

APPENDIX A

SUMMARY OF COLLECTION SYSTEM DEFECTS

Defect Rehabilitations

City of Lebanon, Oregon
Sanitary Sewer Smoke Testing

US Manhole	DS Manhole	Obs#	Add	Street Name	Type	Source	Smoke Quantity	Status	Flow (gpm)	Rehabilitation	Cost Estimate	Rehab Cost/gpm
306	304-A	1	660	F	ST	Cleanout	Heavy	Public	97	Repair/replace cleanout	\$110	\$1
C/O 306-A	MAINLINE 306/304	1		F	ST	Cleanout	Heavy	Public	97	Repair/replace cleanout (pavement)	\$350	\$4
598N	597N	1	309	DODGE	ST	Cleanout	Heavy	Private	5	Repair/replace cleanout	\$110	\$24
619	594S	1	360	WILLIAMS	ST	Cleanout	Heavy	Private	3	Repair/replace cleanout	\$110	\$32
97	96	1		2ND	ST	Downspout	Medium	Private	5	Disconnect	\$200	\$41
88	89	1	2788	BIRCH	ST	Cleanout	Heavy	Private	2	Repair/replace cleanout	\$110	\$47
477	471	2	375	9TH	ST	Cleanout	Heavy	Private	2	Repair/replace cleanout	\$110	\$71
477	471	1	325	9TH	ST	Cleanout	Heavy	Private	2	Repair/replace cleanout	\$110	\$71
68	67	1	580	MANOR	WAY	Cleanout	Heavy	Private	2	Repair/replace cleanout	\$110	\$71
574A	574	1	275	INDUSTRIAL	WAY	Cleanout	Heavy	Private	1	Repair/replace cleanout	\$110	\$85
CO398	396	1		MAPLE	PL	Cleanout	Medium	Public	4	Repair/replace cleanout (pavement)	\$350	\$91
392	391	1		AIRWAY	RD	Cleanout	Medium	Public	4	Repair/replace cleanout (pavement)	\$350	\$91
CO378	377	1		MAPLE	PL	Cleanout	Medium	Public	4	Repair/replace cleanout (pavement)	\$350	\$91
15	21	1	2961	10TH	ST	Cleanout	Heavy	Private	1	Repair/replace cleanout	\$110	\$113
672	671	3	600	OAK	ST	Cleanout	Light	Private	1	Repair/replace cleanout	\$110	\$122
759	758	1	624	HARDEN	DR	Cleanout	Light	Private	1	Repair/replace cleanout	\$110	\$122
724	723	3	1750	GROVE	ST	Cleanout	Medium	Private	1	Repair/replace cleanout	\$110	\$172
764	765	1	1830	PARKER	DR	Cleanout	Medium	Private	1	Repair/replace cleanout	\$110	\$172
CO307A	MAINLINE 306/308	1		F	ST	Cleanout	Medium	Public	2	Repair/replace cleanout (pavement)	\$350	\$181
107	106	1	2656	ARLENE	AVE	Service Lateral	Heavy	Private	5	Point repair lateral	\$1,000	\$200
14A	14	1	3270	GALENA	LOOP	Service Lateral	Heavy	Private	5	Point repair lateral	\$1,000	\$200
3	4	2	3382	SNOW PEAK	PL	Service Lateral	Heavy	Private	5	Point repair lateral	\$1,000	\$200
32	31	1	2670	11TH	ST	Service Lateral	Heavy	Private	5	Point repair lateral	\$1,000	\$200
33	32	1	2678	11TH	ST	Service Lateral	Heavy	Private	5	Point repair lateral	\$1,000	\$200

Defect Next Actions

City of Lebanon, Oregon
Sanitary Sewer Smoke Testing

US Manhole	DS Manhole	Obs#	Add	Street Name	Type	Source	Smoke Quantity	Status	Flow (gpm)	Recommended Action	Cost Estimate	Action Cost/gpm
680	680-A	2		ELMORE	ST	Area Drain	Heavy	Private	129	Portable CCTV Inspection	\$200	\$2
125	124	1		RUSSEL	DR	US Manhole	Heavy	Public	45	Inspect manhole	\$85	\$2
636	634	2		GROVE	ST	Catch Basin	Heavy	Private	97	Portable CCTV Inspection	\$200	\$2
539	540	2	291	3RD	ST	Storm Manhole	Heavy	Public	34	Inspect manhole	\$85	\$3
741	693	2		ELMORE	ST	Catch Basin	Heavy	Public	77	Portable CCTV Inspection	\$200	\$3
741	693	1		ELMORE	ST	Catch Basin	Heavy	Public	77	Portable CCTV Inspection	\$200	\$3
715	714	3		COOPER	ST	Catch Basin	Heavy	Public	77	Portable CCTV Inspection	\$200	\$3
714	713	1		COX	ST	Catch Basin	Heavy	Public	77	Portable CCTV Inspection	\$200	\$3
705	704	1	152	MILTON	ST	Area Drain	Heavy	Private	77	Portable CCTV Inspection	\$200	\$3
14	9	1		GALENA	LOOP	US Manhole	Medium	Public	32	Inspect manhole	\$85	\$3
656	655	1		ASH	ST	Storm Manhole	Heavy	Public	32	Inspect manhole	\$85	\$3
747	746	2	775	MILTON	ST	Catch Basin	Heavy	Public	52	Portable CCTV Inspection	\$200	\$4
724	723	4		GROVE	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
724	723	5		GROVE	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
725	723	1		JENNINGS	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
728	726	1		CARROLL	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
733	732	2		PINE	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
733	732	1		PINE	ST	Catch Basin	Heavy	Public	41	Portable CCTV Inspection	\$200	\$5
754	752	2		BERRY	ST	Catch Basin	Heavy	Public	39	Portable CCTV Inspection	\$200	\$5
715	714	4		COOPER	ST	Catch Basin	Heavy	Public	39	Portable CCTV Inspection	\$200	\$5
707	706	1	30	E	ST	Catch Basin	Heavy	Public	39	Portable CCTV Inspection	\$200	\$5
680	680-A	1		ELMORE	ST	Area Drain	Heavy	Private	39	Portable CCTV Inspection	\$200	\$5
482	481	1		ISABELLA	ST	US Manhole	Medium	Public	16	Inspect manhole	\$85	\$5
737	732	1		HEMLOCK	ST	Catch Basin	Heavy	Public	33	Portable CCTV Inspection	\$200	\$6
737	732	2		HEMLOCK	ST	Catch Basin	Heavy	Public	33	Portable CCTV Inspection	\$200	\$6
316	315	1		D	ST	US Manhole	Heavy	Public	14	Inspect manhole	\$85	\$6
637	636	1		GROVE	ST	Catch Basin	Heavy	Public	26	Portable CCTV Inspection	\$200	\$8
637	636	2		GROVE	ST	Catch Basin	Heavy	Public	26	Portable CCTV Inspection	\$200	\$8
548	557	1	93	OLIVE	ST	Catch Basin	Heavy	Public	23	Portable CCTV Inspection	\$200	\$9
539	540	3	291	3RD	ST	Catch Basin	Heavy	Public	23	Portable CCTV Inspection	\$200	\$9
689	690	2		HIATT	ST	Catch Basin	Heavy	Public	19	Portable CCTV Inspection	\$200	\$10
689	690	3		HIATT	ST	Catch Basin	Heavy	Public	19	Portable CCTV Inspection	\$200	\$10
539	540	1		3RD	ST	US Manhole	Heavy	Public	5	Inspect manhole	\$85	\$16
14A	14	2		GALENA	LOOP	US Manhole	Heavy	Public	5	Inspect manhole	\$85	\$17
556	556-A	1		WHEELER	ST	US Manhole	Medium	Public	5	Inspect manhole	\$85	\$17
390	388	1		AIRWAY	RD	US Manhole	Heavy	Public	5	Inspect manhole	\$85	\$17
388	379	1		AIRWAY	RD	US Manhole	Light	Public	5	Inspect manhole	\$85	\$17
383	381	1		16TH	PL	US Manhole	Medium	Public	5	Inspect manhole	\$85	\$17

