

THREE RIVERS REGIONAL WASTEWATER AUTHORITY

Serving & Operated By:
Beacon Hill Water & Sewer District
City of Kelso
City of Longview
Cowlitz County

THREE RIVERS REGIONAL WASTEWATER AUTHORITY DISCHARGE PRETREATMENT POLICY

SECTION 1 – GENERAL PROVISIONS

- 1.1 Purpose and Policy
- 1.2 Administration
- 1.3 Abbreviations
- 1.4 Definitions

SECTION 2 – GENERAL SEWER USE REQUIREMENTS

- 2.1 Prohibited Discharge Standards
- 2.2 State Pretreatment Standards for CIUs
- 2.3 Local Limits for SIUs, PSIUs, CUs, and PSCUs
- 2.4 Right of Revision
- 2.5 Dilution

SECTION 3 – PRETREATMENT OF WASTEWATER

- 3.1 Pretreatment Facilities
- 3.2 Emergency Authority for Discharge Violations
- 3.3 Accidental Discharge/Slug Discharge Control Plans
- 3.4 Hauled Wastewater

SECTION 4 – TRRWA WASTEWATER DISCHARGE PERMIT APPLICATIONS

- 4.1 Industrial and Commercial Users Surveys
- 4.2 Wastewater Discharge Permit Requirement
- 4.3 Wastewater Discharge Permitting: Existing Connections
- 4.4 Wastewater Discharge Permitting: New Connections
- 4.5 Wastewater Discharge Permit Application Contents
- 4.6 Application Signatories and Certifications
- 4.7 Wastewater Discharge Permit Decisions

SECTION 5 – WASTEWATER DISCHARGE PERMIT ISSUANCE

- 5.1 Wastewater Discharge Permit Duration
- 5.2 Wastewater Discharge Permit Contents
- 5.3 Permit Appeal Process
- 5.4 Wastewater Discharge Permit Modification
- 5.5 Wastewater Discharge Permit Transfer
- 5.6 Wastewater Discharge Permit Revocation with Notice
- 5.7 Wastewater Discharge Permit Reissuance

SECTION 6 – REPORTING REQUIREMENTS

- 6.1 Compliance Schedule Progress Reports
- 6.2 Reports of Changed Conditions
- 6.3 Reports of Potential Problems
- 6.4 Notice of Violation/Repeat Sampling and Reporting
- 6.5 Notification of Discharge of Hazardous Waste
- 6.6 Analytical Requirements
- 6.7 Sample Collection
- 6.8 Date of Receipt of Reports
- 6.9 Record Keeping
- 6.10 Certification Statements

SECTION 7 – RIGHT OF ENTRY: INSPECTION AND SAMPLING

SECTION 8 – CONFIDENTIAL INFORMATION

SECTION 9 – ADMINISTRATIVE ENFORCEMENT

- 9.1 Notification of Violation
- 9.2 Consent Orders
- 9.3 Show Cause Hearing
- 9.4 Compliance Orders
- 9.5 Cease and Desist Orders
- 9.6 Administrative Fines
- 9.7 Emergency Suspensions
- 9.8 Termination of Discharge

SECTION 10 – JUDICIAL ENFORCEMENT: Injunctive Relief

- 10.1 Injunctive Relief
- 10.2 Civil Penalties
- 10.3 Criminal Prosecution
- 10.4 Remedies Nonexclusive

SECTION 11 – SUPPLEMENTAL CONDITIONS ACTION

- 11.1 Performance Bonds
- 11.2 Payment of Outstanding Fees and Penalties
- 11.3 Public Nuisances

SECTION 12 – BYPASS

SECTION 13 – WASTEWATER TREATMENT SURCHARGES AND PERMIT FEES

- 13.1 Excess Strength Charges
- 13.2 Wastewater Discharge Permit Fees

SECTION 14 – MISCELLANEOUS PROVISIONS

- 14.1 Severability
- 14.2 Conflict

SECTION 15 – EFFECTIVE DATE

THREE RIVERS REGIONAL WASTEWATER AUTHORITY DISCHARGE PRETREATMENT POLICY

APPLICABILITY OF POLICY TO ALL MEMBER ENTITIES, AND ALL MEMBER ENTITY SEWER SYSTEMS AND FACILITIES, AND TO ALL USERS AND MEMBER CUSTOMERS.

THIS DISCHARGE PRETREATMENT POLICY IS INTENDED AND HEREBY DECLARED TO BE APPLICABLE TO ALL USERS DISCHARGING TO THE PUBLICLY OWNED TREATMENT WORKS AND SANITARY SEWER SYSTEMS OF THE THREE RIVERS REGIONAL WASTEWATER AUTHORITY AND ANY MEMBER ENTITY OF THE THREE RIVERS REGIONAL WASTEWATER AUTHORITY (TRRWA), AND SHALL BE ENFORCED AND ADMINISTERED BY THE PLANT SUPERINTENDENT AND DESIGNATED EMPLOYEES OF THE TRRWA. IT IS FURTHER INTENDED THAT THIS DISCHARGE PRETREATMENT POLICY BE ADOPTED BY REFERENCE INTO THE RULES, REGULATIONS, ORDINANCES, RESOLUTIONS OR OTHER APPLICABLE AND APPROPRIATE PROVISIONS OF EACH MEMBER ENTITY OF THE TRRWA, AND EACH MEMBER ENTITY SHALL ASSIST THE PLANT SUPERINTENDENT TO IMPLEMENT THIS POLICY.

SECTION 1 – GENERAL PROVISIONS

1.1 Purpose and Policy

This Policy sets forth uniform requirements for use of the Three Rivers Regional Wastewater Authority Publicly Owned Treatment Works (POTW) and enables the Three Rivers Regional Wastewater Authority to comply with all applicable state and federal wastewater treatment laws, including the Clean Water Act (33 United States Code, Section 1251 et seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). The objectives of this Policy are:

- A. To protect the POTW from potential harm by establishing clear standards and requirements for pretreatment of non-domestic waste. Harm to be prevented includes: interfering with the operations or maintenance of, reducing the expected life of, or otherwise harming, the collection system; causing pollutants to pass through the POTW without adequate treatment, or otherwise harming the receiving environment; or causing the POTW to respond to a discharge based on a real or perceived threat;
- B. To protect POTW staff and/or collection systems staff who may be affected by wastewater and sludge in the course of their employment, and to protect the general public;

- C. To promote reuse and recycling of industrial wastewater by Industrial Users;
- D. To protect high-quality POTW end products for beneficial use, such as reclaimed water and biosolids;
- E. To provide for user fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW; and
- F. To enable the Three Rivers Regional Wastewater Authority to comply with its National Pollutant Discharge Elimination System Permit, sludge use and disposal requirements, and any other federal, state, or local laws to which the POTW is subject.

This Policy shall apply to all Users of the POTW. The Policy authorizes the issuance of Wastewater Discharge Permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

It is the intent of the TRRWA that this policy be adopted by reference or otherwise fully incorporated into the laws and regulations applicable to the City of Longview, City of Kelso, and Cowlitz County, and in policy resolution form by the Beacon Hill Water & Sewer District.

1.2 Administration

Except as otherwise provided herein, the Three Rivers Regional Wastewater Authority Plant Superintendent shall administer and implement the provisions of this Policy, and shall conduct other activities as set forth in Section 5 of the “Revised and Restated Interlocal Agreement by the THREE RIVERS REGIONAL WASTEWATER AUTHORITY between and among the City of Kelso, City of Longview, Beacon Hill Sewer District, and Cowlitz County, for Wastewater Treatment & Disposal, dated December 15, 2005.” Any powers granted to or duties imposed upon the Plant Superintendent may be delegated by the Plant Superintendent to personnel under the Plant Superintendent’s direction.

1.3 Abbreviations

The following abbreviations, when used in this Policy, shall have the designated meanings:

AKART	All Known Available Reasonable Treatment
BOD	Biochemical Oxygen Demand
BMP	Best Management Practice
CFR	Code of Federal Regulations
CIU	Categorical Industrial User
CU	Commercial User

DU	Domestic User (Residential User)
gpd	Gallons per day
IU	Industrial User
MCU	Minor Commercial User
MIU	Minor Industrial User
mg/L	Milligrams per liter aka parts per million
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly Owned Treatment Works
PSIU	Potential Significant Industrial User
PSCU	Potential Significant Commercial User
RCRA	Resource Conservation and Recovery Act
SCU	Significant Commercial User
SIU	Significant Industrial User
TRRWA	Three Rivers Regional Wastewater Authority
TRRWP	Three Rivers Regional Wastewater Plant
TSS	Total Suspended Solids
ug/l	Micrograms per liter aka parts per billion
U.S.C.	United States Code
USEPA	U.S. Environmental Protection Agency

1.4 Definitions

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Policy, shall have the meanings hereinafter designated.

Act or "the Act" – The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq.

Approval Authority – The Washington State Department of Ecology, Water Quality Program Manager.

Authorized or Duly Authorized Representative of the User –

1. If the User is a corporation:
 - a. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - 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 initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure

that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
3. If the User is a federal, state, or local governmental facility: a director or higher official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
4. The individuals described in Section 1.4(C)(1-3), may designate another authorized representative if the authorization is in writing; the designation specifies the individual or position responsible for the overall operation of the facility from which the discharge originates, or having overall responsibility for environmental matters for the company; and the written authorization is submitted to the Plant Superintendent.

Best Management Practices or BMPs – Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 2.1.A. and Section 2.1.B. and 40 CFR Part 403.5(a)(1) and (b). BMPs also include treatment requirements, facility improvements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand or BOD – The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/L).

Biosolids – Wastewater sludge after treatment to meet federal and state regulations and intended disposal criteria.

Categorical Pretreatment Standard or Categorical Standard – Any regulation containing pollutant discharge limits promulgated by the USEPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. Section 1317), which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

Categorical Industrial User or CIU – An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard. Such Industries are regulated by the Washington State Department of Ecology and receive

permits from the Washington State Department of Ecology.

Commercial User or CU – A user that does not generally use water to manufacture a product, but otherwise creates a sewer discharge that does not meet the criteria for domestic sewage. This includes facilities such as hotels, restaurants, office buildings with cafeterias, government and military facilities with hospitals, educational institutions, and retail sales stores.

