

Table of Contents

Section 1: Definitions.....	1
Section 2: Standard Permit Conditions.....	8
2.1 General Conditions	8
2.1.1 Compliance	8
2.1.2 Discharge Approval.....	8
2.1.3 Right of Entry.....	8
2.1.4 Records Retention	8
2.1.5 Confidential Information	9
2.1.6 Recording of Results	9
2.1.7 Dilution	9
2.1.8 Proper Disposal of Sludges and Spent Chemicals	9
2.1.9 Limitations of Permit Transfer	9
2.1.10 Falsifying Information or Tampering with Monitoring Equipment.....	10
2.1.11 Modification or Revision of Permit	10
2.1.12 Duty to Reapply.....	10
2.1.13 Severability.....	11
2.1.14 Property Rights.....	11
2.1.15 Allocated Capacity	11
2.2 General Prohibitions	11
2.3 Significant Noncompliance.....	13
2.3.1 Chronic Violations of Wastewater Discharge Limits.....	13
2.3.2 Technical Review Criteria (TRC) Violations.....	13
2.3.3 Interference or Pass Through	13
2.3.4 Imminent Danger.....	14
2.3.5 Failure to Meet Compliance Schedule	14
2.3.6 Late Reporting	14
2.3.7 Report Noncompliance.....	14
2.3.8 Any Other Violation	14
2.4 Annual Publication and Public Notification	14
2.5 Operation and Maintenance	14
2.5.1 Mandatory Maintenance Program.....	14
2.5.2 Instrumentation Requirements.....	14
2.6 Bypass of Treatment Facilities	15
2.6.1 Bypass Not Violating Applicable Pretreatment Standards or Requirements.....	15
2.6.2 Notice	15
2.6.3 Prohibition of Bypass.....	15
2.7 Chemical Storage.....	15
2.8 Removed Substances.....	15

2.9 Hazardous Waste..... 16

2.10 Duty to Provide Information..... 16

2.11 Additional Reporting..... 17

 2.11.1 Non-Compliance..... 17

 2.11.2 Planned Changes..... 17

2.12 Excess User Fees..... 18

Section 3: Spill Control, Notification, and Training Requirements..... 19

3.1 Accidental Spill Prevention Plan..... 19

3.2 Upsets, Spills, and Slug Discharges..... 19

 3.2.1 User Responsibility in Case of Upset..... 20

Section 4: Quality Assurance..... 21

4.1 Quality Assurance Plan..... 21

4.2 Flow Measurement..... 21

4.3 pH Monitoring..... 21

4.4 Representative Sample Collection..... 22

4.5 Sample Analysis..... 22

4.6 Sampling Requirements for Users..... 22

4.7 Annual City Monitoring and Data Quality Objectives..... 23

Section 5: Enforcement..... 25

5.1 Enforcement Actions..... 25

 5.1.1 Emergency Suspension of Service and Wastewater Discharge Permit..... 25

 5.1.2 Termination of Treatment Services..... 25

 5.1.3 Compliance Order..... 25

 5.1.4 Compliance Schedule for Meeting Applicable Pretreatment Standards..... 26

 5.1.5 Notices of Violation..... 26

 5.1.6 Consent Order..... 26

 5.1.7 Cease and Desist Orders..... 26

 5.1.8 Show Cause Hearing..... 26

 5.1.9 Judicial Proceedings..... 27

 5.1.10 Right of Appeal..... 27

 5.1.11 Injunctive Relief..... 27

5.2 Penalties..... 27

 5.2.1 Administrative..... 27

 5.2.2 Civil Penalties..... 28

 5.2.3 Criminal Penalties..... 28

 5.2.4 Appeals..... 28

 5.2.5 Issuance of Penalty..... 28

 5.2.6 Recovery of Costs Incurred by the City..... 28

 5.2.7 General Criminal Penalties..... 29

Attachment A: Regulations..... A-1

List of Tables

Non-Compliance Reporting.....	17
Excess User Fees	18

Section 1: Definitions

Act: The clean water act of 1972 (33 USC 1251 et seq.) as amended.

Applicable Pretreatment Standards: For any specified pollutant, general discharge prohibitions, city's specific limitations on discharge, state standards, the categorical pretreatment standards (when effective): whichever standard is most stringent.

Approval Authority: The regional administrator of EPA region 10.

Authorized Representative of the User:

- A. If the user is a corporation:
 - 1. 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.
 - 2. The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. This authorization must be made in writing by the principal executive officer or ranking elected official and submitted to the city prior to or together with the report being submitted by the user and contain the certification in subsection 8-9-6D1 of chapter 9 of the City Code.
- B. If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- C. If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.
- D. The individuals described in subsections A through C of this definition may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City and contains the certification in subsection 8-9-6D1 of chapter 9 of the City Code. If an authorization in this definition is no longer accurate because a different individual or position has responsibility for environmental matters for the company, a new authorization satisfying the requirements of this definition must be submitted to the city prior to or together with any reports to be signed by the authorized representative.

Best Management Practices (BMPs): BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR section 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for 5 days at 20 degrees centigrade (20°C), usually expressed as a concentration (milligrams per liter, mg/L).

Board of Sewer Appraisers: A board consisting of the mayor, the director of administrative services, the public works director, the treasurer, the wastewater superintendent, and waterworks superintendent. The board shall establish all rates, charges, or fees charged under this chapter. The board shall also conduct hearings and hear appeals from services, regulations, and fees charged under this chapter. The board's decisions shall be presented to the council for approval.

Brine: Wastewater containing total dissolved solids (TDS) in excess of 25,000 mg/L or 0.2 pounds per gallon.

Bypass: the intentional diversion of waste streams from any portion of a permittee's treatment facility.

Categorical Pretreatment Standard or Categorical Standard: Any regulation containing pollutant discharge limits promulgated by the US EPA in accordance with section 307(b) and (c) of the Act (33 USC 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, subchapter N, parts 405–471.

Categorical User: A user covered by one of the EPA's categorical pretreatment standards.

City: City of Nampa, or the city council of Nampa, or its authorized representatives.

Color: The optical density at the visual wavelength of maximum adsorption, relative to distilled water. One hundred percent transmittance is equivalent to zero (0.0) optical density.

Composite Sample: The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.

Control Authority: The city of Nampa whose pretreatment program has been approved in accordance with the requirements of 40 CFR 403.11.

Cooling Water or Noncontact Cooling Water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product. Cooling water can be discharged from any use, such as air conditioning, heat exchangers, cooling, or refrigeration to which the only pollutant added is heat.

Daily Monitoring: Daily monitoring periods are defined as a 24-hour period during a business day.

Discharger; Industrial Discharger: Any nonresidential user that discharges an effluent into a POTW by means of pipes, conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all constructed devices and appliances appurtenant thereto.

Domestic User (Residential User): Any person who contributes, causes, or allows the contribution of wastewater into the Nampa POTW that is of a similar volume and/or chemical makeup as that of a residential dwelling unit. Dischargers from a residential dwelling unit typically include up to 100 gallons per capita per day, 0.2 pounds of BOD per capita, and 0.17 pounds of TSS per capita.

Environmental Protection Agency (EPA): The U.S. Environmental Protection Agency or, where appropriate, the regional water management division director, or other duly authorized official of said agency.

Existing Source: Any source of discharge, the construction or operation of which commenced prior to publication by the EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with section 307 of the Act.

Existing User: For noncategorical users, an "existing user" is defined as any user that is discharging wastewater prior to the effective date hereof.

Flow Proportional: A composite sample where each individual aliquot is collected after a defined volume of discharge has passed.

Grab Sample: A grab sample is an individual sample collected in less than 15 minutes, without regard for flow or time.

Indirect Discharge: The introduction of pollutants into a POTW from any nondomestic source regulated under section 307(b), (c), or (d) of the Act.

Industrial User: See definition of “User or Industrial User”.

