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ADEQ Inventory No.	100721	Permit No.	AZ0021804
LTF No.	117395	Place ID No.	1052

AUTHORIZATION TO DISCHARGE UNDER THE ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of Arizona Revised Statutes (A.R.S.) Title 49, Chapter 2, Article 3.1; the Federal Water Pollution Control Act, (33 U.S.C. §1251 *et seq*., as amended), and Arizona Administrative Code (A.A.C.) Title 18, Chapter 9, Articles 9 and 10, and amendments thereto the,

Town of Jerome
Jerome Wastewater Treatment Plant
P.O Box 335
Jerome, Arizona 86331

is authorized to discharge treated domestic wastewater from the wastewater treatment plant located at Sewer Plant Road serving Jerome in Yavapai County, Arizona to Bitter Creek, a protected surface water in Arizona that is a Water of the U.S. (WOTUS), in the Verde River Basin at:

Outfall No.	**Latitude**	**Longitude**	**Legal**
001 — Between Bitter Creek and Hampshire Ave (Original Outfall)	34° 45’ 8” N (34.75222)	112° 06’ 25” W (-112.10694)	Township 16 N, Range 2 E, Section 23
002 — Bitter Creek on west side of Cemetery Rd (New Outfall added in Modification)	34° 45’ 11.9” N (34.75331)	112° 06’ 23.9 W (-112.10664)	Township 16 N, Range 2 E, Section 23

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein, and in the attached “Standard AZPDES Permit Conditions.”

Annual Registration Fee [A.R.S. 49-255.01 and A.A.C. R18-14-104]

The annual registration fee for this permit is payable to ADEQ each year. The permitted flow for fee calculation is 90,000 gallons per day (GPD). If the facility is not yet constructed or is incapable of discharge at this time, the permittee may be eligible for reduced fees under rule. Send all correspondence requesting reduced fees to the Water Quality Division of ADEQ. Please reference the permit number, LTF number, and why reduced fees are requested under rule.

This permit shall become effective on _____.

This permit and the authorization to discharge shall expire on _____.

Signed _____.

_____
Josephine Maressa, Deputy Director
Water Quality Division
Arizona Department of Environmental Quality

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PART I. EFFLUENT LIMITATIONS, OTHER LIMITATIONS, AND MONITORING REQUIREMENTS

A. Effluent Limitations and Monitoring Requirements

1. The Permittee shall limit and monitor discharges from Outfall 001 and Outfall 002 as specified in Table 1 which follows. These requirements are based on a design capacity of 0.09 million gallons per day (MGD).

Table 1. Effluent Limitations and Monitoring Requirements

Parameter	Maximum Allowable Discharge Limitations (1)						Monitoring Requirement (2) (3) (4)	
	Mass Limits			Concentration Limits				
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Monitoring Frequency	Sample Type
Discharge Flow (MGD)	Report [MGD] (5)	---	Report [MGD]	---	---	---	Continuous	Metered
Biochemical Oxygen Demand (BOD) (5-day) (6)	10 kg/day	15 kg/day	---	30 mg/L	45 mg/L	---	1x/Month	8-hour Composite (7)
BOD	---	---	---	85% REMOVAL MINIMUM	---	---	1x/Month	8-hour Composite
Total Suspended Solids (TSS) (6)	10 kg/day	15 kg/day	---	30 mg/L	45 mg/L	---	1x/Month	8-hour Composite
TSS	---	---	---	85% REMOVAL MINIMUM	---	---	1x/Month	8-hour Composite
E. coli	---	---	---	126 cfu/100 mL (8)	---	576 cfu/100 mL (8)	4x/Month (8)	Discrete
Chlorine, Total Residual (TRC) (9) (10)	3.1 g/day	---	6.2 g/day	9 µg/L	---	18 µg/L	1x/Week	Discrete
Oil and Grease	3.4 kg/day	- - -	5.1 kg/ day	10 mg/L	- - -	15 mg/L	1x/Year	Discrete
Copper (11)	5.2 g/day	---	10 g/day	15 µg/L	---	31 µg/L	1x/6 Months	8-hour Composite
Cyanide	2.7 g/day	---	5.6 g/day	7.8 µg/L	---	16 µg/L	1x/6 Months	8-hour Composite
Chromium VI	2.7 g/day	---	5.5 g/day	8 µg/L	---	16 µg/L	1x/6 Months	8-hour Composite
Mercury	0.002 g/day	---	0.006 g/day	0.006 µg/L	---	0.02 µg/L	1x/6 Months	8-hour Composite
Selenium	0.6 g/day	---	1 g/day	2 µg/L	---	3 µg/L	1x/6 Months	8-hour Composite
Iron	300 g/day	---	600 g/day	800 µg/L	---	2,000 µg/L	1x/6 Months	8-hour Composite
Hardness ($CaCO_3$) (11)	---	---	---	Report [mg/L]	---	Report [mg/L]	1x/6 Months	8-hour Composite
Ammonia (12)(13)	---	---	---	Report [mg/L]	---	Report [mg/L]	1x/Month	Discrete

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Parameter	Maximum Allowable Discharge Limitations (1)						Monitoring Requirement (2) (3) (4)	
	Mass Limits			Concentration Limits				
	Monthly Average	Weekly Average	Daily Maximum	Monthly Average	Weekly Average	Daily Maximum	Monitoring Frequency	Sample Type
Ammonia Impact Ratio (AIR) (12)(13)	---	---	---	1	---	2	1x/Month	By Calculation
Temperature (12)(13)	---	---	---	Report [°C]	---	Report [°C]	1x/Month	Discrete
pH (10)(12)(13)	Not less than 6.5 standard units (S.U.) nor greater than 9.0 S.U.						1x/Week	Discrete
Whole Effluent Toxicity – Chronic (2 species)	See Table 3 for Limits *Ceriodaphnia dubia* (Water flea) *Pseudokirchneriella subcapitata* (Green algae) (14)							

Footnotes

1 All metals effluent limits are for total recoverable metals, except for chromium VI, for which the limits listed are dissolved.

2 Testing must coincide with the Whole Effluent Toxicity Test (WET) samples, if any, taken during that monitoring period as per Part I.C, Table 3 of the permit. See Part IV of the permit.

3 If discharge is infrequent, see Part I.D for minimum effluent characterization monitoring requirements.

4 The Limit of Quantitation (LOQ) must be low enough to allow comparison of the results to the lowest applicable surface water quality standard (SWQS). If a LOQ below the SWQS cannot be achieved the permittee shall use the method expected to achieve the lowest LOQ, per Part II.A.5.d-e. Samples are to be representative of seasonal variation in the discharge.

5 Monitoring and reporting required. No limit set at this time. In addition to the average and maximum flows reported on the Discharge Monitoring forms, daily discharge flow shall be recorded on the Discharge Flow Record provided in Appendix B. See Part II. B for reporting requirements.

6 Both the influent and the effluent shall be monitored.

7 For the purposes of this permit, an "8-hour composite" sample has been defined as a flow-proportioned mixture of two or more discrete samples (aliquots) obtained at equal time intervals during an 8-hour period (if only two samples are collected, they should be taken approximately 8 hours apart). The volume of each aliquot shall be directly proportional to the discharge flow rate at the time of sampling.

8 cfu = colony forming units; "most probable number" (mpn) is considered equivalent for reporting purposes. The monthly average for *E. coli* is calculated as a geometric mean. A minimum of 4 samples (one sample per week of each month) are required in order to report a geometric mean. See the definition for "Monthly or Weekly Average Concentration Limit" in Appendix A.

9 Sample when chlorine or bromine compounds are used for disinfection. See Part II.A.7 for specific monitoring requirements for chlorine.

10 pH and TRC must be measured at the time of sampling and do not require use of a certified laboratory. Measurements must be obtained in accordance with the applicable method and must meet all method quality assurance/quality control requirements to be considered valid data.

11 Limits listed are based on the average effluent hardness of 230.9 mg/L as $CaCO_3$. The effluent must be tested for hardness at the same time that these metal samples are taken. Please see the hardness definition in Appendix A, Part B.

12 The ammonia limit is dependent on pH and temperature. The effluent must be tested for pH and temperature at the same time that the ammonia samples are taken. In addition to reporting the ammonia values on the DMRs, the ammonia data log shall also be completed including values of the effluent pH and temperature at the time the ammonia sample is taken. See Part II.B of the permit.

13 The Ammonia Impact Ratio (AIR) is calculated as the ratio of the reported effluent ammonia concentration and the calculated ammonia standard as determined by comparing concurrent measurement of the effluent pH and temperature with the values in the ammonia criteria table in Appendix C. In addition to reporting the AIRs on the DMRs, the ammonia data log in Appendix C shall also be completed. See Part II.B of the permit.

14 Formerly known as *Selenastrum capricornutum* or *Raphidocelis subcapitata.*

B. Trace Substance Monitoring

1. The permittee shall monitor discharges from Outfall 001 and Outfall 002 as specified in Table 2. Monitoring results above the Assessment Levels (ALs) listed below do not constitute a permit violation, but may trigger

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evaluation of Reasonable Potential (RP) by ADEQ. The permittee shall use an approved analytical method with a Limit of Quantitation (LOQ) lower than the AL values as described in Part II.A.5.

Table 2. Assessment Level Monitoring

Parameter	**Assessment Levels** (1)		**Monitoring Requirements** (2) (3) (4)	
	Monthly Average	Daily Maximum	Monitoring Frequency	Sample Type
Hydrogen sulfide	2 µg/L	3 µg/L	1x/6 Months	Discrete
Sulfides (5)	Report [µg/L] (5)	Report [µg/L] (5)	1x/6 Months	Discrete

Footnotes

1 Concentration values are calculated based on Arizona Water Quality Standards. Monitoring and reporting required.

2 Testing must coincide with the Whole Effluent Toxicity Test (WET) samples, if any, taken during that monitoring period as per Part I.C, Table 3 of the permit. See Part IV of the permit.

3 If discharge is infrequent see Part I.D for minimum effluent characterization monitoring requirements.

4 The Limit of Quantitation (LOQ) must be low enough to allow comparison of the results to the lowest applicable surface water quality standard (SWQS). If a LOQ below the SWQS cannot be achieved the permittee shall use the method expected to achieve the lowest LOQ, per Part II.A.5.d-e Samples are to be representative of seasonal variation in the discharge.

5 The limit of quantification shall be no higher than 100 µg/L.

C. Whole Effluent Toxicity Monitoring

1. The permittee shall monitor discharges from Outfall 001 and Outfall 002 for Whole Effluent Toxicity (WET) as specified in Table 3 below. If toxicity is detected above an Action Level and Limit specified as follows, the permittee must perform follow-up testing and, as applicable, follow the TRE/TIE processes in Part IV.D. of the permit.

Table 3. WET Testing

Parameter (1)	**Action Levels**			**Monitoring Requirements**	
	Daily Maximum (2) (3) (4)	Monthly Median (5)	Units (6)	Monitoring Frequency (7)	Sample Type
Chronic Toxicity *Pimephales promelas* (Fathead minnow)	Pass (0) and <50 PE	Pass (0)	Pass (0)/Fail (1), PE in %	4x/permit term in years 2027, 2028, 2029, 2030	8-hour Composite
Parameter (1)	**Limit**			**Monitoring Requirements**	
	Daily Maximum (2) (3) (4)	Monthly Median (5)	Units (6)	Monitoring Frequency (7)	Sample Type
Chronic Toxicity *Pseudokirchneriella subcapitata* (Green algae) (8)	Pass (0) and <50 PE	Pass (0)	Pass (0)/Fail (1), PE in %	4x/permit term in years 2027, 2028, 2029, 2030	8-hour Composite
Chronic Toxicity *Ceriodaphnia dubia* (Water flea)	Pass (0) and <50 Percent Effect (PE)	Pass (0)	Pass (0)/Fail (1), PE in %	4x/permit term in years 2027, 2028, 2029, 2030	8-hour Composite

Footnotes

1 See Part IV for additional requirements for testing and reporting Whole Effluent Toxicity (WET).

2 Maximum Daily reporting value is evaluated for each individual toxicity test, including every test conducted for determining the median monthly effluent result. For a chronic WET test, a WET action level or limit exceedance occurs if both of the following occur in the same toxicity test: The Pass/Fail result is coded as Fail (1) and the percent effect (PE) ≥ 50, where PE = [(Control mean response – In Stream Waste Concentration (IWC) mean response) ÷ Control mean response] × 100%. See Appendix A Part B Definitions for Test of Significant Toxicity (TST) Pass/Fail and Percent Effect (PE).

3 If a chronic toxicity test result is coded as Fail (1) and PE ≥50 the permittee must perform follow-up testing. See Part IV for details.

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4 If more than one toxicity test is initiated during the calendar month due to a failed test result, then all laboratory reports shall be electronically submitted with the DMR (See Part IV.E) and the WET test with a Fail (1) and the highest PE shall be reported on the DMR form as the Daily Maximum. See Appendix A Part B Definitions for Test of Significant Toxicity (TST) Pass/Fail and Percent Effect (PE).

5 Monthly Median Test Result: An exceedance occurs if the median of Pass/Fail result is Fail (1) using no more than three toxicity tests initiated during the calendar month. If only one test is conducted, the median Pass/Fail result is simply the result of that test. If two tests are conducted and either one (or both) are a Fail (1), then the median is a Fail (1); if both are Pass (0), then the median is a Pass (0). If three tests are conducted, the median Pass/Fail result is the most common Pass/Fail result.

6 For Pass/Fail result, code Pass as 0 and Fail as 1 on the DMR.

7 If discharge is infrequent see Part I.D. for minimum effluent characterization monitoring requirements.

8 Formerly known as *Selenastrum capricornutum* or *Raphidocelis subcapitata.*

D. Effluent Characterization Testing

1. The permittee shall monitor to characterize the facility's effluent for the parameters listed in Tables 4.a – b, whether discharging or not. When the facility discharges, during a reporting period, monitoring for parameters with set limits, assessment levels, or action levels is to be conducted at the frequency indicated in Tables 1 through 3 and results shall be reported on DMRs. No limits or ALs are established for monitoring requirements set in Tables 4.a – b, but the LOQ must be low enough to allow comparison of the results to the applicable water quality standards (WQS). If a LOQ below the WQS cannot be achieved, then the permittee shall use the method expected to achieve the lowest LOQ, as defined in Appendix A of this permit. Samples are to be representative of any seasonal variation in the discharge.

2. Effluent Characterization testing results shall be reported annually using the form provided by ADEQ. See Part II.B.3.