Composite Sample – A composite of several samples taken throughout the period of a day when a regulated discharge is occurring. Several brands of automated samplers, some with a refrigerated sample collection area, may be used, subject to the advance approval of the Plant Superintendent.

Approvable composite samplers may either use a flow paced or time paced algorithm. For example, collecting a same size aliquot every 1,000 gallons (flow paced), or a variable sized aliquot every hour (time paced). In both cases, they must interface with a device which senses the effluent flow volume to collect a representative sample unless the Plant Superintendent has determined that a flow proportionate sample is not required.

Daily Limit or Daily Maximum Limit – The maximum allowable discharge of a pollutant over a calendar day or equivalent representative 24-hour period. Where daily maximum limits are expressed in units of mass, the daily discharge is calculated by multiplying the daily average concentration and total flow volumes in the same 24-hour period by a conversion factor to get the desired units. Where daily limits are expressed in terms of a concentration, the daily discharge is the composite sample value, or flow weighted average if more than one discrete sample was collected. Where flow weighting is infeasible, the daily average is the arithmetic average of all samples if analyzed separately, or the sample value if samples are composited prior to analysis.

Discharge – The introduction of pollutants into the collection system and/or POTW, directly or indirectly, from any non-domestic source regulated under 307(b), (c), or (d) of the Clean Water Act.

Domestic User (Residential User) – Any person who contributes, causes, or allows the contribution of wastewater into the POTW that is of a similar volume and/or chemical make-up as that of a single family residential dwelling unit. Discharges from a residential dwelling unit include up to 350 gpd with a concentration up to 350 mg/L of Biochemical Oxygen Demand, 350 mg/L of Total Suspended Solids, and 44 mg/L Total Ammonia. The Domestic User Classification is intended to cover apartment buildings and other multi-unit facilities which generally engage in food preparation activities within and serving only individual units.

Domestic Sewage (Residential Sewage) – Sewage which is similar volume and characteristics to that produced from a single family residential dwelling engaging in customary household activities. This includes include up to 350 gpd volume with a concentration up to 350 mg/L of Biochemical Oxygen Demand, 350 mg/L of Total Suspended Solids, and 44 mg/L Total Ammonia.

Environmental Protection Agency – The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official.

Existing Source – Any source of subject to Categorical Standards that does not meet the definition of a “New Source” per Section 1.4.BB.

Grab Sample – A sample, from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

Industrial User or IU – A User which utilizes water in the manufacture or processing of a product, the result of which creates a sewer discharge that does not meet the criteria for domestic sewage. Industrial Users are further classified as a Categorical Industrial User, Significant Industrial User, Potential Significant Industrial User, or Minor Industrial User of the POTW, depending on the volume and nature of their discharge.

Instantaneous Maximum Discharge Limit or Instantaneous Limit – The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of a discrete sample. Where a User is required to take a grab sample for purposes of determining compliance with Local Limits, this standard is the same as the Daily Maximum standard.

Interference – A Discharge that causes (either by itself or in combination with other discharges) a violation of TRRWA’s NPDES Permit. This includes discharges that prevent the intended biosolids use or disposal by inhibiting or disrupting the POTW, including its collection systems, pump stations, and wastewater and sludge treatment processes; or plugs, degrades, damages, unreasonably reduces capacity, or otherwise harms or disrupts the operations, maintenance, and service life of the collection systems. For example, a discharge from a User which causes a blockage, resulting in a discharge at a point not authorized by TRRWA, is a violation of TRRWA’s NPDES Permit and this policy.

Local Limits – Effluent limitation developed for Users by the Plant Superintendent to specifically protect the POTW from the potential of Pass Through, Interference, vapor toxicity, explosions, sewer corrosion, and intended biosolids uses. Such limits shall be based on the POTW’s site-specific flow and loading capacities, receiving water and collection systems considerations, and reasonable treatment expectations for non-domestic wastewater. See Section 2.3 for a full list of Local Limits.

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

Member Entity – One of the agencies comprising the Three Rivers Regional Wastewater Authority, consisting of the City of Longview, City of Kelso, Beacon Hill Water & Sewer District, and Cowlitz County, and specifically the jurisdiction in which a discharge will occur.

Minor Commercial User or MCU – A Commercial user that discharges 800 gpd or less and does not generally use water to manufacture a product, but otherwise creates a sewer discharge that does not meet the criteria of domestic sewage. This includes facilities such as hotels, restaurants, office buildings with cafeterias, hotels, restaurants, office buildings, government and military facilities, hospitals, educational institutions, and retail sales stores.

Minor Industrial User or MIU – Any Industrial User that does not otherwise qualify as a Significant Industrial User or Potential Significant Industrial User of the POTW.

Monthly Average – The arithmetic mean of the effluent samples collected during a calendar month or specified 30-day period.

Monthly Average Limit – The limit to be applied to the Monthly Average to determine compliance with the requirements of this Policy (see Section 2.3 for listing).

New or Changed Source –

1. Any building, structure, facility, or installation from which there is (or may be) a Discharge of pollutants, provided that:
 - a. The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility, or installation totally replaces the process or production equipment that causes the Discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is

engaged in the same general type of activity as the existing source, should be considered.

2. Construction on a site at which an existing source is located is considered a modification, rather than a new or changed source, if the construction does not create a new building, structure, facility, or installation meeting the criteria of (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
3. Notification must be made to the Plant Superintendent if the nature of the wastewater discharge changes.

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

Pass Through – A discharge which exits the POTW into waters of the United States in quantities or concentrations, which alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of the TRRWA's NPDES permit, including an increase in the magnitude or duration of a violation.

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

pH – A measure of the acidity or alkalinity of a solution, expressed in standard units.

Plant Superintendent – The Plant Superintendent of the TRRWA shall be considered the TRRWA's agent for purposes of Section 5 VII of the "Revised and Restated Interlocal Agreement of the TRRWA between and among City of Kelso, City of Longview, Beacon Hill Sewer District, and Cowlitz County for Wastewater Treatment & Disposal, dated December 15, 2005." The term also applies to TRRWA staff representatives as designated by the Plant Superintendent.

Pollutant – Any constituent in the wastewater that may degrade water quality in the receiving water or the quality of biosolids generated by the POTW, including but not limited to dredged spoils, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes.

Potential Significant Industrial User – A User that does not meet the criteria of Significant Industrial User, but whose discharge may Interfere with the POTW such that the Plant Superintendent or Member Entity determines that the User must monitor and potentially pretreat its Discharge.

Potential Significant Commercial User (PSCU) – Any Commercial User that does not meet the flow volume criteria of Commercial User or Minor Commercial User, but whose Discharge may Interfere with the POTW such that the Plant Superintendent or Member Entity determines that the User must monitor and potentially pretreat its Discharge.

Pretreatment – The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants in wastewater prior to, or in lieu of, discharging such pollutants to the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard. These standards are not intended to apply to MIU's or MCU's.

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

Pretreatment Standards or Standards – Pretreatment standards shall mean discharge prohibitions (Section 2.1), state pretreatment standards (Section 2.2) and local limits (Section 2.3).

Publicly Owned Treatment Works or POTW – A treatment works, as defined by Section 212 of the Clean Water Act (33 U.S.C. Section 1292), which is owned by the THREE RIVERS REGIONAL WASTEWATER AUTHORITY and more fully described in the “Revised and Restated Interlocal Agreement of the TRRWA between and among the City of Kelso, City of Longview, Beacon Hill Sewer District, and Cowlitz County, for Wastewater Treatment & Disposal, dated December 15, 2005,” along with treatment works owned by the City of Kelso, City of Longview, Beacon Hill Water & Sewer District, or Cowlitz County. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, including sanitary sewer and storm sewer collection systems, which convey wastewater to a treatment plant. The POTW and sanitary sewer collection systems of the TRRWA and each Member Entity shall not be considered to be a User under the provisions of this Policy.

Septic Tank Waste – Sewage and typically associated solids from activities generating domestic quality sewage, pumped from a septic tank. The Plant Superintendent may also consider wastes from other holding tanks such as boat blackwater, bilge water, cesspools, commercial or industrial septic tanks,

and treatment lagoons to be Septic Tank Waste so long as they are absent pollutants which might interfere with the POTW.

Sewage – Human excrement and gray water (from household showers, toilets, kitchens, clothes and dish washing, and related domestic activities), wastewater, or water which carries human wastes or a combination of water-carried wastes from residences, businesses, institutions, and industries.

Significant Industrial User or SIU – A Significant Industrial User is:

1. A User that:
 - a. Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding domestic sewage, non-contact cooling water, and boiler blowdown wastewater); or
 - b. Contributes a process wastestream that makes up five (5) percent or more of the average dry weather monthly hydraulic or organic design capacity of the POTW treatment plant.
 - c. Is designated as such by the Three Rivers Regional Wastewater Authority Board on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
2. Upon a finding that a User meeting the criteria in Section 1.4.PP.1.a. and/or Section 1.4.PP.1.b. has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Plant Superintendent may at any time, on the Plant Superintendent's own initiative or in response to a petition received from a User, with the concurrence of the Member Entity in which service area the User's site resides and in accordance with procedures in 40 CFR Part 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

Significant Noncompliance -

1. Any violation of a pretreatment standard or requirement, including numerical limits, narrative standards, and prohibitions, that the Plant Superintendent or Member Entity determines has caused, alone or in combination with other Discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public.

2. Any discharge of a pollutant that has caused imminent danger to the public or to the environment, or has resulted in the Plant Superintendent or Member Entity exercise its emergency authority to halt or prevent such a discharge.
3. Any violation(s), including of Best Management Practices, which the Plant Superintendent determines will adversely affect the operation or implementation of the pretreatment program.
4. Chronic violations of wastewater discharge limits, defined as sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a rolling six (6) month period exceed, by any magnitude, a numeric pretreatment standard or requirement, including instantaneous limits of Section 2.
5. Technical Review Criteria (TRC) violations, defined as thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a rolling six (6) month period equal or exceed the product of the numeric pretreatment standard or requirement, (including instantaneous limits, as defined by Section 2), multiplied by the applicable criteria. Applicable criteria are 1.4 times the limit for Biochemical Oxygen Demand, Total Suspended Solids, fats, oils and greases, and 1.2 times the limit for all other pollutants except pH.
6. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance.
7. Failure to provide any required report within forty-five (45) calendar days after the due date. This includes initial and periodic monitoring reports, and reports on initial compliance and on meeting compliance schedules.
8. Failure to accurately report noncompliance.