Industrial Waste: Solid, liquid, or gaseous waste resulting from any industrial, manufacturing, trade, or business process or from the development, recovery, or processing of natural resources.

Interference: A discharge which alone or in conjunction with a discharge or discharges from other sources, either: a) inhibits or disrupts the POTW, its treatment processes or operations; b) inhibits or disrupts its sludge processes, use, or disposal; or c) is a cause of a violation of any requirement of the City's NPDES permit or to the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA)), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA, the Clean Air Act, and the Toxic Substances Control Act.

Local Limits: Pretreatment standards developed by the City to enforce the specific and general prohibitions, and to prevent POTW and environmental problems due to nondomestic discharges.

Maximum Allowable Discharge Limit: The maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

May: Is permissive.

Medical Wastes: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Method Detection Limit: This value represents the level to which target analyte concentrations are reported as estimated values, when those target analyte concentrations are quantified below the reporting limit (RL) of the method.

Minimum Level: Either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection limit (MDL). Minimum levels may be obtained in several ways: They may be published in a method; they may be sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor.

Monthly Monitoring: Monthly monitoring periods are defined as follows:

- January 1st–31st
- February 1st–28th (or 29th)
- March 1st–31st
- April 1st–30th
- May 1st–31st
- June 1st–30th
- July 1st–31st
- August 1st–31st
- September 1st–30th
- October 1st–31st
- November 1st–30th
- December 1st–31st

NPDES: National Pollutant Discharge Elimination System permit program as administered by the EPA or State.

New Source:

- A. Any building, structure, facility, or installation from which there is or may be a discharge, the construction of which commenced after publication of proposed pretreatment standards under section 307(c) of the Clean Water Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - 1. The building, structure, facility, or installation is constructed at a site at which no other source is located.
 - 2. The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source.
 - 3. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- B. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure facility, or installation meeting the criteria of subsection A2 or A3 of this definition but otherwise alters, replaces, or adds to existing process or production equipment.
- C. Construction of a new source as defined herein has commenced if the owner or operator has:
 - 1. Begun, or caused to begin as part of a continuous on-site construction program:
 - a. Placement, assembly, or installation of facilities or equipment
 - b. Significant site preparation work including clearing, excavating, or removing existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment
 - 2. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this subsection C2.

New User: A “new user” is not a “new source” and is defined as a user that applies to the City for a new building permit or any person who occupies an existing building and plans to begin discharge of wastewater to the City's collection system after the effective date hereof. Any person that buys an existing facility that is discharging nondomestic wastewater will be considered an “existing user” if no significant changes are made in the manufacturing operation.

Other Wastes: Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals, and all other substances except sewage and industrial wastes.

Pass Through: The discharge of pollutants through the POTW into navigable waters in quantities or concentrations which are a cause, in whole or in part, of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Permittee: A person or user issued a wastewater discharge permit.

Person: Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity or their legal representatives, agents, or assigns. This definition includes all federal, state, or local governmental entities.

pH: A measure of the acidity or alkalinity of a substance, expressed in standard units.

Pollutant: Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, and the characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, chemical oxygen demand [COD], toxicity, or odor).

Pretreatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to (or in lieu of) introducing such pollutants into the POTW. 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 unless allowed by an applicable pretreatment standard).

Pretreatment Requirements: Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment Standards or Standards: Prohibited discharge standards, categorical pretreatment standards, and local limits and/or BMPs established by the city.

Prohibited Discharge Standards or Prohibited Discharges: Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 8-9-4 of chapter 9 of City code.

Publicly Owned Treatment Works (POTW): A “treatment works” as defined by section 212 of the Act (33 USC 1292) which is owned by the city of Nampa. This definition includes any devices or systems used in the collection, storage, treatment, recycling, or reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant. The term also means the city of Nampa.

Quarterly Monitoring: Three-month monitoring period. Quarterly monitoring periods are defined as follows:

- 1st Quarter: October 1st – December 31st
- 2nd Quarter: January 1st – March 31st
- 3rd Quarter: April 1st – June 30th
- 4th Quarter: July 1st – September 30th

Reporting Limit (RL): The limit of detection for a specific target analyte for a specific sample after any adjustments have been made for dilutions or percent moisture.

Septic Tank Waste: Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Semi-Annual Monitoring: The City’s fiscal year begins October 1st and ends September 30th. Quarterly monitoring periods are defined as follows:

- 1st Semi-annual period: October 1st –March 31st
- 2nd Semi-annual period: April 1st –September 30th

Semi-annual samples must be collected at least 90 days apart.

Severe Property Damage: means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage: Water carried human wastes or combination of water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, storm, or other waters as may be present.

Sewer: Any pipe, conduit, ditch, or other device used to collect and transport sewage or stormwater from the generating source.

Shall: Is mandatory.

Significant Industrial User: An industrial user of the city's wastewater disposal system who:

- A. Is subject to or potentially subject to categorical pretreatment standards
- B. Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater)
- C. Contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant
- D. Is determined by the city to have a significant impact or potential for significant impact, either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system's effluent quality, or air emissions generated by the system

Upon finding a user meeting the criteria in subsections A through D of this definition has no reasonable potential for adversely affecting the POTW's operation or for violating any applicable pretreatment standard or requirement, the city may at any time, on its own initiative or in response to a petition received from a user (and in accordance with procedures in 40 CFR 403.80(6)) determine such user should not be considered a significant industrial user.

Slug Load: Any substance released in a discharge at a flow rate and/or concentration which could cause a violation of the discharge standards in section 8-9-4 of chapter 9 of City code or any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge.

Standard Industrial Classification (SIC) Code: A classification pursuant to the "Standard Industrial Classification Manual" issued by the United States office of management and budget.

Stormwater: Any flow of water which is stormwater runoff and/or snow melt runoff and/or surface runoff and/or drainage.

Superintendent: The person assigned to be in charge of the operation of the wastewater treatment plant at the time of this reading, and who is charged with certain duties and responsibilities by this chapter or his authorized representative.

Suspended Solids (SS): A well-mixed sample that is filtered through a weighed standard glass fiber filter and the residue retained on the filter and dried at 103–105 °C. The increase in weight of the filter represents the suspended solids.

Time Proportional: A composite sample where each individual aliquot is collected after a defined period has passed, regardless of the volume or variability of the rate of flow during that period.

Total Dissolved Solids (TDS): Filterable residue is defined as those solids capable of passing through a glass fiber filter and dried to constant weight at 180 °C. The dried residual represents total dissolved solids. TDS consists of organic and inorganic constituents.

Total Suspended Solids (TSS): The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is determined by procedure as defined in suspended solids (SS).

Toxic Pollutants: 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 administrator of the EPA under section 307 of the Clean Water Act (33 USC 1317).

Treatment Plant Effluent: The discharge from the POTW into waters of the United States.

Upset: An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with applicable pretreatment standards adopted by the city, due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly

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

User or Industrial User: A source of indirect discharge. The source shall not include “domestic user” as defined herein.

Wastewater: Industrial waste, or sewage or any other waste including that which may be combined with any groundwater, surface water, or stormwater that may be discharged to the POTW.

Wastewater Discharge Permit: An authorization or equivalent control document issued by the City to users discharging wastewater to the POTW. The permit may contain appropriate pretreatment standards and requirements as set forth in this chapter. It may also be called an “industrial wastewater acceptance permit.”

Wastewater Treatment Plant: That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste. (Ord. 3765, 12-17-2007).

Section 2: Standard Permit Conditions

2.1 General Conditions

2.1.1 Compliance

The User must comply with all conditions of this permit and the requirements of Title 8, Chapter 9 of City Code. Any permit noncompliance is a violation of the City Code and is grounds for possible enforcement action.

The User has a duty to comply with all applicable federal pretreatment standards including those that become effective during the term of the permit, and compliance with the permit is not a defense for a violation of applicable federal pretreatment standards.

2.1.2 Discharge Approval

The City may reject any waste stream that inhibits or interferes with the POTW's performance or passes through the facility untreated. All the waste streams shall be subject to the terms and conditions of this permit.