Table 4.a. Effluent Characterization Testing—General Chemistry and Microbiology

Parameter	Reporting Units	Monitoring Requirements (1)	
		Monitoring Frequency (2)	Sample Type
Ammonia (as N) (3)	mg/L	1x/Quarter	Discrete
Ammonia Impact Ratio (AIR) (4)	N/A	1x/Quarter	Discrete
Biochemical Oxygen Demand (BOD-5)	mg/L	1x/Quarter	8-hour Composite
Chlorine, Total Residual (TRC) (5)(6)	µg/L	1x/Quarter	Discrete
Dissolved Oxygen (6)	mg/L	1x/Year	Discrete
E. coli	cfu/100 mL (7)	1x/Quarter	Discrete
Nitrate/Nitrite (as N)	mg/L	1x/Quarter	8-hour Composite
Nitrogen, Total Kjeldahl (TKN)	mg/L	1x/Quarter	8-hour Composite
Oil and Grease	mg/L	1x/Year	Discrete
pH (3)(6)	S.U.	1x/Quarter	Discrete
Phosphorus	mg/L	1x/Quarter	8-hour Composite
Temperature (3)(6)	°Celsius	1x/Quarter	Discrete
Total Dissolved Solids (TDS)	mg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Total Suspended Solids (TSS)	mg/L	1x/Quarter	8-hour Composite

Footnotes

1 The Limit of Quantitation (LOQ) must be low enough to allow comparison of the results to the lowest applicable surface water quality standard (SWQS). If a LOQ below the SWQS cannot be achieved the permittee shall use the method expected to achieve the lowest LOQ, per Part II.A.5.d-e Samples are to be representative of seasonal variation in the discharge.

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2 If more frequent monitoring of any of these parameters is required by another part of this permit, those sampling results may be used to satisfy Table 4.a requirements.
3 When sampling for ammonia, temperature and pH must be determined concurrently and the results recorded on the **Ammonia Data Log** provided in Appendix C. See Part II.B for reporting requirements.
4 The Ammonia Impact Ratio (AIR) is calculated as the ratio of the reported effluent ammonia concentration and the calculated ammonia standard as determined by comparing concurrent measurement of the effluent pH and temperature with the values in the ammonia criteria table in Appendix C.
5 Sample when chlorine or bromine compounds are used for disinfection. See Part II.A.6 for specific monitoring requirements for chlorine
6 Temperature, pH, TRC and dissolved oxygen must be measured at the time of sampling and do not require use of a certified laboratory. See Part II.A.6 for methods of analyses for chlorine. Measurements must be obtained in accordance with the applicable method and must meet all method quality assurance/quality control requirements to be considered valid data.
7 cfu = colony forming units; "most probable number" (mpn) is considered equivalent for reporting purposes

Table 4.b. Effluent Characterization Testing—Selected Metals, Trace Substances and WET

Parameter (1)	**Most Stringent Criterion**	**Monitoring Requirements (2)**	
		Monitoring Frequency (3)	**Sample Type**
Antimony	600 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Arsenic	150 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Beryllium	5.3 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Boron	186,667 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Cadmium (4)	4.2 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Chromium (5)	1,000 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Chromium VI (5)	11 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Copper (4)	18 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Fluoride	140,000 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Hydrogen sulfide (6)	2 µg/L	1x/year in years 2028, 2029, 2030	Discrete
Iron	1,000 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Lead (4)	6.2 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Mercury	0.01 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Nickel (4)	110 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Selenium	2 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Silver (4)	14 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Sulfides (6)	No Criteria	1x/year in years 2028, 2029, 2030	Discrete
Thallium	75 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Zinc (4)	240 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Hardness (4)	No Criteria	1x/year in years 2028, 2029, 2030	8-hour Composite
Cyanide (as free cyanide)	9.7 µg/L	1x/year in years 2028, 2029, 2030	8-hour Composite
Whole Effluent Toxicity – chronic (all 3 species)	Pass (0)/Fail (1) and PE in %	1x/year in years 2027, 2028, 2029, 2030	8-hour Composite

Footnotes

1 All metals analyses shall be for total recoverable metals, except chromium VI, which is dissolved.

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2 The Limit of Quantitation (LOQ) must be low enough to allow comparison of the results to the lowest applicable surface water quality standard (SWQS). If a LOQ below the SWQS cannot be achieved the permittee shall use the method expected to achieve the lowest LOQ, per Part II.A.5.d-e Samples are to be representative of seasonal variation in the discharge.

3 If more frequent monitoring of any of these parameters is required by another part of this permit, those sampling results may be used to satisfy Table 4.b requirements.

4 The most Stringent Criterion listed is based on the average effluent hardness of 230.9 mg/L as $CaCO_3$. The effluent must be tested for hardness at the same time that these metal samples are taken. Please see the hardness definition in Appendix A, Part B.

5 If total chromium exceeds 8 µg/L, the permittee must conduct sampling for chromium VI for the remainder of the permit. Otherwise, monitoring for chromium VI is not required.

6 The permittee may initially monitor for sulfide instead of hydrogen sulfide. The limit of quantification shall be no higher than 100 µg/L, and any detection of sulfides shall trigger monitoring for hydrogen sulfide for the reminder of the permit term.

E. Other Limitations

1. The discharge shall not contain:

   a. Objectional odor;
   b. Unnatural color;
   c. Refuse, rubbish, demolition or construction debris, trash, or garbage;
   d. Oil, grease and other pollutants that float as debris, foam, or scum; or
   e. Film or iridescent appearance.

PART II. MONITORING AND REPORTING

A. Sample Collection and Analysis

1. Samples taken for the monitoring requirements specified in Part I shall be collected at the following locations:

   a. Influent samples shall be taken after the last addition to the collection system and prior to the first treatment process.

   b. Effluent samples shall be taken downstream from the last treatment process and just prior to discharge.

   c. Any discharge flow monitoring and pollutant monitoring must be reported on the DMR for Outfall 001 and 002 independently. If discharge occurs for one outfall and not the other, submit the DMR for the discharging outfall with data and a “no data” DMR for the outfall that is not discharging.

2. The permittee is responsible for the quality and accuracy of all data required under this permit.

3. The permittee shall keep a QA Manual on site that describes the sample collection and analyses processes. If the permittee collects samples or conducts sample analyses in house, the permittee shall develop a QA Manual that addresses these activities. If a third party collects and/or analyzes samples on behalf of the permittee, the permittee shall obtain a copy of the applicable QA procedures. The QA Manual shall be available for review by ADEQ upon request. The QA Manual shall be updated as necessary to reflect current conditions, and shall describe the following:

   a. Project Management, including:

      i. Purpose of sample collection and sample frequency;
      ii. When and where samples will be collected;
      iii. How samples will be collected;
      iv. Laboratory(s) that will perform analyses;
      v. Any field tests to be conducted (detail methods and specify equipment, including a description of any needed calibrations); and

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vi. Pollutants or analytes being measured and for each, the permit-specific limits, Assessment Levels (ALs), or thresholds (e.g. the associated detection limits needed).

b. Sample collection procedures including:

i. Equipment to be used;
ii. Type and number of samples to be collected including QA/QC samples (i.e., background samples, duplicates, and equipment or field blanks);
iii. Types, sizes and number of sample bottles needed;
iv. Preservatives and holding times for the samples (see methods under 40 CFR 136 or 9 A.A.C. 14, Article 6 or any condition within this permit that specifies a particular test method); and
v. Chain of Custody procedures.

c. Specify approved analytical method(s) to be used and include;

i. Limits of Detection (LOD) and Limits of Quantitation (LOQs);
ii. Required quality control (QC) results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and
iii. Corrective actions to be taken by the permittee or the laboratory as a result of problems identified during QC checks.

d. How the permittee will perform data review; complete DMRs and records used to report results to ADEQ; resolve data quality issues; and identify limitations on the use of the data.

4. Sample collection, preservation and handling shall be performed as described in 40 CFR 136 including the referenced Edition of *Standard Methods for the Examination of Water and Wastewater*, or by procedures referenced in A.R.S. Title 9, Chapter 14 of the Arizona Department of Health Services (ADHS) Laboratory Licensure rules. The permittee shall outline the proper procedures in the QA Manual, and samples taken for this permit must conform to these procedures whether collection and handling is performed directly by the permittee or contracted to a third-party.

5. Analytical requirements

a. The permittee shall use a laboratory licensed by the ADHS Office of Laboratory Licensure and Certification that has demonstrated proficiency within the last 12 months under A.A.C. R9-14-609, for each parameter to be sampled under this permit. However, this requirement does not apply to parameters which require analysis at the time of sample accordance with A.R.S. 36-495.02(A)(3). (These parameters may include flow, dissolved oxygen, pH, temperature, and total residual chlorine.)

b. The permittee must utilize analytical methods specified in this permit. If no test procedure is specified, the permittee shall analyze the pollutant using:

i. A test procedure listed in 40 CFR 136 which is also approved under A.A.C. R9-14-610 and is sufficiently sensitive in accordance with 40 CFR 136.1(c);

ii. An alternative test procedure approved by EPA as provided in 40 CFR 136 and which is also approved under A.A.C. R9-14-610;

iii. A test procedure listed in 40 CFR 136, with modifications allowed by EPA or approved as a method alteration by ADHS under A.A.C. R9-14-610C; or

iv. If no test procedure for a pollutant is available under (5)(b)(i) through (5)(b)(iii) above, any method approved under A.A.C. R9-14-610(B) for wastewater may be used, except the use of field kits is not allowed unless otherwise specified in this permit. If there is no approved wastewater method for a

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parameter, any other method identified in 9 A.A.C. 14, Article 6 that will achieve appropriate detection and reporting limits may be used for analysis.

c. For results to be considered valid, all analytical work, including those tests conducted by the permittee at the time of sampling (see Part II.A.5.a.), shall meet quality control standards specified in the approved methods.

d. The permittee shall use approved analytical methods with a Limit of Quantitation (LOQ) that is lower than the effluent limitations, Assessments Levels, Action Levels, or other water quality criteria, if any, specified in this permit. If all methods have LOQs higher than the applicable water quality criteria, the Permittee shall use the approved analytical method with the lowest method detection limit (MDL) or minimum level (ML). If a published MDL or ML is not available see Appendix A Part B Definitions: Minimum Level for other ways to determine ML.

e. The permittee shall use (and ensure that the laboratory uses) a standard calibration curve when applicable to the method, where the lowest standard point is equal to or less than the LOQ.

6. Mercury Monitoring - The permittee shall use an ADHS-certified low-level mercury analytical method such as EPA method 245.7 or 1631E to achieve a reporting limit at or below the discharge limitations or assessment levels for mercury as specified in this permit. The permittee shall also use a “clean hands/dirty hands” sampling technique such as EPA Method 1669 if necessary to achieve these reporting limits.

7. Chlorine Monitoring - Because of the short holding time for chlorine, samples may be analyzed on-site using Hach Method No. 10014. Other methods are also acceptable for chlorine if the Method has a LOQ lower than discharge limits specified in this permit.

8. Metals Analyses - In accordance with 40 CFR 122.45(c), all effluent metals concentrations, with the exception of chromium VI, shall be measured as “total recoverable metals”. Discharge Limits and Assessment Levels in this permit, if any, are for total metals, except for chromium VI for which the levels listed are dissolved.

B. Reporting of Monitoring Results

1. The permittee shall report monitoring results on Discharge Monitoring Report (DMR) to the ADEQ electronic submission portal myDEQ. The permittee shall submit results of all monitoring required by this permit in a format that will allow direct comparison with the limitations and requirements of this permit. If no discharge occurs during a reporting period, the permittee shall specify “No discharge” on the DMR. The results of all discharge analyses conducted during the monitoring period shall be included in determinations of the Monthly Average and Daily Maximum reported on the DMRs if the analyses were by methods specified in Part II.A above, as applicable.

2. DMRs and attachments are to be submitted by the 28th day of the month following the end of a monitoring period. See Part II.B.3 below for new reporting requirements for Effluent Characterization Testing. For example, if the monitoring period ends January 31st, the permittee shall submit the DMR by February 28th. The permittee shall electronically submit all compliance monitoring data and reports using the myDEQ electronic portal provided by ADEQ, except for Effluent Characterization Testing results, see Part II.B.3 below. The reports produced during a monitoring period are required to be electronically submitted with the DMR and include, but are not limited to, the following:

   a. Discharge Monitoring Reports
   b. Whole Effluent Toxicity (WET) reports
   c. Original copies of laboratory reports
   d. Ammonia data logs (Submitted annually, See Part II.B.5 below)

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e. AZPDES discharge flow records
f. Method detection limit studies (upon request by ADEQ)
g. Bench sheets or similar documentation for field testing parameters
h. Progress report on the TRE/TIE investigation (*if applicable*)

3. Effluent Characterization Testing results shall be submitted to ADEQ using the Effluent Characterization form provided by ADEQ. The form shall be submitted to ADEQ by emailing azpdes_data@azdeq.gov. The forms are to be submitted on an annual basis by January 28th of each year (i.e., all effluent characterization monitoring required in the calendar year 2024 shall be submitted by January 28, 2025).

   a. Required fields of the form include, but are not limited to, the following:
      i. Sample location;
      ii. Parameter;
      iii. Analytical test method used;
      iv. Data qualifier;
      v. Results;
      vi. Units;
      vii. Sampling date;
      viii. Published MDL or ML (if a published method-specific ML is not available see Appendix A. Part B. Definitions: Minimum Level);
      ix. The laboratory's MDL for the test method computed in accordance with Appendix B of 40 CFR 136;
      x. Laboratory reporting limit; and
      xi. The laboratory's lowest calibration standard concentration.

   b. Original copies of documents relevant to Effluent Characterization Testing shall be submitted electronically through myDEQ. Upload these documents as attachments to the DMR for the reporting period when the monitoring activity was performed (i.e., if monitoring is required quarterly, the documentation shall be submitted with the quarterly DMR). This includes documentation for effluent characterization monitoring performed during a reporting period when no discharge occurred and a No Data DMR is submitted.

4. See Part IV.E. for WET Reporting requirements

5. When sampling the effluent for ammonia, the pH and temperature of the effluent must be recorded at the time of sample collection. Results for all three parameters as well as the applicable ammonia standard and the calculated Ammonia Impact Ratio shall be recorded on the **Ammonia Data Log** provided in Appendix C. The effluent ammonia concentrations, effluent pH and temperature, and calculated ammonia impact ratio shall also be recorded on DMRs. The ammonia data log shall be submitted to ADEQ annually to the address information listed in Part II.B.2, above.