Slug Load or Slug Discharge – Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, local limits, or Permit conditions. This includes discharges at a flow rate or concentration that could cause a violation of the Prohibited Discharge Standards of Section 2.1 of this Policy.

Storm Water – Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Three Rivers Regional Wastewater Authority or THREE RIVERS REGIONAL WASTEWATER AUTHORITY or TRRWA – An administrative body organized pursuant to an Interlocal Agreement between the City of Kelso, City of Longview, Beacon Hill Water & Sewer District and Cowlitz County, that operates as a public agency under State of Washington law, providing wastewater management and reclaimed water production services for the urbanized area of Cowlitz County, Washington.

Total Suspended Solids or TSS – The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

User– Any Person with a source of discharge that does not qualify that person as a Domestic User, who discharges an effluent into the POTW by means of pipes, conduits, pumping stations, force mains, tank trucks, constructed drainage ditches, intercepting ditches, and all constructed devices and appliances appurtenant thereto.

Wastewater – Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater Treatment Plant or Treatment Plant – That portion of the POTW, which is designed to provide treatment of municipal sewage and industrial waste.

SECTION 2 – GENERAL SEWER USE REQUIREMENTS

2.1 Prohibited Discharge Standards

- A. General Prohibitions – No User shall introduce or cause to be introduced into the POTW or the collection systems any pollutant or wastewater which causes Pass Through or Interference.

These general prohibitions apply to all Users of the POTW whether or not they are subject to Categorical Pretreatment Standards or any other national, state, or local pretreatment standards or requirements.

- B. Specific Prohibitions – No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
1. Pollutants which, either alone or by interaction, may create a fire or explosive hazard, a public nuisance or hazard to life, or prevent entry

into the sewers for their maintenance and repair, or are in any way injurious to the operation of the system or system personnel. This includes waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR Part 261.21.

2. Wastewater having a pH less than 6.0 or more than 9.0 or otherwise having any other corrosive property capable of causing damage or hazard to structures, pipelines, facilities, equipment, or personnel. Discharges outside this pH range may be authorized by the Plant Superintendent through a permit issued by the Member Entity pursuant to a finding that the system is capability of accommodating a discharge of that pH.
3. Solid or viscous substances in amounts that may cause obstruction to the flow in the sewer or other interference with the operation of the system. This includes discharge of materials that cause the formation solids by coagulation of materials already present in the wastewater. In no case shall inert solids greater than 1/4 inch (0.64 cm) in any dimension be discharged.
4. Pollutants, including oxygen-demanding pollutants (Biochemical Oxygen Demand, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either individually or by interaction with other pollutants, will cause interference with the POTW.
5. Wastewater having a temperature that will interfere with the biological activity in the system, has detrimental effects on the collection system, or prevents entry into the sewer. Water may not be discharged into the collection system at temperatures in excess of 149 degrees F (65 degrees C). In no case shall wastewater be discharge which causes the wastewater temperature in the POTW influent to exceed 104 degrees F (40 degrees C).
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through.
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
8. Trucked or hauled pollutants, except at discharge points designated by the Plant Superintendent in accordance with Section 3.4 of this Policy.
9. The following are prohibited unless approved by the Plant Superintendent under extraordinary circumstances, such as lack of direct discharge alternatives due to combined sewer service or need to

augment sewage flows due to septic conditions (as required under WAC 173-216-050).

- a. Non-contact cooling water in significant volumes.
 - b. Stormwater.
 - c. Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the system.
10. Noxious or malodorous liquids, gases, solids, or other wastewater, which, either individually or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
 11. Wastewater which imparts color that cannot be removed by the treatment process, including but not limited to, dyes and dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating TRRWA's NPDES Permit.
 12. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations.
 13. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, de-ionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the Plant Superintendent.
 14. Sludges, screenings, or other residues from the pretreatment of industrial wastes.
 15. Medical wastes, except as specifically authorized by the Plant Superintendent and the Member Entity in a Wastewater Discharge Permit.
 16. Wastewater causing, either individually or by interaction with other wastes, the POTW's effluent to fail a toxicity test.
 17. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
 18. Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred (100) mg/L.

19. Total Petroleum Hydrocarbon concentrations greater than one hundred (100) mg/L.
20. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than ten percent (10%) or any single reading over twenty percent (20%) of the Lower Explosive Limit based on a combustible gas meter reading.

Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.2 State Pretreatment Standards for CIUs

WAC Chapter 173-216 and RCW Chapter 90.48 are hereby adopted by this reference. All Waste materials discharged from a CIU into the POTW must satisfy the provisions thereof.

Any person who constructs or modifies or proposes to construct or modify wastewater treatment facilities must first comply with the regulations for submission of plans and reports for construction of wastewater facilities, Chapter 173-240 WAC. Until the TRRWA is delegated the authority to review and approve such plans under RCW 90.48.110, sources of non-domestic discharges shall request approval for such plans through the Washington State Department of Ecology. To ensure conformance with this requirement, proof of the approval of such plans and one copy of each approved plan shall be provided to the Plant Superintendent and the applicable Member Entity-before commencing any such construction or modification.

2.3 Local Discharge Standards for SIUs, PSIUs, CUs and PSCUs

- A. The TRRWA Board may establish, by recommendation of the Plant Superintendent, local Discharge and Pretreatment Standards pursuant to 40 CFR Part 403.5(c).
- B. The pollutant limits in Section 2.3.D. and Section 2.3.E. are established to protect against Pass Through and Interference and reflect the application of reasonable treatment technology. No person discharging more than 800 gallons per day shall discharge wastewater in excess of the following Daily Maximum Concentration Limits unless authorized by a Wastewater Discharge Permit issued by the TRRWA and the applicable Member Entity.
- C. The pollutant limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Plant Superintendent may impose mass loading limits in addition to concentration-based limits. Such changes shall be reported to the TRRWA Board for informational purposes.

D. Local Pollutant Discharge Limits

ANALYTE	DAILY MAXIMUM CONCENTRATION LIMIT	INSTANTANEOUS CONCENTRATION LIMIT
Antimony	6.8 mg/L	6.8 mg/L
Arsenic	0.9 mg/L	0.9 mg/L
Cadmium	0.3 mg/L	0.3 mg/L
Chromium +6	4.5 mg/L	4.5 mg/L
Cr +3	5.0 mg/L	5.0 mg/L
Copper	3.5 mg/L	3.5 mg/L
Cyanide (total)	2.2 mg/L	2.2 mg/L
Lead	0.8 mg/L	0.8 mg/L
Mercury	0.02 mg/L	0.02 mg/L
Molybdenum	3.4 mg/L	3.4 mg/L
Nickel	5.0 mg/L	5.0 mg/L
Selenium	1.0 mg/L	1.0 mg/L
Silver	0.1 mg/L	0.1 mg/L
Thallium	0.2 mg/L	0.2 mg/L
Zinc	4.6 mg/L	4.6 mg/L
Fats, oils, & greases of animal or vegetable origin	100 mg/L	100 mg/L
Hydrocarbon-based oils & greases	100 mg/L	100 mg/L
Minimum pH	6.0 standard units	6.0 standard units
Maximum pH	9.0 standard units	9.0 standard units

- E. Users proposing to discharge a waste stream containing Biochemical Oxygen Demand, Total Suspended Solids, or ammonia in excess of the concentration limits listed below must apply for a TRRWA permit. Provided the proposed Discharge will not interfere with the POTW and a TRRWA permit is issued, such Users shall be subject to surcharges as established under Section 13.2 up to any maximum allowable limit established by the permit.

ANALYTE	CONCENTRATION LIMITS FOR EXCESS STRENGTH CHARGES
Biochemical Oxygen Demand (BOD ₅)	350 mg/L
Total Suspended Solids	350 mg/L
Total Ammonia, as ammonia (NH ₃) and ammonium ion (NH ₄ ⁺)	44 mg/L

- F. The Plant Superintendant may use the permit process to establish appropriate discharge limits for all other pollutants not listed under this Section 2.3. This includes pollutants subject to regulation under RCRA, volatile or semi-volatile organics, halogenated or brominated compounds, poly-aromatic hydrocarbons, polymers, surfactants, pesticide active ingredients, and other pollutants that may interfere with the POTW. Changes will be ratified by the Board.
- G. The Plant Superintendant may require Best Management Practices for any category of User that creates a non-domestic waste stream and is required to obtain a TRRWA permit. Such requirements may be applied either in lieu of or in addition to the limits of this Section 2.3. BMPs may also include alternative limits, which may be applied at the end of a specific process or treatment step, instead of at discharge point of the combined effluent.

2.4 Right of Revision

The TRRWA Board reserves the right to establish more stringent standards or requirements on discharges to the POTW.

2.5 Dilution

No User shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limit unless expressly authorized by an applicable pretreatment standard or requirement. The Plant Superintendant may impose mass loading limitations on Users where deemed appropriate to safeguard against the use of dilution to meet applicable pretreatment standards or requirements.

SECTION 3 – PRETREATMENT OF WASTEWATER

3.1 Pretreatment Facilities

Users shall provide wastewater treatment as necessary to comply with this Policy and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 2.1 of this Policy within the time limitations specified by U.S. Environmental Protection Agency, the state, the Plant Superintendent, or the Member Entity, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense, and shall be subject to state and TRRWA review and approval of the facility plans. Such plans (Engineering Report, Plans and Specifications, and Operation and Maintenance Manuals) shall be submitted as required by Chapter 173-240 WAC to the Plant Superintendent and the Member Entity, and to the Washington State Department of Ecology if applicable, for review, and Users shall obtain approval prior to construction. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a Discharge in compliance with the state discharge permit or the TRRWA Wastewater Discharge Permit as applicable.