Defect Next Actions

City of Lebanon, Oregon
Sanitary Sewer Smoke Testing

US Manhole	DS Manhole	Obs#	Add	Street Name	Type	Source	Smoke Quantity	Status	Flow (gpm)	Recommended Action	Cost Estimate	Action Cost/gpm
491	490	1	375	12TH	ST	Catch Basin	Heavy	Public	12	Portable CCTV Inspection	\$200	\$17
484	483	1		CAROLINA	ST	US Manhole	Medium	Public	5	Inspect manhole	\$85	\$18
540	549	3		3RD	ST	Catch Basin	Heavy	Public	11	Portable CCTV Inspection	\$200	\$18
732	730	1		PINE	ST	Catch Basin	Heavy	Public	10	Portable CCTV Inspection	\$200	\$19
345	343	1		OAK	ST	US Manhole	Heavy	Public	4	Inspect manhole	\$85	\$20
302	300	1		AIRWAY	RD	US Manhole	Medium	Public	3	Inspect manhole	\$85	\$25
303-A	303	1		AIRWAY	RD	US Manhole	Medium	Public	3	Inspect manhole	\$85	\$25
354	343	1		OAK	ST	US Manhole	Medium	Public	3	Inspect manhole	\$85	\$25
547	550	1	191	2ND	ST	Catch Basin	Heavy	Public	8	Portable CCTV Inspection	\$200	\$26
3	4	1		SNOW PEAK	PL	US Manhole	Heavy	Public	3	Inspect manhole	\$85	\$29
CO755	753	2		HIATT	ST	Catch Basin	Heavy	Public	6	Portable CCTV Inspection	\$200	\$31
206	205	1		F	ST	US Manhole	Medium	Public	3	Inspect manhole	\$85	\$31
713	707	1	42	E	ST	Main Sewer	Heavy	Public	6	TV inspect segment	\$200	\$33
346-A-1	346	1		OAK	ST	Main Sewer	Heavy	Public	6	TV inspect segment	\$200	\$33
724	723	2	1749	GROVE	ST	Main Sewer	Heavy	Public	6	TV inspect segment	\$200	\$33
763-A	763	1		FRANKLIN	ST	Main Sewer	Heavy	Public	6	TV inspect segment	\$200	\$33
707	706	2	30	E	ST	Main Sewer	Heavy	Public	6	TV inspect segment	\$200	\$33
735	733	2		PINE	ST	Catch Basin	Heavy	Public	5	Portable CCTV Inspection	\$200	\$39
735	733	1		PINE	ST	Catch Basin	Heavy	Public	5	Portable CCTV Inspection	\$200	\$39
550	552	1	41	2ND	ST	Main Sewer	Medium	Public	4	TV inspect segment	\$200	\$50
550	552	2	41	2ND	ST	Main Sewer	Medium	Public	4	TV inspect segment	\$200	\$50
556-A	556-B	1	300	N SANTIAM	HWY	Main Sewer	Medium	Public	4	TV inspect segment	\$200	\$50
713	707	2	42	E	ST	Main Sewer	Medium	Public	4	TV inspect segment	\$200	\$50
724	723	1		GROVE	ST	US Manhole	Heavy	Public	1	Inspect manhole	\$85	\$66
756	757	1		FRANKLIN	ST	US Manhole	Medium	Public	1	Inspect manhole	\$85	\$66
716	715	1		H	ST	US Manhole	Light	Public	1	Inspect manhole	\$85	\$66
514	513	1		9TH	ST	Transition Joint	Heavy	Private	3	TV inspect segment	\$200	\$67
341	339	1		SOUTH MAIN	RD	US Manhole	Light	Public	1	Inspect manhole	\$85	\$75
636	634	1		GROVE	ST	Catch Basin	Heavy	Public	3	Portable CCTV Inspection	\$200	\$78
336	334	1		2ND	ST	US Manhole	Light	Public	1	Inspect manhole	\$85	\$94
540	549	1	291	3RD	ST	Main Sewer	Light	Public	2	TV inspect segment	\$200	\$100
540	549	2		3RD	ST	Main Sewer	Light	Public	2	TV inspect segment	\$200	\$100
550	552	3	31	2ND	ST	Catch Basin	Heavy	Public	2	Portable CCTV Inspection	\$200	\$115
594N	593N	1		WHEELER	ST	Catch Basin	Heavy	Public	1	Portable CCTV Inspection	\$200	\$155
598S	597S	2		ASH	ST	Driveway Drain	Heavy	Public	1	Portable CCTV Inspection	\$200	\$155

APPENDIX B

**LEBANON WASTEWATER TREATMENT PLANT
CURRENT NPDES PERMIT
AND
MUTUAL AGREEMENT AND ORDER (MAO)**

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
 WASTE DISCHARGE PERMIT**

Department of Environmental Quality
 Western Region - Salem Office
 750 Front St. NE, Suite 120, Salem, OR 97301-1039
 Telephone: (503) 378-8240

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act

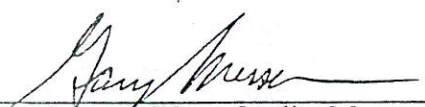
ISSUED TO:	SOURCES COVERED BY THIS PERMIT:		
City of Lebanon 925 Main Street Lebanon, OR 97355	<u>Type of Waste</u>	<u>Outfall Number</u>	<u>Outfall Location</u>
	Treated Wastewater	001	R.M. 17.4 S. Santiam River
	Municipal Wastewater		
	<u>Emergency Overflows:</u>		
Harrison St. Pump Station to Burkhart Creek via Railroad Ditch		002	R.M. 10 Burkhart Creek
16 th St. Sanitary Sewer to Burkhart Creek via storm drain		003	R.M. 12 Burkhart Creek
15 th St. Sanitary Sewer to Burkhart Creek via storm drain		004	R.M. 12 Burkhart Creek

FACILITY TYPE AND LOCATION:	RECEIVING STREAM INFORMATION:
Activated sludge sewage treatment plant 33110 Tennessee Road Lebanon, OR 97355 Treatment System Class: III Collection System Class: III	Basin: Willamette Sub-Basin: South Santiam Receiving Stream: South Santiam Hydro Code: 22F-SAS 17.4D County: Linn

EPA REFERENCE NO: OR - 002081 - 8

Issued in response to Application No. 993744 received February 28, 1996.

