information which must be reported within 24 hours:

- a. Any unanticipated bypass which exceeds any effluent limitation in the permit.
- b. Any upset which exceeds any effluent limitation in the permit.

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6. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Paragraphs D-4 and D-5, Section D at the time monitoring reports are submitted unless required otherwise in Schedule B of this permit. The reports shall contain the information listed in Paragraph D-5.

7. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for revoking coverage by this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Other Information: When 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 any report to the Department, it shall promptly submit such facts or information.

8. Signatory Requirements

All applications, reports or information submitted to the Department shall be signed and certified in accordance with 40 CFR 122.22.

9. Falsification of Reports

State law 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 noncompliance shall, upon conviction be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.

SECTION E. DEFINITIONS AND ACRONYMS

1. "BOD₅" means five-day biochemical oxygen demand.
2. "COD" means chemical oxygen demand.
3. "Department" means Department of Environmental Quality
4. "FC" means fecal coliform bacteria.
5. "MGD" means million gallons per day.
6. "mg/L" means milligrams per liter.
7. "mL/L" means milliliters per liter as measured in an Imhoff cone.

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8. "Point Source Discharge" means a discharge from any discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, or conduit.
9. "Reportable Quantities" means those quantities of hazardous substances listed in Table 117.3 of The Code of Federal Regulations, 40 CFR 117.
10. "Significant material" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.
11. "TOC" means total organic carbon
12. "TOX" means total organic halides
13. "TSS" means total suspended solids (non-filterable residue).
14. "Toxic concentration" means lethality to aquatic life as measured by a significant difference in lethal concentration between the control and 100 percent effluent in an acute bioassay test.