2.1.3 Right of Entry

The User shall allow the City or its representatives, exhibiting proper credentials and identification, to enter upon the premises of the User for the purposes of inspecting or sampling. In accordance with 8-9-6(B)(2)(f), inspection may include sampling manholes, flow recording devices, or sampling equipment at each sewer discharge. Reasonable hours in the context of inspection and sampling includes any time the User is operating any process which results in a process wastewater discharge to the City's sewerage system.

2.1.4 Records Retention

In accordance with 40 CFR 403.12(o) and City Codes 8-9-6 and 8-9-9, the User shall retain and preserve for no less than 3 years, any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, and chemical analyses made by or on behalf of the User in connection with its discharge.

All records that pertain to matters that are subject to special orders or any other enforcement or litigation activities brought by the City shall be retained and preserved by the User until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

Records shall include, but are not limited to:

2.1.4.1 Sampling

- Exact date, place, method, and time of sampling
- Name of person(s) taking the samples
- Sampling method
- Sampling location

2.1.4.2 Analysis

- Date and time of analysis
- Name of person(s) performing analyses
- Analytical techniques or methods
- Results of analyses
- pH and flow instrument calibration records

- Determination of aliquot volumes for flow-proportional composite samples

All analyses to determine compliance with permit limits shall be performed in accordance with 40 CFR Part 136 “Guidelines Establishing Test Procedures for the Analysis of Pollutants under the Clean Water Act” and amendments, or with any other test procedures approved by the EPA.

Analytical techniques for additional pollutants not contained in Part 136 must be performed by using validated analytical methods approved by the EPA [40 CFR 403.12(b)(5)(v)].

The analysis of samples collected pursuant to the requirements of this permit shall be performed by the User or an accredited commercial laboratory selected by the permittee. In the event that the City performs compliance monitoring in lieu of the User, the City of Nampa laboratory will perform the sample analysis.

2.1.5 Confidential Information

Information and data furnished to the city with respect to the nature and frequency of discharge shall be available to the public without restriction unless the discharger specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the discharger.

Information accepted by the city as confidential shall not be transmitted to the general public by the city until, and unless, a ten (10) day notification is given to the discharger, but shall be made available immediately upon request to governmental agencies for use related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report.

Wastewater constituents and characteristics will not be recognized as confidential information and will be available to the public without restriction.

2.1.6 Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the User shall record the following information per 40 CFR 403.12(o):

1. The exact place, date, and time of sampling
2. The dates the analyses were performed
3. The person(s) who performed the analyses
4. The analytical techniques or methods used
5. The results of all required analyses

2.1.7 Dilution

In accordance with City Code 8-9-4(B)(4), no User, without written approval of the superintendent, shall increase the use of potable or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

2.1.8 Proper Disposal of Sludges and Spent Chemicals

In accordance with City Code 8-9-4(A)(2)(c), the disposal of sludges and spent chemicals generated shall be done in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

2.1.9 Limitations of Permit Transfer

In accordance with City Code 8-9-6(B), wastewater discharge permits are issued to a specific User for specific operation and are not assignable to another User or transferable to any other location without the prior

written notification of and approval from the Superintendent. Sale of a User shall obligate the purchaser to seek prior written approval from the Superintendent for continued discharge to the sewerage system.

Wastewater discharge permits may be reassigned or transferred to a new owner and/or operator only if the permittee gives at least thirty (30) days' advance notice to the superintendent and the superintendent approves the wastewater discharge permit transfer. The notice to the superintendent must include a written certification by the new owner and/or operator which:

1. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
2. Identifies the specific date on which the transfer is to occur; and
3. Acknowledges full responsibility for complying with the existing wastewater discharge permit.
4. Provided that the above occurs and that there were no significant changes to the manufacturing operation or wastewater discharge, the new owner will be considered an existing user and be covered by the existing limits and requirements in the previous owner's permit. Failure to provide advance notice of a transfer renders the wastewater discharge permit voidable as of the date of facility transfer.

2.1.10 Falsifying Information or Tampering with Monitoring Equipment

In accordance with City Code 8-9-7(M) and (O), any person who knowingly makes a false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter, shall (in addition to civil and/or criminal penalties provided by state law) be guilty of a misdemeanor and shall be prosecuted and punished by fines and/or imprisonment.

2.1.11 Modification or Revision of Permit

In accordance with City Code 8-9-6(B)(4), the Superintendent may modify the wastewater discharge permit for good cause including, but not limited to, the following:

1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge
4. Information indicating that the permitted discharge poses a threat to the city's POTW, city personnel, or the receiving waters
5. Violation of any terms or conditions of the wastewater discharge permit
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting
7. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13
8. To correct typographical or other errors in the wastewater discharge permit
9. To reflect a transfer of the facility ownership and/or operation to a new owner/operator

2.1.12 Duty to Reapply

In accordance with City Code 8-9-6(B)(2)(b), the City shall notify the User 90 days prior to the expiration of the User's permit. Within 30 days of the notification, the User shall reapply for re-issuance of the permit on a form provided by the City or available on the City website. A user, whose existing wastewater discharge permit has expired and has submitted its reapplication in the time period specified herein, shall be deemed to have an effective wastewater permit until the city issues or denies the new wastewater permit. A user, whose

existing wastewater discharge permit has expired and who failed to submit its reapplication in the time period specified herein, will be deemed to be discharging without a wastewater discharge permit.

2.1.13 Severability

In accordance with City Code 8-9-6(B)(2)(c), the provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

2.1.14 Property Rights

In accordance with City Code 8-9-6(B)(2)(d), the issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of federal, state or local regulations.

2.1.15 Allocated Capacity

Capacity is allocated to each User. Capacity is not purchased or owned by the User.

2.2 General Prohibitions

Per City Code 8-9-4 and 40 CFR 403.5(b), no User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. The following are specifically prohibited:

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction, to cause fire or explosion or be injurious in any other way to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than 5 percent nor any single reading over 10 percent of the lower explosive limit of the meter. No waste stream having a closed cup flashpoint of less than 140 °F (60 °C) using the test methods specified in 40 CFR 261.21 is allowed to be discharged to the POTW.
2. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
 - a. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l, for nonbiodegradable (mineral) fats, oils, and greases or in excess of 250 mg/l for biodegradable (nonmineral) fats, oils, and greases, or containing substances which may solidify or become viscous at temperatures between 32 °F and 150 °F (or 0 °C and 65 °C).
 - b. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower (hp) (0.76 hp metric) or greater, shall be subject to the review and approval of the superintendent.
 - c. Any pretreatment sludges and spent chemicals generated shall be disposed of in accordance with section 405 of the clean water act and subtitles C and D of the resource conservation and recovery act.
3. Any wastewater having a pH less than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system, such as, but not limited to, battery or plating acids and wastes, copper sulfate, chromium salts and compounds, or salt brine.

4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in the categorical pretreatment standards, as promulgated, which is hereby adopted by reference.
5. Any noxious or malodorous liquids, gases, or solids which, either singly or by interaction, are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
6. Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. (In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines, or regulations developed under section 405 of the Act or any criteria, guidelines, or regulations affecting sludge use on disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state standards applicable to the sludge management method being used.)
7. Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits.
8. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonably established norm for aquatic life.
9. Any wastewater having a temperature which will inhibit biological activity in the POTW treatment plant resulting in interference; but in no case, any liquid or vapor having a temperature higher than 150°F (66°C) or having temperatures sufficient to cause the influent to the treatment plant to exceed 104°F (40°C) unless the approval authority, upon the request of the city, approves the alternate limits.
10. Any pollutant, including oxygen demanding pollutants, released in such strength or volume as to cause interference in the treatment plant.
11. Any unpolluted water including, but not limited to, noncontact cooling water, unless approved by the board of sewer appraisers.
12. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as to exceed limits established by the city in compliance with applicable state or federal regulations.
13. Any wastewater which causes a hazard to human life or creates a public nuisance.
14. Any waters or wastes containing heavy metals and similar objectionable or toxic substances to such a degree that any such material received in the composite sewage at the point of discharge exceeds the limits as listed in Section 3.1. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The superintendent may impose mass limitations in addition to, or in place of, the concentration. Where a user is subject to a categorical pretreatment standard and a local limit for a given pollutant, the more stringent limit shall apply.
15. Trucked or hauled pollutants, except at discharge points designated by the city and in accordance with this section.
16. Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the superintendent.
17. Medical wastes, except as specifically authorized by the superintendent in a wastewater discharge permit.
18. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.