6. If requested to participate, the permittee shall submit the results of the annual NPDES DMR/QA Study to ADEQ and ADHS for all laboratories used in monitoring compliance with this permit by December 31st of each year. The permittee shall also conduct any proficiency testing required by the NPDES DMR-QA Study for those parameters listed in the study that the permittee analyzes in house or tests in the field at the time of sampling (these parameters may include pH and total residual chlorine). All results of the NPDES DMR-QA Study shall be submitted to the email and address listed below, or submit by any other alternative mode as specified by ADEQ:

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Arizona Department of Environmental Quality
Email: AZPDES@azdeq.gov

Arizona Department of Health Services
Attn: Office of Laboratory Licensure and Certification
250 North 17th Avenue
Phoenix, AZ 85007

7. For the purposes of reporting, the permittee shall use the Limit of Quantitation.

8. For parameters with Daily Maximum Limits or Daily Maximum Assessment Levels in this permit, the permittee shall review the results of all samples collected during the reporting period and report as outlined in Table 5.

9. For parameters with Monthly Average Limits or Monthly Average Assessment Levels in this permit, the permittee shall review the results of all samples collected during the reporting period and report as outlined in Table 6.

Table 5. DMR Reporting Requirements for Daily Maximum Limits and Assessment Levels

For Daily Maximum Limits/Assessment Levels	**The Permittee shall Report on the DMR**
When the maximum value of any analytical result is greater than or equal to the LOQ	The maximum value of all analytical results
When the maximum value detected is greater than or equal to the laboratory's LOD but less than the LOQ	NODI (Q)
When the maximum value is less than the laboratory's LOD	NODI (B)

Table 6. DMR Reporting Requirements for Monthly Average Limits / Assessment Levels

For Monthly Average Limits/Assessment Levels		**The Permittee shall Report on the DMR**
If **only one sample** is collected during the reporting period (weekly, monthly, quarterly, annually, etc.) (In this case, the sample result **is also** the weekly or monthly average.)	When the value detected is greater than or equal to the LOQ	The analytical result
	When the value detected is greater than or equal to the laboratory's LOD, but less than the LOQ	NODI (Q)
	When the value is less than the laboratory's LOD	NODI (B)
If more than one sample is collected during the reporting period	All samples collected in the same calendar month must be averaged. • When all results are greater than or equal to the LOQ, all values are averaged • If some results are less than the LOQ, use the LOD value in the averaging • Use '0' for values less than the LOD	The highest monthly average which occurred during the reporting period

10. Mass values are to be calculated and reported using the following formulas: 1) Mass in kilograms per day = 3.785 x flow in MGD x concentration in mg/L, and 2) mass in grams per day = 3.785 x flow in MGD x concentration in µg/L. See the definition for "Monthly Average Mass Limit," "Weekly Average Mass Limit,"

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or "Daily Maximum Mass Limit" in Appendix A. See definitions for "Monthly Average Mass Loading," "Weekly Average Mass Loading," and "Daily Maximum Mass Loading" in Appendix A for guidance on DMR reporting of mass-based DMR reporting.

11. For all field testing, or if the information below is not included on the laboratory reports required by Part II.B.2, the permittee shall attach a bench sheet or similar documentation to each DMR that includes, for all analytical results during the reporting period the following:

    a. The analytical result;

    b. The number or title of the approved analytical method, preparation and analytical procedure utilized by the field personnel or laboratory, and the LOD and LOQ for the analytical method for the parameter; and

    c. Any applicable data qualifiers using the most current revision of the Arizona Data Qualifiers (available online at: http://www.azdhs.gov).

C. Twenty-four Hour Reporting of Noncompliance

1. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally to ADEQ within 24 hours from the time the permittee becomes aware of the circumstances. If the permittee believes there is an immediate threat to human health or the environment, the oral report shall be made to the Emergency Response Unit hotline at (602) 771-2330. All other noncompliance subject to the 24-hour reporting requirement shall be made to the ADEQ AZPDES hotline at (602) 771-1440. A written report submitted through myDEQ indicating permit noncompliance shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times), and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather. All noncompliance reports shall be submitted electronically by the permittee through myDEQ.

2. The following shall be included as information which must be reported within 24 hours:
    a. Any unanticipated bypass which exceeds any effluent limitation in the permit,
    b. Any upset which exceeds any effluent limitation in the permit, or
    c. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours.

3. Other noncompliance. The permittee shall report all instances of noncompliance not reported under Part II.C above, at the time monitoring reports are submitted. The reports shall contain the information listed in Part II.C.1 above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Part II.C.1 above and the applicable required data in appendix A to 40 CFR part 127. All noncompliance reports shall be submitted through myDEQ.

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D. Monitoring Records

1. The permittee shall retain the following monitoring records:

   a. Date, exact location and time of sampling or measurements performed, preservatives used;
   b. Individual(s) who performed the sampling or measurements;
   c. Date(s) the analyses were performed;
   d. Laboratory(s) which performed the analyses;
   e. Analytical techniques or methods used;
   f. Chain of custody forms;
   g. Any comments, case narrative or summary of results produced by the laboratory. These comments should identify and discuss QA/QC analyses performed concurrently during sample analyses and should specify whether analyses met project requirements and 40 CFR 136. If results include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, sample receipt condition, or holding times and preservation, these records must also be retained; and
   h. Summary of data interpretation and any corrective action taken by the permittee.

PART III. BIOSOLIDS / SEWAGE SLUDGE REQUIREMENTS

Note: "Biosolids" refers to non-hazardous sewage sludge as defined in 40 CFR 503.9 and Arizona Administrative Code (A.A.C.) R18-9-1001.7. Sewage sludge that is hazardous as defined in 40 CFR 261 must be disposed of in accordance with the Resource Conservation and Recovery Act (RCRA). Sludge with PCB (polychlorinated biphenyls) levels greater than 50 mg/kg must be disposed of in accordance with 40 CFR 761.

A. Use of Disposal Requirements

1. All biosolids/sewage sludge generated and/or prepared at this facility shall be used or disposed of in compliance with the applicable portions of 18 A.A.C. 9, Article 10 and

2. 40 CFR 503 Subpart C: for biosolids that are placed on the land (surface disposal) for the purpose of disposal (dedicated land disposal sites, lagoons, or monofills).

3. 40 CFR 258: for biosolids disposed of in municipal solid waste landfills; and

4. 40 CFR 257: for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.

B. Biosolids Preparer's Responsibility

1. The permittee is responsible for ensuring that all biosolids/sewage sludge produced or accepted at this facility are used or disposed of in accordance with 40 CFR 503 Subpart C, 257, 258 and 18 A.A.C. 9, Article 10, as applicable, whether the permittee uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The permittee is responsible for informing any subsequent transporters, preparers, applicators, and disposers of the requirements that they must meet under 18 A.A.C. 9, Article 10.

C. Duty to Mitigate

1. The permittee shall take all reasonable steps to prevent or minimize any biosolids use or disposal which has a likelihood of adversely affecting human health or the environment.

D. General Requirements

1. The permittee shall ensure that:

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a. No biosolids generated and/or prepared at this facility enter wetlands or other waters of the United States;

b. Biosolids treatment, storage, use or disposal does not contaminate surface water or groundwater. (Note: Surface disposal or land treatment sites for biosolids must be permitted under the aquifer protection program per A.A.C. R18-9-1002(E)(2) and may also require a separate AZPDES permit. The permittee shall ensure a site has appropriate permits before directing biosolids to a surface disposal or land treatment site.)

c. Biosolids treatment, storage, and use or disposal does not create a nuisance such as malodorous smell or attraction of flies or other disease carrying vectors.

d. Biosolids generated and/or prepared at this facility are not applied to the land or placed on a surface disposal site if the biosolids are likely to adversely affect a threatened or endangered species as listed under section 4 of the Endangered Species Act (16 U.S.C 1533), or its designated critical habitat as defined in 16 U.S.C. 1532;

e. Land application sites receiving bulk biosolids generated and/or prepared at this facility are registered with ADEQ in accordance with A.A.C. R18-9-1004.

E. Biosolids Storage

1. Biosolids shall not be stored on land for over two years from the time they are generated unless permit for surface disposal is obtained per 18 A.A.C. 9, Article 10 and 40 CFR 503 Subpart C, or written notification has been submitted to the ADEQ Surface Water Permits Unit with the information in 40 CFR 503.209(b) that sufficiently demonstrates the need for longer temporary storage.

2. For the protection of public health, biosolids shall not be stored uncovered on-site or off-site unless the permittee can demonstrate that prior to placement in storage:

   a. Biosolids meet Class A or B pathogen reduction requirements established in A.A.C. R18-9-1006(D) or (E), and

   b. Biosolids meet one of the vector attraction reduction alternatives in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8).

   c. For biosolids which are classified as EQ or Class A, or as Class B through pathogen reduction Alternative 1, the permittee must also sample for pathogen reduction following storage and within 30 days prior to reuse/disposal or distribution (see Part III.J.2.d). Sampling before storage shall occur at least at the minimum frequencies given in Part III.I.1, and sampling after storage shall be conducted as specified in Part III.I.4.

3. Prior to storing biosolids at an off-site storage location, the permittee shall notify the ADEQ Surface Water Permits Unit in writing where the biosolids will be stored and the expected date of final use or disposal.

F. Surface Water Protection

1. The permittee must design and operate all on-site treatment, disposal, or storage areas for biosolids to:

   a. Divert surface run-on from adjacent areas to prevent contact with biosolids;

   b. Protect the site boundaries from erosion; and

   c. Prevent any drainage that has contacted biosolids from escaping the site.

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2. These features shall be designed to be protective for at least a 25-year 24-hour storm event. If the permittee sends biosolids off-site that are not EQB, the permittee shall ensure all treatment, disposal, or storage areas that receive those biosolids have the same level of protection.

G. Facilities with Pretreatment Programs

1. Permittees with pretreatment programs shall:

   a. Sample and analyze biosolids for all the priority pollutants listed under Section 307.a.1 of the Clean Water Act, except asbestos. This shall consist of an annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants detected in the full scan.

   b. Sample and analyze biosolids quarterly for the following Pollutants of Concern:

Arsenic	Copper	Mercury	Selenium
Cadmium	Cyanide	Molybdenum	Silver
Chromium	Lead	Nickel	Zinc

2. If any biosolids generated and/or prepared at this facility are or will be land applied, the permittee shall design local limits to achieve the ceiling and monthly average pollutant concentration levels for pollutants given in Table 9 of this permit. If pollutants in the biosolids exceed any of these monthly average pollutant concentration levels, the permittee shall revise its local limits as necessary in order to meet these levels.

H. Inspection and Entry

The permittee shall allow, directly or through contractual arrangements with their biosolids management contractors, authorized representatives of ADEQ and EPA to:

1. Enter upon all premises where biosolids are treated, stored, used, or disposed, either by the permittee or by another party to whom the permittee transfers the biosolids for treatment, storage, use, or disposal;

2. Have access to and copy any records that must be kept under the conditions of this permit and per 18 A.A.C. 9, Article 10 (including those in 40 CFR 503 Subpart C) by the permittee or by another party to whom the permittee transfers the biosolids for further treatment, storage, use, or disposal; and

3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in biosolids treatment, storage, use, or disposal by the permittee or by another party to whom the permittee transfers the biosolids for treatment, use, or disposal.

I. General Biosolids Monitoring Requirements (dry weight testing)

1. Biosolids Self-monitoring Frequency

   Unless otherwise specified in this permit, the permittee shall conduct self-monitoring events at least at the frequency listed in Table 7 for any sampling required in Part III of this permit.

Table 7. Biosolids Self-Monitoring Frequency

Amount of Biosolids Prepared per Calendar Year (dry metric tons)	**Minimum Monitoring Frequency**
> 0 to < 290	One sampling event per year
≥ 290 to < 1,500	One sampling event per quarter
≥ 1500 to < 15,000	One sampling event per 60 days

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≥ to 15,000	One sampling event per month

2. Sampling and Analysis Method

   a. The permittee shall ensure biosolids are tested using the methods specified in 40 CFR 503.8, as required in A.A.C. R18-9-1012(G) that are sufficiently sensitive in accordance with 40 CFR 122.21(e)(3). Testing shall be performed at a laboratory operating in compliance with A.R.S. 36-495. Because of the potential for re-growth of pathogens, for Class A or EQ biosolids, samples demonstrating pathogen reduction shall be taken within 30 days before biosolids are shipped off-site, so verification that requirements are met is obtained before the biosolids leave the site.

3. Representative Sampling:

   a. The permittee shall ensure that sampling conducted during a monitoring period adequately represents the quality of all biosolids used/treated/disposed over the monitoring period. This may entail taking several samples per sampling event and/or sampling more frequently than the minimum specified.

4. Testing Stockpiled/Accumulated Biosolids Prior to Distribution or Use

   a. If, after treatment, biosolids classified as EQ or Class A, or as Class B demonstrated through Alternative 1, are stockpiled or accumulated on-site prior to reuse/disposal, the permittee shall develop a sampling plan that ensures samples representative of the entire stockpile are collected and analyzed for pathogens within 30 days before distribution or use. The plan shall detail the number and location of samples to be taken from a cross section of each pile or area. The plan must include at least 1 sample for each 0-290 metric dry ton increments. More sampling is appropriate when the biosolids are inconsistent in nature or non-uniformly treated.

   b. The permittee must collect and analyze representative samples per the sampling plan. Distribution or use/disposal shall not occur until the permittee verifies that the biosolids sampled meet all applicable requirements for its use/disposal.

5. Testing for Hazardous Waste Determination

   a. The permittee shall test biosolids at least annually, and more frequently as necessary, to determine if biosolids are hazardous in accordance with 40 CFR 261. Initial screening of the biosolids may be conducted by analyzing biosolids for the total amount of a pollutant. This screening test is all that is required each monitoring period if the total amount does not exceed the 20X TCLP screening value in Table 8. If the total amount of a pollutant exceeds the 20X TCLP screening value, then the leachable amount must be determined using the Toxicity Characteristic Leaching Procedure (TCLP). The disposal of biosolids that test hazardous is not covered under this permit, and all such biosolids must be disposed of in accordance with the Resource Conservation and Recovery Act (RCRA).

