Issuance Date: June 28, 2002
Effective Date: July 1, 2002
Expiration Date: June 30, 2007

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT NO. WA0040649

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-8711

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Battelle Marine Sciences Laboratory
1529 West Sequim Bay Road
Sequim, WA 98382

Facility Location: same	Receiving Water: Sequim Bay, Strait of Juan de Fuca
Industry Type: not classified	Discharge Coordinates: Latitude: 48° 04' 45" N Longitude: 123° 02' 37" W

is authorized, beginning on the effective date of this permit and lasting through the expiration date and in accordance with the Special and General Conditions which follow, to discharge wastewater from environmental research activities at the location described above. A mixing zone within the receiving water defined by a radius of 160 feet from the discharge point in which state water quality criteria may be exceeded is also hereby authorized in accordance with the provisions of Washington Administrative Code 173-201A-100.

Kelly Susewind, P.E.
Southwest Region Supervisor
Water Quality Programs
Washington State Department of Ecology

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SPECIAL CONDITIONS

S1. MONITORING REQUIREMENTS

A. Schedule of Testing – Outfall No. 008

Parameter	Units	Frequency	Sample Point	Sample Type
Bromoform	mg/L	1/calendar month	Influent	Grab
Bromoform	mg/L	1/calendar month	Effluent	Grab
Other (see explanatory note)	mg/L and lbs/day	1/calendar month	Effluent	Composite/Grab

EXPLANATORY NOTE: The Permittee shall sample discharges of wastewater for environmental contaminants known or reasonably expected to be entering effluent systems at significant concentrations as a result of routine and non-routine activities.

Routine Activities: Sampling should be on a monthly frequency for discharges associated with "routine" activities at the site. Routine activities include business and operational activities that are regularly performed such as sediment toxicity testing, analytical chemistry operations, lab ware and equipment cleaning, and system/facility maintenance.

Non-Routine Activities: When activities of a "non-routine" research nature are conducted, a sample of effluent should be collected within the first week of discharge from the activity and at a time when contaminant concentrations are judged most likely to be detected. If discharges from a specific non-routine activity continue for over a month, then the regular monthly sample should include analysis for contaminants associated with the non-routine activity.

For the purposes above, "environmental contaminants" are those substances and properties listed in the state water quality standards for surface water (WAC 173-201A) and/or the National Toxics Rule (40 CFR 131.36(b)(1)). "Significant amounts" are concentrations in excess of the numerical criteria for these substances and properties set out in those state and federal regulations.

Environmental contaminants exceeding the laboratory MRL in either a routine or non-routine sample shall be reported on the monthly discharge report (see Section S2A Reporting). The monthly routine sample shall be analyzed for the environmental contaminant until the contaminant is either below the MRL or at ambient levels in two subsequent consecutive monthly samples.

B. Schedule of Testing – Outfall No. 007

No monitoring or sampling of the discharges from Outfall #007 is required.

C. Sampling and Analytical Procedures

The influent sampling point for the determinations specified in S1.A. shall be at a point upstream from the activated carbon adsorption units and downstream of the ozonation unit. The effluent sampling point shall be at a point in the discharge line downstream of all treatment units.

Samples and measurements taken to meet the requirements of S1.A. shall be representative of the volume and nature of the monitored parameters, including any unusual discharge or discharge condition, such as bypasses, upsets and maintenance-related conditions affecting effluent quality. Unless otherwise specified, all samples shall be flow-proportional composite samples with a minimum of eight aliquots taken during the period of active discharge of the sampling day. Aliquots may be taken manually or automatically. For volatile organic analyses, four aliquots are sufficient, and aliquots must be combined in the laboratory immediately before analysis.

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department). Where alternative approved methods with different sensitivities are available, a test method with a detection limit commensurate with the level of presence of the constituent shall be used.

D. Laboratory Accreditation

Required analyses shall be prepared by a laboratory registered or accredited under the provisions of *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Turbidity, temperature and pH measurements are exempt from this provision.

S2. REPORTING AND RECORDKEEPING REQUIREMENTS

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first reporting period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period. Monitoring reports for "other" parameters shall be submitted on a separate form marked "non-WPLCS-trackable" as provided. (This requirement is for departmental internal tracking purposes.) The report(s) shall be sent to the Department of Ecology, Southwest Regional Office, P O Box 47775, Olympia, Washington 98504-7775.

All lab reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name,

CAS number, analytical method/ number, method detection limit (MDL), lab practical quantitation limit (PQL), reporting units and concentration detected.

Discharge Monitoring Reports must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

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

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's self-monitoring reports.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately and submit the results to the Department within 30 days after becoming aware of the violation;

2. Immediately notify the Department of the failure to comply; and

3. Submit a detailed written report to the Department within thirty days (5 days for upsets and bypasses), unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.

B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Department, and

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2. must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section shall make the following certification:

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

G2. RIGHT OF ENTRY

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;

C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;

D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and

E. To sample at reasonable times any discharge of pollutants.

G3. PERMIT ACTIONS

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

A. Violation of any permit term or condition;

B. Obtaining a permit by misrepresentation or failure to disclose all relevant facts;

C. A material change in quantity or type of waste disposal;

D. A material change in the condition of the waters of the state; or

E. Nonpayment of fees assessed pursuant to RCW 90.48.465.

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

G4. REPORTING A CAUSE FOR MODIFICATION

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G5. PLAN REVIEW REQUIRED

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

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. PERMIT TRANSFER

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

A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;

B. A copy of the permit is provided to the new owner and;

C. The Department does not notify the Permittee of the need to modify the permit.

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

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

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

G11. TOXIC POLLUTANTS

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G12. OTHER REQUIREMENTS OF 40 CFR

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

G13. ADDITIONAL MONITORING

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

G14. PAYMENT OF FEES

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

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

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

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