19. Detergents, surface active agents, or other substances which may cause excessive foaming in the POTW.
20. Grease, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dusts, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes.
21. Any wastewater, which in the opinion of the superintendent can cause harm either to the sewers, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance, unless allowed under special agreement by the superintendent (except that no special waiver shall be given from categorical pretreatment standards).
22. The contents of any tank or other vessel owned or used by any person in the business of collecting or pumping sewage, effluent, septage, or other wastewater unless said person has first obtained testing and approval as may be generally required by the city of Nampa and paid all fees assessed for the privilege of said discharge.
23. Persistent pesticides and/or pesticides regulated by the federal insecticide fungicide rodenticide act (FIFRA).
24. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.
25. Pollutants which result in the presence of toxic gases, vapors, or fumes within in the POTW in a quantity that may cause acute worker health and safety problems.
26. Any hazardous waste as defined in rules published by the state of Idaho or in 40 CFR part 261.
27. Sewage sludge, except in accordance with the city's NPDES permit, providing that it specifically allows the discharge to surface waters of sewage sludge pollutants.

Other than those pollutants already reported under the self-monitoring requirements, if the User determines that priority pollutants or total toxic organics (listed in Attachment 1) are present, the Permittee will take steps to eliminate these substances from the wastewater stream.

2.3 Significant Noncompliance

According to Nampa City Code 8-9-7(J) and 40 CFR 403.8, Significant Noncompliance (SNC) means any of the following.

2.3.1 Chronic Violations of Wastewater Discharge Limits

A chronic violation occurs when, during any 6-month period, at least 66 percent of all sampling measurements for the same parameter exceed a numeric pretreatment standard, including instantaneous limits, as defined in 40 CFR 403.8(f)(2)(viii).

2.3.2 Technical Review Criteria (TRC) Violations

A TRC violation occurs when, during any 6-month period, 33 percent or more of all sampling measurements for each parameter either equals or exceeds the product of the numeric pretreatment standard, including instantaneous limits multiplied by the applicable criteria.

2.3.3 Interference or Pass Through

Any other discharge violation of a pretreatment standard or requirement as defined by 40 CFR 403.3(1) (daily maximum, longer term average, instantaneous limit, or narrative standard) that the city believes has

caused, alone or in combination with other discharges, interference or pass through (including endangering the health of city personnel or the general public)

2.3.4 Imminent Danger

Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the city's exercise of its emergency authority to halt or prevent such as discharge

2.3.5 Failure to Meet Compliance Schedule

Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance

2.3.6 Late Reporting

Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.

2.3.7 Report Noncompliance

Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.

2.3.8 Any Other Violation

Any other violation(s), which may include a violation of best management practices which the City determines will adversely affect the operation or implementation of the local pretreatment program.

2.4 Annual Publication and Public Notification

An annual publication of all SIUs in significant noncompliance shall be made in the largest daily newspaper published in the city. This publication will summarize the enforcement actions taken against dischargers that have had a pattern of noncompliance during the previous 12 months.

2.5 Operation and Maintenance

2.5.1 Mandatory Maintenance Program

The User shall keep and maintain an operation and maintenance log on all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the User to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

2.5.2 Instrumentation Requirements

In accordance with City Code 8-9-6(F), all devices used to measure wastewater flow and quality shall be calibrated on an annual basis to ensure their accuracy. Per City Code 8-9-9, records of instrumentation calibration and maintenance shall be retained and preserved for a period of no less than 3 years.

2.6 Bypass of Treatment Facilities

2.6.1 Bypass Not Violating Applicable Pretreatment Standards or Requirements

In accordance with City Code 8-9-13, the User may allow any bypass to occur which does not cause applicable pretreatment standards or requirements to be violated but only if it is also for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of City Code 8-9-13(C) and (D), Notice and Prohibition of Bypass described below.

2.6.2 Notice

If the User knows in advance of the need for a bypass, it shall submit prior notice to the City, if possible, at least 10 days before the date of the bypass.

The User shall submit oral notice of unanticipated bypass that exceeds applicable pretreatment standards to the City within 24 hours from the time the permittee becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. The City may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

2.6.3 Prohibition of Bypass

Bypass is prohibited, and the City may take enforcement action against the permittee for a bypass, unless:

1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal equipment downtime or preventative maintenance.
3. The permittee submitted notices as required under paragraph C of City Code 8-9-13.

The City may approve an anticipated bypass, after considering its adverse effect, if it determines that bypass will meet the three conditions listed in subsections (2.14.3(1)) through (2.14.3(3)) of this section.

2.7 Chemical Storage

Chemicals shall be stored in a manner which will prevent the entry of these solutions into the sanitary sewer, storm sewer system, or waters of the state. All liquid chemicals will be stored in a no-outlet area approved by the City. Process tanks shall be located in an area capable of containing 105 percent of the volume of the largest tank. This area shall have no outlet to the City sewer systems or waters of the state.

Chemicals shall be stored and dispensed only in roofed and bermed areas that eliminate potential spills to the sanitary sewer system, storm sewer system, or waters of the state. Non-compatible chemicals must be segregated.

2.8 Removed Substances

Solids, sludge, and other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering the sewer. The permittee must follow all requirements regarding the generation, treatment, storage, and/or disposal of "Hazardous Waste" as defined under the federal Resource Conservation and Recovery Act found in CFR 260.10.

2.9 Hazardous Waste

As required by 40 CFR 403.12(p), the permittee shall notify the Environmental Compliance Division in writing of any discharge into the POTW of a substance, which, if otherwise discharged would be a hazardous waste under 40 CFR 261.

In accordance with City Code 8-9-6(M), any User that is discharging 15 kilograms (kg) of hazardous wastes as defined in 40 CFR 261 (listed or characteristic wastes) in a calendar month or any facility discharging any amount of acutely hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) is required to provide a onetime notification in writing to the City, EPA region 10 (Office of air, waste, and toxic chemicals), and Idaho State Hazardous Materials Bureau. Any existing User exempt from this notification shall comply with the requirements contained herein within 30 days of becoming aware of a discharge of 15 kg of hazardous waste in a calendar month or the discharge of acutely hazardous wastes to the POTW.

Such notification shall include the following:

1. The name of the hazardous waste as set forth in 40 CFR part 261;
2. The EPA hazardous waste number;
3. The type of discharge (continuous, batch, or other);
4. A certification that the industrial user has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical;
5. If an industrial user discharges more than 100 kg of such wastes per calendar month to the sewer system, the notification shall also contain the following information to the extent it is known or readily available to the industrial user:
 - a. An identification of the hazardous constituents contained in the wastes
 - b. An estimation of the mass and concentration of such constituents in the waste streams discharged during that calendar month and an estimation of the mass of constituents in the waste streams expected to be discharged during the following 12 months
 - c. An estimation of the mass of constituents in the waste streams expected to be discharged during the following 12 months

These notification requirements do not apply to pollutants already reported under self-monitoring requirements. Whenever the EPA publishes final rules identifying hazardous wastes or new characteristics of hazardous waste, a User shall notify the City of the discharge of such a substance within 90 days of the effective date of such regulations. In the case of any notification made under this subsection, an industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

2.10 Duty to Provide Information

The User shall provide to the City any information that the City may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit.