This permit is issued based on the land use findings in the permit record.



 Gary Messer, Water Quality Manager
 Western Region

FEB 11 2000

 Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system and discharge to public waters adequately treated wastewaters only from the authorized discharge point or points established in Schedule A and only in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

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Schedule B - Minimum Monitoring and Reporting Requirements.....	3-6
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Unless authorized by another NPDES permit, each other direct and indirect discharge to public waters is prohibited.

SCHEDULE A

1. Waste Discharge Limitations not to be exceeded after permit issuance.

a. Outfall Number 001 -Wastewater Treatment Plant Discharge

(1) May 1 - October 31:

Parameter	Average Effluent Concentrations		Monthly Average lb/day	Weekly Average lb/day	Daily Maximum lbs
	Monthly	Weekly			
CBOD ₅	10 mg/l	15 mg/l	250	380	500
TSS	10 mg/l	15 mg/l	250	380	500

(2) November 1 - April 30:

Parameter	Average Effluent Concentrations		Monthly Average lb/day	Weekly Average lb/day	Daily Maximum lbs
	Monthly	Weekly			
CBOD ₅	25 mg/l	40 mg/l	1,500	2,200	3,000
TSS	30 mg/l	45 mg/l	1,800	2,700	3,600

As provided in OAR 340-041-120(9)(C), the daily mass load shall not apply on any day that the total flow exceeds 6 mgd, which is twice the design average dry weather flow.

(3)

Other Parameters (year-round)	Limitations
<i>E. coli</i> Bacteria	Shall not exceed 126 organisms per 100 ml monthly geometric mean. No single sample shall exceed 406 organisms per 100 ml. (See Note 1/)
pH	Shall be within the range of 6.0 - 9.0
Ammonia - N	Shall not exceed a monthly average concentration of 0.94 mg/l and a daily maximum concentration of 1.89 mg/l.
CBOD ₅ and TSS Removal Efficiency	Shall not be less than 85% monthly average except when monthly average flows exceed 3.0 MGD which shall not be less than 75% monthly average.
Total Chlorine Residual	Shall not exceed a monthly average concentration of 0.01 mg/l and a daily maximum concentration of 0.02 mg/l.

(4) Except as provided for in OAR 340-045-0080, no wastes shall be discharged and no activities shall be conducted which violate Water Quality Standards as adopted in OAR 340-041-0445 except in the following defined mixing zone:

That portion of the South Santiam River beginning 10 feet upstream and continuing 100 feet downstream from the point of discharge. The Zone of Immediate Dilution (ZID) shall be defined as that portion of the allowable mixing zone that is within ten (10) feet of the point of discharge

b. Outfall Number 002 - 004 -Emergency Overflow Outfalls

No wastes shall be discharged from these outfalls and no activities shall be conducted which violate Water Quality Standards as adopted in OAR 340-041-0445, unless the cause of the discharge is the result of an exceptional event beyond the reasonable control of the permittee. Overflows caused by

operational error, improperly designed facilities, or lack of preventative maintenance are not beyond the reasonable control of the permittee. These emergency overflows described above will only be allowed until the planned upgrading of the West Side Interceptor is completed. The timing will be addressed in the City's Inflow & Infiltration Removal Plan submitted to the Department for review and approval. All permitted overflows must be from a "controlled" point and, at a minimum, must have an alarm. Whenever possible, flow monitoring must also be provided.

NOTES:

- 1/ If a single sample exceeds 406 organisms per 100 ml, then five consecutive re-samples may be taken at four hour intervals beginning within 28 hours after the original sample was taken. If the log mean of the five re-samples is less than or equal to 126 organisms per 100 ml, a violation shall not be triggered.

SCHEDULE B

1. Minimum Monitoring and Reporting Requirements to be met after permit issuance (unless otherwise approved in writing by the Department).

The permittee shall monitor the parameters as specified below at the locations indicated. The laboratory used by the permittee to analyze samples shall have a quality assurance/quality control (QA/QC) program to verify the accuracy of sample analysis. If QA/QC requirements are not met for any analysis, the results shall be included in the report, but not used in calculations required by this permit. When possible, the permittee shall re-sample in a timely manner for parameters failing the QA/QC requirements, analyze the samples, and report the results.

- a. Influent

Item or Parameter	Minimum Frequency	Type of Sample
Total Flow (MGD)	Daily	Continuous
Flow Meter Calibration	2/Year	Verification
CBOD ₅	2/Week	Composite
TSS	2/Week	Composite
PH	3/Week	Grab

- b. Outfall Number 001 - Sewage Treatment Plant Discharge

Item or Parameter	Minimum Frequency	Type of Sample
CBOD ₅	2/Week	Composite**
TSS	2/Week	Composite**
pH	3/week	Grab*
Temperature	2/Week	Record*
<i>E. coli</i>	2/Week	Grab* (See Note 1/)
Quantity Chlorine Used	Daily	Measurement
Chlorine Residual	Daily	Grab*
Average Percent Removed (CBOD ₅ and TSS)	Monthly	Calculation
Pounds Discharged (CBOD ₅ and TSS)	2/Week	Calculation
Ammonia - N	2/Week	Composite**
Toxic - Bioassay	2/Year	Acute & Chronic (See Note 3/)

The facility effluent sampling locations are the following:

- * Grab samples or measurements are taken at the outlet of the chlorine contact channels or at the end of the Ultraviolet (UV) channel when the UV system is online.
- ** Composite samples are taken from the outlet of the chlorine contact channels or at the end of the UV channel when the UV system is online. The sampler is located in the chlorinator room of the control building.

- c. Biosolids Management

The biosolids management analysis results shall be included in the annual report described in part 3.b. of this schedule. Submittal of the biosolids management analysis results with the monthly Discharge Monitoring Report is not required.