3.2 Emergency Authority for Discharge Violations

- A. The Plant Superintendent or Member Entity may order an immediate halt of any discharge of pollutants to the POTW which reasonably appear to present an imminent danger to the health or welfare of persons. In such cases, the Plant Superintendent will provide the User advance notice of such action if possible, but shall not delay a response to imminent danger. If the User fails to halt the Discharge when so directed, the Plant Superintendent and/or the Member Entity may take any prudent action to prevent the discharge, including but not limited to physically blocking such discharge.
- B. The Plant Superintendent or Member Entity may halt or prevent any discharge to the POTW which presents or may present a danger to the environment or which threatens to Interfere with the operation of the POTW In such cases, the Plant Superintendent shall attempt to provide not only notice to the affected User(s), but the opportunity to respond. If the User fails to halt the Discharge when so directed, the Plant Superintendent and/or the Member Entity may take any prudent action to prevent the Discharge, including but not limited to physically blocking such discharge.
- C. Any User causing the Plant Superintendent and/or the Member Entity to exercise the emergency authorities provided for under this Section 3.2 shall reimburse all costs to the Plant Superintendent and/or the Member Entity for their actions related to such discharge.
- D. The Plant Superintendent and/or Member Entity may require Users to reduce or curtail certain discharges to the POTW, designate that certain wastewater

be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and take all other measures to protect the POTW and determine the User's compliance with the requirements of this Policy.

3.3 Accidental Discharge/Slug Discharge Control Plans

The Plant Superintendent, through the TRRWA permit, may require the User to develop and implement an Accidental Discharge/Slug Discharge Control Plan and take other actions the Plant Superintendent believes are necessary to control discharges which may be caused by spills or periodic non-routine activities. Accidental Discharge/Slug Discharge Control Plans shall include at least the following:

- A. A description of all discharge practices, including any non-routine batch discharges such as from cleaning, replenishment, or disposal;
- B. A description of all stored chemicals, disclosing all ingredients in formulations, which could violate a discharge prohibition if discharged to the sewer;
- C. Procedures for immediately notifying the Plant Superintendent and the Member Entity of any accidental or slug discharge, as required by Section 6.5 of this Policy; and
- D. Procedures that will be taken to prevent the occurrence or adverse impact from any accidental or slug discharge. Such procedures shall address the inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

3.4 Hauled Wastewater

- A. Hauled wastewater meeting the definition of "Septic Tank Waste" may be introduced into the POTW at designated locations, and at such times as are established by the Plant Superintendent. The hauler of such wastes shall be responsible for ensuring such wastes comply with all discharge prohibitions (Section 2 of this Policy) and other applicable requirements of the Plant Superintendent. The Plant Superintendent may require septic tank waste haulers to provide a manifest at the time of discharge identifying the customer name, address, and volume from each tank generating the waste.
- B. The Plant Superintendent shall require the hauler, and may also require the generator, of non-domestic hauled wastewater to obtain a TRRWA permit. The discharge of hauled non-domestic wastewater is subject to all relevant requirements of this Policy. The Plant Superintendent may prohibit the

disposal of any or all hauled non-domestic wastewater.

- C. Hauled wastewater may be discharged only at locations designated by the Plant Superintendent and with the prior consent of the Plant Superintendent. The Plant Superintendent may collect samples of each hauled load to ensure compliance with applicable standards, and halt the discharge at any point in order to take additional samples or hold the load pending analysis. The Plant Superintendent may require the hauler to provide a waste analysis of any load prior to discharge, to characterize the wastewater or to certify that the wastewater does not meet the definition of a “Hazardous Waste” under Chapter 173-303 WAC.
- D. Disposal of unauthorized hauled wastewater may be cause for permit revocation.
- E. Wastewater haulers must provide a waste-tracking form for every load. This form shall include at least:
 - 1. Name and address of the waste hauler;
 - 2. Hauler permits number;
 - 3. Truck and driver identification;
 - 4. Names and addresses of the sources of waste; and
 - 5. Type of wastewater generator, volume, brief description, known characteristics and presumed constituents of waste.
- F. Fees for dumping hauled wastewater shall be established by the Plant Superintendent based on the current TRRWA wastewater service charge, or a fee approved by the TRRWA if the hauled waste is significantly different in composition from any waste previously accepted.

SECTION 4 – TRRWA WASTEWATER DISCHARGE PERMIT APPLICATIONS

4.1 Industrial and Commercial User Surveys

The Plant Superintendent is obligated under federal law to identify all Users potentially subject to the pretreatment program, and the character and volume of pollutants discharged by such Users. To satisfy this requirement, all sources of non-domestic discharges to the POTW must, upon request of the Plant Superintendent or the Member Entity, complete an Industrial and Commercial User Survey form. Users shall fully disclose the information requested and sign the completed form in accordance with Section 4.6. Proper completion of the survey is a condition of initial and continued discharge to the POTW. Users failing to fully comply with survey

requirements within 30 days shall be subject to all enforcement measures authorized, up to and including termination of service. The Plant Superintendent is authorized to prepare forms for this purpose and require completion of the appropriate form to obtain the information needed to categorize each User. The Plant Superintendent is authorized to categorize each User, provide written notice of a User's categorization and what it means, and revise a User's categorization at any time based upon updated information or changing regulations.

4.2 Wastewater Discharge Permit Requirement

- A. No User categorized by the TRRWA as a SIU, PSIU or PSCU shall discharge wastewater into the POTW without first obtaining an individual TRRWA Wastewater Discharge Permit issued by the Plant Superintendent and the Member Entity. An existing User that is determined to be a SIU, PSIU or PSCU and that has filed a timely application pursuant to Section 4.3 of this Policy, may continue to discharge unless and until notified otherwise by the Plant Superintendent.
- B. The Plant Superintendent and Member Entity may require any Industrial or Commercial User to obtain TRRWA Wastewater Discharge Permits and/or implement Best Management Practices as necessary to carry out the purposes of this Policy. This includes PSIU and PSCU designations. For example, a TRRWA Wastewater Discharge Permit may be required solely for flow equalization.
- C. Any failure to complete the required survey form, apply for and obtain a required permit, or any violation of the terms and conditions of a TRRWA Wastewater Discharge permit shall be deemed violations of this Policy and subject the User to all of the penalty and enforcement actions of this Policy. Obtaining a TRRWA Wastewater Discharge Permit does not relieve a User of its obligation to comply with all federal and state pretreatment standards or requirements, or with any other requirements of federal, state, and local law.
- D. The Plant Superintendent and/or the Member Entity, based on the determination that such devices are necessary for implementation and monitoring of pretreatment requirements, may require the User to install and maintain on their property and at their expense, the following devices:
 - 1. A sample taking facility accessible to the Plant Superintendent. This includes a refrigerated automatic flowmeter control sampler.
 - 2. A suitable storage and/or flow equalization tank.
 - 3. Grease, oil, and/or grit interceptors or separators.
 - 4. An approved combustible gas detection meter.

- E. Users installing any of the above devices shall ensure they are of the type and capacity approved by the Plant Superintendent, meet applicable building and plumbing codes, and conform to any separate requirements established by the Plant Superintendent and/or the Member Entity. Users shall locate units in areas easily accessible for cleaning and inspection by the Plant Superintendent and/or the Member Entity. Users shall be responsible for all periodic inspection, cleaning, and repair of such devices, and shall perform and document such activities at intervals necessary to maintain the capacities and effectiveness of such devices.
- F. Nothing in this Policy shall supersede or waive any requirements of the Member Entity's adopted building, plumbing, or sewer codes to install, maintain, and test sewer facilities and equipment, including but not limited to interceptors, separators, clean-outs, and sampling manholes.

4.3 Wastewater Discharge Permitting: Existing Connections

Any User required to obtain a TRRWA Wastewater Discharge Permit who was discharging wastewater into the POTW prior to the effective date of Policy implementing ordinances or resolutions adopted by the Member Entities and who desires to continue such discharges shall, within sixty (60) days after notice, apply to the Member Entity for a TRRWA Wastewater Discharge Permit in accordance with Section 4.5 of this Policy. Member Entities will notify users of the need to apply for permits within twelve (12) months of adoption of this Policy. All Permit Applications will be jointly reviewed by the Plant Superintendent and the Member Entity prior to the Permit being issued.

4.4 Wastewater Discharge Permitting: New Connections

Persons wishing to discharge non-domestic wastewater must first complete either a Survey Form (if they do not expect a Permit is needed) or a Permit Application. Any User identified by the Plant Superintendent through the Survey as needing a Permit must file a Permit Application. Applications for Wastewater Discharge Permits, in accordance with Section 4.5 of this Policy, must be filed at least ninety (90) days prior to the desired date of discharge, and the Wastewater Discharge Permit obtained prior to commencing discharge. Permit Applications will be jointly reviewed by the Plant Superintendent and the Member Entity prior to the Permit being issued.

4.5 Wastewater Discharge Permit Application Contents

- A. All Users required to obtain a Wastewater Discharge Permit must apply using the form provided by the Plant Superintendent or Member Entity. Users must supply all information required on the form as part of the Permit Application unless waived by the Plant Superintendent and the Member Entity.

- B. Users must provide any other information deemed necessary by the Plant Superintendent or Member Entity to evaluate the situation and prepare a discharge permit. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision. The Plant Superintendent and Member Entity shall be held harmless for delays caused by returned applications.

4.6 Application Signatories and Certifications

- A. All survey forms, Wastewater Discharge Permit Applications, and User reports must be signed by an authorized representative of the User and contain the certification statement in Section 6.10.
- B. Users shall submit a new authorization if the designation of an authorized representative is no longer accurate. This includes when a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company. The User must submit the new authorization prior to or with any reports signed by the new authorized representative.

4.7 Wastewater Discharge Permit Decisions

After receipt of a complete TRRWA Wastewater Discharge Permit Application, the Plant Superintendent and Member Entity will determine whether or not to issue a Wastewater Discharge Permit. The Plant Superintendent or Member Entity may deny any application for a Wastewater Discharge Permit or require additional safeguards, reports, or information. For Users not meeting the criteria of Significant Industrial Users, the Plant Superintendent and Member Entity may also waive or defer a permit, or allow discharges in the interim while a permit is being prepared.