Where the User fails to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or report to the City, the User shall promptly send the relevant information which was not submitted or any additional information needed to correct erroneous information previously submitted.

2.11 Additional Reporting

2.11.1 Non-Compliance

The User must report issues of non-compliance to the City as follows:

Non-Compliance Issue	Reporting Requirement
Self-monitoring results indicate non-compliance	Verbal notification to the City within 24 hours 5-day follow-up written report
Slug loadings, bypass, upset	Immediate notification to the City 5-day written slug/accidental discharge follow-up report

If monitoring results indicate noncompliance, the User shall notify the City within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and submit the results of the repeat analysis to the City within 30 days after becoming aware of the violation using the City provided Periodic Compliance Report Form.

If the City conducts sampling in lieu of the User, the City will notify the User of issues of non-compliance as soon as possible. The City will perform the repeat sampling and analysis unless it notifies the User and requires the User to perform the repeat sampling. Resampling is not required if:

- (i) the City performs sampling at the User at a frequency of at least once per month, or
- (ii) the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the Control Authority receives the results of this sampling.

5-Day Follow-Up Report

According to Nampa City Code 8-9-4 (C), within 5 days following 1) noncompliance identified during self-monitoring or 2) accidental discharge/slug conditions, the User shall submit to the City a detailed written report describing the cause of the discharge, the period of noncompliance (or anticipated period of noncompliance if not corrected), and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this code or other applicable law.

2.11.2 Planned Changes

In accordance with City Code 8-9-6(D)(2), any User operating under a wastewater discharge permit incorporating equivalent mass or concentration limits shall notify the City within 2 business days after the User has a reasonable basis to know that the production level will significantly change within the next calendar month. Any User not providing a notice of such anticipated change will be required to comply with the existing limits contained in its wastewater discharge permit.

Users shall also notify the City at least 60 days in advance of any substantial change in the volume or character of pollutants in their discharge, including significant manufacturing process changes, pretreatment modifications, and the listed or characteristic hazardous wastes for which the User has submitted initial notification under 40 CFR 403.12(p).

2.12 Excess User Fees

Wastewater discharges containing the following constituents at concentrations above effluent limits listed in Section 3.1 of the User's discharge permit are subject to excess user fees in addition to those authorized under City Code 8-9-5.

Excess User Fees	
Parameter	Excess User Fee/1,000 lbs
Parameter 1	\$XX
Parameter 3	\$XX
Parameter 3	\$XX

Section 3: Spill Control, Notification, and Training Requirements

3.1 Accidental Spill Prevention Plan

The User must draft and submit an ASPP (Accidental Spill Prevention Plan) and obtain approval by the City as part of the permit application and renewal process. The User must also perform an annual review/update of the ASPP and notify the City that the annual review/update has been completed. The ASPP shall address the following categories of management practices:

1. **Discharge Description:** *description of all discharges from the facility, including non-routine batch discharges.*
2. **Description of Stored Chemicals.** *Including safety data sheets (SDS) for each chemical.*
3. **Prevention:** *The plan must include procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspecting and maintaining storage areas, handling and transferring materials, loading and unloading operations, controlling plant site runoff, training workers, building containment structures or equipment, implementing measures for containing toxic organic pollutants (including solvents), and/or implementing measures and equipment for emergency response.*
4. **Containment and Notification:** *Containment practices used to contain or capture releases of materials within the industrial premises. Procedures for immediately notifying the POTW of an accidental or slug discharge or any discharge which would violate any of the standards listed in the City Code.*
5. **Mitigation:** *Mitigation practices for cleaning up and treating spill materials.*
6. **Ultimate Disposition:** *Practices for the proper disposal of spilled materials.*
7. **Education and Training:** *Education and training of staff on proper procedures. To ensure against unnecessary discharges of toxic or hazardous pollutants to the sewer system, the following training activities must be performed:*
 - a. *The User shall provide employees with training on the proper storage, handling, and disposal techniques for chemicals used or stored on-site within 6 months of hiring and on an annual refresher basis. All employees working in facility process areas must also be trained in emergency response and notification procedures for spills.*

In accordance with City Code 8-9-4(C), signs shall be permanently posted in conspicuous places on the User's premises advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedures.

Substantive modifications to the plan (non-administrative) shall be submitted to the City for approval prior to implementation.

3.2 Upsets, Spills, and Slug Discharges

In accordance with City Code 8-9-4(C) and 8-9-6(B)(1)(e), Users shall notify the city wastewater treatment plant immediately after the occurrence of a slug or accidental discharge of substances regulated by this code or other discharges that could cause problems to the POTW. The notification shall include 1) location of discharge, date, and time thereof; 2) type of waste; 3) concentration and volume; 4) corrective actions; and 5) steps being taken to reduce any adverse impact. Any affected user shall be liable for any expense, loss, or damage to the POTW, in addition to the amount of any fines imposed on the City on account thereof under state or federal law. Bypass and upset conditions at the facility must also be reported to the City.

Within 5 days following an accidental discharge, the User shall submit to the City a detailed written report describing the cause of the discharge, primary factors that lead to the noncompliance event and corrective actions taken or to be taken (compliance plan) by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property, nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this code or other applicable law.

In accordance with City Code 8-9-7(L), a User that wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An upset occurred and the User can identify the specific cause(s) for the upset:
2. The facility was, at the time, being operated in compliance with applicable operation and maintenance procedures
3. The User has submitted the following information to the City immediately after becoming aware of the upset (if this information is provided orally, a written submission must be provided within 5 days).
 - A description of the upset and cause of noncompliance
 - The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue
 - Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance

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

3.2.1 User Responsibility in Case of Upset

The User shall control production of all discharges to the extent necessary to maintain compliance with applicable pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

Any upset experienced by the User of its treatment that places it in a temporary state of non-compliance with the wastewater discharge limitations contained in this permit or other limitations specified in the City Code shall be reported to the City within 24 hours of first awareness of the commencement of the upset. A detailed report shall be filed within 5 days.

Section 4: Quality Assurance

4.1 Quality Assurance Plan

The User must draft and submit a Quality Assurance Plan (QAP) for approval by the City within 90 days of permit issue date. The User must also perform an annual review/update of the QAP and notify the City that the annual review/update has been completed.

The written QAP requirement is designed to establish standards for all wastewater effluent monitoring, sampling, analysis, and reporting; pH monitoring/control system; and flow monitoring equipment that are defensible should questions ever arise as to sample integrity.

All analyses to determine compliance with permit limits shall be performed in accordance with 40 CFR Part 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants under the Clean Water Act" and amendments or with any other test procedures approved by the EPA.

Analytical techniques for additional pollutants not contained in Part 136 must be performed by using validated analytical methods approved by the EPA [40 CFR 403.12(b)(5)(v)]. The analysis of samples collected pursuant to the requirements of this permit shall be performed by the permittee (permittee must demonstrate the ability to perform the required analytical methods) or a commercial laboratory selected by the permittee.

4.2 Flow Measurement

For continuous discharges, flow measurements shall be recorded on a daily basis from each outfall whether or not a sample is collected. Flow measurements must be performed at approximately the same time every day. For batch discharges, a flow meter reading will be taken at the beginning and end of each discharge.

Flow recorders or electronic flow meters are the preferred tool for flow measurement. If the installation of a flow meter is not feasible, the User must provide a description of the method(s) to be used to estimate flow and pollutant loading in effluent in the QAP. The User must get City approval prior to using an estimate flow procedure.

Daily flows shall be reported in million gallons per day (MGD), based on a 24-hour period.

4.3 pH Monitoring

For continuous monitoring of pH, the User shall provide continuous recording capability (pH chart recording or a computer system capable of recording pH reading at least every 15 minutes) with an alarm system. The pH monitoring equipment shall be systemically maintained as specified in the approved Quality Assurance Plan. All maintenance and calibrations shall be recorded in a maintenance log readily available to City representatives. In the event that pH monitoring equipment fails or malfunctions during continuous discharge, pH must be manually measured at least once per hour. An instantaneous pH reading between ≥ 5.0 s.u. and < 6.0 s.u. or between > 9.0 s.u. and ≤ 10.0 s.u. will not be considered a violation if the duration is five (5) minutes or less. All instantaneous pH readings < 5.0 s.u. or > 10.0 s.u. will be considered a violation, no matter the duration.