Table 8. Toxicity Characteristic Leaching Procedure Test

Parameter	**TCLP Limit mg/L**	**20 X TCLP Screening Value mg/kg**	**Minimal Monitoring Frequency per Generator**
Metals			
Arsenic	5	100	1x / year
Barium	100	2000	1x / year
Cadmium	1	20	1x / year

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Parameter	TCLP Limit mg/L	20 X TCLP Screening Value mg/kg	Minimal Monitoring Frequency per Generator
Chromium	5	100	1x / year
Lead	5	100	1x / year
Mercury	0.2	4	1x / year
Selenium	1	20	1x / year
Silver	5	100	1x / year
Volatiles and Semi-Volatiles			
Benzene	0.5	10	1x / year
Carbon Tetrachloride	0.5	10	1x / year
Chlorobenzene	100	2000	1x / year
Chloroform	6	120	1x / year
1,2-Dichloroethane	0.5	10	1x / year
1,1-Dichloroethylene	0.7	14	1x / year
Methyl ethyl ketone	200	4000	1x / year
Tetrachloroethylene	0.7	14	1x / year
Trichloroethylene	0.5	10	1x / year
Vinyl Chloride	0.2	4	1x / year
1,4-Dichlorobenzene	7.5	150	1x / year
o-cresol (1)	200	4000	1x / year
m-cresol (1)	200	4000	1x / year
p-cresol (1)	200	4000	1x / year
Cresol (total) (1)	200	4000	1x / year
2,4-Dinitrotoluene	0.13	2.6	1x / year
Hexachlorobenzene	0.13	2.6	1x / year
Hexachlorobutadiene	0.5	10	1x / year
Hexachloroethane	3	60	1x / year
Nitrobenzene	2	40	1x / year
Pentachlorophenol	100	2000	1x / year
Pyridine	5	100	1x / year
2,4,5-Trichlorophenol	400	8000	1x / year
2,4,6-Trichlorophenol	2	40	1x / year

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Parameter	TCLP Limit mg/L	20 X TCLP Screening Value mg/kg	Minimal Monitoring Frequency per Generator
Herbicides / Pesticides			
2,4-D	10	200	1x / year
2,4,5-TP (Silvex)	1	20	1x / year
Chlordane	0.03	0.6	1x / year
Endrin	0.02	0.4	1x / year
Heptachlor	0.008	0.16	1x / year
Heptachlor epoxide	0.008	0.16	1x / year
Lindane	0.44	8.8	1x / year
Methoxychlor	10	200	1x / year
Toxaphene	0.5	10	1x / year

Footnotes

1 If o-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200 mg/L.

J. Biosolids Limitations and Monitoring Requirements for Land Applications

1. The permittee shall monitor biosolids generated and/or prepared at this facility for land application and limit their use as follows (Table 9).

   a. Metals Concentrations for Land Application - Biosolids shall be sampled for the metals listed in the following table at a frequency not less than the minimum indicated for the amount of biosolids prepared annually. Samples shall be taken after all treatment and blending processes, but prior to land application.

   b. The permittee shall not land apply biosolids with pollutant concentrations that exceed any of the ceiling concentrations in Table 9. The permittee shall not sell or give away biosolids for land application if pollutant concentrations exceed any of the ceiling concentrations in the following table.

   c. If biosolids exceed any Ceiling Concentration in the following table, the permittee must:

      i. Notify the ADEQ Surface Water Permits Unit;

      ii. Find alternative disposal methods other than land application for the biosolids represented by that sampling event; and

      iii. Identify the source of the pollutants and take appropriate source control measures to reduce the presence of the pollutant(s) of concern.

   d. If biosolids exceed a Monthly Average Pollutant Concentration listed in the table in Part III.I.1.a above:

      i. The biosolids shall not be applied as bulk biosolids to a lawn or garden.

      ii. The biosolids shall not be sold or given away if any annual pollutant loading rate listed in Table 3 of A.A.C. R18-9-1005(D) will be exceeded. The annual pollutant loading rate shall be determined using the methodology in18 A.A.C. 9, Article 10, Appendix A.

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iii. The biosolids shall not be applied to a site if any cumulative pollutant loading rate in Table 4 of A.A.C. R18-9-1005(D) will be exceeded. The cumulative pollutant loading rate shall be determined using the methodology in A.A.C. R18-9-1005(D).

e. The permittee shall not apply, sell, or give away biosolids for application to a lawn or garden unless they are Exceptional Quality (EQ) biosolids.

f. The permittee shall be able to demonstrate that all biosolids meet the definition of EQ biosolids in order to claim exemption from the management practices in A.A.C. R18-9-1007 and R18-9-1008. If claiming biosolids are EQ, during the first two years of EQ biosolids preparation, the permittee shall submit the results of all biosolids testing and details about the pathogen and vector control treatment processes to the ADEQ Surface Water Permits Unit. The permittee shall receive written confirmation from ADEQ that the results demonstrate the biosolids meet EQ requirements prior to selling or giving away or land applying any biosolids for uses requiring an EQ biosolids classification.

Table 9. Metal Concentrations for Land Applications

Pollutant	**Ceiling Concentrations** (milligrams/ kilogram) (1)	**Monthly Average Pollutant Concentrations** (milligrams/ kilogram) (1)	**Minimum Monitoring Frequency per Volume Prepared Annually**
Arsenic	75.0	41.0	0 to < 290 dry metric tons—1 sampling event /year
Cadmium	85.0	39.0	
Chromium	3000.0	Not Applicable	
Copper	4300.0	1500.00	≥ 290 to < 1500 dry metric tons—1 sampling event /quarter
Lead	840.0	300.00	
Mercury	57.0	17.0	≥ 1500 to < 15,000 dry metric tons—1 sampling event/60 days
Molybdenum	75.0	Not Applicable	
Nickel	420.0	420.00	
Selenium	100.0	100.0	≥ 15,000 dry metric tons—1 sampling event /month
Zinc	7500.0	2800.00	

Footnotes

(1) Dry-weight basis.

2. Pathogen Reduction Requirements for Land Application

a. Biosolids must meet Class A or Class B pathogen reduction requirements established in A.A.C. R18-9-1006 at the time the biosolids are land applied and, if stored uncovered prior to land application, at the time the biosolids are stored. The permittee shall also verify that the reduction is met within 30 days prior to distribution (see Part III.I.4). The permittee shall document and retain records of the treatment used to achieve Class A or Class B pathogen reduction levels and, if demonstrating treatment to Class A, the fecal coliform or *Salmonella sp*. density. Retesting is required within 30 days of distribution for EQ and Class A biosolids and for Class B biosolids if pathogen reduction was demonstrated through Alternative 1.

b. Biosolids sold or given away in a bag or other container for land application, or applied on a lawn or home garden, shall meet the Class A pathogen reduction requirements established in A.A.C. R18-9-1006(D).

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c. The permittee shall maintain daily records of the operating parameters for the pathogen reduction treatment alternative used. If using A.A.C. R18-9-1006(D) Alternative 4, the permittee shall demonstrate acceptable levels of enteric virus and viable helminth ova through monitoring.

d. Microbiological monitoring for fecal coliforms or *Salmonella sp.* to demonstrate pathogen reduction during a given monitoring period shall be conducted as close to the actual distribution or disposal of the biosolids as feasible. The analytical results must demonstrate effective pathogen reduction is achieved prior to distributing or disposing of the biosolids. If the permittee stores biosolids before they are distributed for use or disposal, microbiological testing must take place within 30 days prior to distribution or disposal.

e. In order to demonstrate Class B pathogen reduction using A.A.C. R18-9-1006(E) Alternative 1;

i. At least seven individual grab samples must be taken and analyzed for fecal coliform during each monitoring event (unless an alternate sampling plan has been approved by ADEQ).

ii. The geometric mean of the results must be <2,000,000 MPN/gram or CFU/gram of total solids (dry-weight basis).

iii. Samples are to be taken over a 14-day period to adequately represent sludge variability.

(Note: A 'monitoring event' includes the period of time that samples are collected, analyzed, and the sample results provided to the permittee.)

f. In order to demonstrate Class A pathogen reduction, in addition to meeting one of the alternative pathogen treatment options in A.A.C. R18-9-1006(D)

i. At least seven individual grab samples must be collected and analyzed for fecal coliform during each monitoring event (unless an alternate sampling plan has been approved by ADEQ) and all seven samples must be < 1,000 MPN/gram.; or

ii. At least seven individual grab samples must be collected and analyzed for *Salmonella sp*. during each monitoring event (unless an alternate sampling plan has been approved by ADEQ) and each must be <3 MPN/4 grams total solids (dry-weight basis).

iii. Samples are to be taken over a 14-day period to adequately represent sludge variability.

g. If demonstrating Class A pathogen reduction using A.A.C. R18-9-1006(D) Alternative 4;

i. One composite sample consisting of at least seven grab samples must be collected and analyzed for enteric virus during each monitoring event and the arithmetic mean of 4 duplicate analyses of that composite must be < 1 PFU/ 4 grams total solids (dry-weight basis). Grab samples are to be taken over a 14-day period prior to compositing them to adequately represent sludge variability, and the maximum holding time is 2 weeks.

ii. One composite sample consisting of at least seven grab samples must be collected and analyzed for viable helminth ova during each monitoring event and the arithmetic mean of 4 duplicate analyses of that composite must be < 1 viable ova/ 4 grams total solids (dry-weight basis). Grab samples are to be taken over a 14-day period prior to compositing them to adequately represent sludge variability.

3. Vector Attraction Reduction Requirements for Land Application

a. The permittee shall ensure that all biosolids generated and/or prepared at this facility meet the vector attraction reduction requirements established in A.A.C. R18-9-1010 when the biosolids are land-applied.

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If biosolids are stored uncovered prior to land application, one of the vector attraction reduction alternatives established in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8) must be met prior to storage. The permittee shall document and retain records of the operational parameters or application methods used to achieve the vector attraction reduction requirements.

b. The permittee shall ensure that all biosolids generated and/or prepared at this facility that are sold or given away in a bag or other container, or applied to a lawn or home garden, meet one of the vector attraction reduction alternatives established in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8). The permittee shall document and retain records of the operational parameters or application methods used to achieve the vector attraction reduction requirements.

4. Nitrogen Testing for Land Application

The permittee shall ensure that biosolids generated and/or prepared at this facility for land application are tested for organic-N, ammonium-N, and nitrate-N at least at the applicable minimum frequency in Part III.I and that the most recent test results are provided to any subsequent prepared, user, or disposer.

K. Management Practices for Land Applications

1. The permittee shall ensure that all non-EQ bulk biosolids generated and/or prepared at this facility are land applied in accordance with the management practices in A.A.C. R18-9-1007, unless the bulk biosolids are land applied for reclamation.

2. If the permittee generates or prepares non-EQ bulk biosolids that are land applied for reclamation, the permittee shall ensure that the biosolids are land applied in accordance with the management practices in A.A.C. R18-9-1008.

3. If the permittee generates or prepares non-EQ biosolids placed in a bag or other container for distribution/land application or reclamation, the permittee shall distribute a label or information sheet to the person receiving the material. This label or information sheet shall contain the information in A.A.C. R18-9-1007(B).

L. Biosolids/Sewage Sludge Limitations and Monitoring Requirements for Surface Disposal

The permittee shall ensure that any sewage sludge or biosolids directed to or placed in a surface disposal unit meets the requirements of 40 CFR 503 Subpart C. The permittee shall also ensure the surface disposal site is permitted under the aquifer protection program and has a valid AZPDES permit prior to disposal of any biosolids in the unit.

M. Biosolids Monitoring Requirements for Disposal in a Municipal Landfill

Biosolids placed in a municipal landfill shall be tested by the Paint Filter Test (method 9095) at the frequency in Table 9 or more often as necessary to demonstrate that there are no free liquids. The permittee shall keep records documenting that biosolids disposed in a municipal landfill did not contain free liquids.

N. On-site Management Plan

1. The permittee shall submit a Management Plan (Plan) within 180 days of permit issuance or maintain a previously submitted Plan for the on-site management operations.

2. This Plan shall detail how sludge/biosolids are managed from the time that they are generated at the facility until they are shipped off-site. The Plan shall give specific protocols to be followed to ensure that the material generated at this facility will consistently meet all applicable requirements in 18 A.A.C. 9, Article 10 and 40 CFR Part 503 Subpart C and the provisions of this permit. The Plan must address issues of potential concern such as storage areas; run-on and run-off control; odor and dust control; and include a professional

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diagram of facilities/areas used in the operation and the area surrounding the operation. The Plan shall specify how and when representative samples of biosolids will be taken and contain a contingency plan for managing biosolids that exceed the requirements for the expected end use/disposal.

O. Record Keeping

1. The permittee shall collect and retain all biosolids information required by this permit and A.A.C. R18-9-1013(A)(1) through (A)(6) for at least five years.
2. The permittee shall keep analytical test results and all documentation that supports the biosolids classification on-site and available for review.
3. All biosolid records are subject to periodic inspection, and copying by ADEQ.

P. Notification Requirements

1. The permittee, either directly or through contractual arrangements with their biosolids management contractors, shall comply with the following:
2. Notification of Noncompliance
   a. The permittee shall notify ADEQ of any noncompliance with the biosolids provisions of this permit or with 18 A.A.C. 9, Article 10, which may endanger health or the environment. The permittee shall provide the information orally within 24 hours from the time the permittee becomes aware of the circumstances (See Part II.C of this permit.)
   b. For other instances of noncompliance with the biosolids provisions, the permittee shall notify the ADEQ Surface Water Permits Unit in writing within five working days of becoming aware of the circumstances.
   c. Permittees shall require their biosolids management contractors to notify ADEQ of any noncompliance within the time-frames specified in Sections P.2.a. and b.
3. Notification of Shipment to another State

   If biosolids are shipped to another State or to Indian Lands, the permittee shall send a notice of the shipment to the NPDES permitting authorities in the receiving State or Indian Land (the EPA Regional Office for that area and the State/Indian authorities) with a copy to the Arizona Surface Water Permits Unit. The notice shall be sent at least 60 days before the biosolids are planned to be shipped.
4. Notification of Change in Land Application Sites, Applicators, or Disposal Methods
   a. Prior to sending, placing or applying any bulk biosolids generated and/or prepared at this facility to a site that the permittee has not previously utilized for biosolids use/disposal within the last five years, the permittee must verify that the application site has been registered in accordance with A.A.C. R18-9-1004 and shall notify the ADEQ Surface Water Permits Unit of the planned change. The notification shall include a description and topographic map of the proposed site(s), latitude and longitude coordinates at the center of each field/site, slope of land surface, names and addresses of the applicator(s) and site owner(s), a listing of any state or local permits which must be obtained, a description of the crops or vegetation to be grown at each site, proposed loading rates and determination of agronomic rates.
   b. Prior to selling or giving away bulk biosolids for land application to an applicator that the permittee has not sold or given biosolids to within the last five years, the permittee shall notify the ADEQ Surface Water Permits Unit of the planned change. The notification shall include: the name, address, and telephone number of the applicator and any agent of the applicator; the name and telephone number

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of a primary contact person who has specific knowledge of the land application activities of the applicator; and whether the applicator holds a NPDES or AZPDES permit, and, if so, the permit number.

c. Prior to changing the method of biosolids use, treatment or disposal that was identified in the permittee's application for this permit, the permittee shall notify the ADEQ Surface Water Permits Unit of the planned change in writing. If ADEQ determines that the newly proposed practice is not covered under this permit, the permittee shall request and receive a permit modification prior to making the change.

d. The permittee shall keep records of site registration verifications and of all notifications made to ADEQ.