Item or Parameter	Minimum Frequency	Type of Sample
Sludge analysis including: Total solids (% dry wt.) Volatile solids (% dry wt.) Biosolids nitrogen for: NH ₃ -N; NO ₃ -N; & TKN (% dry wt.) Sludge metals content for: As, Cd, Cu, Hg, Mo, Ni, Pb, Se & Zn, measured as total in mg/kg Phosphorus (% dry wt.) Potassium (% dry wt.) pH (standard units)	Annual	Composite sample to be representative of the product to be land applied from the aerobic digester (See Note 4/) or from the sludge drying beds (See Note 5/)
Record of % volatile solids reduction accomplished through digestion	Monthly	Calculation (See Note 6/)
Fecal coliform (per gram total solids - dry weight basis)	Monthly	Composite samples representative of the product to be land applied from either the sludge drying beds or the aerobic digester
Quantity and type of alkaline product used to stabilize biosolids (when required to meet federal pathogen and vector attraction reduction requirements in 40 CFR 503.32(b)(3) and 40 CFR 503.33(b)(6)	Each Occurrence	Measurement
Initial time when solids that received alkaline agent ascended to pH 12	Each Batch	Date, time, and actual pH measurement
2 hours after initial alkaline addition and sustained at pH 12	Each Batch	Date, time, and actual pH measurement
24 hours after initial alkaline addition and pH 11.5 was sustained	Each Batch	Date, time, and actual pH measurement
Record of locations where sludge is applied on land (Site location map to be maintained at treatment facility for review upon request by DEQ)	Each Occurrence	Date, Volume & locations where sludges were applied recorded on site location map.

d. South Santiam River - May 1 through October 31_ (See Note 2/)

Item or Parameter	Minimum Frequency	Type of Sample
Flow (upstream)	2/Week	Measurement
Temperature (upstream)	2/Week	Record
Temperature (downstream)	2/Week	Record

e. Outfall Number 002-004 - Emergency Overflows 002 through 004

Item or Parameter	Minimum Frequency	Type of Sample
Flow	Daily (During each occurrence)	Estimated Volume and Duration

2. Reporting Procedures

- a. Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to the Department's Western Region - Salem office by the 15th day of the following month.

- b. State monitoring reports shall identify the name, certificate classification and grade level of each principal operator designated by the permittee as responsible for supervising the wastewater collection and treatment systems during the reporting period. Monitoring reports shall also identify each system classification as found on page one of this permit.
- c. Monitoring reports shall also include a record of the quantity and method of use of all biosolids removed from the treatment facility and a record of all applicable equipment breakdowns and bypassing.

3. Report Submittals

- a. The permittee shall have in place a program to identify and reduce inflow and infiltration into the sewage collection system. An annual report shall be submitted to the Department by February 1 of each year which details sewer collection maintenance activities that reduce inflow and infiltration. The report shall state those activities that have been done in the previous year and those activities planned for the following year.
- b. For any year in which biosolids are land applied, a report shall be submitted to the Department by February 19 of the following year that describes solids handling activities for the previous year and includes, but is not limited to, the required information outlined in OAR 340-050-0035(6)(a)-(e).

NOTES:

- 1/ *E. coli* monitoring must be conducted according to any of the following test procedures as specified in **Standard Methods for the Examination of Water and Wastewater, 19th Edition**, or according to any test procedure that has been authorized and approved in writing by the Director or his authorized representative:

Method	Reference	Page	Method Number
mTEC agar,	MF Standard Methods, 19th Edition	9-28	9213 D
NA-MUG, MF	Standard Methods, 19th Edition	9-63	9222 G
Chromogenic Substrate, MPN	Standard Methods, 19th Edition	9-65	9223 B
Colilert QT	Idexx Laboratories, Inc.		

- 2/ South Santiam River flow and temperature shall be obtained at least twenty feet upstream from the outfall location. The downstream South Santiam River temperature shall be taken at the edge of the mixing zone and from within the effluent plume. All measurements shall be instantaneous values measured within a two (2) hour period.
- 3/ Beginning no later than six months after the installation and operation of the diffuser, the permittee shall conduct bioassay testing for a period of one (1) year in accordance with the frequency specified above. If the bioassay tests show that the effluent samples are not toxic at the dilutions determined to occur at the Zone of Immediate Dilution and the Mixing Zone, no further bioassay testing will be required during this permit cycle. Note that bioassay test results will be required along with the next NPDES permit renewal application. See Schedule D, Special Conditions, number 6.
- 4/ Composite samples from the digester withdrawal line shall consist of at least 4 aliquots of equal volume collected over an 8 hour period and combined.

Inorganic pollutant monitoring must be conducted according to Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Second Edition (1982) with Updates I and II and third Edition (1986) with Revision I.

5/ Composite samples from the drying bed shall be taken from reference areas in the drying bed pursuant to Test Methods for Evaluating Solid Waste, Volume 2; Field Manual, Physical/Chemical Methods, November 1986, Third Edition, Chapter 9.

Inorganic pollutant monitoring must be conducted according to Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Second Edition (1982) with Updates I and II and third Edition (1986) with Revision I.

6/ Calculation of the % volatile solids reduction is to be based on comparison of a representative grab sample of total and volatile solids entering each digester and a representative composite sample of solids exiting each digester withdrawal line (as defined in Note 4/ above) or a representative composite sample of solids from the sludge drying beds (as defined in Note 5/ above).

SCHEDULE C

Compliance Schedules and Conditions

1. By no later than two (2) years after issuance of this permit, the permittee shall submit for Department approval a temperature management plan. The temperature management plan shall include an assessment of temperature in the receiving water as it relates to the new standards. In addition, the plan shall identify the impact of the plant discharge on temperature based on both existing conditions and on improvements proposed for the outfall.
2. Within one year of permit issuance, the permittee shall submit to the Department for review and approval a proposed program and time schedule for identifying and removing inflow. Within 60 days of receiving written Department comments, the permittee shall submit a final approvable program and time schedule. The program shall consist of the following:
 - a. Identification of all overflow points and verification that sewer system overflows are not occurring up to a 24-hour, 5-year storm event or equivalent;
 - b. Monitoring of all pump station overflow points;
 - c. A program for identifying and removing all inflow sources into the permittee's sewer system over which the permittee has legal control; and
 - d. If the permittee does not have the necessary legal authority for all portions of the sewer system or treatment facility, a program and schedule for gaining legal authority to require inflow reduction and a program and schedule for removing those sources.
3. Within 180 days of permit issuance, the permittee shall submit to the Department for review and approval a proposed plan and schedule to remove the overland discharge of the City's treated effluent outfall into the South Santiam River. These modifications to the outfall shall be installed in accordance to Department approved engineering plans, specifications, and schedule.
4. The permittee is expected to meet the compliance dates which have been established in this schedule. Either prior to or no later than 14 days following any lapsed compliance date, the permittee shall submit to the Department a notice of compliance or noncompliance with the established schedule. The Director may revise a schedule of compliance if he determines good and valid cause resulting from events over which the permittee has little or no control.

SCHEDULE D

Special Conditions

1. An adequate contingency plan for prevention and handling of spills and unplanned discharges shall be in force at all times. A continuing program of employee orientation and education shall be maintained to ensure awareness of the necessity of good inplant control and quick and proper action in the event of a spill or accident.
2. All biosolids shall be managed in accordance with the current biosolids management plan approved by the Department and the site authorization letters issued by the Department. The biosolids management plan shall be kept current and remain on file with the permit. No substantial changes shall be made in solids management activities which significantly differ from operations specified under the approved plan without the prior written approval of the Department.

