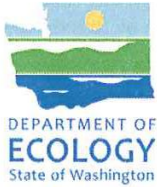


APPENDIX C

UNDERWOOD FRUIT NPDES PERMIT




**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTEWATER DISCHARGE GENERAL PERMIT
FOR THE FRESH FRUIT PACKING INDUSTRY**

PERMIT ISSUANCE

Permit Issuance Date: June 11, 2009
Permit Effective Date: July 2, 2009
Permit Expiration Date: July 1, 2014

This general permit was issued
by the
Washington State Department of Ecology
Olympia, Washington 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
and
The Federal Water Pollution Control Act as amended
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this general permit expires, is modified, or is revoked, permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.


Kelly Susewind, Program Manager
Water Quality Program
Department of Ecology

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TABLE OF CONTENTS

	<u>Page</u>
SUMMARY OF PLANS, REPORTS, AND SUBMITTALS	5
TABLE 1. ITEMS TO BE SUBMITTED TO ECOLOGY	5
TABLE 2. NON-SUBMITTAL ITEMS	5
SPECIAL CONDITIONS	6
S1. CRITERIA FOR COVERAGE	6
A. Types Of Facilities Or Dischargers Covered	6
B. Geographical Area Covered	6
C. When Facilities Must Comply With This General Permit	6
S2. APPLICATION FOR COVERAGE	6
A. Permit Application Requirements.....	6
B. When Permit Coverage Is Effective	7
C. Modification Of Permit Coverage	8
S3. SELECTION OF TREATMENT/DISPOSAL METHODS (TDMs)	8
S4. WHEN TDMs MUST BE OPERATIONAL	11
S5. EFFLUENT LIMITS, MONITORING, & BEST MANAGEMENT PRACTICES	11
A. TDM 1 - Lined Evaporative Lagoons	11
1. Definition of Lined Evaporative Lagoons.....	11
2. Effluent Limits and Monitoring	11
3. Best Management Practices (BMPS) and Other Requirements for Lined Evaporative Lagoons.....	11
4. Alternatives To Geomembrane Lined Lagoon	13
B. TDM 2 - Dust Abatement	14
1. Description of Dust Abatement.....	14
2. Application Rates, Frequencies, and Allowed Sites	15
3. Effluent Limits and Monitoring	16
4. Chemical Additive Maximum Use Rates	16
5. BMPs and Other Requirements for Dust Abatement	17
6. Inspections	19
7. Road Management Plan (RMP)	19
C. TDM 3 - POTW (Publicly Owned Treatment Works)	20
1. Definition.....	20
2. Effluent Limits and Monitoring	20
3. Compliance With More Stringent Conditions Imposed by a POTW	20
4. Written Certification Required for Discharges to POTWs	21
5. BMPs for Discharges to POTWs.....	21
D. TDM 4 - Land Application	21
1. Description of Land Application.....	21
2. Application Rates, Frequencies, and Allowed Sites	22
3. Effluent Limits and Monitoring	23
4. Chemical Additive Maximum Use Rates	23
5. BMPs and Other Requirements for Land Application	24
6. Inspections	26
E. TDM 5 - Percolation Systems	26
1. Definition.....	26
2. Effluent Limits and Monitoring.....	27
3. BMPs and Other Requirements for Discharges to Percolation Systems	27
4. Inspections	28
F. TDM 6 - Surface Waters	28
1. Definition.....	28
2. Effluent Limits and Monitoring.....	29

3.	Allowed Discharges to Surface Water	29
4.	BMPs and Other Requirements for Discharges to Surface Waters	29
5.	Inspections	30
6.	Mixing Zone	31
7.	Antidegradation of Surface Waters	31
8.	Whole Effluent Toxicity (WET) Testing for Verification of the Narrative Toxics Criterion	31
S6.	REPORTING AND RECORDKEEPING REQUIREMENTS	32
	A. Reporting.....	32
	B. Recordkeeping.....	33
	C. Flow Measurement,Field Measurement, and Continuous Devises	34
	D. Sampling and Analytical Procedures	34
	E. Laboratory Accreditation	35
S7.	ENVIRONMENTAL COMPLIANCE PLAN (ECP).....	36
S8.	HAULED DISCHARGES.....	38
S9.	CONDITIONAL USE FOR CHEMICALS NOT SPECIFIED.....	39
	GENERAL CONDITIONS	41
G1.	SIGNATORY REQUIREMENTS.....	41
G2.	COMMENCEMENT OF COVERAGE UNDER A GENERAL PERMIT.....	41
G3.	TERMINATION OF INDIVIDUAL PERMITS UPON ISSUANCE of GENERAL PERMIT	42
G4.	REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT	42
G5.	TERMINATION OF GENERAL PERMIT COVERAGE UPON ISSUANCE OF AN INDIVIDUAL PERMIT	42
G6.	PROPERTY RIGHTS.....	42
G7.	PAYMENT OF FEES	42
G8.	SEVERABILITY.....	42
G9.	RIGHT OF INSPECTION AND ENTRY	43
G10.	DUTY TO REAPPLY.....	43
G11.	DUTY TO PROVIDE INFORMATION.....	43
G12.	ADDITIONAL MONITORING	43
G13.	REPORTING OTHER INFORMATION.....	43
G14.	PLAN REVIEW REQUIRED.....	44
G15.	GENERAL PERMIT MODIFICATION AND REVOCATION	44
G16.	REPORTING A CAUSE FOR GENERAL PERMIT MODIFICATION	44
G17.	REPORTING A CAUSE FOR MODIFICATION OF COVERAGE	44
G18.	PERMIT COVERAGE REVOKED	45
G19.	PERMIT TRANSFER	45
G20.	DUTY TO COMPLY	46
G21.	DISCHARGES FROM ACTIVITIES NOT COVERED BY THE GENERAL PERMIT	46
G22.	REDUCED PRODUCTION FOR COMPLIANCE	46
G23.	OTHER REQUIREMENTS OF 40 CFR	46
G24.	COMPLIANCE WITH OTHER LAWS AND STATUTES.....	46
G25.	PROPER OPERATION AND MAINTENANCE.....	46
G26.	DISCHARGE VIOLATIONS	47
G27.	RESPONSE TO SIGNIFICANT VIOLATIONS.....	47
G28.	TOXIC POLLUTANTS.....	47
G29.	REMOVED SUBSTANCES	47
G30.	UPSET	47
G31.	ENFORCEMENT	48
G32.	PENALTIES FOR TAMPERING	48
G33.	PENALTIES FOR VIOLATING PERMIT CONDITIONS	48
G34.	APPEALS.....	48
	GLOSSARY	50

SUMMARY OF PLANS, REPORTS, AND SUBMITTALS

TABLE 1 - ITEMS TO BE SUBMITTED TO ECOLOGY

Permit Section	Submittal Type	Submitted By	Frequency	Date Due (must be post-marked or received by)
S6.A	Yearly Facility Report (YFR)	All facilities	1/year	January 31 of year following monitoring period
S6.A	Monthly Discharge Monitoring Report (DMR)	Facilities with process water discharges to surface water	1/month	15 th of month following monitoring period
S5.F.6	Non-Contact Cooling Water (NCCW) Rapid Screening WET Test Results	All facilities discharging NCCW with additives to surface waters	Twice within first year of coverage and twice within 3 months of any change in additives	Within one year of permit issuance or at time of change in additives
G10	Re-application for Coverage	All facilities	Every five years	180 days prior to permit expiration

TABLE 2 - NON-SUBMITTAL ITEMS (Items to be kept on-site for use by the facility and available for inspection by ecology)

Report Type & Permit Section	Completed By	Frequency and Due Date
Environmental Compliance Plan (ECP) - S7	All Facilities	Existing Facilities: Update plan when reapplying for permit coverage plus as needed to reflect changes. New Facilities: Develop plan no later than one (1) year after commencement of any wastewater discharge. Update plan when reapplying for permit coverage and as needed to reflect changes.
Road Management Plan (RMP) - S5.B.5	Facilities discharging to dust abatement	Existing Facilities: Update plan when reapplying for permit coverage plus update as needed to reflect changes. New Facilities: Develop plan no later than one (1) year after start of any wastewater discharge. Update plan when reapplying for permit coverage and as needed to reflect changes.
Batch Mix Records - S6.B S5.B.3b S5.D.3b	Facilities discharging dip tank, drencher, or pear float tank water to dust abatement or land app.	Record all dip tank, drencher, or pear float tank water discharges to dust abatement or land application beginning immediately.

SPECIAL CONDITIONS

All discharges and activities authorized by this general permit must comply with the terms and conditions of this general permit. In order to comply with this general permit, the permittee must monitor and report all effluent limits as specified in *Special Condition S5*; comply fully with all of the reporting, recording, sampling, and testing requirements as specified; and monitor and report all significant process changes that occur at the permittee's facility as specified in *Special Condition S2.C*.

S1. CRITERIA FOR COVERAGE

A. Types of Facilities Covered

Every new or existing fresh fruit packing facility which receives, packs, stores, and/or ships either hard or soft fresh fruit and discharges wastewater (with the exception of discharges of only domestic wastewater or discharges only to a delegated pretreatment POTW), must apply for and obtain coverage under either this general permit or an individual NPDES/State Waste Discharge Permit.

Any facility as described above, which is located on the Colville Reservation, can apply for coverage of only non-surface water discharges under this general permit. Discharges to surface water within the reservation are under the jurisdiction of the United States Environmental Protection Agency (EPA).

B. Geographical Area Covered

The geographical area covered by this general permit is the entire State of Washington.

C. When Facilities Must Comply With This General Permit

Upon receiving coverage, all existing facilities must comply fully with the terms and conditions of this general permit. Ecology will consider any noncompliant facility in violation of the terms and conditions of this general permit.

All new facilities applying for coverage under this general permit must comply with all the terms and conditions prior to commencing operations and discharging wastewater. Any new facility that is found not in compliance at any time after commencing operations, will be considered by Ecology, in violation of the terms and conditions of this general permit.

S2. APPLICATION FOR COVERAGE

1. Permit Application Requirements

Who Must Apply for Coverage: All fresh fruit packing facilities which receive, pack, store, and/or ship either hard or soft fresh fruit and discharge wastewater

(with the exception of discharges of only domestic wastewater or discharges only to a delegated pretreatment POTW), must apply for and obtain coverage under either this general permit or an individual permit according to the *Waste Discharge General Permit Program*, chapter 173-226 Washington Administrative Code (WAC).

How to Apply for Coverage: All fresh fruit packing facilities must apply for coverage by submitting to the Washington State Department of Ecology (Ecology) a completed and signed *Application for Coverage*, which is specifically prescribed by Ecology for this general permit and was developed in accordance with the requirements of chapter 173-226-200 WAC. Web link for the application: <http://www.ecy.wa.gov/biblio/ecy070153.html>

Any **existing facility** currently under coverage by this general permit with which no significant process change has occurred or is planned to occur, must submit to Ecology an *Application for Renewal of Coverage*, when this general permit is up for renewal (every five years).

Any **new facility** must submit to Ecology all of the following:

1. An *Application for Coverage* under this general permit.
2. An engineering report completed in accordance with chapter 173-240 WAC, if the permit applicant plans to construct a wastewater treatment system.
3. A certification in the form of an original notarized Affidavit of Publication, which shows the permit applicant has met the public notice requirements of chapter 173-226 WAC.
4. A certification that the permit applicant has met the applicable State Environmental Policy Act (SEPA) requirements under chapter 197-11 WAC.

When to Apply or Reapply for Coverage: Facilities must submit all *Applications for Coverage* or *Applications for Renewal of Coverage* to Ecology within the following time limits:

Existing facilities with permit coverage must reapply no later than one hundred eighty (180) days prior to the expiration date of this general permit.

New facilities must apply for coverage no later than one hundred eighty (180) days prior to the discharge of any wastewater.

Failure to Apply for Coverage: If a facility is required to obtain coverage under either this general permit or an individual NPDES/State Waste Discharge Permit within the time limits given above and has failed to do so, Ecology will consider the facility in violation of the State Water Pollution Control Act and/or the Federal Clean Water Act (FCWA). That facility will then be subject to enforcement for unlawfully discharging wastewater without a permit.