SECTION 5 – TRRWA WASTEWATER DISCHARGE PERMITS

5.1 Wastewater Discharge Permit Duration

The TRRWA and Member Entity may issue a Wastewater Discharge Permit for a period of up to five (5) years from its effective date. Each Wastewater Discharge Permit will indicate its expiration date.

5.2 Wastewater Discharge Permit Contents

Wastewater Discharge Permits will include conditions the Plant Superintendent and Member Entity deem necessary to carry out the goals of the pretreatment program (Section 1.1), federal and state regulations, and the requirements of this Policy.

- A. Wastewater Discharge Permits will contain:
1. The permit issuance date, expiration date, and effective date;
 2. A statement that the Wastewater Discharge Permit is nontransferable without prior notification to the Plant Superintendent and the Member Entity in accordance with Section 5.5 of this Policy, and provisions for furnishing the new owner or operator with a copy of the existing Wastewater Discharge Permit;
 3. Effluent limits, including Best Management Practices, based on applicable pretreatment standards.;
 4. The pollutants to be monitored and specific monitoring requirements. This includes the sampling location(s), sampling frequencies, and sample types consistent with federal, state, and local law. (See Section 2.3);
 5. Requirements to submit certain reports (as reflected in Section 6), provide various notifications, keep records, and implement Best Management Practices;
 6. The process to be used to request a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge;
 7. A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable federal, state, or local law;
 8. Requirements to control slug discharges, including to develop, update, and implement slug discharge control plans (find required content in Section 3.3) where the Plant Superintendent determines such plans are important to preventing accidental, unanticipated, or non-routine discharges;
 9. Any monitoring which has been conditionally waived but which will automatically apply any time the requirements of the conditional waiver are not met; and
 10. Reapplication requirements.
- B. Wastewater Discharge Permits may contain, but need not be limited to, the following conditions:
1. Pretreatment facilities and measures required by Section 3.1 and 4.2

of this Policy;

2. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
3. Requirements to install pretreatment technology, pollution controls, or to construct appropriate containment devices to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
4. Requirements to develop and implement waste minimization plans to reduce the amount of pollutants discharged to the POTW;
5. Requirements to pay charges or fees for discharge to the POTW, including high strength charges;
6. Requirements to install and maintain inspection and sampling facilities and equipment, including flow measurement devices;
7. Notice that compliance with the Wastewater Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards, including those which become effective during the term of the Wastewater Discharge Permit; and
8. Other conditions as deemed appropriate by the Plant Superintendent and the Member Entity to ensure compliance with this Policy, and state and federal and local laws, rules, and regulations.

5.3 Permit Appeal Process

- A. A User may petition the TRRWA Board to reconsider the terms of a Wastewater Discharge Permit within thirty (30) days of notice of its issuance.
- B. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- C. In its petition, the appealing party must indicate the Wastewater Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Wastewater Discharge Permit.
- D. The effectiveness of the Wastewater Discharge Permit shall not be stayed pending the appeal.
- E. If the TRRWA Board fails to act within sixty (60) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a Wastewater Discharge Permit, not to issue a Wastewater Discharge Permit,

or not to modify a Wastewater Discharge Permit shall be considered final administrative actions for purposes of judicial review.

- F. Aggrieved parties seeking judicial review of the final administrative Wastewater Discharge Permit decision must do so by filing a complaint with the Superior Court of Cowlitz County within sixty (60) days of the final administrative action.

5.4 Wastewater Discharge Permit Modification

The Plant Superintendent and Member Entity may modify a Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

- A. To incorporate any new or revised federal, state, or local pretreatment standards or requirements including new or revised local limits;
- B. To address new or changed operations, processes, production rates, waste streams, or changes in water volume or character;
- C. To reflect conditions at the POTW requiring an authorized discharge to be reduced or curtailed. Such requirements may be either temporary or permanent;
- D. Based on information indicating that a permitted discharge poses a threat to the POTW, the receiving waters, or will violate a prohibition of this Policy;
- E. To address erroneous or incomplete information contained in the Wastewater Discharge Permit Application or in any required report.
- F. To address misrepresentations or failure to fully disclose all relevant facts in the Wastewater Discharge Permit Application or in any required report;
- G. To incorporate revisions based on a variance from Categorical Pretreatment Standards approved pursuant to 40 CFR Part 403.13;
- H. To correct typographical or other errors in the Wastewater Discharge Permit;
- I. To reflect a transfer of the facility ownership or operation to a new owner or operator as required under Section 5.5.

5.5 Wastewater Discharge Permit Transfer

Wastewater Discharge Permits may be transferred to a new owner or operator contingent upon the permitted User providing at least thirty (30) days advance written notice to the Plant Superintendent and Member Entity. The notice to the Plant Superintendent and Member Entity must include a written certification by the new owner or operator that:

- A. States the new owner and/or operator have no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing Wastewater Discharge Permit.

5.6 Wastewater Discharge Permit Revocation with Notice

The Plant Superintendent and/or Member Entity may revoke a Wastewater Discharge Permit for cause, including, but not limited to, when a User has:

- A. Failed to notify the Plant Superintendent of significant changes to the wastewater prior to the changed Discharge;
- B. Failed to provide prior notification to the Plant Superintendent of changed conditions pursuant to Section 6.2 of this Policy;
- C. Misrepresented or failed to fully disclose all relevant facts in the Wastewater Discharge Permit Application;
- D. Falsified self-monitoring reports or tampered with monitoring equipment;
- E. Refused to allow the Plant Superintendent or Member Entity timely access to the facility premises and records;
- F. Failed to meet effluent limitations or permit conditions;
- G. Failed to pay applicable fines or sewer charges;
- H. Failed to meet compliance schedule deadline dates;
- I. Failed to complete a Wastewater Survey or Wastewater Discharge Permit Application;
- J. Failed to provide advance notice of the transfer of business ownership;
- K. Violated any pretreatment standard or requirement, or any terms of the Wastewater Discharge Permit or this Policy;
- L. Ceased operations; or
- M. Transferred business ownership without proper notification to the Plant Superintendent and Member Entity.

Revocation of a Wastewater Discharge Permit, as provided in this section, may be effected only after the permit holder has been given a written Notice of Intent to Revoke at least 30 days in advance of such revocation, and the permit holder has failed to correct the reason for revocation prior to the date of intended revocation. A Notice of Intent to Revoke shall state the reason for such revocation, shall state the date of intended revocation, and shall be delivered to the Authorized or Duly Authorized Representative of the User.

5.7 Wastewater Discharge Permit Reissuance

A User with an expiring Wastewater Discharge Permit shall apply for Wastewater Discharge Permit reissuance by submitting a complete permit application, in accordance with Section 4.5 of this Policy, a minimum of ninety (90) days prior to the expiration of the User's existing Wastewater Discharge Permit.

SECTION 6 – REPORTING REQUIREMENTS

6.1 Compliance Schedule Progress Reports

The following conditions shall apply to compliance schedules incorporated into permits:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The User shall submit a progress report to the Plant Superintendent no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule.

6.2 Reports of Changed Conditions

Each User must notify the Plant Superintendent and Member Entity of any significant changes to the User's operations or system, which might alter the nature, quality, or volume of its wastewater.

This notification must be made at least thirty (30) days before the desired change and be sent to both the Plant Superintendent and the Member Entity. In such cases:

- A. The Plant Superintendent may require the User to submit whatever information is needed to evaluate the changed condition. The Plant Superintendent may also require a new or revised Wastewater Discharge Permit Application under Section 5.4 of this Policy.
- B. The Plant Superintendent and the Member Entity may issue, reissue, or modify a Wastewater Discharge Permit applying the procedures of Chapter 5 of this Policy in response to a User's notice under this Section.

6.3 Reports of Potential Problems

- A. Any User which has any unusual discharge that could cause problems to the POTW must immediately notify the TRRWP, Plant Superintendent, and Member Entity by telephone of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User to control and curtail the discharge. Such discharges may include spills, slug loads, accidental discharges, or other discharges of a non-routine, episodic nature. Problems to the POTW which require reporting under this Section include violating pretreatment prohibitions, treatment standards, or other requirements of Section 2 of this Policy such as vapor toxicity and explosivity limits.
- B. Within five (5) days following such discharge, the User shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability, which may be incurred as a result of damage to the POTW, the environment, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability, which may be imposed pursuant to this Policy.
- C. Regardless of whether the User has been required to submit a Slug Discharge Control Plan (per Section 3.3), all Users shall post notice in a prominent location advising employees of the names and telephone numbers to call to comply with the notification requirements of a potential problem discharge. Users shall ensure that all employees who may cause or witness such a discharge are advised of the emergency notification procedures.
- D. All Users must immediately notify the Plant Superintendent and the Member Entity of any changes at their facility which might increase their potential for a slug discharge. This includes increasing the volume of materials stored or located on site, which if discharged to the POTW, would cause problems. Users required to prepare a Slug Discharge Control Plan under Section 3.3 shall also modify their plans to include the new conditions prior to or immediately after making such changes.

6.4 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a User indicates a violation, the User must notify the Plant Superintendent and Member Entity within twenty-four (24) hours of becoming aware of the violation. The User shall repeat the sampling and analysis and submit the results of the original and repeat analysis to the Plant Superintendent and Member Entity within thirty (30) days after becoming aware of the violation. The Plant Superintendent may waive the repeat sampling requirement where the POTW has sampled the effluent for the pollutant in question prior to the User obtaining sampling results.

6.5 Notification of Discharge of Hazardous Waste

- A. Any User who discharges any substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261, or Chapter 173-303 WAC, must also comply with the following requirements:
1. Notify the Plant Superintendent, the Member Entity, the USEPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of the discharge. Maintain a copy of this notification and include it in all subsequent permit applications or re-applications under this Chapter.
 2. Include the following information in the notification:
 - a. The name of the hazardous waste as found in 40 CFR Part 261;
 - b. The USEPA hazardous waste number; and
 - c. The type of discharge (continuous, batch, or other).
 3. If the discharge totals more than two hundred and twenty (220) pounds in any month, also provide:
 - a. The hazardous constituents contained in the wastes,
 - b. An estimate of the mass loading and concentration of hazardous constituents in the wastestream discharged during that calendar month, and
 - c. An estimate of the mass loading of constituents in the wastestream expected to be discharged during the following twelve (12) months.
 4. This notice shall be repeated for new or increased discharges of substances subject to this reporting requirement.