5. Notification of Land Application of Biosolids that Exceed Monthly Average Pollutant Concentrations

The permittee must notify the ADEQ Surface Water Permits Unit and any subsequent biosolids handlers if biosolids generated and/or prepared at this facility do not meet any of the Monthly Average Pollutant Concentration values listed in Table 9. The permittee shall ensure that bulk biosolids exceeding a monthly average pollutant concentration will not be applied to a site if any cumulative pollutant loading rate (Table 4 in A.A.C. R18-9-1005) will be exceeded per A.A.C. R18-9-1005(D)(2).

6. Notification to Subsequent Land Applicators

The permittee shall notify the applicator of all the applicator's requirements under Title 18 Chapter 9 Article 10 including the requirement that the applicator certify that management practices, site restrictions, and any applicable vector attraction reduction requirements have been met.

7. Notification of Surface Disposal

Prior to disposal in a new or previously unreported surface disposal site, the permittee shall notify the Surface Water Permits Unit in writing. Notice shall include a description and a topographic map of the proposed site; the names of the site operator and site owner; whether the site has any permits; and shall include a description of procedures for ensuring public access and grazing restrictions until three years following site closure. The permittee shall not direct biosolids to the surface disposal site without prior written approval from ADEQ.

Q. Annual Report for all Permittees

1. The permittee shall submit an annual biosolids report to ADEQ by February 19 of each year for the period covering the previous calendar year. The report shall be filled out on forms prescribed by ADEQ and shall include.

a. The amount of biosolids received/generated the previous calendar year and the amount stored at the beginning and end of the previous calendar year, in dry tons or dry metric tons (prefer metric tons), and the amount distributed.

b. The results of all biosolids analytical monitoring conducted during the previous calendar year and copies of the laboratory analytical reports. Metals (other than TCLP metals) shall be reported on a 100% dry weight basis. Note: make certain microbiological testing submitted meets required holding times.

c. Descriptions of pathogen reduction methods and vector attraction reduction methods used during the previous calendar year. The permittee must submit sludge processing data used to demonstrate how treatment alternative(s) in A.A.C. R18-9-1006 and R18-9-1010 were attained, (such as time, temperature, percent solids, pH etc.) as applicable.

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d. Names, mailing addresses, and street addresses of all persons who received biosolids generated and/or prepared at this facility for storage, further treatment, disposal in a municipal waste landfill, or for other use/disposal methods not covered under 40 CFR 258 or 503, and the amount delivered to each.

e. Except for biosolids that are demonstrated to be EQ, the following information shall be submitted by the permittee for land application sites, unless the permittee requires its biosolids management contractors to report this information directly to ADEQ:

i. Locations of land application sites (with field names and numbers) used that calendar year, size of each field applied to, applier, and site owner;

ii. Volumes applied to each field (in wet tons and dry metric tons), nitrogen applied, calculated plant available nitrogen;

iii. Crop(s) planted, date of planting, harvesting;

iv. For any biosolids exceeding A.A.C. R18-9-1005 Table 2 metals concentrations, the locations of sites where applied and cumulative metals loading at each of these sites to date;

v. Certifications of management practices in A.A.C. R18-9-1007 or A.A.C. R18-9-1008; and

vi. Certifications of site restrictions in A.A.C. R18-9-1009.

f. For surface disposal sites, the permittee shall ensure that the following information is submitted, the permittee requires its biosolids management contractors to report this information directly to ADEQ:

i. Locations of sites, site operator, site owner, size of parcel on which disposed;

ii. Results of any required groundwater monitoring;

iii. A description of and certifications of management practices in 40 CFR 503.24; and

iv. For closed sites, date of site closure and certifications of management practices for the three years following site closure.

R. Reporting

In accordance with federal electronic reporting requirements under 40 CFR 503 and 40 CFR Part 127, the permittee must submit the annual biosolids/sewage sludge report electronically through U.S. Environmental protection Agency's Central Data Exchange (CDX) using the NPDES Electronic Reporting Tool (NeT - Biosolids). The annual report is due by February 19 of each year for the preceding calendar year's activities. For guidance and instructions on using the CDX portal, permittees may refer to ADEQ biosolid's reporting webpage at: https://azdeq.gov/why-do-i-need-biosolids-land-application-registration.

PART IV. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. General Conditions

1. The permittee shall conduct chronic toxicity tests on 8-hour composite samples of the final effluent at the frequencies specified in Part I.

2. Final effluent samples must be taken following all treatment processes, including chlorination and dechlorination, and prior to mixing with the receiving water. The required WET tests must be performed on unmodified samples of final effluent. WET tests conducted on samples that are dechlorinated after collection are not acceptable for compliance with this permit.

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3. A split of each WET sample must be analyzed for all monitoring parameters listed in Parts I.A. and I.B. Analysis of any split sample taken for limited and assessment level monitoring parameters counts toward the minimum frequency of analysis specified in Parts I.A and I.B Chemical testing for all the parameters listed in Parts I.A and I.B of this permit whose required sample type is a composite shall be performed on a split of one composite sample taken for an acute WET test or a split of at least one of the three composite samples taken for one chronic WET test. For those parameters listed in Parts I.A and I.B of this permit whose required sample type is discrete, the testing shall be performed on a discrete sample collected concurrently with one sample, discrete or composite, collected for an acute or chronic WET test.

4. Definitions related to toxicity are found in Appendix A Part B. including In-Stream Waste Concentration (IWC), Percent Effect (PE), Test of Significant Toxicity (TST), and Test of Significant Toxicity (TST) Pass/Fail.

B. Chronic Whole Effluent Toxicity Requirements

There are chronic toxicity effluent limits and a chronic toxicity action level set in this permit for discharge

1. Monitoring Conditions

   Since completion of the short-term chronic WET test for *Ceriodaphnia dubia* and *Pimephales promelas* requires a minimum of three samples be taken for renewals, the chronic WET test will not be required during any given monitoring period in which discharge does not occur over seven consecutive calendar days except as specified in Part I.D (chronic WET testing for effluent characterization is required whether discharging or not). The discharge does not have to be continuous to fall under this requirement.

2. Monitoring Frequency

   The permittee must conduct annual chronic toxicity tests on 8-hour composite effluent samples as prescribed in Part I.C. For sampling required only 1x/year, annual sampling shall be performed during a different quarter each year from the previous years to account for seasonal variation.

   Chronic toxicity test samples must be collected for each outfall as specified in Part I at the AZPDES sampling location. See Part II.A of this permit.

3. Species and Wet Test Methods

   The permittee shall follow the short-term WET test methods for estimating the chronic toxicity of AZPDES permitted effluent published in the U.S. EPA fourth edition of *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002; Table IA found in 40 CFR Part 136.3). The permittee must conduct toxicity tests using 100% effluent and a control using all three of the following surrogate species:

   - ***Vertebrate***: Fathead minnow, *Pimephales promelas* (Growth Test Method 1000.0; Static renewal)
   - ***Invertebrate***: Daphnid, *Ceriodaphnia dubia* (Reproduction Test Method 1002.0; Static renewal)
   - ***Plant***: Green alga, *Pseudokirchneriella subcapitata* (also named *Selenastrum capricornutum* and *Raphidocelis subcapitata*) (Growth Test Method 1003.0; Static non-renewal)

4. Pass (0)/Fail (1) Criteria

   For this permit, the determination of Pass (0) or Fail (1) from a multiple-effluent concentration chronic toxicity test including the control and the in-stream waste concentration (IWC) is determined using the Test of Significant Toxicity (TST) approach that is described in the *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA-833-R-10-003, 2010) and *National*

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Pollutant Discharge Elimination System Test of Significant Toxicity Technical Document (EPA-833-R-10-004, 2010).

The chronic WET test shall be conducted using a series of five dilutions and a control. Once the WET test has been conducted using five effluent concentrations (12.5, 25, 50, 75, and 100% IWC) plus a control and test conditions have met all Test Acceptability Criteria (TAC) as specified in the EPA methods, the TST approach is designed to be a Single Concentration Test of the IWC compared to a control. The TST approach requires defining what is considered toxic (i.e. the IWC results in a worse organism biological response compared to the control). For chronic WET methods (both the lethal and sublethal test endpoints) a 25 percent effect (or more) is considered evidence of unacceptable toxicity.

A chronic WET Daily Maximum action level or limit exceedance occurs upon any <u>one</u> WET test (either biological endpoint of survival or sublethal) where the result is *Fail* (1) at the IWC and the PE ≥ 50. A chronic WET Monthly Median action level or limit exceedance occurs if the median of Pass/Fail result is Fail (1) using no more than three chronic toxicity tests initiated during a calendar month for the reporting period. See Appendix A Part B for more detail on calculating Monthly Median. For this permit, the IWC is 100 percent effluent. To calculate either a Pass (0) or Fail (1) of the multiple-effluent concentration chronic toxicity test at the IWC, follow the instructions in Appendix B in the *National Pollutant Discharge Elimination System Test of Significant Toxicity Technical Document* (EPA-833-R-10-004, 2010). A Pass (0) result indicates no toxicity at the IWC, and a Fail (1) result indicates toxicity at the IWC. The permittee must report either a Pass (0) or a Fail (1) <u>and</u> the percent effect (PE) on the DMR form. If an action level or limit result is reported as Fail (1), and the facility discharged during the reporting period when the WET test occurred, the permittee must follow Part IV.D. of this permit beginning with Accelerated Follow-Up Toxicity Testing followed by the Toxicity Identification Evaluation (TIE)/Toxicity Reduction Evaluation (TRE) Process if necessary.

Any action level or limit result of Fail (1) when a discharge occurred requires Accelerated Follow-Up Toxicity Testing, per Part IV.D. and notification to ADEQ as described below in Part IV.E. The permittee shall document all actions taken or planned to investigate, identify, and correct the causes of toxicity; status of actions required by this permit; and schedule for actions not yet completed; or reason(s) that no action has been taken. This documentation shall be uploaded as an attachment to the DMR for the reporting period when the monitoring activity was performed (i.e., if monitoring is required quarterly, the documentation shall be submitted with the quarterly DMR). See Part II.B.2.

5. <u>Concentration-Response Relationship</u>

   Following Paragraph 10.2.6.2 of *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA-821-R-02-013, 2002), all chronic toxicity test results from the multi-concentration tests required by this permit must be reviewed and reported according to U.S. EPA guidance on the evaluation of concentration-response relationships in *Method Guidance and recommendations for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)* (EPA-821-B-00-004, 2000).

C. Quality Assurance

1. Quality assurance measures, instructions, and other recommendations and requirements are specified in the 40 CFR Part 136.3 approved WET test method(s) referenced above.

2. Effluent samples must be maintained between 0 and 6 °C from collection until utilized in the toxicity testing procedure. When a composite sample is required, each aliquot making up the composite must be chilled after collection and throughout the compositing period. The single allowable exception is when a grab sample is delivered to the performing laboratory for test initiation no later than 4 hours following the time of collection.

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3. Dilution water and control water should be standard synthetic dilution water prepared and used as specified in the 40 CFR Part 136.3 approved WET test method(s). If the dilution water is different from test organism culture water, a second control using culture water must also be used.

4. Reference toxicity tests (a check of the laboratory and test organisms' performance) shall be conducted at least one time in a calendar month for each toxicity test method conducted in the laboratory during that month. Additionally, any time the laboratory changes its source of test organisms, a reference toxicity test must be conducted before or in conjunction with the first WET test performed using the organisms from the newer source. Reference toxicant testing must be conducted using the same test conditions as the effluent toxicity tests (i.e., same test duration, etc.).

5. If either the reference toxicant test or the effluent test does not meet all test acceptability criteria as specified in the 40 CFR Part 136.3 approved WET methods, then the permittee must resample and retest within 14 days of receipt of the test results. The re-sampling and retesting requirements include laboratory induced error in performing the test method.

6. If organisms are not cultured in-house, concurrent testing with a reference toxicant must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests and effluent toxicity tests must be conducted using the same test conditions (e.g., same test duration).

D. Toxicity Identification Evaluation (TIE)/Toxicity Reduction Evaluation (TRE) Process

Part IV.D.2 and Part IV.D.3 below apply when a WET limitation or action level is exceeded. This means that a WET test failure occurred during the same reporting period when facility discharge occurred. Part IV.D.2. and Part IV.D.3 do not apply if the facility was not discharging during the reporting period when the WET test failure occurred.

1. TRE Plan

   Within 90 days of the permit effective date, the Permittee must prepare an Initial Investigation Toxicity Reduction Evaluation (TRE) Plan (1-2 pages) using the *Toxicity Reduction Plan Template* provided by ADEQ. The TRE Plan shall be available for review by ADEQ upon request and must contain steps the Permittee intends to follow if toxicity is measured above the WET permit limit or action level. The TRE Plan shall be updated as necessary to reflect current conditions and include the following:

   a. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;

   b. A description of methods for maximizing in-house treatment system efficiency, good housekeeping practices, and a list of all chemicals used in operations at the facility;

   c. If a Toxicity Identification Evaluation (TIE) is necessary, an indication of who would conduct the TIEs (i.e., an in-house expert or outside contractor); and

   d. Subsequent revisions of the Toxicity Reduction Plan shall be submitted using the 'Track Changes' functionality to clearly identify changes to the document.

2. Accelerated Follow-Up Toxicity Testing

   If a WET permit limit is exceeded during a reporting period when discharge occurs the permittee must inform ADEQ according to the 24-Hour/5-Day noncompliance requirements specified in Part II of this permit. If a WET action level is exceeded during a reporting period when the discharge occurs, the permittee shall notify ADEQ by email at AZPDES@azdeq.gov within five business days of receiving the certified laboratory report.

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a. Source of WET Toxicity is Known

If a WET permit limit or action level is exceeded during a reporting period when discharge occurs and the source of toxicity **is known** (e.g., a temporary plant upset), the permittee shall conduct **one** additional toxicity test to demonstrate that toxicity no longer exceeds the permit limit or action level. The additional test shall use the same species and 40 CFR Part 136.3 approved WET test method(s) for which an exceedance occurred. Sampling for this follow-up WET test must begin within 14 days of receipt of WET test results that exceed a WET permit limit or action level. The follow-up WET test shall be completed whether the permittee ceased discharge or not.

If the follow-up WET test does not exceed a WET permit limit or action level, the permittee shall perform the following actions:

i. Notify ADEQ by email at AZPDES@azdeq.gov within five business days of receiving the certified laboratory report.

ii. Return to the testing frequency specified in Part I of this permit.

