



**Richland**

Public Works Department

March 16, 2003

Mr. <sup>R</sup>Allen

Facility Director

Applied Process Engineering Laboratory

350 Hills Street, Suite 101

Richland, WA 99352

**Re: Renewal of Industrial Wastewater Permit No. CR-IU006, Applied Process Engineering Laboratory (APEL)**

Dear Mr. Allen:

Your application for an industrial wastewater permit has been reviewed and processed in accordance with the City of Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30.

The enclosed Permit No. CR-IU006 covers the wastewater discharged from the facility located at 350 Hills Street into the City of Richland sewer collection system. All discharges from this facility, actions and reports relating thereto shall be in accordance with the terms and conditions of this permit.

If you wish to appeal or challenge any conditions imposed in this permit, a petition shall be filed in accordance with the requirements of City of Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30, Part 3.9, within 30 days of your receipt of this correspondence. Pursuant to Part 3.9, failure to petition for reconsideration of the permit within the allotted time is deemed a waiver by the permittee of his right to challenge the terms of this permit.

By:

Stanley R. Arlt, P.E.  
Public Works Director  
City of Richland

Issued: March 16, 2003

Cc: J.W. Baker

**CITY OF RICHLAND  
INDUSTRIAL WASTEWATER DISCHARGE PERMIT  
PERMIT NO. CR-IU006**

In accordance with the provisions of City of Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30,

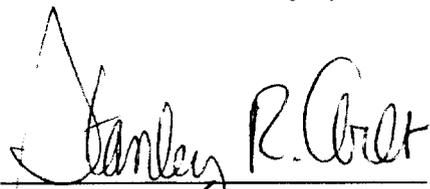
Energy Northwest  
P. O. Box 968  
Richland, Washington 99352-0968

is hereby authorized to discharge industrial wastewater from the Applied Process Engineering Laboratory (APEL) located at 350 Hills Street, Richland, Washington 99352 through the designated outfall identified herein into the City of Richland sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the terms of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the Richland Pretreatment Act – Chapter 17.30.

This permit shall become effective on **March 16, 2003** and shall expire at midnight on **March 16, 2008**.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of City of Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30, Part3, Section 3.14, a minimum of 90 days prior to the expiration date.

By:   
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STANLEY R. ARLT, P.E.  
Engineering & Utility Services Director

Issued:            March 16, 2003



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***PART I - WASTEWATER DISCHARGE LIMITATIONS***

The permit limits are based on General and Specific National Prohibited Discharges, [40 CFR 403.5 (a) and (b)], and a combination of local and federal limits, whichever are more stringent. All pertinent data is on file in the City of Richland's Industrial Pretreatment Office.

**A. DESCRIPTION OF OUTFALL**

During the period the permit is effective, the permittee is authorized to discharge process wastewater to the City of Richland sewer system from the outfall listed below:

Description of outfall:

<u>Outfall</u>	<u>Description</u>
001	East side of APEL and west of Richardson Drive

**B. EFFLUENT LIMITATIONS**

During the period the permit is effective, the discharge from outfall 001 shall not exceed the following effluent limitations:

<u>EFFLUENT LIMITATIONS</u>		
<u>Effluent Characteristics</u>	<u>Unit of Measurement</u>	<u>Daily Maximum (Note #1)</u>
Flow	gallons per day (gpd)	66,400
Peak Flow	gallons per minute (gpm)	150 (Note #2)



EFFLUENT LIMITATIONS

<u>Effluent Characteristics</u>	<u>Unit of Measurement</u>	<u>Daily Maximum</u>
pH	pH units	Effluent discharged into the City's collection system shall not have a pH less than 5.0 or greater than 10.0 (Note #3).
Oil and Grease	mg/L	Not to exceed 100 at any time.
Biochemical Oxygen Demand (BOD)	mg/L	240
Total Suspended Solids (TSS)	mg/L	250
Arsenic	mg/L	0.10
Cadmium	mg/L	0.32
Chromium	mg/L	1.74
Copper	mg/L	1.30
Cyanide	mg/L	0.22
Lead	mg/L	0.37
Mercury	mg/L	0.02
Molybdenum	mg/L	0.07
Nickel	mg/L	2.32