5. All notifications must take place prior to discharging a substance for which these reporting requirements apply. If this is not possible, the notice must be provided as soon after discharge as practical and describe why prior notice was not possible.
 6. This requirement does not relieve the User from requirements to provide other notifications, such as of changed conditions under Section 6.5 of this Policy, or required by applicable permit conditions, permit applications, and prohibitions.
 7. The notification requirements in this Section do not apply to pollutants for which routine monitoring and reporting is required by a valid permit issued under this Policy.
- B. Users must report all discharges of more than thirty-three (33) pounds per month of substances which, if otherwise disposed of, would be hazardous wastes. Users must also report any discharge of acutely hazardous wastes as specified in 40 CFR Parts 261.30(d) and 261.33(e). Subsequent months during which the User discharges hazardous waste for which notice has already been provided do not require another notification to USEPA or the State, but must be reported to the Plant Superintendent and Member Entity.
- C. If new regulations under RCRA describe additional hazardous characteristics or substances as a hazardous waste, the User must provide notifications under paragraph A, if required by paragraph B, within ninety (90) days of the effective date of such regulations.
- D. For any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated and shall describe that program and reductions obtained through its implementation.
- E. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Policy, a permit issued hereunder, or any applicable federal or state law.

6.6 Analytical Requirements

All pollutant sampling and analyses required under this Policy shall conform to the most current version of 40 CFR Part 136, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for a pollutant, or the Plant Superintendent determines that the Part 136 sampling and analytical techniques are inconsistent with the goal of the sampling, the Plant Superintendent may specify an analytical method. If neither case applies, Users shall use validated analytical methods or applicable sampling and analytical procedures approved by USEPA.

6.7 Sample Collection

Users must ensure all samples they collect to satisfy sampling requirements under this Policy are representative of the range of conditions occurring during the reporting period. Users must also ensure that, when specified, samples are collected during the specific period.

- A. Users must use properly cleaned sample containers appropriate for the sample analysis and sample collection and preservation protocols specified in 40 CFR Part 136 and appropriate USEPA guidance.
- B. Users must obtain samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds using grab collection techniques.
- C. For certain pollutants, Users may composite multiple grab samples taken over a 24-hour period. Users may composite grab samples for cyanide, total phenols, and sulfides either in the laboratory or in the field, and may composite grab samples for volatile organics, and oil & grease in the laboratory prior to analysis.
- D. For all other pollutants, Users must employ 24-hour flow-proportional composite samplers unless the Plant Superintendent authorizes or requires an alternative sample collection method.
- E. The Plant Superintendent may authorize composite samples for parameters unaffected by the compositing procedures, as appropriate.
- F. The Plant Superintendent may require grab samples either in lieu of or in addition to composite sampling to show compliance with instantaneous discharge limits.
- G. In all cases, Users must take care to ensure the samples are representative of their wastewater discharges.

6.8 Date of Receipt of Reports

The Plant Superintendent will credit written reports as having been submitted on the date of the postmark or shipping date when sent via the United States Postal Service or private delivery company utilizing package tracking technology. Reports delivered in any other manner will be credited as having been submitted on the business day received.

6.9 Record Keeping

Users subject to reporting requirements of this Policy shall retain records for all monitoring required by this Policy and for any additional monitoring which could be

used to satisfy minimum monitoring requirements. Users must make these records available for inspection and copying at the location of the discharge. Users must similarly maintain documentation associated with any Best Management Practices required under authority of Section 2.3.G. Monitoring records shall include at least:

- A. The time, date, and place of sampling;
- B. The sampling and preservation methods used;
- C. The person taking the sample, and persons with control of the sample prior to analysis;
- D. The person performing the analyses and the date the analysis was completed;
- E. The analytical techniques or methods used; and
- F. The results of analysis.

Users are encouraged to retain quality control and quality assurance information provided by the laboratory and submit this information in routine reporting. This information also has value in the event that the sample data is called into question. For analytes for which Washington State requires use of a certified/accredited laboratory, Users shall maintain records demonstrating the laboratories utilized for performance of analyses have the proper accreditation to perform such analyses.

Users shall maintain the above records for a minimum of three (3) years following reporting the analyses, and thereafter until any litigation concerning the User, the Plant Superintendent, the TRRWA, or the Member Entity is completed, or for a specified period of longer duration when the User has been specifically notified of a longer retention period by the Plant Superintendent or Member Entity.

6.10 Certification Statements

The following certification statement must be signed by an authorized representative as defined by Section 1.4.C. and included when submitting a permit or renewal application in accordance with Section 4.6;

“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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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.”

SECTION 7 – RIGHT OF ENTRY: COMMERCIAL OR INDUSTRIAL USER INSPECTION AND SAMPLING

As a condition of issuance of a Wastewater Discharge Permit, the permittee shall grant the Plant Superintendent and/or its Designee and/or Member Entity the right to enter the premises of any permitted Commercial or Industrial User to determine whether the User is complying with all requirements of this Policy and any Wastewater Discharge Permit or order issued hereunder. Commercial or Industrial Users shall allow the Plant Superintendent and/or Designee and Member Entity ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties, as a condition of retaining its Wastewater Discharge permit.

- A. Where a Commercial or Industrial User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security personnel so that, upon presentation of suitable identification, the Plant Superintendent and/or Designee and Member Entity will be permitted to enter without delay for the purposes of performing their specific responsibilities under this Policy.
- B. The Plant Superintendent and/or Designee and Member Entity shall have the right to set-up on the Commercial or Industrial User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. Commercial or Industrial Users shall provide full access to the Plant Superintendent and/or Designee and Member Entity to use any monitoring facilities and utilities available or required in accordance with Section 3.1 and Section 4.2.D. and Section 4.2.F. to confirm that the standards or treatment required for discharge to the POTW are being met.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the Commercial or Industrial User at the written or verbal request of the Plant Superintendent and shall not be replaced. The costs of clearing such access shall be borne by the User.
- E. Any unreasonable delay in allowing the Plant Superintendent and/or Designee and Member Entity full access to the Commercial or Industrial User's premises and wastewater operations shall be a violation of this Policy.

SECTION 8 – CONFIDENTIAL INFORMATION

Generally, information submitted to demonstrate compliance with pretreatment standards and requirements is subject to public review. To the extent such is consistent with state and federal laws, Users may have certain information treated as confidential if the following process is followed.

- A. When a User submits information to the Plant Superintendent or Member Entity, or provides information to inspectors, Users may request that specific information be maintained as confidential. Users must promptly identify the specific information in writing, and describe why public release would divulge information, processes, or methods of production entitled to protection as trade secrets or confidential business information under applicable state or federal laws.
- B. The TRRWA will withhold disclosure of confidential information for a reasonable period of time, during which time any User wanting non-disclosure will be notified and thereby have the opportunity to seek a court order relative to non-disclosure. Any damages, expenses, or costs incurred by the TRRWA in denying or resisting the disclosure of information declared to be confidential by the User shall be borne and paid by such User.
- C. Dependent on the agency receiving the request, the Plant Superintendent and/or Member Entity shall review and approve or deny such requests. When approved, the information shall not be publicized unless required by state or federal law.
- D. All other User information submitted to or obtained by the Plant Superintendent and/or Member Entity shall be available to the public subject to the TRRWA or Member Entity records review policy.
- E. Information held as confidential may not be withheld from governmental agencies for uses related to the NPDES program or pretreatment program, or in enforcement proceedings involving the person furnishing the report.
- F. Federal rules prevent wastewater constituents and characteristics and other effluent data, as defined by 40 CFR Part 2.302 from being recognized as confidential information.

SECTION 9 – ADMINISTRATIVE ENFORCEMENT

9.1 Notification of Violation

The Plant Superintendent or Member Entity may serve a written Notice of Violation on any User that has violated any provision of this Policy. In all cases, each day of continued violation of a provision of this Policy is a separate violation. Users shall, in

response to a Notice of Violation, provide the Plant Superintendent a written explanation of the violation, its cause, and a corrective action plan within thirty (30) days of receiving this notice. Users submitting plans to correct noncompliance must include the specific actions they will take to correct ongoing and prevent future violations at the earliest practicable date. Acceptance of a plan by the Plant Superintendent and/or Member Entity does not relieve a User of liability for any violations. The Plant Superintendent and/or Member Entity may also take emergency actions or other enforcement actions as deemed necessary to protect the POTW, the environment, or the health and welfare of the general public, without first issuing a Notice of Violation. Exercise of one or more enforcement options by the TRRWA or a Member Entity shall not be a bar to, or a prerequisite for, taking any other action against the User.

9.2 Compliance Agreement

The Plant Superintendent and Member Entity may enter into a Compliance Agreement or other voluntary agreement to memorialize agreements with Users to correct violations of any requirement of this Policy. Such agreements must include the specific action(s) required and date(s) they are to be completed to correct the noncompliance. Such documents must be constructed in a judicially enforceable manner, and have the same force and effect as administrative orders issued pursuant to Sections 9.4 and 9.5 of this Policy.

9.3 Review Hearing by the TRRWA Board

The Plant Superintendent may propose enforcement actions in response to a violation of any provision of this Policy. The Plant Superintendent will notify the User of the violation, the enforcement action, the rationale, and the Users rights to provide evidence why the proposed enforcement action should not be taken, and to provide its support for any alternative it proposes. A User shall have the right to a review hearing to contest the enforcement action.

Any hearing pursuant to this Section must be requested by the User in writing within fifteen (15) business days after the User receives notice of the enforcement action. The User's written request for hearing shall be filed with the Plant Superintendent.

The hearing authorized by this Section shall be held before the Three Rivers Regional Wastewater Authority. Formal rules of evidence shall not apply, but the User, Plant Superintendent, and Member Entity shall have the right to present witnesses and other evidence. The Member Entity to which the User Discharges will not serve or vote on the Board for purposes of this hearing. The TRRWA shall issue a written decision within fourteen (14) business days of the conclusion of the hearing.