If a WET permit limit or action level is exceeded in the follow-up WET test, the permittee shall perform the following actions:

i. Notify ADEQ by email at AZPDES@azdeq.gov within five business days of receiving the certified laboratory report.

ii. Immediately begin implementing the TRE Plan (see Part IV.D.3. below).

b. Source of WET Toxicity is Unknown

If a WET permit limit or action level is exceeded during a reporting period when discharge occurs and the source of toxicity **is unknown** the permittee shall conduct **four** follow-up toxicity tests using the same species and 40 CFR Part 136.3 approved WET test method(s) for which an exceedance occurred. The permittee shall notify ADEQ by email at AZPDES@azdeq.gov within five days of receiving each certified laboratory report. The email shall include a copy of the certified laboratory report.

If none of the follow-up WET tests exceed a WET permit or action level, the permit shall perform the following actions:

i. Notify ADEQ by email at AZPDES@azdeq.gov within five business days of receiving the certified laboratory report.

ii. Return to the testing frequency specified in Part I of this permit.

If a WET permit or action level is exceeded in any follow-up WET test and the facility is discharging, the permittee shall perform the follow actions:

i. Notify ADEQ by email at AZPDES@azdeq.gov within five business days of receiving the certified laboratory report.

ii. Whether discharging or not, the permittee shall immediately begin implementing the TRE Plan (see Part IV.D.3 below).

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Communication regarding the follow-up testing plan with ADEQ must begin within 14 days of receipt of WET test results exceeding a WET permit limit or action level. Frequency of the **four** follow-up tests is dependent on whether the discharge pattern is continuous or intermittent. If discharge occurs continuously following the WET failure, the permittee shall perform the **four** follow-up tests approximately every two weeks over an eight-week period. If discharge occurs intermittently, the permittee shall conduct the first follow-up test within 14 days regardless of whether discharging or not. The subsequent three follow-up tests shall be conducted during the next three discharge events.

3. Toxicity Identification Evaluation (TIE)/Toxicity Reduction Evaluation (TRE) Process

The permittee shall use the U.S. EPA guidance manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA-833-B-99-002, 1999) to update the TRE Plan described above. Subsequent revisions of the TRE Plan shall be submitted to ADEQ by email at AZPDES@azdeq.gov using the 'Track Changes' functionality to clearly identify changes to the document.

a. The updates to the TRE plan shall include, at a minimum, the following:

i. Further actions to investigate and identify the causes of toxicity, if unknown. The permittee may initiate a TIE as part of the TRE process using the following U.S. EPA manuals as guidance: *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I* (EPA-600-6-91-005F, 1992); *Methods for Aquatic Toxicity Identification Evaluations: Phase I, Toxicity Characterization Procedures*, 2nd Edition (EPA-600-6-91-003, 1991); *Methods for Aquatic Toxicity Identification Evaluations: Phase II, Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA-600-R-92-080, 1993); and *Methods for Aquatic Toxicity Identification Evaluations: Phase III, Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA-600-R-92-081, 1993).

ii. Action the permittee will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

iii. A schedule for implementing these actions including a proposed sampling schedule.

b. Testing performed within the TRE process may replace the five effluent concentrations plus a control requirement with a Single Concentration Test that requires only the IWC plus control. Statistical assessment of toxicity must use the TST approach. Single Concentration Tests may be used to assess toxicity and/or exit the TRE process, however only tests performed using all five effluent concentrations plus a control as described in the method may be used for compliance reporting.

c. When in a TRE, the permittee will provide quarterly updates to ADEQs by email at AZPDES@azdeq.gov.

d. Criteria to Exit the TRE Process

The permittee may exit the TRE Process and return to the regular WET testing frequency specified in Part I of this permit upon exhibiting no toxicity in two consecutive WET tests using the same species and 40 CFR Part 136.3 approved WET test method(s) for which the exceedance(s) occurred. If the permittee exhibits regular intermittent WET test failures, exit of the TRE Process shall be at the discretion of ADEQ and may require demonstration of no toxicity over the course of a year.

The permittee shall submit a final report outlining the corrective actions taken to resolve the presence of toxicity. This report shall be submitted to ADEQ by email at AZPDES@azdeq.gov within 60 days of receipt of the final qualifying passing result to formally exit the TRE.

E. WET Reporting

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1. TRE Plan

   a. To be prepared according to the requirements specified in Part IV.D.

   b. When in a TRE process, the Permittee will provide quarterly updates to ADEQ by email at AZPDES@azdeq.gov.

   c. Submit the TRE Plan, TRE Plan updates, and related TRE documentation as attachments to the DMR.

2. Discharge Monitoring Report (DMR)

   a. The permittee shall report toxicity results on the DMR as Pass (0)/Fail(1).

   b. The percent effect (PE) shall be reported on the DMR when chronic WET testing is required. A PE ≥ 50 and a Fail (1) result indicates an exceedance of the Daily Maximum.
   PE = [(Control mean response − IWC mean response) ÷ Control mean response] × 100%

3. WET Test Failure

   a. Fail Result

      i. An acute WET Daily Maximum action level or limit exceedance occurs if a facility discharges during the monitoring period when the exceedance occurs and the Pass (0)/Fail (1) result is coded as Fail (1). See Appendix A Part B Definitions for Test of Significant Toxicity (TST) Pass/Fail.

      ii. A chronic WET Daily Maximum action level or limit exceedance occurs if a facility discharges during the monitoring period when the exceedance occurs and both of the following occur in the same toxicity test: The Pass/Fail result is coded as Fail (1) and the percent effect (PE) ≥ 50. See Appendix A Part B Definitions for Test of Significant Toxicity (TST) Pass/Fail and Percent Effect (PE).

      iii. The Monthly Median WET test result is Fail (1) if the median of all toxicity Pass/Fail tests initiated during a single calendar month is greater than 0. For example, if only one test is conducted, the median Pass (0)/Fail (1) result is simply the result of that test. If two tests are conducted and either one (or both) are a Fail (1), then the median is a Fail (1); if both are Pass (0), then the median is a Pass (0). If three tests are conducted, the median Pass/Fail result is the most common Pass/Fail result. No more than three (3) toxicity tests shall be initiated during a single calendar month.

      iv. When a WET limit is exceeded and the facility discharged during the monitoring period when the limit exceedance occurred, results are subject to the Twenty-four Hour Reporting of Noncompliance requirements, per Part II.C.

      v. All action level and limit exceedance results and lab reports shall be emailed to AZPDES@azdeq.gov within five days.

      vi. If more than one toxicity test is initiated during the monitoring period due to a failed test result, then all laboratory reports shall be electronically submitted with the DMR and the WET test with a Fail (1) and the highest PE shall be reported on the DMR form as the Daily Maximum.

4. Discharge Monitoring Reports (DMR) Attachments

   The permittee must submit the certified laboratory reports for all WET tests performed for the month as attachments to the monthly DMR. All documents should be submitted to ADEQ no later than the 28th day of the month following the end of the WET monitoring period, or upon request.

   The certified laboratory report must contain the following:

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a. The dates of sample collection, confirmation of receipt of samples within the allowed holding time specified by the analytical method, and date of initiation for each toxicity test;

b. Identification of the analytical method(s) used;

c. Raw toxicity test results;

d. Determination of Pass (0)/Fail (1) using the Test of Significant Toxicity (TST) approach

e. Determination of the percent effect (PE) using the Test of Significant Toxicity (TST)

f. All results for effluent parameters monitored concurrently with the toxicity test(s)

g. Progress report on the TRE/TIE investigation (*if applicable*)

5. Permit Renewal

The permittee shall submit all WET test results and all certified laboratory reports for the permit term with the permit renewal application.

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PART V. SPECIAL CONDITIONS

A. Operation

1. The permittee shall ensure that the facilities or systems are operated by or under the supervision of an operator currently certified by ADEQ at the level appropriate for the facility or system.

B. Reopener

1. This permit may be modified per the provisions of A.A.C. R18-9-B906, and R18-9-A905 which incorporates 40 CFR Part 122. This permit may be reopened based on newly available information; to add conditions or limits to address demonstrated effluent toxicity; to implement any EPA-approved new Arizona water quality standard; or to re-evaluate reasonable potential (RP), if Assessment Levels in this permit are exceeded.

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Appendix A. Part A: Acronyms

A.A.C.	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
ADHS	Arizona Department of Health Services
EQ	Exceptional Quality (biosolids)
AZPDES	Arizona Pollutant Discharge Elimination System
A.R.S.	Arizona Revised Statutes
CFR	Code of Federal Regulations
CFU	Colony Forming Units
Director	The Director of ADEQ or any authorized representative thereof
DMR	Discharge Monitoring Report
EPA	The U.S. Environmental Protection Agency
kg/day	Kilograms per day
MGD	Million Gallons per Day
mg/L	Milligrams per Liter, also equal to parts per million (ppm)
MPN	Most Probable Number
NPDES	National Pollutant Discharge Elimination System
PFU	Plaque-Forming Unit
QA	Quality Assurance
SSU	Sewage Sludge Unit
TBEL	Technology-based Effluent Limitation
µg/L	Micrograms per Liter, also equal to parts per billion (ppb)
WQBEL	Water quality-based Effluent Limitation

Appendix A. Part B: Definitions

Active Sewage Sludge Unit	A sewage sludge unit that has not closed.
Acute Toxicity Test	A test used to determine the concentration of effluent or ambient waters that produces an adverse effect (lethality) on a group of test organisms during a short-term exposure (e.g., 24, 48, or 96 hours). Acute toxicity is measured using statistical procedures (e.g., point estimate techniques or t-test)
Agronomic Rate	The whole biosolids application rate on a dry-weight basis that meets the following conditions: a.) The amount of nitrogen needed by existing vegetation or a planned or actual crop has been provided, and b.) The amount of nitrogen that passes below the root zone of the crop or vegetation is minimized.
Ammonia Impact Ratio (AIR)	The ratio of the concentration of ammonia in the effluent and the calculated ammonia standard as determined by the use of effluent/upstream receiving water pH and temperature.
Annual Pollutant Loading Rate	The maximum amount of a pollutant that can be applied to an acre or hectare of land during a 365-day period.
Applicator	A person who arranges for and controls the site-specific land application of biosolids in Arizona.

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Assessment Levels (AL)	A trigger, altering the permitting authority when there is cause for re-evaluation of reasonable potential (RP) for exceeding a water quality standard, which may result in new permit limitations. An exceedance of an AL is not a permit violation.
Base Flood	A flood that has a one percent chance of occurring in any given year (or a flood that is likely to occur once in 100 years).
Bulk Biosolids	Biosolids that are transported and land-applied in a manner other than in a bag or other container holding biosolids of 1.102 short tons or 1 metric ton or less.
Chronic Toxicity Test	A test in which sublethal effects (e.g., reduced growth or reproduction) are measured in addition to lethality.
Composite Sample	A sample that is formed by combining a series of individual, discrete samples of specific volumes at specified intervals. Composite samples characterize the quality of a discharge over a given period of time. Although, composite samples can be time-weighted or flow-weighted, this permit requires the collection of flow-proportional composite samples. This means that samples are collected and combined using aliquots in proportion to flow rather than time. Also see Flow-Proportional Composite.
Cumulative Pollutant Loading Rate	The maximum amount of a pollutant applied to land application site.
Daily Maximum Concentration Limit	The maximum allowable discharge of a pollutant in a calendar day as measured on any single discrete sample or composite sample.
Daily Maximum Mass Limit	The maximum allowable total mass of a pollutant discharged in a calendar day.
Daily Mass Loading	The mass loading reported against the daily maximum mass limit. The measured daily pollutant discharges by mass. Use the flow observed on the day of sample collection. If there are multiple samples collected within the monitoring period, calculate the daily mass loading as above for each day sampling occurred. Report the highest mass value.
Discrete Sample	An individual sample of at least 100 mL collected from a single location~~,~~ or over a period of time not exceeding 15 minutes. Also referred to as “grab sample.”
Dry-Weight Basis	The weight of biosolids calculated after the material has been dried at 105 ˚C until reaching a constant mass.
Effluent Dependent Water	Effluent Dependent Water means a surface water or portion of a surface water that consists of a point source discharge without which the surface water would be ephemeral. An effluent dependent water may be perennial or intermittent depending on the volume and frequency of the point source discharge of treated wastewater.
End-of-Pipe	End-of-pipe refers to application of water quality standards that must be achieved without a mixing zone. In cases where a mixing zone is not approved for a constituent of concern the water quality criteria are applied at “end-of-pipe,” which is equivalent to the water quality of the discharge at the outfall.
Ephemeral Water	Ephemeral water means a surface water or portion of surface water that flows or pools only in direct response to precipitation.

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Exceptional Quality Biosolids	Biosolids certified under R18-9-1013(A)(6) as meeting the pollutant concentrations in R18-9-1005 Table 2, Class A pathogen reduction in R18-9-1006, and one of the vector attraction reduction requirements in subsections R-18-9-1010(A)(1) through R18-9-1010(A)(8).
Flow Proportional Composite Sample	A sample that combines discrete samples collected over time, based on the flow of the discharge being sampled. There are two methods used to collect this type of sample. One collects a constant sample volume at time intervals that vary based on stream flow. The other collects discrete samples that are proportioned into aliquots of varying volumes based on stream flow, at constant time intervals (i.e. flow-weighted composite sample).
Hardness	The sum of the calcium and magnesium concentrations, expressed as calcium carbonate ($CaCO_3$) in milligrams per liter.
Hypothesis Testing	Statistical approach (e.g., Dunnett's procedure) for determining whether a test concentration is statistically different from the control. Endpoints determined from hypothesis testing are no observed effect concentration and lowest observed effect concentration (LOEC). The two hypotheses commonly tested in WET are: • Null hypothesis (H_o): The effluent is non-toxic. • Alternative hypothesis (H_a): The effluent is toxic.
Impaired Water	Impaired water means a protected surface water for which credible scientific data exists that satisfies the requirements of section 49-232, and that, in the case of waters of the U.S., demonstrate that the water should be identified pursuant to 33 United States Code section 1313(d) and the regulations implementing that statute
In-Stream Waste Concentration (IWC)	The concentration of a toxicant or effluent in the receiving water after mixing. The IWC is the inverse of the dilution factor. It is sometimes referred to as the receiving water concentration (RWC). For permits without an approved mixing zone, the IWC is 100% effluent.
Intermittent Water	Intermittent water means a surface water or portion of surface water that flows continuously during certain times of the year and more than in direct response to precipitation, such as when it receives water from a spring, elevated groundwater table or another surface source such as melting snowpack.
Land Application or Land Apply	Spraying or spreading biosolids on the surface of the land, injecting biosolids below the land's surface, or incorporating biosolids into the soil to amend, condition, or fertilize the soil.
Land Treatment Facility	An operation designed to treat and improve the quality of waste, wastewater, or both, by placement wholly or in part on the land surface to perform part or all of the treatment. A land treatment facility includes a facility that performs biosolids drying, processing, or composting, but not land application performed in compliance with 18 A.A.C. 9, Article 10.