B. When Permit Coverage Is Effective

Unless Ecology responds in writing to any facility's Application for Coverage or obtains relevant written public comment against coverage, a facility's coverage under this general permit will commence on one of the following dates:

1. The thirty-first (31st) day following receipt by Ecology of a completed and approved Application for Coverage
2. The thirty-first (31st) day following the end of a thirty (30) day public comment period
3. The effective date of this general permit (for renewal applications)

If Ecology responds in writing to any facility's Application for Coverage or obtains relevant written public comment against coverage, a facility's coverage under this general permit will not commence until Ecology is satisfied with the results obtained from written correspondence with the facility and/or the public commenter.

C. Modification of Permit Coverage

Prior to the implementation of any operational or managerial change which would result in a change in permit status, the commencement of a new discharge, or a change in the volume or characteristics of any existing discharge(s), one of the following modification forms must be completed and received by Ecology. Ecology developed the above forms for the purposes of this general permit.

The first modification form is Coverage Modification Due to Change in Facility Status and is used for: (1) facility name changes without ownership changes; (2) to cancel permit coverage; and (3) to transfer permit coverage to a new owner or operator (sale or lease). Web link for modification form: <http://www.ecy.wa.gov/biblio/ecy070154a.html>

The second modification form is Coverage Modification Due to Change in Operations, and is used to: (1) add or discontinue the use of Treatment/Disposal Methods (TDMs); (2) add or discontinue wastewater discharges; (3) add or discontinue the use of chemicals; and (4) explain facility expansions. Web link for modification form: <http://www.ecy.wa.gov/biblio/ecy070154b.html>

Submission of one of the above forms will initiate the permit coverage modification process and may require any of the following: (1) satisfying SEPA requirements; (2) the submission of a new application; (3) the submission of engineering reports; and/or (4) public notice procedures.

The use of TDMs, chemicals, biological controls, or the discharge of wastewater from sources or processes not specified in the original application or approved through the modification of coverage process is a violation of this general permit.

S3. SELECTION OF TREATMENT/DISPOSAL METHODS (TDMs)

The permittee must select one or more of the following six approved TDMs for the treatment and disposal of wastewater discharged from its facility. The Permittee must

select only from these six approved TDMs based upon the definitions below and the criteria specified in Table 3.

1. **Lined Evaporative Lagoons** – Are by definition, impervious lined, engineered structures which rely largely upon evaporation for water removal. Lined lagoons also include pre-manufactured, above-ground fiberglass or metal tanks. Lagoon geomembrane liners constructed after July 1, 2004, but before July 1, 2009 must meet or exceed the performance specifications of a 40 mil HDPE geomembrane liner. Lagoon geomembrane liners constructed after July 1, 2009 must meet or exceed the performance specifications of a 60 mil HDPE geomembrane liner. For the purposes of this general permit, clay liners are not acceptable.
2. **Dust Abatement** – Is typically the uniform application of wastewater to unpaved bin storage lots and unpaved roads for the purpose of dust suppression. This TDM is intended primarily for the discharge of drencher wastewater and pear float tank wastewater. Other wastewater sources can be discharged via dust abatement, see Table 3 for more information.
3. **Publicly Owned Treatment Works (POTW)** - Is a municipal or regional wastewater treatment plant. Prior to any discharge of wastewater to a POTW, the permittee must obtain written permission from the POTW. Table 3 identifies the wastewaters eligible for discharge to POTWs.
4. **Land Application** – Is an engineered system for uniformly applying wastewater to a vegetated land surface. The applied wastewater is treated by chemical, biological, and physical processes as it flows through the plant-soil matrix. This system consists of the vegetated application site, a distribution system (i.e., sprinklers), and a lined lagoon (or other Ecology-approved, self-contained storage system) for storing wastewater during periods when the permittee cannot apply it to the land.
5. **Percolation Systems** – Are engineered systems for the aerobic treatment of wastewater as it percolates through the soil matrix. These systems are designed to account for hydraulic and nutrient loading rates, wet and dry cycles, uniform wastewater distribution, and other relevant design parameters.
6. **Surface Water** – Certain circumstances allow for the discharge of wastewater to surface waters. Surface waters include, but are not limited to, lakes, rivers, ponds, streams, creeks, irrigation canals and return drains, wetlands, storm drains or other collection systems which discharge to a surface water, and all other surface waters and watercourses within the jurisdiction of the state.

TABLE 3 - SELECTION OF TREATMENT / DISPOSAL METHODS (TDMs)

WASTE-WATER SOURCE	CHEMICALS USED	1	2	3	4	5	6	
		LINED LAGOON	DUST ABATEMENT	POTW	LAND APPLICATION	PERCOLATION SYSTEM	SURFACE WATER	
DRENCHER OR DIP TANK	CONTAINING ANY ADDITIVE, INCLUDING: DPA, TBZ, ETHOXYQUIN ¹ , CALCIUM CHLORIDE, CAPTAN, DICHLORAN, SOPP, PENBOTEC ² , OR SCHOLAR	YES	YES		YES			
APPLE OR STONE FRUIT - FLOAT, FLUME, OR RINSE	NO CHEMICALS OR ONLY CHLORINE-BASED CHEMICALS	YES	YES	YES	YES	YES	YES	
	WASHING/WAXING PRODUCTS ONLY OR WITH CHLORINE-BASED CHEMICALS	YES	YES	YES	YES	YES	Condi-tional ³	
	NONCHLORINE-BASED CHEMICALS INCLUDING: TBZ ⁴ & EXCLUDING: CAPTAN, DICHLORAN, PENBOTEC, & SCHOLAR	YES	YES	YES	YES	YES		
	CAPTAN, DICHLORAN, PENBOTEC, & SCHOLAR	YES	YES		YES			
PEAR PACKING	LIGNOSULFONATE with or without SOPP	FLOAT		YES				
		RINSE	YES	YES	YES ⁵	YES		
	POTASSIUM CARBONATE ⁶ with or without SOPP or chlorine	FLOAT	YES	YES		YES	YES	
		RINSE	YES	YES	YES	YES	YES	
	POTASSIUM PHOSPHATE with or without chlorine or SOPP	FLOAT	YES			YES		
		RINSE	YES	YES		YES		
	SODIUM SILICATE ⁶ with or without chlorine or SOPP	FLOAT	YES	YES		YES		
		RINSE	YES	YES		YES		
	SODIUM SULFATE ⁷ with or without chlorine or SOPP	FLOAT	YES	YES		YES		
		RINSE	YES	YES	YES	YES	YES	
FLOATLESS DUMPER with SOPP	FLOAT	YES	YES		YES			
	RINSE	YES	YES	YES	YES	YES		
FLOATLESS DUMPER with only chlorine or no fungicides	FLOAT	YES	YES	YES	YES	YES	YES	
	RINSE	YES	YES	YES	YES	YES	YES	
NCCW	NO PRIORITY POLLUTANTS, DANGEROUS WASTES, OR TOXICS IN TOXIC AMOUNTS	YES	YES	YES ⁸	YES	YES	YES	
	WITH PRIORITY POLLUTANTS, DANGEROUS WASTES, OR TOXICS IN TOXIC AMOUNTS	YES						

¹ Wastewater (except drencher wastewater) containing Ethoxyquin® is allowed to discharge to POTWs (w/permission) at a max limit of 50 mg/L and to percolation systems at a max limit of 5.0 mg/L. ² Pretreatment is available for wastewater containing Penbotec® and is called FUNDS®, see the fact sheet for more information. ³ Wastewater containing wash additives or wax must receive secondary treatment prior to discharge to surface waters. ⁴ Wastewater containing TBZ is allowed to discharge to POTWs (w/permission) at a max limit of 50 mg/L and to percolation systems at a max limit of 10.0 mg/L. ⁵ Pear rinse wastewater containing lignosulfonate is allowed to discharge to POTWs (w/permission) unless that POTW uses UV disinfection. ⁶ PH adjustments may be needed before discharge. ⁷ In order to meet sulfate limits, pretreatment may be needed. ⁸ The discharge of NCCW to a POTW is allowed only with written approval from both Ecology and the POTW.

S4. WHEN TDMs MUST BE OPERATIONAL

Existing permittees must properly operate and maintain one or more of the TDMs listed above for all of their permitted wastewater discharges.

Prior to discharging or potentially discharging any wastewater, new permittees must properly install, operate, and maintain one or more of the TDMs listed above for all of its regulated wastewater discharges.

S5. EFFLUENT LIMITS, MONITORING, & BEST MANAGEMENT PRACTICES (BMPs)

Beginning on the effective date of issuance of this general permit, the permittee is authorized to utilize and discharge to any of the TDMs listed above; in accordance with the requirements pertaining to each TDM as specified in *Special Condition S5*. Any chemical, product, pollutant, or parameter not listed in *Special Condition S5* or specified in Table 3 of this general permit, will be prohibited from discharge with the exception of the use of ozone for disinfection. Compliance with the conditions contained in *Special Condition S5*, will not relieve the permittee from the responsibility to comply with any other limitation, term, or condition described elsewhere in this general permit or any state or federal laws and regulations.

A. TDM 1 - LINED EVAPORTIVE LAGOONS**1. Definition of Lined Evaporative Lagoons (Lined Lagoons)**

Lined lagoons are imperviously lined, in-ground, engineered structures, which rely largely upon evaporation for water removal. Lined lagoons also include pre-manufactured, above-ground fiberglass or metal tanks. Lagoon geomembrane liners constructed after July 1, 2004, but before July 1, 2009 must meet or exceed the performance specifications of a 40 mil HDPE liner. Lagoon geomembrane liners constructed after July 1, 2009 must meet or exceed the performance specifications of a 60 mil HDPE liner. For the purposes of this general permit, clay liners are not acceptable.

TABLE 4 - Effluent Limits and Monitoring for Lined Evaporative Lagoon

PARAMETER	MINIMUM	SAMPLE FREQUENCY	SAMPLE TYPE
Freeboard	2 feet	Quarterly	Measurement

2. Best Management Practices and Other Requirements for Lined Lagoons

Pollutant/parameters are limited by full compliance with the following required Best Management Practices (BMPs). No chemical testing will be required for discharges to lined lagoons.

- a. Locate, design, and manage all impoundments to control odors and insects.
- b. Do not commingle drencher discharges with any other process waste streams that contain chlorine-based chemicals.
- c. Maintain a minimum of two feet of freeboard at all times.
- d. Make regular inspections of the lagoon at a frequency sufficient to maintain proper operation.
- e. Complete at minimum, weekly inspections when discharging to the lined lagoon.
- f. Maintain inspection records describing abnormalities and any actions taken to correct the problem. Examples of such abnormalities include, but are not limited to, high liquid levels, rapid changes in liquid levels, holes, washouts, liner deterioration, berm wall deterioration, and overflows.
- g. Take immediate corrective actions and report to Ecology within 48 hours of the discovery of any significant abnormality.
- h. Completely empty and examine the lagoon liner at least once every five (5) years.
- i. Replace or repair the liner if substantial deterioration is found.
- j. Report results of the liner inspection in the Application for Renewal of Coverage.
- k. Treat and dispose of any sludge or solid wastes produced during any sedimentation process in accordance with the terms of the Solid Waste Management Plan (SWMP) in the permittee's Environmental Compliance Plan (ECP). The permittee must also comply with all state and county health department regulations.
- l. The permittee must ensure that the design and construction of any lagoon be managed by a state licensed engineer, unless this requirement is waived by Ecology in accordance with chapter 173-240 WAC.
- m. The permittee must obtain a dam safety permit if the above-ground storage capacity exceeds ten (10) acre-feet.
- n. The permittee must construct geomembrane liners that:

- a. Are specifically engineered to withstand internal and external pressure gradients, physical contact with wastes, climatic conditions, and stresses of installation and daily operation.
- b. Meet or exceed the performance specifications of a 40 mil HDPE geomembrane liner for lagoons constructed after July 1, 2004, but before July 1, 2009.
- c. Meet or exceed the performance specifications of a 60 mil HDPE geomembrane liner for lagoons constructed after July 1, 2009.
- d. Continuously cover the entire inner bottom and sides of the structure that are likely to contact the wastewater.
- e. Are placed on a base of sand or similar material thick enough to prevent failure due to settlement, compression, stretching, or uplift.
- f. Prevent the movement of wastewater chemicals through its structure to waters of the state, or to contact any adjacent ground or soil.
- g. Have a life expectancy which must extend at a minimum, through the entire time of this general permit (five years).
- h. Are surrounded by a minimum six foot high fence with a locked gate.
- i. Maintain the minimum setback distances in Table 5.