This permit may be modified to incorporate any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Clean Water Act, if the standard for sewage sludge use or disposal is more stringent than any requirements for sludge use or disposal in the permit, or controls a pollutant or practice not limited in this permit.

3. Prior to increasing thermal load from the facility (design flow or temperature), the Permittee shall notify the Department in writing and obtain necessary approval from the Department.
4. Unless otherwise approved in writing by the Department, all inflow sources identified in Schedule C, Condition 2 of this Schedule are to be permanently disconnected from the sanitary sewer system in accordance with the plan listed in Schedule C.
5. The permittee shall notify the DEQ Western Region - Salem Office (503) 378-8240 in accordance with the response times noted in the General Conditions of this permit, of any malfunction so that corrective action can be coordinated between the permittee and the Department.
6. Bioassay - Whole Effluent Toxicity Testing

- a. The permittee shall conduct whole effluent toxicity tests as specified in Schedule B of this permit.
- b. Bioassay tests may be dual end-point tests in which both acute and chronic end-points can be determined from the results of a single chronic test (the acute end-point shall be based upon a 48-hour time period).

- c. Acute Toxicity Testing - Organisms and Protocols

- (1) The permittee shall conduct 48-hour static renewal tests with the Ceriodaphnia dubia (water flea) and the Pimephales promelas (fathead minnow).
- (2) The presence of acute toxicity will be determined as specified in **Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms**, Fourth Edition, EPA/600/4-90/027F, August 1993.
- (3) An acute bioassay test shall be considered to show toxicity if there is a statistically significant difference in survival between the control and 100 percent effluent, unless the permit specifically provides for a Zone of Immediate Dilution (ZID) for biotoxicity. If the permit specifies such a ZID, acute toxicity shall be indicated when a statistically significant difference in survival occurs at dilutions greater than that which is found to occur at the edge of the ZID.

d. Chronic Toxicity Testing - Organisms and Protocols

- (1) The permittee shall conduct tests with: *Pimephales promelas* (fathead minnow) for growth and survival test endpoint, *Ceriodaphnia dubia* (water flea) for reproduction and survival test endpoint, and *Selanastrum capricornutum* (green alga) for growth test endpoint.
- (2) The presence of chronic toxicity shall be estimated as specified in **Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms**, Third Edition, EPA/600/4-91/002, July 1994.
- (3) A chronic bioassay test shall be considered to show toxicity if a statistically significant difference in survival, growth, or reproduction occurs at dilutions greater than that which is known to occur at the edge of the mixing zone. If there is no dilution data for the edge of the mixing zone, any chronic bioassay test that shows a statistically significant effect in 100 percent effluent as compared to the control shall be considered to show toxicity.

e. Quality Assurance

Quality assurance criteria, statistical analyses and data reporting for the bioassays shall be in accordance with the EPA documents stated in this condition and the Department's **Whole Effluent Toxicity Testing Guidance Document**, January 1993.

f. Evaluation of Causes and Exceedances

- (1) If toxicity is shown, as defined in sections c.(3) or d.(3) of this permit condition, another toxicity test using the same species and Department approved methodology shall be conducted within two weeks, unless otherwise approved by the Department. If the second test also indicates toxicity, the permittee shall follow the procedure described in section f.(2) of this permit condition.
- (2) If two consecutive bioassay test results indicate acute and/or chronic toxicity, as defined in sections c.(3) or d.(3) of this permit condition, the permittee shall evaluate the source of the toxicity and submit a plan and time schedule for demonstrating compliance with water quality standards. Upon approval by the Department, the permittee shall implement the plan until compliance has been achieved. Evaluations shall be completed and plans submitted to the Department within 6 months unless otherwise approved in writing by the Department.

g. Reporting

Along with the test results, the permittee shall include: 1. the dates of sample collection and initiation of each toxicity test; 2. the type of production; and 3. the flow rate at the time of sample collection. Effluent at the time of sampling for bioassay testing should include split samples of required parameters stated under Schedule B, condition 1. of this permit.

h. Reopener

If bioassay testing indicates acute and/or chronic toxicity, the Department may reopen and modify this permit to include new limitations and/or conditions as determined by the Department to be appropriate, and in accordance with procedures outlined in Oregon Administrative Rules, Chapter 340, Division 45.

7. The permittee shall comply with Oregon Administrative Rules (OAR), Chapter 340, Division 49, "Regulations Pertaining To Certification of Wastewater System Operator Personnel" and accordingly:

- a. The permittee shall have its wastewater system supervised by one or more operators who are certified in a classification and grade level (equal to or greater) that corresponds with the classification (collection and/or treatment) of the system to be supervised as specified on page one of this permit.

Note: A "supervisor" is defined as the person exercising authority for establishing and executing the specific practice and procedures of operating the system in accordance with the policies of the permittee and requirements of the waste discharge permit. "Supervise" means responsible for the technical operation of a system, which may affect its performance or the quality of the effluent produced. Supervisors are not required to be on-site at all times.

- b. The permittee's wastewater system may not be without supervision (as required by Special Condition 7.a. above) for more than thirty (30) days. During this period, and at any time that the supervisor is not available to respond on-site (i.e. vacation, sick leave or off-call), the permittee must make available another person who is certified at no less than one grade lower than the system classification.
- c. If the wastewater system has more than one daily shift, the permittee shall have the shift supervisor, if any, certified at no less than one grade lower than the system classification.
- d. The permittee is responsible for ensuring the wastewater system has a properly certified supervisor available at all times to respond on-site at the request of the permittee and to any other operator.
- e. The permittee shall notify the Department of Environmental Quality in writing within thirty (30) days of replacement or redesignation of certified operators responsible for supervising wastewater system operation. The notice shall be filed with the Water Quality Division, Operator Certification Program, 811 SW 6th Ave, Portland, OR 97204. This requirement is in addition to the reporting requirements contained under Schedule B of this permit.
- f. Upon written request, the Department may grant the permittee reasonable time, not to exceed 120 days, to obtain the services of a qualified person to supervise the wastewater system. The written request must include justification for the time needed, a schedule for recruiting and hiring, the date the system supervisor availability ceased and the name of the alternate system supervisor(s) as required by 7.b. above.

**NPDES GENERAL CONDITIONS
(SCHEDULE F)**

SECTION A. STANDARD CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Oregon Revised Statutes (ORS) 468B.025 and is grounds for enforcement action; for permit termination, suspension, or modification; or for denial of a permit renewal application.

2. Penalties for Water Pollution and Permit Condition Violations

Oregon Law (ORS 468.140) allows the Director to impose civil penalties up to \$10,000 per day for violation of a term, condition, or requirement of a permit.

In addition, a person who unlawfully pollutes water as specified in ORS 468.943 or ORS 468.946 is subject to criminal prosecution.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. In addition, upon request of the Department, the permittee shall correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and have the permit renewed. The application shall be submitted at least 180 days before the expiration date of this permit.