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thereby violating the City's NPDES permit. 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 ten percent (10%) from the seasonably established norm for aquatic life;

11. Wastewater containing any radioactive wastes or isotopes except as specifically approved by the Engineering and Utility Services Director in compliance with applicable State or Federal regulations;
12. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water and unpolluted wastewater, unless specifically authorized by the Engineering and Utility Services Director; <sup>(2)</sup>
13. Any sludges, screenings, or other residues from the pretreatment of industrial wastes or from industrial processes;
14. Medical wastes, except as specifically authorized by the Engineering and Utility Services Director;
15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
16. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
17. Any liquid, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two (2) successive readings on an explosion meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter;
18. 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, waste paper, wood, plastics, gas, tar asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.



19. Any substance which will cause the POTW to violate its NPDES and/or other disposal system permits;
20. Any wastewater, which in the opinion of the Engineering and Utility Services Director 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 Engineering and Utility Services Director (except that no special waiver shall be given from categorical pretreatment standards);
21. 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 Richland and paid all fees assessed for the privilege of said discharge;
22. Any hazardous wastes as defined in rules published by the State of Washington or in EPA rules 40 CFR, Part 261;
23. Persistent pesticides and/or pesticides regulated by the Federal Insecticide Fungicide Rodenticide Act (FIFRA).

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.

- (1) See Part 1, Section B, Note 3, for compliance determination.
- (2) Limited quantities of condensate, deionized water, non-contact cooling water, and unpolluted wastewater within the effluent limitations of this permit, have been authorized by the Engineering and Utility Services Director. This is also the Public Works Director



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## PART II - MONITORING REQUIREMENTS

### A. **OUTFALL MONITORING REQUIREMENTS**

All samples, excluding pH, shall be submitted to an Ecology accredited laboratory (refer to Part V. E.). The industrial user shall monitor outfall 001 and comply with the following monitoring requirements:

<u>Parameter</u>	<u>Unit of Measurement</u>	<u>Sampling Frequency</u>	<u>Type of Sample</u>	<u>Tier#</u>
Flow	gpd	continuous	recorder	All
pH	pH units	Note #1&4	monthly	2,3&4
BOD	mg/L	Note #1	24HC	3&4
TSS	mg/L	Note #1	24HC	3&4
Ammonia	mg/L	Note #1	grab	4
Antimony	mg/L	Note #1	24HC	4
Arsenic	mg/L	Note #1	24HC	4
Beryllium	mg/L	Note #1	24HC	4
Cadmium	mg/L	Note #1	24HC	4
Chromium	mg/L	Note #1	24HC	4
Copper	mg/L	Note #1	24HC	4



<u>Parameter</u>	<u>Unit of Measurement</u>	<u>Sampling Frequency</u>	<u>Type of Sample</u>	<u>Tier #</u>
Cyanide	mg/L	Note #1	grab composite	4
Lead	mg/L	Note #1	24HC	4
Mercury	mg/L	Note #1	24HC	4
Molybdenum	mg/L	Note #1	24HC	4
Nickel	mg/L	Note #1	24HC	4
Selenium	mg/L	Note #1	24HC	4
Silver	mg/L	Note #1	24HC	4
Zinc	mg/L	Note #1	24HC	4
Total Phenols	mg/L	Note #1	grab composite	4
Priority Pollutants	ug/L	Note #1	Note #8	4

Notes:

1. Sampling frequencies are related to effluent flow as follows:

<u>Tier</u>	<u>Monthly Average Flow</u>	<u>Monitoring Requirements</u>
Tier 1	Up to 1,000 gallons per day	Monthly average flow;
Tier 2	Over 1,000 gallons per day	Monthly average flow & pH;
Tier 3	Over 10,000 gallons per day	Monthly average flow, pH, BOD (a) & TSS (a);



Tier 4            Over 25,000 gallons per day            Monthly average flow, pH, BOD(a), TSS (a), Ammonia(a), Metals(b), & Priority Pollutants (b).