TABLE 5 - Minimum Setbacks (feet)

	Surface waters of the state, irrigation supply/drainage ditches, wetlands	Potable water wells
Lined lagoons with DPA	250 feet	250 feet
Lined lagoons without DPA	50 feet	100 feet

3. Alternatives to Geomembrane Lined Lagoons

The permittee may alternatively use an above ground, pre-manufactured fiberglass, fiberglass-lined, or metal tank in lieu of the geomembrane lined evaporative lagoon. In this case, the permittee must still fully comply with all of the applicable BMPs and prohibitions listed above.

B. TDM 2 - DUST ABATEMENT**1. Description of Dust Abatement**

Dust abatement is the application of wastewater to unpaved bin storage lots and unpaved roads (i.e., orchard roads) for the purpose of dust suppression. This TDM is intended primarily for the discharge of drencher wastewater and pear float tank wastewater containing lignosulfonate, sodium sulfate, sodium silicate, or potassium carbonate. Only rinse wastewater containing potassium phosphate is allowed to be discharged via dust abatement. Wastewaters containing sodium sulfate may require pretreatment prior to discharge in order to meet the total sulfate effluent limit. Wastewaters containing sodium silicate or potassium carbonate may require pH adjustment prior to discharge in order to meet the pH effluent limit. Permittees may discharge other wastewater sources via dust abatement; see Table 6 for more information.

TABLE 6 - Application Rates, Frequencies, and Allowed Sites for Dust Abatement

WASTE STREAM DESCRIPTION		MAXIMUM APPLICATION		ALLOWED DICHARGE SITES
		RATE	FREQUENCY ¹	
ANY PERMITTED WASTE STREAM EXCEPT DRENCHER WASTEWATER, PEAR FLOAT WASTEWATER, & WASTEWATER CONTAINING PENBOTEC® OR SCHOLAR®		1800 gallons/acre/day	180 times/year every day	Only unpaved bin lots or unpaved roads
ANY DRENCHER WASTEWATER	Not containing calcium chloride	1800 gallons/acre/day	30 applications/year every other day	
	Containing calcium chloride	1800 gallons/acre/year	One (1) application/year	
PEAR FLOAT TANK WASTEWATER ² (excluding that with potassium phosphate) SOPP or other fungicide concentration in mg/L of:	0 to 1000	4840 gal/acre/day	once per week	
	1001 to 2000	2420 gal/acre/day	once per week	
	2001 to 3000	1613 gal/acre/day	once per week	
	3001 to 4000	1210 gal/acre/day	once per week	
	4001 to 5000	968 gal/acre/day	once per week	
	5001 to 6000	807 gal/acre/day	once per week	
	Greater than 6000	Discharge not allowed		
ANY WASTEWATER CONTAINING THE FUNGICIDE PENBOTEC® ³	Penbotec® concentration (mg/L) of:			
	0 to 500	1800 gallons/acre/day	30 applications/year every other day	
	500 to 1000	1800 gallons/acre/day	15 applications/year every other day	
	Greater than 1000	Discharge not allowed		
ANY WASTEWATER CONTAINING THE FUNGICIDE SCHOLAR®	Maximum concentration of 300 mg/L	1800 gallons/acre/day	30 applications/year every other day	

¹ Application rates are valid only if chemical concentrations are in compliance with the maximum use rates specified in Table 8. The discharge of wastewater containing chemicals in concentrations greater than those specified in Table 8 is not allowed. ² Wastewater containing the float tank enhancers lignosulfonate, sodium sulfate, sodium silicate, and potassium carbonate is allowed to be discharged via dust abatement. Only rinse wastewater containing potassium phosphate is allowed to be discharged via dust abatement. ³ There is pretreatment available for wastewater containing Penbotec® called FUNDS®.

TABLE 7 - Effluent Limits and Monitoring for All Discharges to Dust Abatement

POLLUTANT/PARAMETER	DAILY MAXIMUM LIMIT			SAMPLE FREQUENCY	SAMPLE TYPE
	DRENCHER WATER ONLY ¹	NCCW ONLY	ALL OTHER ALLOWED WASTEWATER SOURCES		
<i>Analysis is required for all of the following parameters except those marked NR (Not Required)</i>					
Flow (gallons/day)	record value	record value	record value	1/discharge event	Measurement
pH (standard units)	NR	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total chloride (mg/L)	NR	NR	250	Quarterly	Composite
Total dissolved solids (TDS) (mg/L)	NR	record value	NR	Quarterly	Composite
<i>Analysis is required for all of the following parameters except: (1) those marked NR or (2) if that chemical is not used at the facility</i>					
Total residual chlorine (mg/L) ²	10.0	10.0	10.0	Quarterly	Grab
Total sulfate ³ (mg/L)	NR	NR	250	Quarterly	Composite
Captan® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Dichloran® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Ethoxyquin® (mg/L)	2700	NR	NR	Annual	Composite
TBZ (mg/L)	615	NR	NR	Annual	Composite
SOPP (mg/L)	NR	NR	see Table 6	Quarterly	Composite
Penbotec® (mg/L)	see Table 6	NR	see Table 6	Quarterly	Composite
Scholar® (mg/L)	300	NR	300	Quarterly	Composite

¹ Effluent limits and monitoring are valid only if all chemical concentrations and application rates are in compliance with those specified in Tables 6 and 8. ² Required test only if chlorine or any chlorine-based chemicals are used (i.e., sodium hypochlorite and chlorine dioxide). ³ Required test only if sodium sulfate is used.

TABLE 8 - Chemical Additive Maximum Use Rates

CHEMICAL USE	CHEMICAL ADDITIVE	MAXIMUM USE RATE
Pear float gravity enhancers	lignosulfonate	120,000 mg/L or 12% solids
	sodium sulfate	30,000 mg/L or 3% solids
	sodium silicate	30,000 mg/L or 3% solids
	potassium carbonate	27,000 mg/L
Drencher additives and other chemicals	DPA	2200 mg/L
	TBZ	615 mg/L
	Ethoxyquin®	2700 mg/L
	calcium chloride	2200 mg/L
	Penbotec®	See Table 6
	Scholar®	300 mg/L
	Captan®	1200 mg/L
Pear packing fungicide/chemical	SOPP	6000 mg/L - See Table 6

TABLE 9 - Required Soil and Groundwater Monitoring for Discharges with Lignosulfonate

Application Frequency	Additional Required Monitoring	Testing Frequency
once every 30 or more days	None	N/A
once every 14 to 29 days	Test subsoil with dipyrityl for the presence of Fe ⁺² ions at 12-inch depth within the lowest part of the application site where ponding may occur.	Quarterly
once every 7 to 13 days	Install a down gradient monitoring well to test groundwater for BOD ₅ and, with dipyrityl, for the presence of Fe ⁺² ions.	Monthly

The maximum use rate of lignosulfonate is 12% solids or 120,000 mg/L, the maximum application rate is 4840 gal/acre, and the maximum application frequency is no more than once every 7 days.

2. Best Management Practices (BMPs) and Other Requirements for Dust Abatement

The permittee must comply with the following BMPs when using dust abatement to discharge wastewater.

a. Do not commingle or apply to the same site any waste streams containing:

1. DPA
2. Lignosulfonate
3. Chlorine-based chemicals

b. Maintain accurate and ongoing records (**Batch Mix Records**) to verify that chemical additives are at or below the use rate concentrations specified in Table 8 and to ensure that the application of wastewater to each site complies with the required application rates, BMPs, and other permit conditions.

c. Keep the following information for all **Batch Mix Records**:

1. Batch ID number
2. Date batch was mixed
3. Person responsible for mix
4. Total batch volume (gallons)
5. Name and amount of all chemicals added to batch
6. Date spent solution was discharged
7. Volume of spent solution discharged (gallons)
8. Application Site Identification (used to track application to prevent over application or improper mixing of wastewater)
9. Application area (acres)
10. Application rate (gallons/acre)
11. Inspection results and comments regarding any abnormal conditions such as ponding, runoff, overland flow, and so forth (see *Special Condition S5.B.3*)

d. Do not commingle process wastewater with sanitary sewage.

- e. Do not discharge in excess of those specific numerical limits and application rates given in Tables 6, 7, and 8.
- f. Do not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts.
- g. Do not apply at a rate that may result in ponding or runoff.
- h. Do not apply to sites where the groundwater table is located within five (5) feet of the soil surface at time of application.
- i. Do not apply to sites that are frozen, snow-covered, saturated, flooded, or when anaerobic conditions exist.
- j. Provide sufficient self-contained storage capacity for all wastewaters during any time period when application cannot be properly achieved (i.e., when application site is saturated, flooded, or frozen). This self-contained storage must meet the requirements in the lined lagoon TDM.
- k. Treat and dispose of any sludge or solid wastes produced during any sedimentation process in accordance with the terms of the Solid Waste Management Plan in the permittee's Environmental Compliance Plan (ECP) and in compliance with all state and county health department regulations.
- l. Do not apply to sites within wellhead protection boundaries.
- m. Utilize an application system which provides even distribution of the wastewater over the application area at the specified application rates and frequencies.
- n. The permittee must maintain the setback distances in Table 10.

TABLE 10 - Minimum Setback Distances (Feet)

	Surface waters of the state ¹	Potable water supply well
Lined sedimentation or storage lagoons containing DPA	250	250
Lined sedimentation or storage lagoons without DPA	50	100
Dust abatement application sites	50	100

¹Includes, but is not limited to, lakes, rivers, streams, creeks, irrigation supply ditches, drainage ditches, and wetlands.

3. Inspections

The permittee must conduct and record inspections of the application site immediately after each application. The inspection record must include a description of any abnormalities observed and the actions taken to correct any problems. Examples of such abnormalities include, but are not limited to, ponding, runoff, or overland flow. Discovery of any significant abnormality will be cause for taking immediate corrective action and must be reported to Ecology within 48 hours of discovery.

4. Road Management Plan (RMP)

a. Prior to any discharge and for each separate dust abatement application site, the permittee must develop and retain on-site, a Road Management Plan (RMP). The following waste streams must have separate application sites and RMPs:

1. Wastewater containing lignosulfonate
2. Wastewater containing DPA
3. Wastewater with chlorine-based chemicals

b. Each RMP must, at a minimum, include:

1. A copy of proof of ownership of the application site, or a legally binding written agreement with the legal owner to use the site for wastewater treatment and disposal
2. An application site description including, at a minimum:
 1. The location of the application site
 2. A map indicating the site boundaries
 3. A brief description of the geology and topography of the site and its immediately surrounding areas
 4. The surface material and composition of the site
(i.e., dirt orchard road or dirt/gravel bin lot)
 5. The total surface area of the application site
6. An operational plan including, at a minimum:
 1. The proposed total maximum daily and annual application rates expressed as gallons/acre/day and gallons/acre/year
 2. The maximum use concentration of the active ingredient(s) (i.e., DPA, Ethoxyquin®, lignosulfonate, etc.) in the wastewaters to be applied
 3. The proposed application schedule and operational methodology to be followed throughout the duration of this general permit

C. TDM 3 - POTW (Publicly Owned Treatment Works)

1. Definition

A POTW is a municipal or regional wastewater treatment plant.