The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

5. Permit Actions

This permit may be modified, suspended, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any term, condition, or requirement of this permit, a rule, or a statute;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all material facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the permittee for a permit modification or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

6. Toxic Pollutants

The permittee shall comply with any applicable effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege.

8. Permit References

Except for effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act, all rules and statutes referred to in this permit are those in effect on the date this permit is issued.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

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

2. Duty to Halt or Reduce Activity

For industrial or commercial facilities, upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The term "bypass" does not include nonuse of singular or multiple units or processes of a treatment works when the nonuse is insignificant to the quality and/or quantity of the effluent produced by the treatment works. The term "bypass" does not apply if the diversion does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation.
- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities or treatment processes which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Prohibition of bypass.

- (1) Bypass is prohibited unless:
 - (a) Bypass was necessary to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (c) The permittee submitted notices and requests as required under General Condition B.3.c.
- (2) The Director may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, when the Director determines that it will meet the three conditions listed above in General Condition B.3.b.(1).

c. Notice and request for bypass.

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in General Condition D.5.

4. Upset

- a. Definition. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operation error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of General Condition B.4.c are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the causes(s) of the upset;
 - (2) The permitted facility was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required in General Condition D.5, hereof (24-hour notice); and
 - (4) The permittee complied with any remedial measures required under General Condition A.3 hereof.
- d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Treatment of Single Operational Event

For purposes of this permit, A Single Operational Event which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation. A single operational event is an exceptional incident which causes simultaneous, unintentional, unknowing (not the result of a knowing act or omission), temporary noncompliance with more than one Clean Water Act effluent discharge pollutant parameter. A single operational event does not include Clean Water Act violations involving discharge without a NPDES permit or noncompliance to the extent caused by improperly designed or inadequate treatment facilities. Each day of a single operational event is a violation.

6. Overflows from Wastewater Conveyance Systems and Associated Pump Stations

a. Definitions

- (1) "Overflow" means the diversion and discharge of waste streams from any portion of the wastewater conveyance system including pump stations, through a designed overflow device or structure, other than discharges to the wastewater treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the conveyance system or pump station which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of an overflow.
- (3) "Uncontrolled overflow" means the diversion of waste streams other than through a designed overflow device or structure, for example to overflowing manholes or overflowing into residences, commercial establishments, or industries that may be connected to a conveyance system.

- b. Prohibition of overflows. Overflows are prohibited unless:
 - (1) Overflows were unavoidable to prevent an uncontrolled overflow, loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the overflows, such as the use of auxiliary pumping or conveyance systems, or maximization of conveyance system storage; and
 - (3) The overflows are the result of an upset as defined in General Condition B.4. and meeting all requirements of this condition.
- c. Uncontrolled overflows are prohibited where wastewater is likely to escape or be carried into the waters of the State by any means.
- d. Reporting required. Unless otherwise specified in writing by the Department, all overflows and uncontrolled overflows must be reported orally to the Department within 24 hours from the time the permittee becomes aware of the overflow. Reporting procedures are described in more detail in General Condition D.5.

7. Public Notification of Effluent Violation or Overflow

If effluent limitations specified in this permit are exceeded or an overflow occurs, upon request by the Department, the permittee shall take such steps as are necessary to alert the public about the extent and nature of the discharge. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

8. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in such a manner as to prevent any pollutant from such materials from entering public waters, causing nuisance conditions, or creating a public health hazard.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Sampling and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and shall be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director.

2. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Penalties of Tampering

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

5. Reporting of Monitoring Results

Monitoring results shall be summarized each month on a Discharge Monitoring Report form approved by the Department. The reports shall be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report. Such increased frequency shall also be indicated. For a pollutant parameter that may be sampled more than once per day (e.g., Total Chlorine Residual), only the average daily value shall be recorded unless otherwise specified in this permit.

7. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean, except for bacteria which shall be averaged as specified in this permit.

8. Retention of Records

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

9. Records Contents

Records of monitoring information shall include:

- a. The date, exact place, time and methods of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative upon the presentation of credentials to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit, and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by state law, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall comply with Oregon Administrative Rules (OAR) 340, Division 52, "Review of Plans and Specifications". Except where exempted under OAR 340-52, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers shall be commenced until the plans and specifications are submitted to and approved by the Department. The permittee shall give notice to the Department as soon as possible of any planned physical alternations or additions to the permitted facility.

2. Anticipated Noncompliance

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

3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and the rules of the Commission. No permit shall be transferred to a third party without prior written approval from the Director. The permittee shall notify the Department when a transfer of property interest takes place.

4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

5. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally (by telephone) within 24 hours, unless otherwise specified in this permit, from the time the permittee becomes aware of the circumstances. During normal business hours, the Department's Regional office shall be called. Outside of normal business hours, the Department shall be contacted at 1-800-452-0311 (Oregon Emergency Response System).

A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. If the permittee is establishing an affirmative defense of upset or bypass to any offense under ORS 468.922 to 468.946, and in which case if the original reporting notice was oral, delivered written notice must be made to the Department or other agency with regulatory jurisdiction within 4 (four) calendar days. The written submission shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected;
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
- e. Public notification steps taken, pursuant to General Condition B.7.

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

- a. Any unanticipated bypass which exceeds any effluent limitation in this permit.
- b. Any upset which exceeds any effluent limitation in this permit.

- c. Violation of maximum daily discharge limitation for any of the pollutants listed by the Director in this permit.

The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

6. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under General Condition D.4 or D.5, at the time monitoring reports are submitted. The reports shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected; and
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

7. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Other Information: When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Department, it shall promptly submit such facts or information.

8. Signatory Requirements

All applications, reports or information submitted to the Department shall be signed and certified in accordance with 40 CFR 122.22.

9. Falsification of Information

A person who supplies the Department with false information, or omits material or required information, as specified in ORS 468.953 is subject to criminal prosecution.

10. Changes to Indirect Dischargers - [Applicable to Publicly Owned Treatment Works (POTW) only]

The permittee must provide adequate notice to the Department of the following:

- a. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the Clean Water Act if it were directly discharging those pollutants and;
- b. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. For the purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

11. Changes to Discharges of Toxic Pollutant - [Applicable to existing manufacturing, commercial, mining, and silvicultural dischargers only]

The permittee must notify the Department as soon as they know or have reason to believe of the following:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) One hundred micrograms per liter (100 µg/L);

- (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (4) The level established by the Department in accordance with 40 CFR 122.44(f).
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) Five hundred micrograms per liter (500 µg/L);
 - (2) One milligram per liter (1 mg/L) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (4) The level established by the Department in accordance with 40 CFR 122.44(f).