- (a) Parameter(s) monitored every third month that the monthly average flow is in the tier.
- (b) Parameters(s) monitored every 12<sup>th</sup> month that monthly average flow is in tier.
2. A "24-hour composite (24HC)" sample shall mean a flow-proportioned mixture of not less than 8 discrete aliquots. Each aliquot shall be a grab sample of not less than 100 ml and shall be collected, composited, and preserved in accordance with 40 CFR, Part 136 and amendments.
  3. A "Grab" sample is an individual sample collected in less than 15 minutes, without regard for flow or time. Grab samples will be collected during business hours.
  4. Grab composite - a minimum of four (4) grab samples must be used for pH cyanide and total phenols. The volatile organics sample shall be a single grab taken during the course of one of the above samples. Refer to 40 CFR 403.12 (5)(iii) - (vi) and Note #6. The reported value is the sum of the individual grab sample results, collected in any one day, divided by the number of samples collected.
  5. Individual grab samples for total cyanide analyses will be checked for sulfide and chlorine residual interferences before the sample is preserved with sodium hydroxide to insure sample integrity. Samples may be brought to the wastewater treatment laboratory to be checked for interferences before compositing the sample.
  6. Sampling and analytical methods used to meet the 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*, unless otherwise specified in this permit or approved in writing by the Washington State Department of Ecology.

7. The sampler used for sampling discharges shall be suitable for conventional and toxic pollutants, open channel flow measurement and/or collection of samples in proportion to flow, and permanent or portable installation.
8. The permittee shall perform chemical analyses on the final effluent for priority pollutants listed in Table II of Appendix D of 40 CFR, Part 122.
9. Test results for metals and cyanide shall be expressed to the nearest (0.01) mg/L. pH units shall be reported to the nearest 0.1 units.
10. If monthly pH composite sampling indicates a permit violation, follow-up sampling shall be conducted daily (business days) until three (3) consecutive grab composite samples are within effluent limits. If BOD or TSS monitoring indicate a permit violation, follow-up sampling will be conducted weekly until 4 consecutive samples are within BOD and TSS effluent limits.
11. Violation of effluent limits other than BOD and TSS shall require resampling monthly until two successive samples are in compliance for all of the parameters with limits.
12. After one year of sampling, the industry may petition the City to modify the sampling frequency in their industrial wastewater discharge permit.



***PART III - REPORTING REQUIREMENTS***

**A. *REPORTING OF MONITORING RESULTS***

For Tier levels 1,2 and 3 the monitoring results in Part II of this permit shall be summarized each calendar quarter (once for the first 3 months of the year, once for the second 3 months of the year, etc.), on a Discharge Monitoring Report form.

At Tier level 4 the Discharge Monitor Report form shall be summarized monthly. The report form will be provided by the City. The reports must be post marked by the 15<sup>th</sup> of the first month following each quarter. In the case of monthly reports, they must be submitted each month and postmarked by the 15<sup>th</sup> of the following month. An additional 30 days will be allowed for submittal of metal and organic analyses reports. In the event that additional monitoring is conducted, all results shall be contained in the report. The permittee shall include calculations of monthly averages, if appropriate. Legible copies of these and all other reports required of this permit shall be signed and certified in accordance with the requirements of Part V, Section J, Signatory Requirements, and submitted to the City pretreatment coordinator at the following address:

**City of Richland  
Wastewater Treatment Facility  
Attn: Pretreatment Coordinator  
P. O. Box 190  
Richland, WA 99352**

**B. *NOTIFICATION OF VIOLATION***

If self-monitoring analytical results indicate a violation of discharge limits contained in this permit, the permittee must notify the City within 24 hours of becoming aware of the violation. The permittee must also repeat the sampling and submit the analysis to the City within 30 days of becoming aware of the violation.



**C. ACCIDENTAL OR SLUG DISCHARGE**

The industrial user shall notify the City immediately, either by person or by phone (942-7485), upon any accidental or slug discharge to the sanitary sewer as

outlined in the Accidental Spill section of Ordinance No. 7-96, Part 4, Section 4.7. Formal written notification discussing circumstances and corrective actions shall be submitted to the City within five days of occurrence.