TABLE 11 - Effluent Limits and Monitoring for All Discharges to POTWs

POLLUTANT/ PARAMETER	DAILY MAXIMUM LIMIT		SAMPLE FREQUENCY	SAMPLE TYPE
	ALLOWED WASTEWATER EXCEPT NCCW	NCCW ONLY ¹		
<i>Analysis is required for all of the following parameters except those marked NR</i>				
Flow (gallons/day)	record value	record value	1/discharge event	Measurement
BOD ₅ (mg/L)	500	NR	Quarterly	Composite
pH (standard units)	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total chloride (mg/L)	250	NR	Quarterly	Composite
Total sulfate (mg/L)	250	NR	Quarterly	Composite
Total suspended solids (TSS) (mg/L)	500	NR	Quarterly	Composite
<i>Analysis is required for all of the following parameters except: (1) those marked NR or (2) if that chemical is not used at the facility</i>				
Total residual chlorine ² (mg/L)	0.5	0.5	Quarterly	Grab
Ethoxyquin® (mg/L)	50	NR	Quarterly	Composite
SOPP (mg/L)	50	NR	Quarterly	Composite
TBZ (mg/L)	50	NR	Quarterly	Composite

¹ Discharge of NCCW to a POTW is allowed only under extraordinary circumstances and requires the approval of both Ecology and the POTW. ² Required test only if chlorine or any chlorine-based chemicals are used (i.e., sodium hypochlorite and chlorine dioxide).

2. Compliance with More Stringent Conditions Imposed by a POTW

The allowed discharges, effluent limits, monitoring requirements, and BMPs established for this TDM may be modified by any stricter conditions imposed by a POTW. Compliance with the terms and conditions of this general permit does not relieve the permittee from the responsibility to comply with any local limits, contracts, or agreements with the POTW, including responsibility for any contamination, pass-through, interference, or upset of a POTW related to the discharge from a permittee.

The discharge of significant amounts of Non-Contact Cooling Water (NCCW) to a POTW is prohibited except under extraordinary circumstances, such as a lack of an alternative TDM. Permittees must not discharge NCCW to a POTW unless the discharge has been approved by both Ecology and the POTW.

Pear packing rinse wastewater containing lignosulfonate is prohibited from being discharged to POTWs that use UV disinfection.

3. Written Certification Required for Discharges to a POTW

The permittee must obtain written certification from the receiving POTW (and contributory collection system if applicable) accepting the facility's wastewater. The certification form is contained in the Application for Coverage and the Application for Renewal of Coverage.

4. Best Management Practices for Discharges to a POTW

a. The permittee must comply fully with all applicable pretreatment standards including, but not limited to the following:

1. General Pretreatment Regulations 40 CFR Part 403
2. Any stricter local municipal sewer use ordinance
3. Any stricter local health district regulations

b. The permittee must not discharge in excess of those specific numerical limits given in Table 11.

c. The permittee must not discharge priority pollutants, dangerous wastes, or any other wastewater which is prohibited, toxic, or otherwise detrimental to sewage treatment facilities or processes.

D. TDM 4 - LAND APPLICATION**1. Description of Land Application**

Land application is an engineered system for applying wastewater to a vegetated land surface. The applied wastewater is treated by the chemical, biological, and physical processes as it flows through the plant-soil matrix. The system generally consists of an application site, a distribution system (i.e., sprinklers) for uniformly distributing the wastewater, and lined storage for holding wastewater during periods when it cannot be land applied (i.e., when the ground is frozen, saturated, flooded, and so on). Wastewaters containing sodium sulfate may require pretreatment prior to discharge in order to meet the total sulfate effluent limit. Wastewaters containing sodium silicate or potassium carbonate may require pH adjustment prior to discharge in order to meet the pH effluent limit.

TABLE 12 - Application Rates, Frequencies, and Allowed Sites for Land Application¹

WASTE STREAM DESCRIPTION		MAXIMUM APPLICATION		ALLOWED DISCHARGE SITES
		RATE	FREQUENCY	
ANY DRENCHER WASTEWATER	Not containing calcium chloride	1800 gal/acre/day	30 applications/year	Un-irrigated, non-crop land
	Containing calcium chloride	1800 gal/acre/year	1 application/year	
PEAR FLOAT TANK WASTEWATER (excluding that with lignosulfonate) ² with an SOPP or other fungicide concentration in mg/L of:	0 to 1000	4840 gal/ac/day	once per week	
	1001 to 2000	2420 gal/ac/day	once per week	
	2001 to 3000	1613 gal/ac/day	once per week	
	3001 to 4000	1210 gal/ac/day	once per week	
	4001 to 5000	968 gal/ac/day	once per week	
	5001 to 6000	807 gal/ac/day	once per week	
	Greater than 6000	Discharge not allowed		
ANY WASTEWATER CONTAINING THE FUNGICIDE PENBOTEC®³	Penbotec® concentration in mg/L, of:			
	0 - 500	1800 gallons/acre/day	30 applications/year every other day	
	500 - 1000	1800 gallons/acre/day	15 applications/year every other day	
	Greater than 1000	Discharge not allowed		
ANY WASTEWATER CONTAINING THE FUNGICIDE SCHOLAR®	Maximum concentration of 300 mg/L	1800 gallons/acre/day	30 applications/year every other day	
Any other permitted waste streams (see Table 3) with BOD₅ or TSS levels in mg/L of:	0 to 200	6000 gal/acre/day	every other day	Any suitable land application site
	201 to 400	3000 gal/acre/day	every other day	
	401 to 600	2000 gal/acre/day	every other day	
	Greater than 600	Discharge not allowed		

¹ Application rates are valid only if chemical additives concentrations are in compliance with the maximum use rates specified in Table 14. The discharge of wastewater containing concentrations greater than those specified in Table 14 is not allowed. ² Float tank wastewater containing sodium sulfate, sodium silicate, potassium carbonate, and potassium phosphate is allowed to be discharged via land application. Only rinse wastewater containing lignosulfonate is allowed to be discharged via land application. ³ There is pretreatment available for wastewater containing Penbotec® called FUNDS®.

TABLE 13 - Effluent Limits and Monitoring for All Discharges to Land Application

POLLUTANT/ PARAMETER	DAILY MAXIMUM LIMIT			SAMPLE FREQUENCY	SAMPLE TYPE
	DRENCHER WATER ONLY ¹	NCCW ONLY	ALL OTHER ALLOWED WASTEWATER SOURCES		
Analysis is required for all the following parameters except those marked NR					
Flow (gallons/day)	record value	record value	record value	1/discharge event	Measurement
BOD ₅ (mg/L)	NR	NR	see Table 12	Quarterly	Composite
pH (standard units)	NR	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total chloride (mg/L)	NR	NR	250	Quarterly	Composite
Total sulfate (mg/L)	NR	NR	250	Quarterly	Composite
TDS (mg/L)	NR	record value	500	Quarterly	Composite
TSS (mg/L)	NR	NR	see Table 12	Quarterly	Composite
Analysis is required for the following parameters except: (1) those marked NR or (2) if that chemical is not used at the facility					
Total residual chlorine (mg/L) ²	10.0	10.0	10.0	Quarterly	Grab
Captan® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Dichloran® (mg/L)	10.0	NR	10.0	Quarterly	Composite
Ethoxyquin® (mg/L)	2700	NR	NR	Annual	Composite
TBZ (mg/L)	615	NR	500	Annual	Composite
SOPP (mg/L)	NR	NR	see Table 12	Quarterly	Composite
Penbotec® (mg/L)	see Table12	NR	see Table 12	Quarterly	Composite
Scholar® (mg/L)	300	NR	300	Quarterly	Composite

¹ Effluent limits and monitoring valid only if all chemical additive concentrations and application rates are in compliance with those specified in Tables 12 and 14. ² Required test only if chlorine or any chlorine-based chemicals are used (i.e., sodium hypochlorite and chlorine dioxide).

TABLE 14 - Chemical Additive Maximum Use Rates

CHEMICAL USE	CHEMICAL ADDITIVE	MAXIMUM USE RATE(S)
Pear float enhancers	sodium sulfate	30,000 mg/L or 3% solids
	sodium silicate	30,000 mg/L or 3% solids
	potassium carbonate	27,000 mg/L
	potassium phosphate	28,800 mg/L
Drencher additives and other chemicals	DPA	2200 mg/L
	TBZ	615 mg/L
	Ethoxyquin®	2700 mg/L
	calcium chloride	2200 mg/L
	Penbotec®	See Table 12
	Scholar®	300 mg/L
	Captan®	1200 mg/L
Pear packing fungicide/chemical	SOPP	6000 mg/L - See Table 12

2. Best Management Practices and Other Requirements for Land Application

The permittee must:

1. Not commingle or apply to the same site any waste streams containing:
 1. DPA
 2. Lignosulfonate
 3. Chlorine-based chemicals
- b. Maintain accurate and ongoing records for batch applications, (**Batch Mix Records**) to verify that the chemical additives are at or below the use rate concentrations specified in Table 14 and to ensure that the application of wastewater to each site complies with the required application rates, BMPs, and other permit conditions.
- c. Keep the following information for all **Batch Mix Records**:
 1. Batch ID number
 2. Date batch was mixed
 3. Person responsible for mix
 4. Total batch volume (gallons)
 5. Name and amount of all chemicals added to batch
 6. Date spent solution was discharged
 7. Volume of spent solution discharged (gallons)
 8. Disposal Site Identification (used to track application to prevent over application or improper mixing of wastewater)
 9. Disposal area (acres)
 10. Application rate (gallons/acre)
 11. Inspection results and comments regarding any abnormal conditions such as ponding, runoff, overland flow, and so forth (see *Special Condition S5.D.3*)
- d. Not commingle process waste streams with domestic sewage.
- e. Not discharge in excess of those specific numerical limits and application rates given in Tables 12, 13, and 14.
- f. Not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts.
- g. Not apply at a rate which results in ponding or runoff.
- h. Not apply wastewater at rates which will exceed the published agronomic rates for the crop being applied to.
- i. If needed, properly install, operate, and maintain a lined sedimentation pond or other Ecology-approved BMP, designed to

pretreat the wastewater before discharge. This self-contained storage must meet the requirements of the lined lagoon TDM.

- j. Not apply to sites where the groundwater table is located within ten (10) feet of the soil surface at time of application.
- k. Not apply to sites which are frozen, snow-covered, saturated, flooded, or when anaerobic conditions exist.
- l. Provide sufficient self-contained storage capacity for all wastewaters during any time period when the permittee cannot apply wastewater (i.e., when application site is saturated, flooded, or frozen). This self-contained storage must meet the requirements in the lined lagoon TDM.
- m. Treat and dispose of any sludge or solid wastes produced during any sedimentation process in accordance with the terms of the Solid Waste Management Plan (SWMP) in the permittee's Environmental Compliance Plan (ECP) and in compliance with all state and county health department regulations.
- n. Not apply to sites within wellhead protection boundaries.
- o. Utilize an application system which provides even distribution of the wastewater over the application area at the specified application rates and frequencies.
- p. Maintain, onsite, a copy of proof of ownership of the application site or a written agreement with the legal owner to use the site for wastewater treatment/disposal.
- q. Prohibit livestock from grazing on the application site.
- r. Apply wastewater containing DPA only to non-irrigated, non-crop lands. The discharge limit for DPA is equal to the maximum use concentration of 2200 mg/L with a daily maximum application rate of 1800 gallons/acre, 30 times a year. This is equivalent to an annual application rate of 990 lbs. of DPA/acre. The use of non-irrigated, non-crop lands prevents the DPA from washing down into the ground before degradation occurs by the UV from the sun.
- s. Maintain the minimum setback distances in Table 15.

TABLE 15 - Minimum Setback Distances (Feet)

	Surface waters of the state ¹	Potable water supply well
Lined sedimentation or storage lagoons containing DPA	250 feet	250 feet
Lined sedimentation or storage lagoons w/out DPA	50 feet	100 feet
Land application sites	50 feet	100 feet

¹ Includes, but is not limited to: lakes, rivers, streams, creeks, irrigation supply ditches, drainage ditches, and wetlands.