OR

For homogenous batch discharges, pH must be monitored once during the discharge. For nonhomogeneous batch discharges, pH must be monitored once per hour for the duration of the discharge. The User must document pH sample collection and analysis, and pH equipment calibration in the QAP. All maintenance and calibrations shall be recorded in a maintenance log readily available to City representatives.

pH violations recorded by monitoring equipment during any discharge shall be reported according to Section 2.5.1, Non-compliance Reporting.

4.4 Representative Sample Collection

In accordance with 40 CFR 403.12(5), samples and measurements collected as required in this permit shall be representative of the volume and nature of the monitored discharge and shall be collected at each specific location.

All samples shall be collected and preserved following the EPA regulations detailed in 40 CFR 136.

4.5 Sample Analysis

All pollutant analyses, including sampling techniques, shall be performed in accordance with the techniques prescribed in 40 CFR part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants) unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by the EPA.

If the permit contains a numeric limit, the analytical method and method detection limit (MDL) selected for a parameter shall be the one that can measure compliance with the numeric limit. If not, analytical method with the lowest MDL shall be used.

If the permit contains a report only requirement, the analytical method chosen shall be one that can measure to the potential numeric limit. If all analytical methods and corresponding MDLs are greater than the potential numeric limit, then the analytical method with the lowest MDL shall be used. Contact the Environmental Compliance Superintendent with any questions about potential numeric limits or what methods are applicable.

All sample results shall be reported with the Method Detection Limit (MDL) of the analytical method used.

4.6 Sampling Requirements for Users

In accordance with City Code 8-9-6(H), a minimum of four (4) grab samples must be used for pH; cyanide; total phenols; fats, oils and greases; sulfide; and volatile organic compounds for facilities for which historical sampling data does not exist; for facilities for which historical sampling data is available, the City may authorize a lower minimum. The City will determine on a case by case basis whether the User may be able to composite the individual grab samples. For all other pollutants, 24-hour composite samples must be obtained through flow proportional composite sampling techniques where feasible. The City may waive flow proportional composite sampling for any User that demonstrates that flow proportional sampling is infeasible. In such cases, samples may be obtained through time proportional composite sampling techniques or through a minimum of eight (8) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.

Samples should be taken immediately downstream from pretreatment facilities if such exist, or immediately downstream from the regulated or manufacturing process if no pretreatment exists, or as determined by the City and contained in the User's wastewater discharge permit. For categorical users, if other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined wastes formula of 40 CFR 403.6(e) in order to evaluate compliance with the applicable pretreatment standards. For other significant industrial users, for which the City has adjusted its local limits to factor out dilution flows, the User should measure the flows and concentrations necessary to evaluate compliance with the adjusted pretreatment standard(s).

All sample results shall indicate the time, date, and place of sampling and methods of analysis and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges from the User. If a User sampled and analyzed more frequently than what was required in its wastewater discharge permit, it must submit all results of sampling and analysis of the discharge as part of its self-monitoring report.

The City may authorize the industrial user subject to a categorical pretreatment standard to forego sampling of a pollutant regulated by a categorical pretreatment standard if the industrial user has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge or is present only at background levels from intake water and without any increase in the pollutant due to activities of the industrial user. This authorization is subject to the following conditions:

- a. The City may authorize a waiver where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical pretreatment standard and otherwise includes no process wastewater.
- b. The monitoring waiver is valid only for the duration of the effective period of the permit or equivalent individual control mechanism, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent control mechanism.
- c. In making a demonstration that a pollutant is not present, the industrial user must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.

The request for a monitoring waiver must be signed in accordance with 40 CFR 403.12(1) and include the certification statement in 40 CFR 403.6(a)(2)(ii). Nondetectable sample results may only be used as a demonstration that a pollutant is not present if the Environmental Protection Agency-approved method from 40 CFR part 136 with the lowest detection level for that pollutant was used in the analysis.

- d. Any granting of the monitoring waiver must be included as a condition in the User's control mechanism. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the City for 3 years after the expiration of the waiver.
- e. Upon approval of the monitoring waiver and revision of the User's control mechanism by the City, the industrial user must certify on each report with the statement below, that there has been no increase of the pollutant in its wastewater due to activities of the industrial user:

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief there has been no increase in the level of [specify pollutant(s)] in the wastewaters due to the activities at the facility since the filing of the last periodic report under 40 CFR 403.12(e)(1).

- f. In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the industrial user's operations, the User must immediately: Comply with the monitoring requirements of subsection H1 of City Code 8-9-6 or more frequent monitoring requirements imposed by the City; and notify the City.
- g. This provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.

4.7 Annual City Monitoring and Data Quality Objectives

Condition II.A.1.g of the City's NPDES permit requires the City to "carry out inspections, surveillance, and monitoring of non-domestic Users to determine compliance with applicable pretreatment standards and requirements. A complete inspection of all SIUs and sampling of all SIUs' effluent must be conducted at least

annually.” Accordingly, the City will periodically perform announced or unannounced monitoring at industrial user facilities and collect sample for each regulated outfall. The User may request a split or duplicate of samples collected by the City if sufficient sample volume is available. The sample split cannot be used to satisfy the User’s self-monitoring requirements. Sample collection and analysis by the City shall be performed in accordance with the techniques prescribed in 40 CFR part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants), unless otherwise specified in an applicable categorical pretreatment standard.

Samples collected by the City will be used to evaluate the overall quality and usability of the self-monitoring data reported by the User. Sampling performed by the City will be used in making a compliance determination in addition to validating data reported by the User in self-monitoring reports.

Section 5: Enforcement

The enforcement actions described below are in accordance with City Code 8-9-7 and 8-9-8.

5.1 Enforcement Actions

5.1.1 Emergency Suspension of Service and Wastewater Discharge Permit

The City may, without advance notice, order the suspension of the wastewater treatment service to a discharger when it appears to the City that an actual or threatened discharge:

1. Presents or threatens an imminent or substantial danger to the health or welfare of persons or the environment. Any discharger notified by the City's suspension order shall immediately cease all discharges. In the event of failure of the dischargers to comply with the suspension order, the City is authorized to physically prevent the discharge from entering the public owned sewerage collection system and assess all costs associated therewith to the discharger.
2. Threatens to interfere with the operation of the POTW or to violate any pretreatment limits imposed by this chapter. Any discharger notified of the City's suspension order shall immediately cease all discharges. In the event of failure of the discharger to comply with the suspension order, the City may commence judicial proceedings immediately thereafter to compel the discharger's specific compliance with such order and/or to recover civil penalties. The City shall reinstate the wastewater treatment service upon proof by the discharger of the elimination of the noncomplying discharge or conditions creating the threat as set forth above.

5.1.2 Termination of Treatment Services

The city may terminate wastewater treatment services to any discharger that violates any of the following prohibitions. A discharger shall not:

1. Fail to factually report the wastewater constituents and characteristics of its discharge
2. Fail to report significant changes in wastewater constituents or characteristics
3. Refuse responsible access to the discharger's premises by representatives of the City for the purpose of inspection or monitoring; or
4. Violate the provisions of this chapter or any order of the City with respect thereto

5.1.3 Compliance Order

When the Superintendent finds that a User has violated or continues to violate any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may issue an order to the User responsible for the discharge directing that the User come into compliance within a time specified in the order. If the User does not come into compliance within the time specified in the order, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring, and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a federal pretreatment standard or requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

5.1.4 Compliance Schedule for Meeting Applicable Pretreatment Standards

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
2. Only upon recommendation of the board of sewer appraisers and approval of the city council shall the city permit the total compliance schedule period to exceed nine (9) months. Categorical industrial users shall not be allowed to exceed nine (9) months for compliance schedule completion.
3. Not later than fourteen (14) days following each milestone date in the schedule and the final date for compliance, the discharger shall submit a progress report to the city, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the discharger to return the construction to the approved schedule.