**D. CHANGES IN WASTEWATER CHARACTERISTICS**

The industrial user shall notify the City, in person or by phone, 90 days prior to any substantial change in the volume or characteristics of the wastewater being introduced into the POTW from the permittee's industrial processes. Formal written notification shall be made at least ten days prior to such introduction, and the permittee shall obtain approval from the City to do so.

**E. UPSET**

1. Definition

For the purpose of this section, "Upset" means an exceptional incident in which there is unintentional and temporary non-compliance with applicable pretreatment standards because of factors beyond the reasonable control of the permittee. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless and/or improper operation.

2. Conditions Necessary for a Demonstration of Upset

A permittee who wishes to establish the affirmative defense of an upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, that:



- a. An upset occurred and the permittee can identify the specific cause(s) of the upset;
- b. The facility was, at the time, being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
- c. The permittee has submitted the following information to the City within 24 hours of becoming aware of the upset (if this information is provided verbally, a written submission must be provided within five days):
  - (1) A description of the indirect discharge and cause of non-compliance.
  - (2) The period of non-compliance, including exact dates and times, or if not corrected, the anticipated time the non-compliance is expected to continue.
  - (3) Steps being taken and/or planned to reduce, eliminate, or prevent recurrence of the non-compliance.

**3. Burden of Proof**

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

**4. Permittee Responsibility in Case of Upset**

The permittee 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.



## **PART IV – ACCIDENTAL SPILL PREVENTION PLAN (ASPP)**

***The permittee shall continue to implement the ASPP for hazardous substances as specified by the City's Identification of Potential Spill and Slug Discharge Sites and Pathways manual. The ASPP, developed by the permittee, shall address the following categories of management practices:***

1. Prevention--The plan must include prevention practices--i.e., monitoring systems, non-destructive testing, labeling, covering or enclosing materials, equipment or process operations, and other techniques used to prevent materials or spills.
2. Containment--Containment practices used to contain or capture releases of materials within the industrial premises.
3. Mitigation--Mitigation practices for the cleanup and treatment of spill materials.
4. Ultimate Disposition--Practices for the proper disposal of spilled materials.
5. Education and Training--Education and training of staff on proper procedures.

Examples of management practices include, but are not limited to, the following:

1. If appropriate, the permittee shall obtain a hazardous waste generator number from EPA or the state for proper disposal of hazardous wastes.
2. If the permittee utilizes a pretreatment system for the purpose of reducing pollutant levels, prior to discharge to the city sewer, a sampling site acceptable to the City shall be maintained downstream of the final pretreatment system for monitoring the industrial discharge. City personnel shall have access to the sample site during normal business hours and in the event of an emergency.
3. The permittee shall use spill prevention practices to preclude the discharge of any substance that violates the General Discharge Prohibitions in the



Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30, Part 2, Section 2.1, or conditions of this permit.

4. In the event of a concentrated solutions spill, such as a tank failure, the permittee shall not discharge any spilled solution into the municipal sewer system unless laboratory test results indicated that the substance meets the conditions of this permit. The permittee shall receive approval from the City prior to any discharge of spilled solution.
5. The permittee shall maintain and inspect all process solution tanks on a regular basis. Any leaks shall be repaired promptly.
6. Any spent plating, etching, and other concentrated process tank solutions, which are not or cannot be pretreated to meet permit discharge limits, shall be disposed of according to the Hazardous Waste Regulations of the State of Washington and EPA.
7. The permittee shall forward the following information regarding any concentrated process tank solutions to the City prior to discharge to the sewer system:
  - a. Volume of tank;
  - b. Method used to treat the discharge to meet the effluent limits of this permit; and
  - c. Heavy metals content, pH, and cyanide concentrations of the treated discharge.

Any concentrated solution tank discharge which has not been approved by the City, or whose contents do not meet effluent limits of this permit, shall be treated as a discharge violation of the permit and subject to penalty.



***PART V - STANDARD CONDITIONS***

***A. COMPLIANCE***

The permittee shall comply with all the General Discharge Prohibitions in the Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30, Part 2, Section 2.1, and is responsible to take whatever steps are necessary to ensure discharge requirements of this permit are met.