3. Inspections

The permittee must conduct and record inspections of the application site immediately after each application. The inspection record must include a description of any abnormalities observed and the actions taken to correct any problems. Examples of such abnormalities include, but are not limited to, abnormal crop growth or quality, ponding, runoff, or overland flow. The permittee must take immediate corrective action upon the discovery of any significant abnormality and must report to Ecology within 48 hours of discovery.

E. TDM 5 - PERCOLATION SYSTEMS

1. Definition

A percolation system is an engineered system for the aerobic treatment of wastewater as it percolates through the soil matrix. The system is designed to account for hydraulic and nutrient loading rates, wet and dry cycles, uniform wastewater distribution, and other relevant design parameters.

Ecology will strictly review plans to discharge wastewaters to percolation systems before permitting. Ecology may require groundwater monitoring and an individual permit at percolation sites if the potential for groundwater contamination is suspected.

TABLE 16 - Effluent Limits and Monitoring for All Discharges to Percolation Systems

POLLUTANT/PARAMETER	DAILY MAXIMUM LIMIT		SAMPLE FREQUENCY	SAMPLE TYPE
	ALLOWED WASTEWATER EXCEPT NCCW	NCCW ONLY		
Analysis is required for all of the following parameters except those marked NR				
Flow (gallons/day)	record value	record value	1/discharge event	Measurement
BOD ₅ (mg/L)	100	NR	Quarterly	Composite
pH (standard units)	6.0 – 9.0	6.0 – 9.0	Quarterly	Grab
Total chloride (mg/L)	250	NR	Quarterly	Composite
Total sulfate (mg/L)	250	NR	Quarterly	Composite
TDS (mg/L)	500	record value	Quarterly	Composite
TSS (mg/L)	100	NR	Quarterly	Composite
Analysis is required for all of the following parameters except: (1) those marked NR or (2) if that chemical is not used at the facility				
Total residual chlorine ¹ (mg/L)	5.0	5.0	Quarterly	Grab
Ethoxyquin® (mg/L)	5.0	NR	Quarterly	Composite
SOPP (mg/L)	6.0	NR	Quarterly	Composite
TBZ (mg/L)	10.0	NR	Quarterly	Composite

¹Required test only if chlorine or any chlorine-based chemicals are used (i.e., sodium hypochlorite and chlorine dioxide).

2. Best Management Practices and Other Requirements for Discharges to Percolation Systems

The permittee must:

- a. If needed, properly install, operate, and maintain a lined sedimentation pond or other Ecology-approved BMP, designed to pre-treat the wastewater to help prevent violations of the TSS effluent limit and prevent plugging of the percolation system. This self-contained storage must meet the requirements of the lined lagoon TDM.
- b. Ensure that any sludge or solid waste produced during any sedimentation process be treated and disposed of in accordance with the terms of the SWMP in the permittee's ECP. The treatment and disposal must be in compliance with all state and county health department regulations.
- c. Not discharge in excess of those specific numerical limits given in Table 16.
- d. Not discharge priority pollutants, dangerous waste, or toxics in toxic amounts.
- e. Not discharge to sites where groundwater table is located within ten (10) feet from the soil surface.

- f. Not discharge to sites within wellhead protection boundaries.
- g. Utilize an application system that uniformly distributes the wastewater over the application area at the specified application rates and frequencies.
- h. Maintain the minimum setback distances in Table 17.

TABLE 17 - Minimum Setback Distances (Feet)

IMPOUNDMENT TYPE	Surface waters of the state, irrigation supply ditches, drainage ditches, wetlands	Potable water supply well
Lined ponds	50	100
Percolation systems	50	100

3. Inspections

When discharging to a percolation system, the permittee must conduct and record inspections of the application area at a frequency that ensures proper operation. The inspection record must include a description of any abnormalities observed and the actions taken to correct any problems. Examples of such abnormalities include, but are not limited to, overflows, soil or water quality deterioration, odors, runoff, and overland flows. The permittee must take immediate corrective action upon discovery of any significant abnormality and must report to Ecology within 48 hours of discovery.

F. TDM 6 - SURFACE WATERS

1. Definition

The surface water TDM is a discharge to any of the surface waters of the state. Surface waters include, but are not limited to, lakes, rivers, creeks, ponds, streams, inland waters, irrigation canals and return drains, salt waters, wetlands, stormwater or other collection systems which discharge to a surface water, and all other surface waters and watercourses within the jurisdiction of the State of Washington.

TABLE 18 - Effluent Limits and Monitoring for All Discharges to Surface Waters

POLLUTANT/PARAMETER	DAILY MAXIMUM	SAMPLE FREQUENCY		SAMPLE TYPE	
		ALLOWED WASTEWATER EXCEPT NCCW	NCCW ONLY		
Analysis is required for all of the following parameters					
Flow (gallons/day)	record value	1/discharge event	1/discharge event	Measurement	
BOD ₅ (mg/L)	30	Monthly	Quarterly	Composite	
pH (standard units)	6.0 – 9.0	Monthly	Quarterly	Grab	
Temperature (Celsius)	record value	Monthly	Quarterly	Grab	
Total chloride (mg/L)	230	Monthly	Quarterly	Composite	
TSS (mg/L)	30	Monthly	Quarterly	Composite	
Analysis is required only if Chlorine or Chlorine-based chemicals are used					
Total residual chlorine (mg/L)	Permit limit	0.019 mg/L	Monthly	Quarterly	Grab
	Enforcement (QL) limit ¹	0.050 mg/L			

¹The established QL (Quantitation Level) will serve as the enforceable limit for this parameter when using the required DPD/colorimeter test method, 40 CFR Part 136. A measured value between 0.019 and 0.05 mg/L may not be a violation due to the uncertainty of the accuracy of test results at this low concentration. Results less than 0.05 mg/L will be reported as “less than 0.05 mg/L.”

2. Allowed Discharges to Surface Waters

The discharge of fruit packing wastewater directly to surface waters of the state is only authorized for the following waste streams:

- a. Wastewater containing no chemical additives or containing only chlorine-based chemicals (i.e., chlorine dioxide and sodium hypochlorite).
- b. Secondary treated wastewater containing linear alkyl sulfonate (LAS) based soaps, acidic or basic washes, food grade waxes, or chlorine-based disinfectants.
- c. NCCW system wastewater containing no priority pollutants, dangerous wastes, or toxics in toxic amounts.

3. Best Management Practices and Other Requirements for Discharges to Surface Waters

The permittee must:

- a. Comply with chapter 173-201A WAC, *Water Quality Standards for Surface Waters of the State of Washington*.

- b. Properly install, operate, and maintain a sedimentation pond (or other Ecology-approved treatment) constructed to provide, at a minimum, one (1) full hour of detention time for the sedimentation of process wastewaters excluding NCCW. This self-contained storage must meet the requirements of the lined lagoon TDM.
- c. Ensure that any sludge or solid waste produced during any sedimentation process is treated and disposed of in accordance with the terms of the Solid Waste Management Plan (SWMP) in the permittee's Environmental Compliance Plan (ECP). The permittee must also treat and dispose of any sludge or solid waste in compliance with all state and county health department regulations.
- d. Record and submit monthly, any process wastewater monitoring data on an applicable Discharge Monitoring Report (DMR) form.
- e. Monitor quarterly and submit on the applicable Yearly Facility Report (YFR) all NCCW-only discharges.
- f. Not discharge in excess of those specific numerical limits in Table 18.
- g. Not discharge priority pollutants, dangerous wastes, or toxics in toxic amounts.
- h. Must conduct and pass a Whole Effluent Toxicity (WET) test specified in *Special Condition S5.F.7* in order to discharge NCCW w/additives to a surface water.

4. Inspections

When discharging to a surface water, the permittee must conduct and record inspections of the discharge outlet. When discharging process wastewater, permittees must, at a minimum, conduct weekly inspections to ensure proper operation. When discharging NCCW, permittees must, at a minimum, conduct quarterly inspections to ensure proper operations. The inspection record must include a description of any abnormalities observed and the actions taken to correct any problems. Examples of such abnormalities include, but are not limited to, foaming, sediment buildup, changes in biota, odors, abnormal colors, or other evidence of water quality deterioration. The permittee must take immediate corrective action upon discovery of any significant abnormality and must report to Ecology within 48 hours of discovery.

5. Mixing Zone

This general permit does not authorize mixing or dilution zones for discharges to surface waters.

6. Antidegradation of Surface Waters

The permittee's discharge must not cause or contribute to an excursion of the state's water quality standards, including the state's narrative criteria for water quality [40 CFR 122.44 (d) (1) (i)]. This general permit does not authorize discharges to surface waters if the effluent exceeds a water quality criterion and the receiving water is on the most current 303(d) list for that criterion. Any facility that discharges to a 303(d) listed water body with a discharge containing a pollutant for which the water body is listed, must either select an alternative TDM or participate in the Total Maximum Daily Load (TMDL) process for that water body. The facility must meet any Waste Load Allocation (WLA) assigned by the TMDL. If the facility is unable to meet the WLA under this general permit, the facility must apply for coverage under an individual NPDES permit. Should later evidence indicate that the antidegradation requirements for surface waters are not being met, Ecology may modify this general permit to provide more stringent effluent limits, best management practices, or other permit conditions.

7. Whole Effluent Toxicity (WET) Testing

Each permittee with a surface water discharge of NCCW containing chemical additives must, within one year of receiving coverage under this general permit, and within 3 months of any changes in chemical additives, submit to Ecology the results of a rapid screening WET test for acute toxicity, as specified in Table 19.

Any permittee that fails a WET test must select an alternate TDM in order to continue to discharge NCCW containing chemical additives. If a permittee fails a WET test, but still wishes to discharge NCCW containing chemical additives to a surface water, one of the following options must be completed:

1. Select and implement an alternate water treatment regime and repeat the WET test.
2. Apply for coverage under an individual NPDES permit.

If a facility with an individual permit meets the requirements of chapter 173-205 WAC for attainment of the WET performance standard it may reapply for coverage under the general permit.

TABLE 19 - WET Testing Requirements

	ACUTE TOXICITY
Test Name	Daphnid 24-hour static test
Test Method	EPA-821-R-02-012
Test Species	<i>Ceriodaphnia dubia</i> , <i>Daphnia pulex</i> , or <i>Daphnia magna</i>

S6. REPORTING AND RECORDKEEPING REQUIREMENTS

The permittee must monitor and report in accordance with all of the conditions specified in this general permit. The falsification of information submitted to Ecology is a violation of the terms and conditions of this general permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. The permittee must monitor quarterly and report **annually** on a Yearly Facility Report (YFR) for all discharges except for the discharge of process wastewater to surface water(s).

The permittee must monitor and report discharges of process wastewater to surface water **monthly** on a Discharge Monitoring Report (DMR). The YFR and DMR were prescribed by Ecology for the purposes of this general permit. YFRs must be post-marked or received by January 31st of the year following the completed monitoring period. Monthly DMRs must be post-marked or received by the 15th of the month following the completed monitoring period.