Any User shall have the right to make an electronic or stenographic record of the proceedings. Such record shall be made at the User's expense.

The TRRWA may by Resolution or Policy adopt additional rules for the conduct of hearings pursuant to this Section.

A review hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

9.4 Compliance Orders

The TRRWA, after consulting with the Plant Superintendent and Member Entity, may issue a Compliance Order to any User that has violated any provision of this Policy. The Compliance Order may direct that the User come into compliance within a specified time, install and properly operate adequate treatment facilities or devices, or take such other measures as the TRRWA and Member Entity find necessary.

These measures may include additional self-monitoring and Best Management Practices designed to minimize the amount of pollutants discharged to the sewer. A Compliance Order may not extend the deadline for compliance established for a pretreatment standard or requirement, or relieve a User of liability for any violation, including a continuing violation. If the User does not come into compliance within the time provided, sewer service may be discontinued. Issuance of a Compliance Order shall not be a bar against, or a prerequisite for, taking any other action against the User.

9.5 Cease and Desist Orders

When TRRWA and/or Member Entity find that a User has violated, or continues to violate, any provision of this Policy, a Wastewater Discharge Permit or Order issued hereunder, or any other pretreatment standard or requirement, or that the User's past violations are likely to recur, the TRRWA may, after consultation with the Plant Superintendent and Member Entity, issue an Order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a Cease and Desist Order shall not be a bar against, or a prerequisite for, taking any other action against the User.

9.6 Administrative Fines

- A. When the TRRWA and Member Entity find that a User has violated, or continues to violate, any provision of this Policy, a Wastewater Discharge Permit or Order issued hereunder, or any other pretreatment standard or requirement, the TRRWA may, after consultation with the Plant Superintendent and Member Entity, recommend fines against such User.

- B. Any violation of this Policy which has caused the TRRWA to violate its NPDES Permit may result in the Washington State Department of Ecology levying a fine against the TRRWA. In that event, the TRRWA may fine any User whose discharge has been identified for causing the permit violation an amount equal to the Washington State Department of Ecology fine imposed upon the TRRWA. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- C. The TRRWA and Member Entity may add the costs of any emergency response, additional monitoring, investigation, and administrative costs related to investigating and/or enforcing the noncompliance situation, to the amount of the fine.
- D. The TRRWA and Member Entity will consider the benefit gained by a User as a result of the noncompliance in cases where there appears to have been a benefit from not complying. In such cases, the TRRWA and Member Entity shall ensure that fines, to the maximum amounts allowable, exceed the benefit to the User from the noncompliance.
- E. Unpaid charges, fines, and penalties shall, at thirty (30) calendar days past the due date, be assessed an additional penalty of one percent (1%) of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month, or at the rate allowed by law if different from the foregoing. After thirty (30) days, the TRRWA and Member Entity shall be authorized to pursue permit revocation or suspension of service for unpaid charges, fines, and penalties.
- F. Users desiring to dispute such fines must file a written request with the TRRWA to reconsider the fine within fifteen (15) working days of being notified of the fine. The TRRWA shall convene a hearing on the matter pursuant to Section 9.3 of this Policy. In the event the User's appeal is successful, the TRRWA and Member Entity shall reduce or eliminate the fine as determined appropriate by the TRRWA.
- G. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

9.7 Emergency Suspensions

The TRRWA and/or Member Entity may order an immediate suspension of a User's discharge (or threatened discharge) when it reasonably appears to present a substantial danger to the health or welfare of persons, threatens to interfere with the operation of the POTW, or which may present a danger to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its discharge. If a User fails to immediately comply voluntarily with the suspension order, the TRRWA and/or Member Entity may take such steps as deemed necessary to protect the public and its interest in the POTW. Remedies available include immediately severing the sewer connection, at the User's expense, turning off pump stations downstream of the User, and partnering with law enforcement. The TRRWA and/or Member Entity may not allow the User to resume its discharge until the User has demonstrated to the satisfaction of the TRRWA and Member Entity that the situation warranting the suspension has been properly addressed.
- B. A User that is responsible, in whole or in part, for any discharge presenting imminent danger shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence. Users shall submit this report to the TRRWA and Member Entity prior to the date of any show cause or termination hearing under Sections 9.3 and 9.8 of this Policy.

Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.

9.8 Termination of Discharge

Any User who violates the following conditions is subject to having the privilege of discharging to the public sewer system withdrawn, including, but not limited to, blocking or severing the sewer discharge:

- A. Discharge of non-domestic wastewater without a Permit, when a Permit is required, including:
 - 1. Where the appropriate Permit has not been requested;
 - 2. Where the appropriate Permit has not yet been issued; or
 - 3. Where the Permit has been denied or revoked based on the provisions of Section 5.6 (Permit Revocation) of this Policy.
- B. Violation of Permit terms and conditions.
- C. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling (whether subject to a Permit or not).
- D. Violation of the pretreatment standards and requirements in Section 2 of this Policy, including failure to satisfy Industrial User Survey requirements.

SECTION 10 – JUDICIAL ENFORCEMENT: Injunctive Relief

The TRRWA and/or Member Entity may seek injunctive relief when a User has violated, or continues to violate a provision of this Policy. In such cases, the TRRWA and/or Member Entity may petition the Superior Court of Cowlitz County for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Wastewater Discharge Permit, Order, or other requirement imposed by this Policy on activities of the User. The TRRWA and/or Member Entity may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

SECTION 11 – SUPPLEMENTAL CONDITIONS

11.1 Performance Bonds

The Plant Superintendent and/or Member Entity may require a satisfactory Performance Bond in an amount deemed necessary to assure the User will achieve consistent compliance with this Policy.

Such Bond may be required as an enforcement response or as a prerequisite to issue or reissue a Wastewater Discharge Permit. This Bond may also be required of any category of User that has led to interference with the POTW in the past, regardless of the compliance history of the particular User. This Bond may be used to pay any fees, costs, or penalties assessed to the User whenever the Users account is in arrears for over thirty (30) days. This includes the costs of cleanup of the site if the User goes out of business, sells the business to a person that does not first assume the Bond, or goes bankrupt. Users may petition to convert their Performance Bond to a requirement to provide Liability Insurance or to forego any such safeguard based on their performance. User may petition no more frequently than once in any twelve (12) month period.

11.2 Payment of Outstanding Fees and Penalties

The TRRWA and/or Member Entity may decline to issue or reissue a Wastewater Discharge Permit to any User who has failed to pay any outstanding fees, fines, or penalties incurred as a result of any provision of this Policy, a previous permit or order issued hereunder.

11.3 Public Nuisances

A violation of any provision of this Policy or a Permit or order issued hereunder, or any other pretreatment standard or requirement, is hereby declared a public nuisance and shall be corrected or abated as directed by the Member Entity.

SECTION 12 – BYPASS

- A. For the purposes of this Section:
1. Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility.
 2. 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 or damage to the environment, which can reasonably be expected not to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- B. A User may allow a bypass to occur if it does not cause pretreatment standards or requirements to be violated and is for essential maintenance to assure efficient operation.
- C. Any other bypass must meet the following requirements:
1. Users knowing in advance of the need for a bypass must submit prior notice to the Plant Superintendent and Member Entity, at least ten (10) days before the bypass wherever possible; and
 2. Users must tell the Plant Superintendent and Member Entity of any unanticipated bypass that exceeds applicable pretreatment standards within twenty-four (24) hours of becoming aware of the bypass. Users must provide a written follow-up report within five (5) days. The Plant Superintendent and Member Entity may waive the written report if the oral report was timely and complete. Unless waived, the written report must contain:
 - a. A description of the bypass (volume, pollutants, etc.);
 - b. What caused the bypass;
 - c. When, specifically, the bypass started and ended;
 - d. When the bypass is expected to stop (if ongoing); and
 - e. What steps the User has taken or plans to take to reduce, eliminate, and prevent the bypass from reoccurring.
- D. Bypass is prohibited unless:
1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass, which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The User submitted notices as required under Section 12.C.
- E. The Plant Superintendent and Member Entity may approve an anticipated bypass, after considering its adverse effects, if the Plant Superintendent and Member Entity determine that it will meet the three (3) conditions listed in Section 12.D.

SECTION 13 – WASTEWATER TREATMENT SURCHARGES AND PERMIT FEES

13.1 Excess Strength Charges

High Strength Waste:

Wastewater originating from industrial or commercial business activities that, when discharged to the collection system, has a concentration of total suspended solids (TSS) and/or biochemical oxygen demand (BOD) in excess of 350 mg/l.

High Strength Waste Fee:

A surcharge for TSS and/or BOD discharged at concentrations above 350 mg/l High Strength Waste Fees shall be collected pursuant to a resolution adopted by the Three Rivers Wastewater Authority Board. and remitted to the TRRWA prior to the end of the calendar month following collection.

Sampling:

Grab sampling will normally be used for sampling intermittent discharges that are consistent in waste strength, and when samples are to be tested for components or characteristics that are subject to significant and unavoidable change during storage (i.e., dissolved gasses, pH, temperature, etc.)

Composite sampling will normally be used for sampling continuous discharges and for sampling variable strength wastewater. Composite samples will normally be collected over a 24 hour period, however, when industrial or commercial discharges occur for less than 24 hrs/day, composite samples will be taken for the duration of the waste discharge.

Sampling frequency will depend upon the nature and source of the waste discharged and its potential to adversely impact treatment plant operations and efficiencies. For discharges having a significant potential for disrupting plant operations, daily sampling may be appropriate. For discharges with a minimal potential for disrupting plant operations, less frequent sampling (i.e., weekly) may be appropriate.

13.2 Wastewater Discharge Permit Fees

Annual Wastewater Discharge Permit Fees shall be levied on each Significant Industrial User (SIU) each Potentially Significant Industrial User (PSIU), each Potential Significant Commercial User (PSCU), each Industrial User (IU), and each Commercial User subject to a TRRWA Wastewater Discharge Permit. Each permitted User will be evaluated by the Plant Superintendent and the Member Entity where the User discharges and subsequently placed in the appropriate category. Pretreatment Permit Fees are established by a Resolution of the TRRWA Board.