***B. INSPECTION AND ENTRY***

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

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
4. Sample or monitor for the purposes of assuring permit compliance, any substances or parameters at any location; and
4. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.



**C. RECORD RETENTION**

1. The permittee shall retain and preserve for no less than three (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 in behalf of the permittee in connection with its discharge.
2. All records pertaining to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City, shall be retained and preserved by the permittee. All records shall be retained until all enforcement activities have concluded and all periods of limitation, with respect to any and all appeals, have expired.
3. All records required by the permit shall be available for review at reasonable times by authorized representatives of the City.

**D. RECORDING OF RESULTS**

For each measurement or sample taken pursuant to the requirements of this permit, the user shall record the following information:

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



**E. ANALYTICAL METHODS**

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 current test procedures approved by EPA or the Washington State Department of Ecology.

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

The analysis of samples collected pursuant to the requirements of this permit shall be performed by an Ecology accredited laboratory.

**F. CONFIDENTIAL INFORMATION**

Except for data determined to be confidential under Ordinance No. 7-96, Part 7, all reports required by this permit shall be available for public inspection at the City of Richland's Industrial Pretreatment Office.

**G. PROPER OPERATION AND MAINTENANCE**

The permittee 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 permittee to achieve compliance with the conditions of this permit. The language in the permit referring to "pretreatment" refers to both administrative measures and physical systems. 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.

Water conservation practices, i.e., turning off hoses and faucets when not in use, source reduction, reuse, recycling, shall be used to reduce total effluent volume.



Incoming rinse water shall be turned off and shut-off devices shall be closed at all times that the plant is not operating, i.e., nights, weekends, and holidays, to

prevent accidental spills. Waste preventative practices shall be used to reduce or eliminate contaminate loading to the municipal sewer system. These will include, but will not be limited to, minimizing excessive dragout of cleaning, stripping, etching, and plating solutions. In addition, the following practices shall be used:

1. Chemicals stored in bulk chemical storage buildings shall be stored in a manner that will prevent the entry of these solutions into the sanitary sewer, storm sewer, or waters of the state. Process tanks shall be located in areas that have no-outlet to the city sewer systems or waters of the state.

Less than 90 day accumulation for waste chemicals, chemical sludges, paint sludges, or other hazardous waste pursuant to WAC 173-303-200(1) shall take place in containers that meet the integrity requirements of WAC 173-303-630. Such containers will be provided with secondary containment meeting the requirements of WAC 173-303-630(7) in order to prevent spills to the sanitary system, storm sewer system, or waters of the state. The waste chemicals, chemical sludges, paint sludges or other hazardous waste shall be disposed of according to the regulations of EPA and Ecology. The permittee shall provide positive protection for all drains located in permitted storage areas.

2. No paint booth wastes or solvents shall be discharged to the sanitary sewer unless they meet the provisions of this permit, and are approved by the City.
5. The permittee shall provide access to a water and/or sewer meter which can provide accurate information regarding sanitary, industrial process wastewater, and cooling water discharges to the sewer.

#### **H. DILUTION**

The permittee shall not increase the use of potable or process water, or in any way intentionally attempt to dilute the final discharge as a partial or complete substitute



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for adequate treatment to achieve compliance with the limitations contained in this permit.

**I. PROPER DISPOSAL OF PRETREATMENT SLUDGES AND SPENT CHEMICALS**

The disposal of generated sludges and spent chemicals 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, and any state hazardous waste requirements.

**J. SIGNATORY REQUIREMENTS**

All applications, reports, or information submitted to the City shall be signed and certified as follows:

1. All permit applications shall be signed by either a principal executive officer or ranking official.
2. All reports required by this permit and other information requested by the City 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:
  - a. The authorization is made in writing by a person described above and submitted to the City, and
  - b. The authorization specifies either 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.)



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3. If an authorization under J.2.b 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 J.2.b must be

submitted to the City prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. 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."

**K. EMERGENCY SUSPENSION OF SERVICE AND REVOCATION OF PERMIT**

The City may, without advance notice, order the suspension of the wastewater treatment service and revoke the Industrial Wastewater Discharge Permit to a permittee 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 substantial danger to the environment; or
2. Threatens to interfere with the operation of the POTW, or to violate any pretreatment limits imposed by the code.