Permittees must submit all YFRs and DMRs whether or not the facility was discharging. If the permittee did not discharge during a given monitoring period, submit the form as required, with the words “no discharge” entered in place of the monitoring results. Send all required submittals to the appropriate regional office:

**Washington State Department of Ecology
Central Regional Office
Attn: Fresh Fruit Packing General Permit Manager,
15 West Yakima Avenue, Suite 200
Yakima, WA 98902**

OR

**Washington State Department of Ecology
Eastern Regional Office
Attn: General Permit Manager
4601 N. Monroe St.
Spokane, WA 99205**

B. Recordkeeping

The permittee must maintain on-site, the records of all information resulting from any activities, including monitoring activities required as a condition of the application for, or as a condition of coverage under this general permit. The permittee must retain these records on-site for a period of at least, five years from the date of any submittal, report, plan, sample, measurement, or application. Ecology may extend this retention period during the course of any unresolved litigation regarding the permittee's discharge of pollutants (wastewater) or when requested by the Director. The permittee must make these records available for immediate inspection by Ecology personnel. The records must include, at a minimum, the following:

1. A copy of this general permit.
2. The Application for Coverage for this general permit along with any attachments or any data used to complete the application. A copy of any submittal, report, plan, or application required by this general permit, including:
 1. Engineering reports
 2. Yearly Facility Reports (YFRs)
 3. Monthly Discharge Monitoring Reports (DMRs)
 4. Environmental Compliance Plans (ECPs)
 5. Road Management Plans (RMPs)
 6. Dust abatement application records (Batch Mix Records)
 7. Treatment/Disposal Methods (TDM) inspection records
 8. Stormwater inspection records
 9. Maintenance/calibration records
3. Records of monitoring activities and laboratory reports. For each sample the permittee must include:
 1. The date, exact place, and time of sampling
 2. The dates that the analyses were performed
 3. The individual who performed the analyses
 4. The analytical techniques/methods used
 5. The results of all analyses
4. Any original strip chart recordings for continuous monitoring instrumentation.
5. Any chain-of-custody documentation.
6. The contract for any hauled discharges, see *Special Condition S8*.
7. Records of all hauled discharges (wastewater and sludge) including:

1. Date
2. Time
3. Volume
4. Driver
5. Destination
6. Type of material hauled
7. Application area

8. Any other additional information which Ecology may determine to be necessary, on a facility-specific basis.

C. Flow Measurement, Field Measurement, and Continuous Devises

The permittee must:

1. Select and use appropriate flow measurement, field measurement, continuous monitoring devises, and methods consistent with accepted scientific practices.
2. Install, calibrate, and maintain these devises to ensure the accuracy of the measurement is consistent with the accepted industry standard and the manufacturer's recommendation for that type of devise.
3. Use field measurement devises as directed by the manufacturer and do not use reagents beyond their expiration dates.
4. Calibrate flow monitoring devises at a minimum frequency of at least one calibration per year.
5. Calibrate these devises at the frequency recommended by the manufacturer.
6. Maintain calibration records for at least five years.

D. Sampling and Analytical Procedures

The permittee must:

1. Take samples and measurements that represent the volume and nature of the final discharge to the specific TDM to meet the requirements of this general permit.
2. Take representative samples of any intermittent discharges, unusual discharge or discharge conditions, bypasses, upsets, and maintenance-related conditions affecting effluent quality.
3. Choose the sample day and time(s) to adequately represent the characterization of the facility's discharge(s) during the peak time of the packing season.

4. Analyze pH, temperature, and total residual chlorine using grab samples immediately after collection. If a permittee is unable to perform an on-site analysis of pH and total residual chlorine, then these samples must be submitted to an accredited laboratory for analysis that same day, optimally within four hours of pulling the sample.
5. Measure all other parameters using representative composite samples.
6. Monitor total residual chlorine by using the DPD/colorimeter test method, 40 CFR Part 136. The established QL (Quantitation Level) will serve as the enforceable limit for this parameter. A measured value between 0.019 and 0.05 mg/L may not be a violation due to the uncertainty of the accuracy of test results at low concentrations. A result less than 0.05 mg/L must be reported as "less than 0.05 mg/L."
7. Sample groundwater by conforming to the latest protocols in the Implementation Guidance for the Groundwater Quality Standards, (Ecology, 1996).
8. Use sampling and analytical methods to meet the water and wastewater monitoring requirements specified in this general permit that conform to the last version of the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136 or to the last revision of Standard Methods for the Examination of Water and Wastewater (APHA), unless otherwise specified in this general permit or approved in writing by Ecology.
9. Analyze nonchlorine-based chemicals (if no appropriate method is found in 40 CFR) using those methods found in the Pesticide Analytical Manual, Volume II, or as amended.
10. Conduct and report all soil analysis in accordance with Laboratory Procedures, Soil Testing Laboratory, Washington State University - November, 1981 or Western States, Plant, Soil, and Water Analysis Manual and Reference Methods for the Western Region, 2nd edition, 2003.
11. Conduct all whole effluent toxicity (WET) testing as specified in *Special Condition S5.F.7*. All testing and reporting must be done in accordance with the most recent version of Laboratory Guidance and Whole Effluent Toxicity Test Review Criteria, Ecology publication # WQ-R-95-80.

E. Laboratory Accreditation

The permittee must ensure that the monitoring data received by Ecology is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. However, the on-site parameters of flow, temperature, pH, and total residual chlorine are exempt from this requirement. Crops and soils data are process control parameters which do

not require preparation by an accredited laboratory. However, the permittee must obtain this data from a reputable agricultural test lab that is an active participant in a nationally recognized agricultural laboratory proficiency testing program.

S7. ENVIRONMENTAL COMPLIANCE PLAN (ECP)

1. The permittee must develop, implement, and retain on-site an **Environmental Compliance Plan (ECP)** in accordance with the following conditions:
 1. Use, at a minimum, the form specifically prescribed by Ecology for this general permit. The permittee may substitute plans, reports, manuals, etc., that meet the requirements of the ECP from.
 2. An update of an existing ECP deemed complete by Ecology will satisfy this requirement.
 3. New permittees must develop and implement the ECP no later than one (1) year after commencement of any wastewater discharge.
 4. Review and update the ECP as needed, but at a minimum of once per permit cycle (five years) or at the time of any permit coverage application or re-application, which will reflect any new and/or relevant changes.
 5. All ECP modifications will become immediately effective.
 6. Retain the ECP on site and make it available for inspection by Ecology personnel upon request.
 7. The development of any ECP, in accordance with this general permit, does not relieve the permittee from compliance with, nor ensure compliance with, the following: (1) the federal spill protection requirement contained in 40 CFR Part 112 of the Federal Register; and (2) federal solid waste protection requirements contained in 40 CFR Part 503 of the Federal Register.
 8. ECPs must contain the following four sections:
 - a. **Treatment/Disposal Operations Plan**

This is equivalent to an Operation & Maintenance manual. It must contain descriptions of all the TDMs used along with instructions for the operations and maintenance of these TDMs during both normal and upset conditions.

b. Solid Waste Management Plan (SWMP)

This plan must incorporate all solid wastes generated at the facility with the exception of those regulated by chapter 173-303 WAC, *Washington State Dangerous Waste Regulations*. The plan must include at a minimum, a description, source, generation rate, and disposal method for all solid waste generated on site. The plan must also ensure that no waste or leachate from that solid waste material will enter state waters without providing AKART, nor allow such leachate to cause violations of chapter 173-200 WAC, *Water Quality Standards for Groundwater of the State of Washington* and chapter 173-201A, *Water Quality Standards for Surface Waters of the State of Washington*. This plan must not be at variance with any approved local Solid Waste Management Plan (SWMP) and must be in accordance with *Minimum Functional Standards for Solid Waste Handling*, chapter 173-304 WAC, and chapter 173-303 WAC, *Washington State Dangerous Waste Regulations*.

c. Spill Prevention Plan (SPP)

This plan must provide for the prevention, containment, and control of spills or unplanned discharges of (1) oil and petroleum products; (2) materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in chapter 173-303-070 WAC; or (3) other materials which may become pollutants or cause pollution upon reaching state waters. The SPP must include, at a minimum, the following:

1. A description of the reporting system the permittee will use to alert responsible managers and legal authorities in the event of a spill.
2. A list of all oil and chemicals used, processed, or stored at the facility which may be spilled into waters of the state.
3. A description of preventive measures and facilities (including an overall facility map showing drainage patterns) which prevent, contain, or treat spills of these materials.

d. Stormwater Pollution Prevention Plan (SWPPP)

The SWPPP must:

1. Identify and describe any existing or potential stormwater pollutant sources.

2. Describe any operational, source control, erosion and sediment control, and treatment BMPs currently in operation or which will need to be implemented to prevent stormwater from polluting waters of the state.
3. Specify an implementation schedule for any needed BMPs.
4. Specify a stormwater inspection schedule.

Permittees with industrial materials or products that are exposed to storm events (i.e., rain or snow) may be required to obtain the Industrial Stormwater General Permit. For more information please see Ecology's brochure entitled: *Stormwater Discharges Associated with Industrial Activity*, Washington State Department of Ecology - Publication # 99-38.

Permittees that plan to expand and/or build on their facility may need to obtain the Construction Stormwater General Permit. If a construction activity will disturb one or more acres of land and will also discharge stormwater off site into waters of the state, the facility may need to obtain a Construction Stormwater General Permit. For more information please refer to Ecology's brochure entitled: *How to Meet Ecology's Construction Stormwater General Permit Requirements: a Guide for Construction Sites*, Washington State Department of Ecology – Publication # 99-37.

S8. HAULED DISCHARGES

The permittee bears the primary responsibility for assuring that any discharges hauled to off-site locations are disposed of in strict compliance with all appropriate TDMs, limits, BMPs, and any other terms or conditions of this general permit. The permittee must ensure that the hauler is made aware of all the appropriate requirements of this general permit regarding any discharge from the permittee that the hauler will be disposing. The permittee's responsibilities will exist in all situations even when the hauler/disposer is a contracted agent. A contracted agent is secondarily responsible for assuring that any discharges hauled to off-site locations are disposed of in strict compliance with any appropriate TDMs, limits, BMPs, or any other terms or conditions of this general permit.

When a contracted agent is used, the permittee must retain on-site a written contract, properly dated and signed by both parties (permittee and contracted agent) prior to hauling any discharge. The written contract must include, at a minimum, the following:

1. The name, address, and telephone number of the contracted agent
2. The dates or time period for which the contract will be valid
3. The nature and volumes of the discharges to be hauled

4. The final discharge location of any hauled discharges
5. A statement that both parties are fully aware and agree to fully comply with their responsibilities as given above
6. Dates and signatures of both parties

For each hauled discharge the following information must be recorded, maintained on-site, and available for inspection upon request:

1. Date
2. Time
3. Volume
4. Driver's name
5. Destination
6. Type of material hauled
7. Application area
8. Inspection results as specified in the "inspection" section of the appropriate TDM

S9. APPROVAL FOR THE CONDITIONAL USE OF PRODUCTS/CHEMICALS NOT ALLOWED FOR USE IN THIS GENERAL PERMIT

A. Mid Permit Cycle Product/Chemical Approval

This general permit allows for the conditional use of products/chemicals not specifically allowed for use if the permittee follows the procedures listed below.

1. Products/chemicals must be approved for a specific use by the United States Environmental Protection Agency (EPA) and/or the Washington State Department of Agriculture (WSDA).
2. These products/chemicals must undergo a risk assessment process in order to be approved for conditional use by Ecology. This risk assessment must be an evaluation of the product/chemical independent of the risk assessment performed by EPA during the registration process and is intended to be more specific to Washington State water quality concerns.

The risk assessment must:

Be prepared by a qualified toxicologist(s), preferably working for the company that produces the product/chemical, and include the following information:

1. Qualifications of the toxicologist(s) who prepared the risk assessment.

2. The following product/chemical information:
 1. Manufacturer
 2. Brand Name
 3. Chemical name and formula
 4. Identifying numbers (i.e., CAS #)
 5. Physical properties
 6. Fruit type it can be used on (i.e., apples, pears, or cherries)
 7. Part of packing process it can be used in (i.e., dip tanks, drenchers, float tanks, line spray systems, and so on)
 8. Concentrations (label use and discharge rates)
 9. Mass loading concentrations
 10. Any potential pretreatments
 11. Half-life (soil and water)
3. All available toxicity information concerning human and aquatic health effects from the product/chemical acquired since the issuance of EPA's most recent risk assessment on the active ingredient.
4. All available environmental and ecological information about the product or chemical and its environmental fate and effects on water, soil, and publicly owned treatment works (POTWs), specifically at the label use rate and discharge concentrations.
5. Verification that the product/chemical will meet the specified general conditions and prohibitions of this general permit.
6. A summary and assessment of the peer-reviewed literature concerning the product since the issuance of EPA's most recent risk assessment.
7. Mitigation measures for the discharge and disposal of the product/chemical.
8. Be approved by Ecology.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to Ecology must be signed and certified.