5.1.5 Notices of Violation

When the City finds that a User has violated (or continues to violate) any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the City may serve that User a written notice of violation.

If required, within 5 working days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the City. Submission of this plan in no way relieves the User of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the City to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

5.1.6 Consent Order

The City may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Use of a consent order shall not be a bar against, or a prerequisite for, taking any other action against the User.

5.1.7 Cease and Desist Orders

When the Superintendent finds that a User has violated (or continues to violate) any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the Superintendent may issue an order to the User directing it to cease and desist all such violations and directing the User to:

1. Immediately comply with all requirements
2. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

5.1.8 Show Cause Hearing

Where the violation of City Code 8-9-4 is not corrected in adherence to compliance orders or any other enforcement action in a timely manner, the City may order any discharger which suffers or permits a violation

of City Code 8-9-4 to show cause before the City or its duly authorized representative why the proposed service termination action should not be taken. A written notice shall be served on the discharger by personal service, or certified or registered mail, return receipt requested, specifying the time and place of a hearing to be held by the City or its designee regarding the violation; the reasons why the enforcement action is to be taken; the proposed enforcement action; and directions for the discharger to show cause before the City or its designee why the enforcement action should not be taken. The notice of the hearing shall be served no less than 10 days before the hearing. Service may be made on any agent, officer, or authorized representative of a discharger. The proceedings at the hearing shall be considered by the City, which shall then enter appropriate orders with respect to the alleged violations of the discharger. Appeal of such orders may be taken by the discharger in accordance with applicable local or state law.

A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

5.1.9 Judicial Proceedings

Following the entry of any order by the city with respect to the violation by a discharger of subsection B of City Code 8-9-7, the City may commence in an action for appropriate legal and/or equitable relief in the appropriate local court.

5.1.10 Right of Appeal

Any discharger or any interested party shall have the right to request, in writing, an interpretation or ruling by the City on any matter covered by City Code 8-9-7 and shall be entitled to a prompt, written reply. In the event that such inquiry is by a discharger and deals with matters of performance or compliance with this chapter for which enforcement activity relating to an alleged violation is the subject, receipt of a discharger's request shall not stay enforcement proceedings pending. Appeal of any final judicial order entered pursuant to this chapter may be taken in accordance with the local and state law.

5.1.11 Injunctive Relief

When the Superintendent finds a User has violated (or continues to violate) any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Superintendent may petition the third district court through the City's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against the User.

5.2 Penalties

In accordance with City Code 8-9-8, Users may be subject to the following administrative, civil, and criminal penalties for failing to comply with this permit.

5.2.1 Administrative

Any discharger who violates an order of the City, or who fails to comply with any provision of Title 8, Chapter 9 of City Code, or any regulations, rules, or permits of the city, issued pursuant to this chapter, shall be liable to the city for an administrative penalty.

The amount of such administrative penalty shall be not less than \$250.00 per violation nor more than \$1,000.00 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. In the case of a monthly or other long-term average discharge limit, the penalties shall accrue for each day during the period of the violation. The superintendent is authorized to levy fines and penalties. In

determining the amount of the administrative penalty, the superintendent shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, compliance history of the User, and any other factor as justice requires.

5.2.2 Civil Penalties

Any discharger that violates an order of the City or fails to comply with any provision of Title 8, Chapter 9 of City Code, or any regulations, rules, or permits of the city, issued pursuant to this chapter, shall be liable to the City for a civil penalty.

The amount of such civil penalty shall not exceed \$1,000.00 per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. In the case of a monthly or other long-term average discharge limit, the penalties shall accrue for each day during the period of the violation. In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through the User's violation, corrective actions by the User, compliance history of the User, and any other factor as justice requires.

The City may recover reasonable attorney fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

5.2.3 Criminal Penalties

Any User that knowingly violates any provision of this chapter shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of no more than \$1,000.00 per offense or imprisonment for not more than 6 months per offense or by both such fine and imprisonment (City Ord. 3765, 12-17-2007).

5.2.4 Appeals

Users desiring to dispute such penalty must file a written request for the City to reconsider the penalty along with full payment of the penalty within 15 days of being notified of the penalty. Where a request has merit, the City shall convene a hearing with the Board of Sewer Appraisers on the matter within 15 days of receiving the request from the User. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The City may add the costs of preparing administrative enforcement actions, such as notices and orders, to the penalty.

5.2.5 Issuance of Penalty

Issuance of an administrative or civil penalty shall not be a bar against, or a prerequisite for, taking any other action against the user.

5.2.6 Recovery of Costs Incurred by the City

Any User violating any of the provisions of this Permit who discharges or causes a discharge producing a deposit or obstruction, or causes damage to or impairs the City's wastewater disposal system shall be liable to the City for any expense, loss, or damage caused by such violation or discharge. The City shall, by order, bill the User for the cost incurred by the City for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a violation enforceable under the provisions of City Code section 8-9-7.

5.2.7 General Criminal Penalties

Any User who knowingly violates any provision of this Permit shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of no more than one thousand dollars (\$1,000.00) per offense or imprisonment for not more than six (6) months per offense or by both such fine and imprisonment.

Attachment A: Regulations

City of Nampa

www.cityofnampa.us

Nampa City Code

http://www.sterlingcodifiers.com/codebook/index.php?book_id=597

State of Idaho

www.idaho.gov

IDEQ

<http://www.deq.idaho.gov/>

Water Quality Division

<http://www.deq.idaho.gov/water-quality/>

IPDES

<http://www.deq.idaho.gov/58-0125-1401>

Federal

USC – U.S. Code

<http://uscode.house.gov/search/criteria.shtml>

- 18: Crimes and Criminal Procedure
 - 1001: Fraud and False Statements
- 33: Clean Water Act
 - 1251: Water Pollution Prevention and Control
 - 1317: Toxic and Pretreatment Effluent Standards

CFR – Code of Federal Regulations

http://www.ecfr.gov/cgi-bin/text-idx?SID=e078a8f2399f400dee6274a89d3c5b62&mc=true&tpl=/ecfrbrowse/Title40/40tab_02.tpl

40 CFR – Protection of the Environment

- 122 – National Pollutant Discharge Elimination System
- 136 – Guidelines Establishing Test Procedures for the Analysis of Pollutants
- 260 – Hazardous Waste Management System
- 261 – Identification and Listing of Hazardous Waste
- 403 – General Pretreatment Regulations for Existing and New Sources of Pollution
- 405-471 – Point Source Categories
- 503 – Standards for the Use or Disposal of Sewage Sludge

Priority Pollutants

(40 CFR Part 122 Appendix D)

Organic Toxic Pollutants – Volatiles

acrolein
acrylonitrile
benzene
bromoform
carbon tetrachloride
chlorobenzene
chlorodibromomethane
chloroethane
2-chloroethylvinyl ether
chloroform
dichlorobromomethane
1,1-dichloroethane
1,2-dichloroethane
1,1-dichloroethylene
1,2-dichloropropane
1,3-dichloropropylene
ethylbenzene
methyl bromide
methyl chloride
methylene chloride
1,1,1,2-tetrachloroethane
tetrachloroethylene
toluene
1,2-trans-dichloroethylene
1,1,1-trichloroethane
1,1,2-trichloroethane
trichloroethylene
vinyl chloride

Organic Toxic Pollutants – Acid Compounds

2-chlorophenol
2,4-dichlorophenol
2,4-dimethylphenol
4,6-dinitro-o-cresol
2,4-dinitrophenol
2-nitrophenol
4-nitrophenol
p-chloro-m-cresol
pentachlorophenol
phenol
2,4,6-trichlorophenol