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Limit of Detection (LOD)	An analyte and matrix-specific estimate of the minimum amount of a substance that the analytical process can reliably detect with a 99% confidence level that the analyte concentration is distinguishable from the method blank results as defined by the specific approved laboratory method. This may be laboratory dependent and is developed according to A.A.C. R9-14-615(C)(7). ADEQ considers the following terms to be synonymous: “detection limit,” “method detection limit,” and “limit of detection.”
Limit of Quantitation (LOQ)	The minimum levels, concentrations, or quantities of a target variable such as an analyte that can be reported with a specific degree of confidence. The calibration point shall be at or below the LOQ. The LOQ is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all of the method-specified sample weights, volumes, and processing steps have been followed. ADEQ is considering the following terms related to analytical method sensitivity to be synonymous: “quantitation limit,” “reporting limit,” “limit of quantitation,” and “minimum level.”
Method Detection Limit (MDL)	See LOD
Minimum Level (ML)	The concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML may be obtained in several ways and are either: 1. Published in a method; 2. Sample concentrations equivalent to the lowest acceptable calibration point used by a laboratory; or 3. Calculated by multiplying the MDL in a method, or the MDL determined by a lab, by a factor of 3.
Mixing Zone	An area where an effluent discharge undergoes initial dilution and may be extended to cover the secondary mixing in the ambient waterbody. A mixing zone is an allocated impact zone where water quality criteria can be exceeded as long as acutely toxic conditions are prevented.
Monthly or Weekly Average Concentration Limit	Other than for bacteriological testing, means the highest allowable average calculated as an arithmetic mean of consecutive measurements made during calendar month or week, respectively. The "monthly or weekly average concentration limit” for *E. coli* bacteria means the highest allowable average calculated as the geometric mean of a minimum of four (4) measurements made during a calendar month or week, respectively. The geometric mean is the nth root of the product of n numbers. For either method (CFU or MPN), when data are reported as “0” or non-detect then input a “1” into the calculation for the geometric mean.
Monthly Average Mass Limit	The highest allowable value that shall be obtained by taking the total mass discharged during a calendar month divided by the number of days in the month that the facility was discharging.

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Monthly Average Mass Loading	The mass loading reported against the monthly average mass limit. The monthly average value shall be determined by the summation of all the measured pollutant discharges by mass divided by the number of days during the month when the measurements were made. If monitoring is required less frequently than monthly, calculate the average monthly mass loading for any month that sampling occurred. Report the highest monthly average within the monitoring period.
Monthly Median	The highest allowable median of "daily discharges" over a calendar month, calculated as the middle value of all "daily discharges" measured during a calendar month where median is the value of the middle score in the distribution. For example, • For 1 test, if Pass (0) then median = Pass (0); if Fail (1), then median = Fail (1). • For 2 tests, if 2 Pass (0), then median = Pass (0); if 1 Pass (0) and 1 Fail (1), then median = Fail (1); if 2 Fail (1), then median = Fail (1). • For 3 tests, if 3 Pass (0), then median = Pass (0); if 2 Pass (0) and 1 Fail (1), then median = Pass (0); if 1 Pass (0) and 2 Fail (1), then median = Fail (1); if 3 Fail (1), then median = Fail (1). No more than three (3) toxicity tests shall be initiated during a single calendar month.
Non-WOTUS protected surface water	Non-WOTUS protected surface water means a protected surface water that is not a WOTUS.
Pathogen	A disease-causing organism.
Percent Effect (PE)	The observed (estimated) percent effect where PE = [(Control mean response − IWC mean response) ÷ Control mean response] × 100%. Sometimes referred to as "percent mean effect" if sample replication is performed. Replication is two or more independent organism exposures of the same treatment (i.e., effluent concentration) within a whole effluent toxicity test. Replicates are typically separate test chambers with organisms, each having the same effluent concentration.
Point Source	Point Source means any discernible, confined and discrete conveyance, including, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged to a protected surface water. Point source does not include return flows from irrigated agriculture.
Protected Surface Waters	Protected Surface Waters means waters of the State listed on the protected surface water list under Section 49-221, Subsection G and all WOTUS.
Publicly Owned Treatment Works	Publicly owned treatment works means a treatment works owned by this state or a municipality of this state as defined in section 502(4) of the clean water act or that discharges to a protected surface water.
Reasonable Potential (RP)	The possibility based on the statistical calculations using the data submitted or consideration of other factors, that the discharge may cause or contribute to an exceedance of a water quality standard.

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Reference Toxicant Test	A toxicity test conducted with the addition of a known toxicant to indicate the sensitivity of the organisms being used and demonstrate a laboratory's ability to obtain consistent results with the test method. Reference toxicant data are part of the routine QA/QC program to evaluate the performance of laboratory personnel and test organisms.
Regulatory Management Decision (RMD)	The decision that represents the maximum allowable error rates and thresholds for toxicity and non-toxicity that would result in an acceptable risk to aquatic life. For acute WET methods the RMD is set at 0.80, which means a 20 percent effect (or more) is evident of unacceptable acute toxicity. For chronic WET methods the RMD is set at 0.75 percent effect, which means a 25 percent effect (or more) is evident of unacceptable chronic toxicity.
Reporting Limit	A.A.C. R9-14-601 defines method reporting limit as the minimum concentration of a contaminant reported after analyzing a sample for a given parameter, determined after corrections have been made for sample dilution and sample weight. (Also see Limit of Quantitation)
Runoff	Rainwater, leachate, or other liquid that drains over any part of a land surface and runs off of the land surface.
Sewage Sludge Unit	Land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include navigable waters.
Significant Difference	Defined as statistically significant difference (e.g., 95% confidence level) in the means of two distributions of sampling results.
Single Concentration Test	A statistical analysis comparing only two sets of replicate observations. In the case of WET, comparing only two test concentrations (e.g., a control and IWC). The purpose of this test is to determine if the IWC differs from the control (i.e., the test passes or fails).
Store Biosolids or Storage of Biosolids	The temporary holding or placement of biosolids on land before land application.
Surface Disposal Site	An area of land that contains one or more active sewage sludge units.
Submit	As used in this permit, means post-marked, documented by other mailing receipt, sent electronically, or hand-delivered to ADEQ.
Surface Water Quality Standards	Surface Water Quality Standards means a standard adopted for a protected surface water pursuant to Section 49-221 and, in the case of WOTUS, pursuant to Section 49-222.
Test Acceptability Criteria (TAC)	Specific criteria for determining whether toxicity tests results are acceptable. The effluent and reference toxicant must meet specific criteria as defined in the test method.
Test of Significant Toxicity (TST)	A statistical method for toxicity determination developed by the U.S. Environmental Protection Agency. It uses a hypothesis testing approach to assess acute and chronic test data measuring the effects of wastewater on specific test organisms' ability to survive, grow, and reproduce.

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Test of Significant Toxicity (TST) Pass/Fail	Pass/Fail results are coded as one of the following: • Pass (0) - TST null hypothesis is rejected and the IWC is declared not toxic • Fail (1) - TST null hypothesis is <u>not</u> rejected and the IWC is declared toxic The null hypothesis for *chronic* toxicity is based on the following question: Is the organism response at the IWC less than or equal to 75% of the control mean response? The null hypothesis for *acute* toxicity is based on the following question: Is the organism response at the IWC less than or equal to 80% of the control mean response? Rejection of the TST null hypothesis is determined by following the step-by-step instructions in U.S. EPA June 2010 *National Pollutant Discharge Elimination System Test of Significant Toxicity Technical Document* (EPA 333-/R-10-004, 2010).
Ton	A net weight of 2000 pounds and is known as a short ton.
Total Maximum Daily Loads (TMDLs)	Total Maximum Daily Loads (TMDLs) is an estimation of the total amount of a pollutant from all sources that may be added to a water, while still allowing the water to achieve and maintain applicable surface water quality standards. Each total maximum daily load shall include allocations for sources that contribute the pollutant to the water. Total Maximum Daily Loads for waters of the U.S. shall meet the requirements of section 303(d) of the Clean Water Act (33 USC 1313(d)) and regulations implementing that statute to achieve applicable surface water quality standards.
Total Solids	The biosolids material that remains when sewage sludge is dried at 103° C to 105° C.
Toxicity Identification Evaluation (TIE)	A set of procedures used to identify the specific chemical(s) causing effluent toxicity.
Toxicity Reduction Evaluation (TRE)	A site-specific study conducted in a stepwise process designed to identify the causative agents of effluent toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in effluent toxicity.
Toxicity Test	A procedure to determine the toxicity of a chemical or an effluent using living organisms. A toxicity test measures the degree of effect of a specific chemical or effluent on exposed test organisms.
Vectors	Rodents, flies, mosquitoes, or other organisms capable of transporting pathogens.
Waters of the United States (WOTUS)	Waters of the United States (WOTUS) means protected surface waters that are also navigable waters as defined by Section502(7) of the Clean Water Act.
Weekly Average Mass Limit	The highest allowable value that shall be obtained by taking the total mass discharged during a calendar week divided by the number of days in the week that the facility was discharging.
Weekly Average Mass Loading	The mass loading reported against the weekly average mass limit. The weekly average value shall be determined by the summation of all the measured pollutant discharges by mass divided by the number of days during the week when the measurements were made.
WOTUS Protected Surface Water	WOTUS protected surface water- means a protected surface water that is a WOTUS.
Whole Effluent Toxicity	The total toxic effect of an effluent measured directly with a toxicity test.

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Appendix B. AZPDES Discharge Flow Record

Jerome Wastewater Treatment Plant—AZ0021804			
Discharge to Bitter Creek in the Verde River Basin At:			
Outfall No:	001 — Original Outfall, Between Bitter Creek and Hampshire Ave		
Location:	34° 45’ 8” N, 112° 06’ 25” W		
Month:		**Year**:	
Date:	**Flow Duration** [1] **(Total hours per day)**	**Flow Rate** [2] **(Total MGD per day)**	
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Comment:			

Footnotes

1 Total time of discharge in hours per day. If actual time is not available, use an estimate of flow duration.

2 Report flow discharge in MGD. If no discharge occurs on any given day, report ‘ND’ for the flow for that day.

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Jerome Wastewater Treatment Plant—AZ0021804		
Discharge to Bitter Creek in the Verde River Basin At:		
Outfall No:	002 — New Outfall, Bitter Creek on west side of Cemetery Rd	
Location:	34° 45’ 11.9” N, 112° 06’ 23.9” W	
Month:		**Year**:
Date:	**Flow Duration** [(1)] **(Total hours per day)**	**Flow Rate** [(2)] **(Total MGD per day)**
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
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30		
31		
Comment:		

Footnotes

1 Total time of discharge in hours per day. If actual time is not available, use an estimate of flow duration.

2 Report flow discharge in MGD. If no discharge occurs on any given day, report ‘ND’ for the flow for that day.

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Appendix C. Ammonia Data Log

Jerome Wastewater Treatment Plant—AZ0021804					
A	B	C	D	E	F
Date of Sample	Ammonia Concentration (Effluent) (mg/L N)	pH (Effluent) (S.U.)	Temperature (Effluent) (° Celsius)	Ammonia Standard as Determined from Ammonia Criteria Tables (attached)	Ammonia Impact Ratio (Column B / Column E)
Please copy and complete for each month of each year for permit term. Attach any additional pages as necessary.					

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Appendix C. Continued—Ammonia Special Reporting Requirements

Arizona Administrative Code, Title 18, Chapter 11 Department of Environmental Quality Water Quality Standards contains acute and chronic ammonia standards that are contingent upon temperature and/or pH values. The table for chronic Aquatic and Wildlife designated uses follow below. The permittee shall refer to this to determine the ammonia standard that applies each time an ammonia sample is taken. The required minimum discharge sampling frequency for these parameters may be found in Table 1 or 2 of this permit. The permittee shall record all sampling results for effluent ammonia, effluent pH and temperature at the time of sampling, as well as the applicable ammonia standards, ammonia impact ratios, and sampling dates in the Ammonia Data Log. Additionally, the ammonia impact ratio shall be calculated by dividing the ammonia value by the corresponding ammonia standard. Anytime an ammonia impact ratio is found to be above the limit of 1.0 for the pH and temperature at the time the sample was taken, the permittee shall highlight this on the ammonia data log. These results shall also be reported on DMRs with any exceedances noted. Annual submittal of the ammonia data log is required (See Part II.B.4).

A&W Designated Uses

Determination of Chronic Total Ammonia Criteria as N in mg / L Based on pH and Temperature at Time of Sampling (1) (2)										
pH	**Temperature, °C**									
	0	**14**	**16**	**18**	**20**	**22**	**24**	**26**	**28**	**30**
6.5	6.7	6.7	6.1	5.3	4.7	4.1	3.6	3.2	2.8	2.5
6.6	6.6	6.6	6.0	5.3	4.6	4.1	3.6	3.1	2.8	2.4
6.7	6.4	6.4	5.9	5.2	4.5	4.0	3.5	3.1	2.7	2.4
6.8	6.3	6.3	5.7	5.0	4.4	3.9	3.4	3.0	2.6	2.3
6.9	6.1	6.1	5.6	4.9	4.3	3.8	3.3	2.9	2.6	2.3
7.0	5.9	5.9	5.4	4.7	4.2	3.7	3.2	2.8	2.5	2.2
7.1	5.7	5.7	5.2	4.5	4.0	3.5	3.1	2.7	2.4	2.1
7.2	5.4	5.4	5.0	4.3	3.8	3.3	2.9	2.6	2.3	2.0
7.3	5.1	5.1	4.6	4.1	3.6	3.1	2.8	2.4	2.1	1.9
7.4	4.7	4.8	4.3	3.8	3.3	3.0	2.6	2.3	2.0	1.7
7.5	4.4	4.4	4.0	3.5	3.1	2.7	2.4	2.1	1.8	1.6
7.6	4.0	4.0	3.6	3.2	2.8	2.5	2.2	1.9	1.7	1.5
7.7	3.6	3.6	3.3	2.9	2.5	2.2	1.9	1.7	1.5	1.3
7.8	3.2	3.2	2.9	2.5	2.2	2.0	1.7	1.5	1.3	1.2
7.9	2.8	2.8	2.5	2.2	2.0	1.7	1.5	1.3	1.2	1.0
8.0	2.4	2.4	2.2	1.9	1.7	1.5	1.3	1.2	1.0	0.90
8.1	2.1	2.1	1.9	1.7	1.5	1.3	1.1	1.0	0.88	0.77
8.2	1.8	1.8	1.6	1.4	1.3	1.1	0.97	0.86	0.75	0.66
8.3	1.5	1.5	1.4	1.2	1.1	0.94	0.83	0.73	0.64	0.56
8.4	1.3	1.3	1.2	1.0	0.91	0.80	0.70	0.62	0.54	0.48
8.5	1.1	1.1	0.99	0.87	0.77	0.67	0.59	0.52	0.46	0.40

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Determination of Chronic Total Ammonia Criteria as N in mg / L Based on pH and Temperature at Time of Sampling (1) (2)										
pH	**Temperature, °C**									
	0	**14**	**16**	**18**	**20**	**22**	**24**	**26**	**28**	**30**
8.6	0.92	0.92	0.84	0.74	0.65	0.57	0.50	0.44	0.39	0.34
8.7	0.78	0.78	0.71	0.62	0.55	0.48	0.42	0.37	0.33	0.29
8.8	0.66	0.66	0.60	0.53	0.46	0.41	0.36	0.32	0.28	0.24
8.9	0.57	0.57	0.51	0.45	0.40	0.35	0.31	0.27	0.24	0.21
9.0	0.49	0.49	0.44	0.39	0.34	0.30	0.26	0.23	0.20	0.18

Footnotes

1 pH and temperature are field measurements taken at the same time and location as the water samples destined for the laboratory analysis of ammonia.