- A. All permit applications must be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this general 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:
 - 1. The authorization is made in writing by a person described above and submitted to Ecology
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may be either a named individual or any individual occupying a named position).
- C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2 must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. 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. COMMENCEMENT OF COVERAGE UNDER A GENERAL PERMIT

Unless Ecology responds in writing to an Application for Coverage, coverage of a discharger under this general permit will automatically commence on the later of the following:

- A. On the effective date of this general permit.
- B. On the thirty-first (31st) day following the end of the thirty (30) day comment period required by chapter 173-226-130(4) WAC.
- C. On the thirty-first (31st) day following receipt by Ecology of a completed Application for Coverage under this general permit.
- D. On the coverage date specified in this general permit.

G3. TERMINATION OF INDIVIDUAL PERMITS UPON ISSUANCE OF GENERAL PERMIT COVERAGE

Any previously issued individual permit will remain in effect until terminated in writing by Ecology, except that continuation of an expired, or expiring, individual permit (pursuant to chapter 173-220-180(5) WAC) will terminate upon coverage under this general permit.

G4. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger must submit to the Director an application as described in chapter 173-220-040 WAC or chapter 173-216-070 WAC, whichever is applicable, with reasons supporting the request. The Director will either issue an individual permit or deny the request with a statement explaining the reason for the denial.

G5. TERMINATION OF GENERAL PERMIT COVERAGE UPON ISSUANCE OF AN INDIVIDUAL PERMIT

When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that permittee is automatically terminated on the effective date of the individual permit.

G6. PROPERTY RIGHTS

This general permit does not convey any property rights of any sort, or any exclusive privilege.

G7. PAYMENT OF FEES

The permittee must submit payment of fees associated with this general permit as assessed by Ecology. Ecology may revoke permit coverage or take enforcement, collection, or other actions, if the permit fees established under chapter 173-224 WAC are not paid.

G8. SEVERABILITY

The provisions of this general permit are severable and if any provisions of this general permit, or application of any provisions of this general permit, to any circumstance are held

invalid, the application of such provision to other circumstances, and the remainder of this general permit will not be affected thereby.

G9. RIGHT OF INSPECTION AND ENTRY

The permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

- A.** To enter the premises where a discharge is located or where any records must be kept under the terms and conditions of this general permit.
- B.** To have access to and copy, at reasonable times and at reasonable costs, any records that must be kept under the terms of this general permit.
- C.** To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this general permit.
- D.** To sample or monitor at reasonable times any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G10. DUTY TO REAPPLY

The permittee must reapply for coverage under this general permit, at least one hundred-eighty (180) days prior to the specified expiration date of this general permit. An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this general permit are covered under the continued permit.

G11. 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, reissuing, or terminating permit coverage or to determine compliance with this general permit. The permittee must also submit to Ecology upon request, copies of records required to be kept by this general permit.

G12. ADDITIONAL MONITORING

Ecology may establish specific monitoring requirements in addition to those contained in this general permit by administrative order or permit modification.

G13. REPORTING OTHER INFORMATION

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 promptly submit such facts or information.

G14. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report, 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 one hundred and eighty (180) days prior to the planned start of construction. Facilities must be constructed and operated in accordance with the approved plans.

G15. GENERAL PERMIT MODIFICATION AND REVOCATION

This general permit may be modified, revoked and reissued, or terminated in accordance with the provisions of chapter 173-226 WAC. Grounds for modification or revocation and re-issuance include, but are not limited to, the following:

- A. When a change which occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this general permit.
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or chapter 90.48 RCW, for the category of dischargers covered under this general permit.
- C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this general permit is approved.
- D. When information is obtained and it indicates that cumulative effects on the environment from dischargers covered under this general permit are unacceptable.

G16. REPORTING A CAUSE FOR GENERAL PERMIT MODIFICATION

A permittee who knows that any activity has occurred or will occur which will constitute cause for modification or revocation under *General Condition G15* above, or 40 CFR 122.62, must report such plans, or such information to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this general permit will be required. Ecology may then require submission of a new Application for Coverage under this, or an application for an individual permit. Submission of a new application does not relieve the permittee of the duty to comply with all the terms and conditions of the existing permit until the new Application for Coverage has been approved and corresponding permit has been issued.

G17. REPORTING A CAUSE FOR MODIFICATION OF COVERAGE

The permittee must submit a new Application for Coverage whenever facility expansions occur, production increases, or process modifications are anticipated that will, (1) result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants; or (2) violate the terms and conditions of this general permit.

Substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants for this industry means a wastewater discharge increase of 25% over the

amount specified in the current application for coverage, a new source of wastewater that requires different treatment processes and alters wastewater discharge characteristics, or a change/addition of the chemicals used, altering the wastewater discharge characteristics. This new Application for Coverage must be submitted at least sixty (60) days prior to the proposed changes. Submission of the Application for Coverage does not relieve the permittee of the duty to comply with the existing permit. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G18. PERMIT COVERAGE REVOKED

Pursuant with chapter 43.21B RCW and chapter 173-226 WAC, the Director may require any discharge authorized by this general permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A.** Violation of any term or condition of this general permit.
- B.** Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts.
- C.** A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
- D.** Failure or refusal of the permittee to allow entry as required in 90.48.090 RCW.
- E.** A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations.
- F.** Nonpayment of permit fees or penalties assessed pursuant to chapter 90.48.465 RCW and chapter 173-224 WAC.
- G.** Failure of the permittee to satisfy the public notice requirements of 173-226-130(5) WAC, when applicable.
- H.** Incorporation of an approved local pretreatment program into a municipality's permit.

Those permittees who have their coverage revoked for cause according to 173-226-240 WAC may request temporary coverage under this general permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G19. PERMIT TRANSFER

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee must notify the succeeding owner or controller of the existence of this permit by letter, a copy of which must be forwarded to Ecology. Coverage under this general permit is automatically transferred to a new owner or operation if:

- A. A written agreement between the old owner/operator and new owner/operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to Ecology.
- B. A copy of this general permit is provided to the new owner.
- C. Ecology does not notify the new permittee of the need to submit a new Application for Coverage under the general permit or for an individual permit pursuant to chapters 173-216 WAC, 173-220 WAC, and 173-226 WAC.

Unless permit coverage is automatically transferred according to Section A 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.

G20. DUTY TO COMPLY

The permittee must comply with all conditions of this general permit. Any permit noncompliance constitutes a violation of the Clean Water Act or chapter 90.48 RCW or chapter 173-226 WAC and is grounds for enforcement action, for permit termination, or denial of a permit renewal application.

G21. DISCHARGES FROM ACTIVITIES NOT COVERED BY THE GENERAL PERMIT

The discharge of pollutants resulting from activities not covered under this general permit will be a violation of the terms and conditions of this general permit, unless such discharges are covered under another discharge permit.

G22. REDUCED PRODUCTION FOR COMPLIANCE

The permittee, in order to maintain compliance with its general permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided.

G23. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G24. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this general permit will be construed as excusing the permittee from compliance with any applicable federal, state, local statutes, ordinances, or regulations.

G25. PROPER OPERATION AND MAINTENANCE

The permittee must at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the permittee for pollution control.

G26. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. The discharge of any pollutant more frequently than, or at a concentration in excess of, that authorized by this general permit will constitute a violation of the terms and conditions of this general permit.

G27. RESPONSE TO SIGNIFICANT VIOLATIONS

In the event that the permittee causes a significant violation(s) of the terms and conditions of this general permit, the permittee must:

- A.** Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem.
- B.** Repeat sampling and analysis of any violation and submit the results to Ecology within 30 days after becoming aware of the violation.
- C.** Immediately notify Ecology of the failure to comply.
- D.** Submit a detailed written report to Ecology within 30 days (5 days for upsets and bypasses), unless requested earlier by Ecology. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the re-sampling, and any other pertinent information.

Compliance with these requirements does not relieve the permittee from responsibility to maintain continuous compliance with the terms and conditions of this general permit or the resulting liability for failure to comply.

G28. TOXIC POLLUTANTS

The permittee must comply with the 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 this general permit has not yet been modified to incorporate the requirement.

G29. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludge, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be re-suspended or reintroduced to the final effluent stream for discharge to state waters.

G30. UPSET

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities,

inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A permittee who wishes to establish the affirmative defense of an upset, must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that, (1) an upset occurred and that the permittee can identify the cause(s) of the upset; (2) the permitted facility was being properly operated at the time of the upset; (3) the permittee submitted notice of the upset as required in this general permit; and (4) the permittee complied with any remedial measures required in this general permit.

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

G31. ENFORCEMENT

Any violation of the terms and conditions of this general permit, the state Water Pollution Control Act, and the federal Clean Water Act will be subject to the enforcement sanctions, direct and indirect, as provided for in chapter 173-226-250 WAC.

G32. PENALTIES FOR 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 general permit may, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both.

G33. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this general permit may be deemed guilty of a crime and upon conviction thereof, may be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of this general permit may incur, in addition to any other penalty as provided by law a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation may be a separate and distinct offense, and in the case of a continuing violation, everyday may be deemed a separate and distinct violation.

G34. APPEALS

The terms and conditions of this general permit:

- A.** As they apply to the appropriate class of dischargers are subject to appeal within thirty (30) days of issuance of this general permit in accordance with chapter 43.21(B) RCW and chapter 173-226 WAC.
- B.** As they apply to an individual discharger are subject to appeal in accordance with chapter 43.21(B) RCW within thirty (30) days of the effective date of coverage of that discharger.

Consideration of an appeal of permit coverage by an individual discharger is limited to the general permit's applicability or non-applicability to that same discharger. Appeal of permit coverage by an individual discharger must not affect any other individual dischargers. If the terms and conditions of this general permit are found to be inapplicable to any discharger(s), the matter will be remanded to Ecology for consideration of issuance of an individual permit or permits.

GLOSSARY

Administrator - The administrator of the EPA.

Antidegradation Policy - Is as stated in chapter 173-201A-070 WAC.

Authorized representative: (1) If the entity is a corporation, the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (2) If the entity is a partnership or sole proprietorship, a general partner or proprietor, respectively. (3) If the entity is a federal, state, or local governmental facility, a director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee. The individuals described above, may designate another authorized representative if the authorization is in writing, specifies the individual or position responsible, and is submitted to Ecology.

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Biochemical Oxygen Demand (BOD₅) - The quantity of oxygen required for aerobic bacteria to oxidize the organic decomposable matter in water under standard laboratory procedures in five (5) days at twenty degrees Centigrade (20°C), expressed in milligrams per liter (mg/L). It is an index to the degree of organic pollution in water.

Bypass - The intentional diversion of waste streams from any portion of a treatment (pollution control) facility or system.

Capital improvements - The following are examples of improvements which will require capital expenditures. (1) Manufacturing modifications including, but not limited to, process changes for source reduction. (2) Treatment BMPs including, but not limited to, Biofiltration systems including constructed wetlands, settling basins, oil separation equipment, and detention and retention basins. (3) Roofs and appropriate covers for manufacturing areas. (4) Concrete pads and dikes with appropriate pumping for collection of storm water and transfer to control systems, from manufacturing areas.

Code of Federal Regulations (CFR) - A codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. Environmental regulations are in Title 40.

Color - The optical density at the visual wave length of maximum absorption, relative to distilled water. One hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.

Combined sewer - A sewer which has been designed to serve as both a sanitary sewer and a storm sewer, and into which infiltration is allowed.

Combined waste treatment facility - A Publicly Owned Treatment Works (POTW) in which the maximum monthly average influent from any one industrial category, or categories producing similar wastes, constitutes over eighty-five percent (85%) of the design load for BOD₅ or total suspended solids (TSS). Each single industrial category must contribute a minimum of ten percent (10%) of the applicable load.

Composite sample - The combined mixture of not less than four "discrete samples" taken at selected intervals based on an increment of either flow or time. Volatile pollutant discrete

samples must be combined in the laboratory immediately prior to analysis. Each discrete sample must be no less than 200 ml and must be collected and stored in accordance with the most recent edition of *Standard Methods for Examination of Water and Wastewater*.

Conveyance - A mechanism for transporting water or wastewater from one location to another location including, but not limited to, pipes, ditches, and/or channels.