Organic Toxic Pollutants – Base/Neutrals

acenaphthene
acenaphthylene
Anthracene
benzidine
benzo(a)anthracene
benzo(a)pyrene
3,4-benzofluoranthene
benzo(ghi)perylene
benzo(k)fluoranthene
bis(2-chloroethoxy)methane
bis(2-chloroethyl)ether
bis(2-chloroisopropyl)ether
bis(2-ethylhexyl)phthalate
4-bromophenyl phenyl ether
butylbenzyl phthalate
2-chloronaphthalene
4-chlorophenyl phenyl ether
chrysene
dibenzo(a,h)anthracene
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3-dichlorobenzidine
diethyl phthalate
dimethyl phthalate
di-n-butyl phthalate
2,4-dinitrotoluene
2,6-dinitrotoluene
di-n-octyl phthalate
1,2-diphenylhydrazine (as azobenzene)
fluoranthene
fluorine
hexachlorobenzene
hexachlorobutadiene
hexachlorocyclopentadiene
hexachloroethane
indeno(1,2,3-cd)pyrene
isophorone
naphthalene
nitrobenzene
n-nitrosodimethylamine
n-nitrosodi-n-propylamine
n-nitrosodiphenylamine
phenanthrene
pyrene
1,2,4-trichlorobenzene

Organic Toxic Pollutants – Pesticides

aldrin
alpha-bhc
beta-bhc
gamma-bhc
delta-bhc
chlorodane
4,4-ddt
4,4-dde
4,4-ddd
dieldrin
alpha-endosulfan
beta-endosulfan
endrin
endrin aldehyde
heptachlor
heptachlor epoxide
PCB-1242
PCB-1254
PCB-1221
PCB-1232
PCB-1248
PCB-1260
PCB-1016
toxaphene

Organic Toxic Pollutants (Metals & Cyanide) & Total Phenols

antimony, total
 arsenic, total
 beryllium, total
 cadmium, total
 chromium, total
 copper, total
 lead, total
 mercury, total
 nickel, total
 selenium, total
 silver, total
 thallium, total
 zinc, total
 cyanide, total
 phenols, total

Toxic Pollutants & Hazardous Substances -

Toxic Pollutants

Asbestos

Conventional & Nonconventional Pollutants

bromide
 chlorine, total residual
 color
 fecal coliform
 fluoride
 nitrate-nitrite
 nitrogen, total organic
 oil & grease
 phosphorus, total
 radioactivity
 sulfate
 sulfide
 sulfite
 surfactants
 aluminum, total
 barium, total
 boron, total
 cobalt, total
 iron, total
 magnesium, total
 molybdenum, total
 manganese, total
 tin, total
 titanium, total

Toxic Pollutants & Hazardous Substances - Hazardous Substances

acetaldehyde
 allyl alcohol
 allyl choride
 amyl acetate
 aniline
 benzonitrile
 benzyl chloride
 butyl acetate
 butylamine
 captan
 carbaryl
 carbofum
 carbon disulfide
 chlorpyrifos
 coumaphos
 cresol
 crotonaldehyde
 cyclohexane
 2,4-D (2,4-dichlorophenoxy acetic acid)
 dizinon
 dicamba
 dichlorbenil
 dichlone
 2,2-dichloropropionic acid
 dichlorvos
 diethyl amine
 dimethyl amine
 dinitrobenzene
 diquat
 disulfoton
 diuron
 epichlorohydrin
 ethion
 ethylene diamine
 ethylene dibromide
 formaldehyde
 furfural
 guthion

isoprene
 isopropanolamine dodecylbenzenesulfonate
 kelthane
 kepone
 malathion
 mercaptodimethur
 methoxychlor
 methyl mercaptan
 methyl methacrylate
 methyl parathion
 mevinphos
 mexacarbate
 monoethyl amine
 monomethyl amine
 naled
 napthenic acid
 nitrotoluene
 parathion
 phenolsulfanate
 phosgene
 propargite
 propylene oxide
 pyrethrine
 quinolone
 resorcinol
 strontium
 strychnine
 styrene
 2,4,5-T (2,4,5-trichlorophenoxy acetic acid)
 2,4,5-TP [2(2,4,5-trichlorophenoxy) propanoic acid
 trichlorofan
 triethanolamine dodecylbenzenesulfonate
 trimethylamine
 trimethylamine
 uranium
 vanadium
 vinyl acetate
 xylene
 xylenol
 zirconium

Total Toxic Organics

40 CFR Part 433 Subpart A

acenaphthene	4-bromophenyl phenyl ether	fluorine
acrolein	bis (2-chloroisopropyl) ether	phenanthrene
acrylonitrile	bis (2-chloroethoxy) methane	1,2,5,6-dibenzanthracene (dibenzo(a,h)anthracene)
benzene	methylene chloride (dichloromethane)	indeno(1,2,3-cd)pyrene (2,3-o-phenylene pyrene)
benzidine	methyl chloride (chloromethane)	pyrene
carbon tetrachloride (tetrachloromethane)	methyl bromide (bromomethane)	tetrachloroethylene
chlorobenzene	bromoform (tribromomethane)	toluene
1,2,4-trichlorobenzene	dichlorobromomethane	trichloroethylene
hexachlorobenzene	chlorodibromomethane	vinyl chloride (chloroethylene)
1,2-dichlorobenzene	hexachlorobutadiene	Aldrin
1,1,1-trichloroethane	hexachlorocyclopenta-diene	dieldrin
hexachloroethane	isophorone	chlordane (technical mixture and metabolites)
1,1-dichloroethane	naphthalene	4,4-DDT
1,1,2-trichloroethane	nitrobenzene	4,4-DDE (p,p-DDX)
1,1,2,2-tetrachloroethane	2-nitrophenol	4,4-DDD (p,p-TDE)
chloroethane	4-nitrophenol	alpha-endosulfan
bis (2-chloroethyl) ether	2,4-dinitrophenol	beta-endosulfan
2-chloroethyl vinyl ether (mixed)	4,6-dinitro-o-cersol	endosulfan sulfate
2-chloronaphthalene	n-nitrosodimethylamine	endrin
2,4,6-trichlorophenol	n-nitrosodiphenylamine	endrin aldehyde
parachlorometa cresol	n-nitrosodi-n-propylamine	heptachlor
chloroform (trichloromethane)	pentachlorophenol	heptachlor epoxide (BHC-hexchlorocyclohexane)
2-chlorophenol	phenol	alpha-BHC
1,2-dichlorobenzene	bis (2-ethylhexyl) phthalate	beta-BHC
1,3-dichlorobenzene	butyl benzyl phthalate	gamma-BHC
1,4-dichlorobenzene	di-n-butyl phthalate	delta-BHC
3,3-dichlorobenzidine	di-n-octyl phthalate	(PCB: polychlorinated biphenyls)
1,1-dichlorophenol	diethyl phthalate	PCB-1242 (Arochlor 1242)
1,2-trans-dichloroethylene	dimethyl phthalate	PCB-1254 (Arochlor 1254)
2,4-dimethylphenol	1,2-benzanthracene (benzo(a)anthracene)	PCB-1221 (Arochlor 1221)
1,2-dichloropropane	benzo(a)pyrene (3,4-benzopyrene)	PCB-1232 (Arochlor 1232)
1,3-dichloropropylene (1,3-dichloropropene)	3,4-benzofluoranthene (benzo(k)fluoranthene)	PCB-1248 (Arochlor 1248)
2,4-dimethylphenol	11,12-benzofluoranthene (benzo(k)fluoranthene)	PCB-1260 (Arochlor 1260)
2,4-dinitrotoluene	chrysene	PCB-1016 (Arochlor 1016)
2,6-dinitrotoluene	acenaphthylene	toxaphene
1,2-diphenylhydrazine	anthracene	2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD)
ethylbenzene	1,12-benzoperylene (benzo(ghi)perylene)	
flouranthene		
4-chlorophenyl phenyl ether		