The TRRWA and Member Entities may adopt additional fees to recover the costs of implementing this Policy and operating the TRRWA's and Member Entities' Pretreatment Programs, which may include:

- A. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports submitted by Users;
- B. Fees for reviewing and responding to accidental discharge procedures and construction;
- C. Fees for filing appeals;
- D. Fees to recover administrative and legal costs associated with enforcement activity taken to address User noncompliance; and
- E. Other fees as necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Policy and are separate from all other fees, fines, and penalties imposed by the TRRWA or Member Entities.

SECTION 14 – MISCELLANEOUS PROVISIONS

14.1 Severability

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

14.2 Conflict

All other previously issued Policies and parts of other Policies inconsistent or conflicting with any part of this Policy are hereby repealed to the extent of such inconsistency or conflict.

SECTION 15 – EFFECTIVE DATE

This Policy shall be in full force on June 27, 2012.

ADOPTED THIS _____ DAY OF MAY, 2012.

THREE RIVERS REGIONAL WASTEWATER AUTHORITY:

Chairperson, Beacon Hill Water & Sewer District

Board Member, City of Longview

Board Member, City of Kelso

Board Member, Cowlitz County

Approved as to form this ____ day of May, 2012.

Attorney for TRRWA

ATTEST:

Administrative Assistant

Three Rivers Regional Wastewater Authority Pretreatment Program

Commercial and Industrial Wastewater Discharge
Permit Application

New Renewal

Commercial and Industrial Wastewater Discharge Permits are issued jointly by the Owner of the Collection System and the Three Rivers Regional Wastewater Authority. All questions must be answered. **PLEASE DO NOT LEAVE ANY SECTION BLANK.** If a question is not applicable, indicate "N/A" or Not Applicable" on the form. Mail this completed application to:

Three Rivers Regional Wastewater Authority
Attn: Plant Superintendent
207 Fourth Avenue N.
Kelso, WA 98626

1. Establishment Information

Establishment Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Telephone #: _____ Contact: _____

2. Corporate/Billing Information

Corporate/Billing Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Telephone #: _____ Contact: _____

Type of Business (Check all that apply)

<input type="checkbox"/> Chemical Manufacturer	Product: _____
<input type="checkbox"/> Manufacturer	Product: _____
<input type="checkbox"/> Metals Coater/Finisher	Metals Used: _____
<input type="checkbox"/> Metals Fabricator	Product: _____
<input type="checkbox"/> Food Manufacturer	Type of food manufactured: _____
<input type="checkbox"/> Food Packager	Type of food packaged: _____
<input type="checkbox"/> Food Processor	Type of food processed: _____
<input type="checkbox"/> Restaurant – Full Service	# meals prepared/day: _____
<input type="checkbox"/> Restaurant – Fast Food	# meals prepared/day: _____
<input type="checkbox"/> Caterer	# meals prepared/day: _____
<input type="checkbox"/> Grocery Store	_____
<input type="checkbox"/> Bakery	_____
<input type="checkbox"/> Lounge/Restaurant/ Delicatessen	# seats: _____
<input type="checkbox"/> Hospital	# beds: _____
<input type="checkbox"/> Retirement/Nursing Home	# beds: _____
<input type="checkbox"/> Church	_____
<input type="checkbox"/> School	# meals prepared/day: _____
<input type="checkbox"/> Laundromat/Dry Cleaner	# washing machines: _____
<input type="checkbox"/> Automotive Service	# service bays: _____
<input type="checkbox"/> Commercial Vehicle Wash	# bays: _____
<input type="checkbox"/> Other	_____

4. Operational Information

Water Usage in units on utility bill (provide unit description, estimate if not known) : _____

Hours per Day of Operation: _____

Are floor drains currently installed in your establishment or will they be installed?

Yes No

5. Pretreatment Devices

Type of Pretreatment Device (Circle all that apply)

In-ground Interceptor	Under sink Interceptor	Lint Trap
Oil/Water Separator	Grease trap	Other (Describe): _____

Device size / capacity: _____

Device location: _____

Device serviced by: _____

Three Rivers Regional Wastewater Authority

Wastewater Discharge Survey

Business Name:		
Facility Address:		
Mailing Address:		
	<i>(if different)</i>	
Name of Contact:		
Title:		
E-mail:		
Phone:		Fax:

<i>For Office</i>	<i>Use Only:</i>
Eng No.:	_____
Possible Classified?	Y N
WRP Staff:	_____
Date IP App	_____
IP Staff Assign	_____
	sent: _____
	due: _____
	signed: _____
Comments:	

Nature of business:	<i>(Briefly describe your business AND any activities that produce wastewater.)</i>

Please answer each of the following questions:

1.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Is this business or facility connected to the city's sanitary sewers? <i>(Are there toilets, sinks or drains in the facility connected to city sewer system?)</i>			
2.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does this business or facility discharge ANYTHING OTHER THAN domestic - toilet and sink - wastewater to city sanitary sewers? <i>(Will process industrial or commercial wastewater be sent to floor drains, batch or process drains, and then discharged to the city sanitary sewers?)</i> <i>If yes, please check one of the following estimates (Show below in gallons per day.)</i>			
			Estimated process wastewater discharge from units on Utility Bill, provide description of the units on the bill: _____			
3.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does this business have shop or facility floor drains, other than those in restrooms?			
4.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does this business store chemicals or petroleum products in containers of more than 5 gallons? <i>If yes, provide MSDS information below on materials stored (Attach and use extra page if needed.)</i>			
	Chemical or Active Ingredient	Brand Name	Purpose	Container Size, gallons	Estimated Amounts On Site Avg. gallons Max. gallons	
5.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Does this facility perform on-site vehicle maintenance or vehicle/equipment washing?			

Please fax the completed signed form to (360) 577-2041 or mail to Three Rivers Regional Wastewater Authority, Attn: Pretreatment, 207 Fourth Avenue N., Kelso WA 98626. If you have questions or need help completing this form, contact the Three Rivers Regional Wastewater Plant Superintendent at 360-577-2040.

CERTIFICATION STATEMENT:

I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Signature

Date

Printed Name

Title

RESOLUTION NO. 12-134

A Resolution of the THREE RIVERS REGIONAL WASTEWATER AUTHORITY amending section 1 of resolution 99-78 relating to and increasing the threshold for Surcharges for High Strength Waste, and providing for payment thereof by each of its members.

WHEREAS, the Interlocal Agreement among the City of Kelso, the City of Longview, Beacon Hill Water and Sewer District, and Cowlitz County for Wastewater Treatment and Disposal provides, in section 5 B that the TRRWA shall establish a Surcharge for High Strength Waste; and

WHEREAS, the TRRWA updated such charges in Resolution 99-78, and since that time determined that capacity exists to allow an increase to the base loading to the facility; and

WHEREAS, such a change may promote industrial growth in the TRRWA Service Area;

NOW, THEREFORE, BE IT RESOLVED by the THREE RIVERS REGIONAL WASTEWATER AUTHORITY BOARD as follows:

Section 1. That Section 1 of Resolution 99-78 of the THREE RIVERS REGIONAL WASTEWATER AUTHORITY BOARD shall be and is hereby amended to read as follows:

Treatment of “High Strength Waste” - Surcharge

In the event that “high strength waste” is accepted for treatment by the Facilities of the TRRWA, a surcharge shall be imposed and paid to the TRRWA in addition to any other charges for sewage for sewage treatment, as follows:

BOD:	\$0.40 per pound
TSS:	\$0.55 per pound

Such surcharge shall be assessed to “high strength waste”, which is hereby defined to be waste that is in excess of a baseline concentration of 350 mg/l for TSS and/or BOD

Such surcharge shall be calculated as follows:

BOD: (concentration [mg/l] – 350 mg/l) x 8.34 x flow (mgd) x \$0.40

TSS: (concentration [mg/l] – 350 mg/l) x 8.34 x flow (mgd) x \$0.55

Section 2. That this Resolution 12-134 shall be effective from and after the ____day of _____, 2012.

Adopted by the Three Rivers Regional Wastewater Authority Board this __day of _____, 2012.

Chairman

ATTEST:

Administrative Assistant

APPROVED AS TO FORM:

Attorney for TRRWA

12-135 RESOLUTION NO. 12-135

A Resolution of the THREE RIVERS REGIONAL WASTEWATER AUTHORITY establishing fees for Pretreatment Permits , and providing for payment thereof by each of its member entities.

WHEREAS, the Three Rivers Regional Wastewater has adopted the THREE RIVERS REGIONAL WASTEWATER AUTHORITY DISCHARGE AND INDUSTRIAL PRETREATMENT POLICY (policy), and each member entity has adopted said policy within its respective jurisdiction; and

WHEREAS, said policy provides for the issuance of Wastewater Discharge permits to users of the sanitary sewer system who are classified as SIU, PSUI or PCSU users; and

WHEREAS, the purpose of this Resolution of the TRRWA board is to establish fees to be charged for the issuance of such Wastewater Discharges permits, to be charged and collected by the issuing member entity and remitted to the TRRWA; and

WHEREAS, such permits are to be issued on a five-year cycle, jointly by the TRRWA and the permit issuing entity, and valid for a period of five years;

NOW, THEREFORE, BE IT RESOLVED by the THREE RIVERS REGIONAL WASTEWATER AUTHORITY BOARD as follows:

ANNUAL PERMIT FEES - 2012 BASE YEAR

PERMIT CATEGORY	FEE
Commercial User	\$225
Industrial User	\$225
Potentially Significant Commercial User	\$340
Potentially Significant Industrial User	\$340
Significant Commercial User	\$450
Significant Industrial User	\$450

Permit fees shall be adjusted each calendar year for inflation by the cost of living (COLA) increases for employee salaries as granted by the TRRWA Board. Discharge Permit Fees shall

be collected by the City of Kelso, City of Longview, Beacon Hill Water & Sewer District, or Cowlitz County, and remitted to the TRRWA Fund prior to the end of the calendar month following collection.

Adopted by the Three Rivers Regional Wastewater Authority Board this _____day of _____, 2012.

Chairman

ATTEST:

Administrative Assistant

APPROVED AS TO FORM:

Attorney for TRRWA