Daily maximum - The greatest allowable value for any calendar day.

Daily minimum - The smallest allowable value for any calendar day.

Dangerous waste - The full universe of wastes regulated by chapter 173-303 WAC, including hazardous waste.

Degrees C - Temperature measured in degrees Celsius.

Degrees F - Temperature measured in degrees Fahrenheit.

Delegated Pretreatment POTW - A POTW which administers a pretreatment program that meets the criteria established in 40 CFR 403.8 and 403.9 and has been approved by Ecology.

Detention - The collection of water into a temporary storage device with the subsequent release of water either at a rate slower than the collection rate, or after a specified time period has passed since the time of collection.

Director - The director of the Washington State Department of Ecology or authorized representative.

Discharger - An owner or operator of any facility, operation, or activity subject to regulation under chapter 90.48 RCW.

Discrete sample - An individual sample which is collected from a waste stream on a one-time basis without consideration to flow or time, except that aliquot collection time should not exceed fifteen (15) minutes in duration.

Ecology - Is the Washington State Department of Ecology.

Effluent limitation - Any restriction established by the local government, Ecology, or EPA on quantities, rates, and concentrations of chemical, physical, biological, and/or other effluent constituents which are discharged from point sources to any site including, but not limited to, waters of the state.

Environmental Protection Agency (EPA) - The United States Environmental Protection Agency, the term may also be used as a designation for a duly authorized official of said agency.

Erosion - The wearing away of the land surface by movements of water, wind, ice, or geological processes such as gravitational creep.

Existing operation - An operation which commenced activities resulting in a discharge, or potential discharge, to waters of the state prior to the effective date of this general permit.

Facility - The actual individual premises owned or operated by a permittee where process or industrial wastewater is discharged.

Flumes - Are chutes of water used for fruit conveyance.

Freeboard - The vertical distance between the uppermost horizontal surface level of a lined lagoon's contents and the lowermost horizontal surface level of its dike's crown.

FWPCA - The *Federal Water Pollution Control Act* (33 U.S.C. 1251 et seq.), as it is amended.

General permit - A permit which covers multiple, characteristically similar dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each individual discharger.

Gpd - Gallons per day.

Grab sample - Is synonymous with discrete sample.

Groundwater - Is any natural occurring water in a saturated zone or stratum beneath the surface of the earth or a surface water body.

Hazardous waste - Those wastes designated by 40 CFR Part 261, and regulated by the EPA.

Individual permit - A discharge permit for a single point source or a single facility.

Industrial wastewater - Is water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feedlots, poultry house, or dairies. The term includes contaminated stormwater and also leachate from solid waste facilities.

Interference - A discharge by an industrial user, which alone or in conjunction with or discharges by other sources, inhibits or disrupts the POTW or private wastewater disposal system, its treatment processes, or operations, or its sludge processes, use or disposal and which is a cause of violation of any requirement of any NPDES or State Waste Discharge Permit including an increase in the magnitude or duration of a violation or any increase in the cost of treatment of sewage or in the cost of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent state or local regulations): section 405 of the FWPCA (33 U.S.C. 1251 et seq.); the *Solid Waste Disposal Act* (SWDA), including Title II, more commonly referred to as the *Resource Conservation and Recovery Act* (RCRA) (42 U.S.C. 6901 et seq.); and any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, the *Clean Air Act* (42 U.S.C. 7401 et seq.), the *Toxic Control Act* (TSCA) (15 U.S.C. 2601 et seq.), and the *Marine Protection, Research and Sanctuaries Act* (33 U.S.C. 1401 et seq.).

Landfill - Is an area of land or an excavation in which wastes are placed for permanent or temporary disposal and is not a land application site, dust abatement site, surface impoundment, injection well, and/or waste pile.

Leachate - Any liquid that has percolated through soil and contains substances in solution or suspension.

Liner - An HDPE geomembrane material with a thickness specifically engineered to withstand internal and external pressure gradients, physical contact with wastes, climatic conditions, and stresses of installation and daily operation. For the purposes of this general permit, only geomembrane liners are acceptable.

May - Is permissive.

Mg/L - Milligrams per liter and is equivalent to parts per million (ppm).

Monthly average - Value determined by the summation of the instantaneous measurements during any single month divided by the number of instantaneous measurements collected during that same single month.

Municipal sewerage system - A publicly owned domestic wastewater facility or a privately owned domestic wastewater facility that is under contract to a municipality.

Must - Is Mandatory.

New operation - An operation which commenced activities which result in a discharge, or a potential discharge, to waters of the state on or after the effective date of this general permit.

Non-Contact Cooling Water (NCCW) - Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Non-Crop - Any form of vegetation that is not meant or used for human or animal consumption.

NPDES - National Pollutant Discharge Elimination System under section 402 of FWPCA.

Operation - Is synonymous with facility.

Party - An individual, firm, corporation, association, partnership, co-partnership, consortium, company, joint venture, commercial entity, industry, private corporation, port district, special purpose district, irrigation district, trust, estate, unit of local government, state government

agency, federal government agency, Indian tribe, or any other legal entity whatsoever, or their legal representatives, agents, or assignees.

Pass through - The discharge of pollutants through a municipal or private wastewater disposal system into waters of the state in quantities or concentrations which are a cause of a violation of or significantly contribute to a violation of any requirement under chapter 173-201A WAC, *Water Quality Standards for Surface Waters of the State of Washington* or of the NPDES or state waste discharge permit, including an increase in the magnitude or duration of a violation (section 307 of the FWPCA). Failure to obtain approval of an application for a new or increased discharge or change in the nature of the discharge according to chapter 173-216-110(5) WAC would constitute such a violation.

Permit - An authorization, license, or equivalent control document issued by Ecology to implement chapters 173-200 WAC, 173-216 WAC, and/or 173-226 WAC.

Permittee - Includes, but is not limited to, an individual, company, firm, corporation, association, partnership, co-partnership, joint venture, commercial entity, industry, or private corporation that holds coverage under this general permit.

Person - Is synonymous with party.

pH - The logarithm of the reciprocal of the mass of hydrogen ions in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} pH is also a measure of a substance's corrosive properties (acidity or alkalinity).

Point source - Any discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

Pollutant - Any substance discharged, that, if discharged directly, would alter the chemical, physical, thermal, biological, or radiological integrity of the waters of the state, or would be likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety or welfare, or to any legitimate beneficial use, or to any animal life, either terrestrial or aquatic. Pollutants include, but are not limited to, the following: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, pH, temperature, TSS, TDS, turbidity, color, BOD₅, toxicity, odor, and industrial, municipal, and agricultural wastes.

Pome Fruit - A fleshy fruit having seeds but no stone, such as an apple or pear.

Pretreatment - The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, except by diluting the concentration of the pollutants.

Priority pollutant - Those substances listed in the federal 40 CFR Part 423, Appendix A, or as amended.

Private wastewater disposal system - Any system of piping, treatment devices, or other facilities, including a septic tank, that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under the control of the user where the system is not connected to a public sewer.

Process wastewater - Water which, during manufacturing or processing comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

Publicly Owned Treatment Works (POTW) - Is synonymous with municipal sewerage system.

Reasonable times - Any time during normal business hours; hours during which production, treatment, or discharge occurs; or times when Ecology suspects the occurrence of a violation.

Regional administrator - The regional administrator of a particular Region of the EPA or his/her authorized representative.

Representative sample - A wastewater sample collected at a time, place, manner, and of a sufficient number of aliquots to yield data which reasonably characterizes the nature of the discharge of the monitored effluent flow or pollutant. The sample must be consistent with the definitions of "grab" and "composite" samples. Variable effluent flows and variable pollutant concentrations may require greater numbers of aliquots than specified in the "composite" definition.

Retention - The collection of water into a storage device with no subsequent release of that water.

Sanitary sewer - A sewer which is designed to convey sanitary sewage.

Secondary treatment - Is generally defined as 85% removal of TSS and BOD₅ with a maximum limit of 30 mg/l, exceptions do exist for waste stabilization ponds and trickling filters.

Severe property damage - Substantial physical damage to property, damage to the pretreatment facilities or treatment/disposal 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 or losses in production.

Significant - Is synonymous with substantial.

Significant process change - Any change in a facility's processing nature which will result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants, or violate the terms and conditions of this general permit including, but not limited to, facility expansions, production increases, and/or process modifications.

Site - The land or water area where any facility, operation, or activity is physically located or conducted, including any adjacent land used in connection with such facility, operation, or activity. Site also means the land or water area receiving any effluent discharged from any facility, operation, or activity.

Small business - As defined in chapter 43.31.025(4) RCW.

Spent - When a chemical solution is no longer at an effective concentration.

Standard Industrial Classification (SIC) Code - A classification pursuant to the *Standard Industrial Classification Manual*, issued by the U.S. Office of Management and Budget.

State - Is the State of Washington.

Storm drain - A sewer that is designed to convey stormwater and infiltration.

Storm sewer - Is synonymous with storm drain.

Stormwater - Any form of natural precipitation (i.e., rain, snow, or snowmelt)

Stormwater facility - A constructed component of a stormwater drainage system, which is designed or constructed to perform a particular function, or multiple functions. Stormwater facilities include, but are not limited to, swales, ditches, culverts, street gutters, detention/retention basins, infiltration devices, oil/water separators, sediment basins, and modular pavement.

Substantial - Any difference in any parameter including, but not limited to, the following: monitoring result, process characteristic, permit term or condition; with which Ecology considers to be of significant importance, value, degree, amount, or extent.

Surface Waters of the State - All waters defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of the State of Washington. This includes, but is not limited to, lakes, rivers, ponds, streams, creeks inland waters, ocean, bays, estuaries, sounds, inlets, and all other surface water and water courses including wetlands within the jurisdiction of the State of Washington.

Total residual chlorine - The amount of chlorine remaining in water or wastewater which is equivalent to the sum of the combined residual chlorine (non-reactive) and the free residual chlorine (reactive), expressed in mg/L.

Total Dissolved Solids (TDS) - Total dissolved matter in water or wastewater, expressed in mg/L.

Total Suspended Solids (TSS) - Total suspended matter that either floats on the surface of, or is in suspension in water or wastewater, expressed in mg/L.

Toxic amounts - Any amount, concentration, or volume of a pollutant which causes or could potentially cause, the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes, or could potentially cause, a reduction in the quality of waters of the state below the standards set by Ecology or, if no standards have been set, causes significant degradation of water quality.

Toxics - Those substances listed in the federal priority pollutant list and any other pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under section 307 of the FWPCA (33 U.S.C. 1317 et seq.), or Ecology chapters 173-200 WAC, 173-201A WAC, or 173-204 WAC.

Un-irrigated - Any lands having not been irrigated within 10 days prior to or within 60 days after the application of any waste stream.

Upset - An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with permit effluent limitations due to factors beyond the reasonable control of the discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation thereof.

Wastewater - Liquid-carried human wastes or a combination of liquid-carried waste from residences, businesses, or industrial establishments.

Waters of the State - All waters defined as "surface waters of the state" and all waters defined as "waters of the state" in chapter 90.40.020 RCW.

Water quality - The chemical, physical, biological characteristics of water, usually in respect to its suitability for a particular purpose.

Water Quality Preservation Area (WQPA) - Waters which have been designated as high quality waters based upon one or more of the following criteria: Waters in designated federal and state parks, monuments, preserves, wildlife refuges, wilderness areas, marine sanctuaries, estuarine research reserves, and wild and scenic rivers; aquatic habitat having exceptional importance to one or more life stage of a candidate of listed priority species, established by the Washington State Department of Fish & Wildlife, or a federally proposed or listed threatened or endangered species; rare aquatic habitat, ecological reference sites, or other waters having unique and exceptional ecological or recreational significance.

Water quality standards - Includes chapters: 173-200 WAC, *Water Quality Standards for Groundwater of the State of Washington* and 173-201A, *Water Quality Standards for Surface Waters of the State of Washington*. In the absence of other definitions as set forth herein, the definitions as set forth in 40 CFR Part 403.3 will be used for circumstances concerning the discharge of wastes.