The permittee notified of the City's suspension order shall immediately cease all discharges. In the event of failure of the permittee to comply with suspension orders, the City may immediately take all necessary steps to halt or prevent any



further discharge by such permittee into the POTW. The City shall have the authority to physically cap, block, or seal the permittee's sewer line (whether public or private property) in order to terminate service; the City shall have the right to enter upon the permittee's property to accomplish the capping, blocking, or sealing of the permittee's sewer line; the City may also commence judicial proceedings

immediately thereafter to compel the permittee's specific compliance with such order and/or to recover civil penalties.

The City shall reinstate the Industrial Wastewater Discharge Permit and/or wastewater treatment service upon clear and convincing proof by the permittee of the elimination of the non-complying discharge or conditions creating the threat as set forth above.

**L. *LIMITATION OF PERMIT TRANSFER***

Industrial wastewater discharge permits are issued to a specific user for a specific operation and are not assignable to another business or company, or transferable to any other location without the prior written approval of the City. Sale of a permittee's business shall obligate the purchaser to seek prior written approval of the City for continued discharge to the city sewer system.

**M. *FALSIFYING INFORMATION OR TAMPERING WITH MONITORING EQUIPMENT***

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate may result in punishment under the criminal laws of the City, as well as being subjected to civil penalties.



**N. MODIFICATION OR REVISION OF THE PERMIT**

1. The terms and conditions of this permit may be subject to modification by the City at any time that limitations or requirements, as identified in the City's ordinance, are modified or other just cause exists.
2. This permit may also be modified to incorporate special conditions resulting from the issuance of a special order.
3. The terms and conditions may be modified as a result of EPA promulgating a new federal pretreatment standard.
4. Any permit modifications which result in new conditions in the permit shall include a reasonable time schedule for compliance as necessary.
5. The permittee may file a request for permit modification or revision provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations.

**O. DUTY TO REAPPLY**

The City shall notify the permittee 180 days prior to the expiration of the permittee's permit. Within 90 days of the notification, the permittee shall reapply for reissuance of the permit on a form provided by the City.

**P. SEVERABILITY**

If any position, paragraph, word, or section of this permit is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and continue in full-force and effect.



**Q. PROPERTY RIGHTS**

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.

**R. FLOW MEASUREMENTS**

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ten percent (10%) from true discharge rates throughout the range of expected discharge volumes. The flow measurement device must be approved by the City before installation.

**S. BYPASS OF TREATMENT FACILITIES**

1. Definitions:
  - a. "Bypass" means the intentional diversion of wastestreams from any portion of a permittee's treatment facility.
  - b. "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.
2. Bypass Not Violating Applicable Pretreatment Standards or Requirements



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The permittee 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 provision of paragraphs 3 and 4 of this section.

3. Notice:

- a. If the permittee knows in advance of the need for a bypass it shall submit notification to the City, if possible, at least ten (10) days prior to the date of the bypass.
- b. The permittee shall submit verbal notice of unanticipated bypass that exceed 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 five (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 the 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 verbal report has been received within 24 hours.

4. Prohibition of Bypass

- a. 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



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reasonable engineering judgement to prevent a bypass which occurred during normal equipment downtime or preventative maintenance; and

- (3) The permittee submitted notices as required under paragraph 3 of this section.
  - b. The City may approve an anticipated bypass, after considering its adverse effect, if the City determines that it will meet the three conditions listed in paragraph A of this section.

**T. ENFORCEMENT PROVISION**

The City may seek any or all of the remedies or penalties provided in the Richland Municipal Code, Richland Pretreatment Act – Chapter 17.30, including recovery costs incurred by the City, in response to the following:

1. Any violation by the permittee of the provision of the Industrial Wastewater Discharge Permit;
2. Any violation by the permittee of the provisions of the City code; and
3. Any violation by the permittee of any order of the City with respect to provisions set forth in the Industrial Wastewater Discharge Permit or the City Code.

The range or severity of remedial actions taken by the City against the permittee will be determined by, but not limited to the nature, duration, frequency, etc., of the violation.