SECTION E. DEFINITIONS

1. BOD means five-day biochemical oxygen demand.
2. TSS means total suspended solids.
mg/l means milligrams per liter.
4. kg means kilograms.
5. m³/d means cubic meters per day.
6. MGD means million gallons per day.
7. Composite sample means a sample formed by collecting and mixing discrete samples taken periodically and based on time or flow.
8. FC means fecal coliform bacteria.
9. Technology based permit effluent limitations means technology-based treatment requirements as defined in 40 CFR 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-41.
10. CBOD means five day carbonaceous biochemical oxygen demand.
11. Grab sample means an individual discrete sample collected over a period of time not to exceed 15 minutes.
12. Quarter means January through March, April through June, July through September, or October through December.
13. Month means calendar month.
14. Week means a calendar week of Sunday through Saturday.
15. Total residual chlorine means combined chlorine forms plus free residual chlorine.
16. The term "bacteria" includes but is not limited to fecal coliform bacteria, total coliform bacteria, and E. coli bacteria.
17. POTW means a publicly owned treatment works.

BEFORE THE ENVIRONMENTAL QUALITY COMMISSION
OF THE STATE OF OREGON

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IN THE MATTER OF:)
CITY OF LEBANON,)
Permittee)
MUTUAL AGREEMENT
AND ORDER
NO. WQ WQ/M-WR-99-050
LINN COUNTY

WHEREAS:

1. On February 11, 2000, the Department of Environmental Quality (Department or DEQ) issued National Pollutant Discharge Elimination System (NPDES) Waste Discharge Permit Number 101771 (Permit) to City of Lebanon (Permittee). The Permit authorizes the Permittee to construct, install, modify or operate wastewater treatment control and disposal facilities (facilities) and discharge adequately treated wastewaters into the South Santiam River, waters of the state, in conformance with the requirements, limitations and conditions set forth in the Permit. The Permit expires on December 31, 2004.

2. Condition 1 of Schedule A of the Permit does not allow Permittee to exceed the following waste discharge limitations after the Permit issuance date:

Outfall Number 001:

Ammonia - N	Shall not exceed a monthly average concentration of 0.94 mg/l and a daily maximum concentration of 1.89 mg/l.
Total Chlorine Residual	Shall not exceed a monthly average concentration of 0.01 mg/l and a daily maximum concentration of 0.02 mg/l.

3. The Department and Permittee recognize that the Permittee will not be able to consistently meet the above effluent limitations.

4. DEQ and the Permittee recognize that until new or modified facilities are constructed and put into full operation, Permittee will continue to violate the permit effluent limitations at times.

5. Permittee presently is capable of treating its effluent so as to meet the following effluent limitations, measured as specified in the Permit:

Ammonia - N	No limit for monthly average and daily maximum concentrations.
Total Chlorine Residual	Shall not exceed a daily maximum concentration of 1.0 mg/l.

6. The Department and Permittee recognize that the Environmental Quality Commission has the power to impose a civil penalty and to issue an abatement order for violations of conditions of the Permit. Therefore, pursuant to ORS 183.415(5), the Department and Permittee wish to limit and resolve the future violations referred to in Paragraphs 3 and 4 in advance by this Mutual Agreement and Order (MAO).

7. This MAO is not intended to settle any violation of any interim effluent limitations set forth in Paragraph 5 above. Furthermore, this MAO is not intended to limit, in any way, the Department's right to proceed against Permittee in any forum for any past or future violations not expressly settled herein.

NOW THEREFORE, it is stipulated and agreed that:

8. The Environmental Quality Commission shall issue a final order:

A. Requiring Permittee to comply with the following schedule:

(1) By no later than December 31, 2000, the Permittee shall submit a draft facility plan that evaluates alternatives for meeting all permit limitations (including chlorine and ammonia) and complying with all applicable water quality standards. Within ninety (90) days of receiving written Department comments, the Permittee shall submit a final approvable facilities plan and an application for a new or modified NPDES permit for the proposed facility.

(2) By no later than six (6) months after issuance of the new or modified NPDES permit, the Permittee shall submit draft plans and specifications for

1 construction of improvements to the wastewater facilities as necessary to comply with all
2 requirements of the Permit. Within ninety (90) days of receiving written Department
3 comments, the Permittee shall submit final approvable plans and specifications.

4 (3) By no later than six (6) months after Department approval of the
5 plans and specifications, the Permittee shall award contracts for the construction of the
6 wastewater improvements.

7 (4) By no later than two (2) years after award of construction
8 contracts, the Permittee shall complete construction of the wastewater improvements.

9 (5) By no later than two (2) months after completion of construction,
10 the Permittee shall attain operational level of the wastewater improvements and comply with
11 the Permit.

12 B. Requiring Permittee to meet the interim effluent limitations set forth in
13 Paragraph 5 above until completion of necessary corrective actions as required by the schedule
14 in Paragraph 8.A.

15 C. Requiring Permittee, should Permittee fail to comply with the above
16 schedule, to cease allowing new connections to Permittee's sewage collection system upon
17 written requirement of the Department.

18 D. Requiring Permittee, upon receipt of a written Penalty Demand Notice from
19 the Department, to pay the following civil penalties:

20 (1) \$250 for each day of each violation of the compliance schedule set
21 forth in Paragraph 8A.

22 (2) \$100 for each violation of each daily or weekly average waste
23 discharge limitation set forth in Paragraph 5.

24 (3) \$500 for each violation of each monthly average waste discharge
25 limitation set forth in Paragraph 5.

1 9. If any event occurs that is beyond Permittee's reasonable control and that causes
2 or may cause a delay or deviation in performance of the requirements of this MAO, Permittee
3 shall immediately notify the Department verbally of the cause of delay or deviation and its
4 anticipated duration, the measures that have been or will be taken to prevent or minimize the
5 delay or deviation, and the timetable by which Permittee proposes to carry out such measures.
6 Permittee shall confirm in writing this information within five (5) working days of the onset of
7 the event. It is Permittee's responsibility in the written notification to demonstrate to the
8 Department's satisfaction that the delay or deviation has been or will be caused by
9 circumstances beyond the control and despite due diligence of Permittee. If Permittee so
10 demonstrates, the Department shall extend times of performance of related activities under this
11 MAO as appropriate. Circumstances or events beyond Permittee's control include, but are not
12 limited to, acts of nature, unforeseen strikes, work stoppages, fires, explosion, riot, sabotage,
13 or war. Increased cost of performance or consultant's failure to provide timely reports may
14 not be considered circumstances beyond Permittee's control.

15 10. Regarding the violations set forth in Paragraphs 3 and 4 above, which are
16 expressly settled herein without penalty, Permittee and the Department hereby waive any and
17 all of their rights to any and all notices, hearing, judicial review, and to service of a copy of
18 the final order herein. The Department reserves the right to enforce this order through
19 appropriate administrative and judicial proceedings.

20 11. Regarding the schedule set forth in Paragraph 8A above, Permittee acknowledges
21 that Permittee is responsible for complying with that schedule regardless of the availability of
22 any federal or state grant monies.

23 12. The terms of this MAO may be amended by the mutual agreement of the
24 Department and Permittee.