2 If field measured pH and/or temperature values fall between the Chronic Total Ammonia tabular values, round field measured values according to standard scientific rounding procedures to nearest tabular value to determine the ammonia standard.

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Appendix D. Standard AZPDES Permit Conditions & Notifications
(Updated as of February 2, 2004)

1. Duty to Reapply - [R18-9-B904(B)]
   Unless the Permittee permanently ceases the discharging activity covered by this permit, the Permittee shall reapply, submit a new application, 180 days before the existing permit expires. ADEQ must receive the new application at least 180 days before permit expiration in order to start the re-application process.

2. Applications - [R18-9-A905(A)(1)(C) which incorporates 40CFR 122.22]

   a. All applications shall be signed as follows:

      i. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
         A. A president, secretary, treasurer, or vice-president of the corporation in charge of a principle business function, or any other person who performs similar policy-or decision-making functions for the corporation, or

         B. The manager of one or more manufacturing, production, or operating 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 initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

      ii. For partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

      iii. For a municipality, State, Federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

   b. All reports required by permits and other information requested by the Director shall be signed by a person described in paragraph (a) of this Section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

      i. The authorization is made in writing by a person described in paragraph (a) of this section;

      ii. 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, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

      iii. The written authorization is submitted to the Director.

   c. Changes to Authorization. If an authorization under paragraph (b) of this section 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 paragraph (b) of this section must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

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d. Certification. Any person signing a document under paragraph (a) or (b) of 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.

3. Duty to Comply - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(a)(i) and A.R.S. §49- 262, 263.01, and 263.02.]

a. The Permittee shall comply with all conditions of this permit and any standard and prohibition required under A.R.S. Title 49, Chapter 2, Article 3.1 and A.A.C. Title 18, Chapter 9, Articles 9 and 10. For discharges to a WOTUS, any permit noncompliance constitutes a violation of the Clean Water Act; A.R.S. Title 49, Chapter 2, Article 3.1; and A.A.C. Title 18, Chapter 9, Articles 9 and 10, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.

b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person discharging under this permit is required to comply.

c. The Permittee shall comply with the effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Clean Water Act within the time provided in the regulation that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

d. Civil Penalties. A.R.S. § 49-262(C) provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed $25,000 per day per violation.

e. Criminal Penalties. Any a person who violates a condition of this permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 9, Articles 9 and 10 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

4. Need to Halt or Reduce Activity Not a Defense - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(c)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5. Duty to Mitigate – [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(d)]

The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(e)]

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The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

7. Permit Actions - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(f)]

   This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

8. Property Rights - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(g)]

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

9. Duty to Provide Information - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(h)]

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

10. Inspection and Entry - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(i)]

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

    a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

    b. Have access to and copy, at reasonable times, any records that must be kept under the terms of the permit;

    c. Inspect at reasonable times any facilities, equipment (including monitoring equipment or control equipment), practices or operations regulated or required under this permit; and

    d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Articles 9 and 10, any substances or parameters at any location.

11. Monitoring and Records - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(j)]

    a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

    b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application, except for records of monitoring information required by this permit related to the Permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Director at any time.

    c. Records of monitoring information shall include:

       i. The date, exact place and time of sampling or measurements;

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ii. The individual(s) who performed the sampling or measurements;

iii. The date(s) the analyses were performed;

iv. The individual(s) who performed the analyses;

v. The analytical techniques or methods used; and

vi. The results of such analyses.

d. Monitoring must be conducted according to test procedures specified in this permit. If a test procedure is not specified in the permit, then monitoring must be conducted according to test procedures approved under A.A.C. R18-9-A905(B) including those under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 (for sludge).

e. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both for first conviction. For a second conviction, such a person is subject to a fine of not more than $20,000 per day of violation, or imprisonment for not more than four years, or both.

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

12. Signatory Requirement - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(k)]

a. All applications, reports, or information submitted to the Director shall be signed and certified. (See 40 CFR 122.22 incorporated at R18-9-A905(A)(1)(c))

b. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both for a first conviction. For a second conviction, such a person is subject to a fine of not more than $20,000 per day of violation, or imprisonment of not more than four years, or both.

13. Reporting Requirements - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(l)]

a. Planned changes – The Permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

i. The alteration or addition to a permitted facility that discharges to a WOTUS, may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at R18-9-A905(A)(1)(e)); or

ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at R18-9-A905(A)(3)(b)).

iii. The alteration or addition results in a significant change in the Permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

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

c. Transfers – (R18-9-B905) This permit is not transferable to any person except after notice to the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the Permittee and incorporate such other requirements as may be necessary under Arizona Revised Statutes and the Clean Water Act.

d. Monitoring reports – Monitoring results shall be reported at the intervals specified elsewhere in this permit.

   i. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.

   ii. If the Permittee monitors any pollutant more frequently than required by the permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR, or sludge reporting form specified by the Director.

   iii. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.

e. Compliance schedules – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

f. Twenty-four hour reporting.

   i. The Permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance 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 noncompliance.

   ii. The following shall be included as information which must be reported within 24 hours under this paragraph.

      A. Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(l) which is incorporated by reference at R18-9-A905(A)(3)(a)).

      B. Any upset which exceeds any effluent limitation in the permit.

      C. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.41(l) which is incorporated by reference at R18-9-A905(A)(3)(d)).

g. Other noncompliance – The Permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.

h. Other information – When the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

14. Bypass - [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(m)]

a. Definitions

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i. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

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

b. Bypass not exceeding limitations – The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (c) and (d) of this section.

c. Notice

i. Anticipated bypass – If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of bypass.

ii. Unanticipated bypass – The Permittee shall submit notice of an unanticipated bypass as required in paragraph (f)(2) of section 13 (24-hour notice).

d. Prohibition of bypass

i. Bypass is prohibited, and the Director may take enforcement action against a Permittee for bypass, unless:

A. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

B. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

C. The Permittee submitted notices as required under paragraph (c) of this section.

ii. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (d)(i) of this section.

15. Upset - [A.R.S.§§49-255(8) and 255.01(E), R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(n)]

a. Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

b. Effect of an upset – An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

c. Conditions necessary for a demonstration of upset – A Permittee who wishes to establish the affirmative defenses of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

i. An upset occurred and that the Permittee can identify the cause(s) of the upset;

ii. The permitted facility was at the time being properly operated; and

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iii. The Permittee submitted notice of the upset as required in paragraph (f)(2) of Section 13 (24-hour notice); and

iv. The Permittee has taken appropriate measure including all reasonable steps to minimize or prevent any discharge or sewage sludge use or disposal that is in violation of the permit and that has a reasonable likelihood of adversely affecting human health or the environment per A.R.S. § 49-255.01(E)(1)(d).

d. Burden of proof – In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

16. Existing Manufacturing, Commercial, Mining, and Silvicultural Dischargers - [R18-9-A905(A)(3)(b) which incorporates 40 CFR 122.42(a)]

In addition to the reporting requirements under 40 CFR 122.41(l) (which is incorporated at R18-9-A905(A)(3)(a)), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. One hundred micrograms per liter (100 µg/L);

ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;

iii. Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7) (which is incorporated at R18-9-A905(A)(1)(b)); or

iv. The level established by the Director in accordance with 40 CFR 122.44(f) (which is incorporated at R18-9-A905(A)(3)(d)).

b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. Five hundred micrograms per liter (500 µg/L);

ii. One milligram per liter (1 mg/L) for antimony;

iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7) (which is incorporated at R18-9-A905(A)(1)(b)); or

iv. The level established by the Director in accordance with 40 CFR 122.44(f) (which is incorporated at R18-9-A905(A)(3)(d)).

17. Publicly Owned Treatment Works (POTWs) - [R18-9-A905(A)(3)(b) which incorporates 40 CFR 122.42(b)]

This section applies only to publicly owned treatment works as defined at ARS § 49-255(5).

a. All POTW's must provide adequate notice to the Director of the following:

i. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and

ii. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

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iii. For the purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharge from the POTW.

Publicly owned treatment works may not receive hazardous waste by truck, rail, or dedicated pipe except as provided under 40 CFR 270. Hazardous wastes are defined at 40 CFR 261 and include any mixture containing any waste listed under 40 CFR 261.31 - 261.33. The Domestic Sewage Exclusion (40 CFR 261.4) applies only to wastes mixed with domestic sewage in a sewer leading to a publicly owned treatment works and not to mixtures of hazardous wastes and sewage or septage delivered to the treatment plant by truck.

18. Reopener Clause - [R18-9-A905(A)(3)(d) which incorporates 40 CFR 122.44(c)]
This permit shall be modified or revoked and reissued to incorporate any applicable effluent standard or limitation or standard for sewage sludge use or disposal under sections 301(b)(2)(C), and (D), 304(b)(2), 307(a)(2) and 405(d) which is promulgated or approved after the permit is issued if that effluent or sludge standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant or sludge use or disposal practice not limited in the permit.

19. Privately Owned Treatment Works - [R18-9-A905(A)(3)(d) which incorporates 40 CFR 122.44]

This section applies only to privately owned treatment works as defined at 40 CFR 122.2.

a. Materials authorized to be disposed of into the privately owned treatment works and collection system are typical domestic sewage. Unauthorized materials are hazardous waste (as defined at 40 CFR Part 261), motor oil, gasoline, paints, varnishes, solvents, pesticides, fertilizers, industrial wastes, or other materials not generally associated with toilet flushing or personal hygiene, laundry, or food preparation, unless specifically listed under "Authorized Non-domestic Sewer Dischargers" elsewhere in this permit.

b. It is the Permittee's responsibility to inform users of the privately owned treatment works and collection system of the prohibition against unauthorized materials and to ensure compliance with the prohibition. The Permittee must have the authority and capability to sample all discharges to the collection system, including any from septic haulers or other unsewered dischargers, and shall take and analyze such samples for conventional, toxic, or hazardous pollutants when instructed by the permitting authority. The Permittee must provide adequate security to prevent unauthorized discharges to the collection system.

c. Should a user of the privately owned treatment works desire authorization to discharge non-domestic wastes, the Permittee shall submit a request for permit modification and an application, pursuant to 40 CFR 122.44(m), describing the proposed discharge. The application shall, to the extent possible, be submitted using ADEQ Forms 1 and 2C, unless another format is requested by the permitting authority. If the privately owned treatment works or collection system user is different from the Permittee, and the Permittee agrees to allow the non-domestic discharge, the user shall submit the application and the Permittee shall submit the permit modification request. The application and request for modification shall be submitted at least 6 months before authorization to discharge non-domestic wastes to the privately owned treatment works or collection system is desired.

20. Transfers by Modification - [R18-9-B905]

Except as provided in section 21, a permit may be transferred by the Permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made under R18-9-B906, to identify the new Permittee and incorporate such other requirements as may be necessary.

21. Automatic Transfers - [R18-9-B905]

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An alternative to transfers under section 20, any AZPDES permit may be automatically transferred to a new Permittee if:

a. The current Permittee notifies the Director at least 30 days in advance of the proposed transfer date;

b. The notice includes a written agreement between the existing and new Permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

c. The Director does not notify the existing Permittee and the proposed new Permittee of his or her intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification under R18-9-B906(B).

22. Minor Modification of Permits - [R18-9-B906(B)]

Upon the consent of the Permittee, the Director may modify a permit to make the corrections or allowances for changes in the permitted activity listed in this section, without following public notice procedures under R18-9-A907 or A908. Minor modifications may only:

a. Correct typographical errors;

b. Update a permit condition that changed as a result of updating an Arizona water quality standard;

c. Require more frequent monitoring or reporting by the Permittee;

d. Change an interim compliance date in a schedule of compliance, provided the new date is not more than 120 days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement;

e. Allow for a change in ownership or operational control of a facility where the Director determines that no other change in their permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the Director;

f. Change the construction schedule for a discharger that discharges to a WOTUS which is a new source. No such change shall affect a discharger's obligation prior to discharge under 40 CFR 122.29 (which is incorporated by reference in R18-9-A905(A)(1)(e));

g. Delete a point source outfall when the discharge from that outfall is terminated and does not result in discharge of pollutants from other outfalls except in accordance with the permit limits;

h. Incorporate conditions of a POTW pretreatment program that has been approved in accordance with the procedures in 40 CFR 403.11 and 403.18 as enforceable conditions of the POTW's permit; and

i. Annex an area by a municipality.

23. Termination of Permits - [R-9-B906(C)]

The following are causes for terminating a permit during its term, or for denying a permit renewal application:

a. Noncompliance by the Permittee with any condition of the permit;

b. The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time;

c. A determination that the permitted activity endangers human health or the environment and can only by regulated to acceptable levels by permit modification or termination; or

d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge controlled by the permit (for example, a plant closure or termination of discharge by connection to a POTW).

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24. Availability of Reports - [Pursuant to A.R.S § 49-205]

    Except for data determined to be confidential under A.R.S § 49-205(A), all reports prepared in accordance with the terms of this permit shall be available for public inspection at ADEQ offices. As required by A.R.S. § 49-205(B) and (C), permit applications, permits, and effluent data shall not be considered confidential.

25. Removed Substances - [Pursuant to Clean Water Act Section 301]

    Solids, sludges, filter backwash, or 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 navigable waters.

26. Severability - [Pursuant to A.R.S § 49-324(E)]
    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 remainder of this permit, shall not be affected thereby.

27. Civil and Criminal Liability - [Pursuant to A.R.S § 49-262, 263.01, and 263.02]

    Except as provided in permit conditions on "Bypass" (Section 14) and "Upset" (Section 15), nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance.

28. Oil and Hazardous Substance Liability - [Pursuant to Clean Water Act Section 311].

    Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.

29. State or Tribal Law - [Pursuant to R 18-9-A904 (C)].
    Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.

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