25 13. The Department may amend the compliance schedule and conditions in this MAO
26 upon finding that such modification is necessary because of changed circumstances or to

1 protect public health and the environment. The Department shall provide Permittee a
2 minimum of thirty (30) days written notice prior to issuing an Amended Order modifying any
3 compliance schedules or conditions. If Permittee contests the Amended Order, the applicable
4 procedures for conduct of contested cases in such matters shall apply.

5 14. This MAO shall be binding on the parties and their respective successors, agents,
6 and assigns. The undersigned representative of each party certifies that he or she is fully
7 authorized to execute and bind such party to this MAO. No change in ownership or corporate
8 or partnership status relating to the facility shall in any way alter Permittee's obligations under
9 this MAO, unless otherwise approved in writing by DEQ.

10 15. All reports, notices and other communications required under or relating to this
11 MAO should be directed to Mark E. Hamilin, Oregon Department of Environmental Quality,
12 Western Regional Office, 750 Front Street N.E., Suite 120, Salem, Oregon. 97310, phone
13 number (503) 378-8240, Ext. 239. The contact person for Permittee shall be James Ruef, P.E.
14 at City of Lebanon, 925 Main Street, Lebanon, OR 97355. telephone number (541) 451-7437.

15 16. Permittee acknowledges that it has actual notice of the contents and requirements
16 of the MAO and that failure to fulfill any of the requirements hereof would constitute a
17 violation of this MAO and subject Permittee to payment of civil penalties pursuant to
18 Paragraph 8D above.

19 17. Any stipulated civil penalty imposed pursuant to Paragraph 8D shall be due upon
20 written demand. Stipulated civil penalties shall be paid by check or money order made payable
21 to the "Oregon State Treasurer" and sent to: Business Office, Department of Environmental
22 Quality, 811 S.W. Sixth Avenue, Portland, Oregon 97204. Within 21 days of receipt of a
23 "Demand for Payment of Stipulated Civil Penalty" Notice from the Department, Permittee may
24 request a hearing to contest the Demand Notice. At any such hearing, the issue shall be
25 limited to Permittee's compliance or non-compliance with this MAO. The amount of each
26 stipulated civil penalty for each violation and/or day of violation is established in advance by

1 this MAO and shall not be a contestable issue.

2 18. Providing Permittee has paid in full all stipulated civil penalties pursuant to
3 Paragraph 17 above, this MAO shall terminate 60 days after Permittee demonstrates full
4 compliance with the requirements of the schedule set forth in Paragraph 8A above.

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PERMITTEE

02-14-00
Date

Judith L. Weendland
Judith L. Weendland
City Administrator Pro.Temp.

DEPARTMENT OF ENVIRONMENTAL QUALITY

FEB 11 2000
Date

Steve Greenwood
Steve Greenwood, Regional Administrator

FINAL ORDER

IT IS SO ORDERED:

ENVIRONMENTAL QUALITY COMMISSION

FEB 11 2000
Date

Steve Greenwood
Steve Greenwood, Regional Administrator
Department of Environmental Quality
Pursuant to OAR 340-11-136(1)



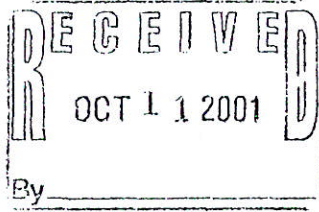
Oregon

John A. Kitzhaber, M.D., Governor

Department of Environmental Quality

Western Region
201 W Main, Suite 2-D
Medford, OR 97501
(541) 776-6010
FAX (541) 776-6262

October 9, 2001



Mr. James P. Ruef, P.E.
Director of Public Works
City of Lebanon
925 Main Street
Lebanon, OR 97355

Re: City of Lebanon
Addendum No. 1 to
Mutual Agreement and Order (MAO) WQ/M-WR-99-050
File No. 49764
EPA #OR-002081-8
Deadline Modification

Dear Mr. Ruef:

The Department of Environmental Quality (Department) has taken into consideration the City of Lebanon's (City) request to modify the compliance deadlines in Paragraph 8.A (1) of Mutual Agreement and Order (MAO) WQ/M-WR-99-050. Pursuant to Section 9 of the MAO, the Department has determined that the June 25, 2001 and the supplemental August 21, 2001 written requests satisfy the description of need for modification.

Our review of your request indicates that you are requesting an extension in order to allow you time to evaluate a non-direct discharge alternative that potentially may decrease pollutant and temperature loadings to the river. The Department supports evaluations of this nature and hereby approves the City of Lebanon's request. Now, therefore, Paragraph 8.A(1) shall be as follows:

8.A(1) By no later than November 8, 2003, the Permittee shall submit to the Department a final Facilities Plan that evaluates alternatives for meeting all permit limitations (including chlorine and ammonia) and complying with all applicable water quality standards. If the Facility Plan proposes new or modified treatment or disposal facilities, the submittal shall include an application for a new or modified NPDES Permit as necessary.



City of Lebanon
Mr. James P. Ruef, P.E.
October 5, 2001
Page 2

If you have any questions regarding this matter, please call Mark Hamlin at (503) 378-8240, ext. 239 at our Western Region-Salem office.

Sincerely,



for

Kerri L. Nelson, Western Region Administrator

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cc: Western Region, Salem Office
Enforcement Section
EPA-OOO
EPA-Region X



Oregon

Theodore Kulongoski, Governor

Department of Environmental Quality

Western Region Eugene Office

1102 Lincoln Street, Suite 210

Eugene, OR 97401

(541) 686-7838

FAX (541) 686-7551

TTY (541) 687-5603

October 14, 2003



Mr. James P. Ruef, P.E.
Director of Public Works
City of Lebanon
925 Main Street
Lebanon, OR 97355

Re: City of Lebanon
Addendum No.2 to
Mutual Agreement and Order (MAO) WQ/M-WR-99-050
File No. 49764
EPA #OR-002081-8
Deadline Modification

Dear Mr. Ruef:

The Department has reviewed the City of Lebanon's letter dated August 29, 2003 requesting to modify the deadline for submission of a final Facilities Plan. The City has requested an additional 6 months extension in order to evaluate how the new temperature guidelines will affect the City's proposed non-direct discharge alternative. The City needs the additional time to assure that the non-direct discharge alternative will be technically and financially feasible.

The Department hereby approves the City of Lebanon's request. Now, therefore, Paragraph 8.A(1) shall be as follows:

8.A(1) By no later than May 10, 2004, the Permittee shall submit to the Department a final Facilities Plan that evaluates alternatives for meeting all permit limitations (including chlorine and ammonia) and complying with all applicable water quality standards. If the Facility Plan proposes new or modified treatment or disposal facilities, the submittal shall include an application for a new or modified NPDES Permit as necessary.

If you have any questions regarding this matter, please call Bill Perry, at (541)686-7838, extension 236, in the Western Region-Eugene office.

Sincerely,

KLN Kerri L. Nelson, Western Region Administrator

cc:

Enforcement Section
EPA-OOO
EPA-Region X



