

Permit No. WA-002502-0  
Issuance Date:  
Expiration Date:

NATIONAL POLLUTANT DISCHARGE ELIMINATION  
SYSTEM WASTE DISCHARGE PERMIT

State of Washington  
Thermal Power Plant Site Evaluation Council  
Olympia, Washington 98504

In Compliance With the Provisions of  
Chapter 155, Laws of 1973, (RCW 90.48) as amended

and

The Federal Water Pollution Control Act Amendments of 1972,  
Public Law 92-500

Puget Sound Power & Light Company  
Puget Power Building  
Bellevue, Washington 98009

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Plant Location:	Sections 11, 12, 13 & 14 T. 35N, R5E, W.M. West of Lyman Skagit County, Washington	Receiving Water: See Page 2	Discharge Location: See Page 2
Industry Type:	Nuclear Steam Electric Generating Plant (Skagit Units 1 & 2)	Waterway Segment No.:	See Page 2

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is authorized to discharge in accordance with the special and  
general conditions which follow:

APPROVED: January 26, 1976

  
Acting Chairman  
Thermal Power Plant Site  
Evaluation Council

OUTFALL IDENTIFICATION

<u>Outfall</u>	<u>Receiving Water</u>	<u>Discharge Location</u>	<u>Water Segment No.</u>
001	Skagit River	Lat. 48°29'19"N Lo. 122°11'56"W	02-03-06
002	Wiseman Creek	Lat. 48°32' 5"N Lo. 122° 7'50"W	02-03-06
003	Tank Creek	Lat. 48°32' 5"N Lo. 122° 6'35"W	02-03-06
004	Tank Creek	Lat. 48°32' 5"N Lo. 122° 6'28"W	02-03-06
005	Tank Creek	Lat. 48°32' 6"N Lo. 122° 6'21"W	02-03-06

SPECIAL CONDITIONS

S.1 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL DISCHARGE SERIAL NUMBER 001.

During the period beginning with the issuance of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge effluents from Outfall Discharge Serial Number 001 subject to the following limitations and monitoring requirements:

A. LOW VOLUME WASTE SOURCES PORTION OF DISCHARGE SERIAL NUMBER 001

<u>PARAMETER</u>	<u>EFFLUENT LIMITATIONS</u>		<u>MONITORING REQUIREMENTS (1)</u>	
	<u>Daily Maximum</u>	<u>Daily Average</u>	<u>Minimum Frequency</u>	<u>Sample Type</u>
Total Suspended Solids (lb/day) (2)	95.5	9.0	3 times per week	Grab
pH	Between 6.5 and 8.5 at all times		3 times per week	Grab
Oil and Grease (lb/day) (3)	19.1	4.5	Weekly	Grab
Flow (GPD)	$0.114 \times 10^6$	$0.036 \times 10^6$	Continuous	Instantaneous

Note (1) Permittee shall monitor the effluent prior to confluence with other inplant streams.

Note (2) The maximum concentration of total suspended solids shall not exceed 100 mg/l at any time.

Note (3) The maximum concentration of oil and grease shall not exceed 30 mg/l at any time.



C. HYDROSTATIC TESTING AND FLUSHING WASTES PORTION OF DISCHARGE SERIAL NUMBER 001 PER UNIT

<u>PARAMETER</u>	<u>EFFLUENT LIMITATIONS (1)</u>		<u>MONITORING REQUIREMENTS (2)</u>	
	<u>Daily Maximum</u>	<u>Daily Average</u>	<u>Minimum Frequency</u>	<u>Sample Type</u>
Total Suspended Solids (mg/l)	10	10	3 times per day when discharging	Grab
pH	Between 6.5 and 8.5 at all times		3 times per day when discharging	Grab
Flow (GPD)	0.1 X 10 <sup>6</sup>		Each discharge	N/A

Note (1) No water contaminated with chemical cleaning agents shall be discharged.

Note (2) Permittee shall monitor the effluent prior to confluence with other inplant streams.

D. FISH FACILITY PORTION OF DISCHARGE SERIAL NUMBER 001

<u>PARAMETER</u>	<u>EFFLUENT LIMITATIONS</u>		<u>MONITORING REQUIREMENTS (1)</u>		
	<u>Daily Maximum</u>	<u>Instantaneous Maximum</u>	<u>Daily Average</u>	<u>Minimum Frequency</u>	<u>Sample Type</u>
<u>Total Discharge</u>					
Total Suspended Solids (lb/day)	2035	N/A	1544	Weekly	6-hr. composite
Total Suspended Solids (mg/l)	N/A	15	N/A	Weekly	Grab
pH	Between 6.5 and 8.5 at all times			Daily	Grab
Flow (GPD) (2)	$6.5 \times 10^6$	---	$6.5 \times 10^6$	Continuous	Instantaneous
Settleable Solids (3) (ml/l)	N/A	0.2	0.1	Weekly	Grab
Temperature	See Note (4)			Continuous	Instantaneous

Note (1) Permittee shall monitor the effluent prior to confluence with other implant streams.

Note (2) Value shown does not include blowdown flow. 6.48 MGD of uncontaminated dilution water may also be discharged.

Note (3) Bottom sludges from raceways and ponds shall be treated as solid wastes and disposed of as required in condition G-7.

Note (4) Recirculated cooling water discharged to the fish facility shall not exceed at any time the lowest temperature of the recirculated cooling water prior to addition of the makeup water.

S.2 EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR OUTFALL  
DISCHARGE SERIAL NUMBERS 002, 003, 004 and 005

During the period beginning with the issuance of this Permit and lasting until the expiration date of this permit, the permittee is authorized to discharge effluents from Outfall Discharge Serial Numbers 002, 003, 004 and 005 subject to the following limitations and monitoring requirements:

A. COLLECTED STORM RUN-OFF DRAINAGE OF DISCHARGE SERIAL NUMBERS 002, 003, 004 and 005

<u>PARAMETER</u>	<u>MONITORING REQUIREMENTS</u>	
	<u>Minimum Frequency</u>	<u>Sample Type</u>
	<u>EFFLUENT LIMITATIONS (1)</u>	
Total Suspended Solids	50 mg/l maximum	Grab
		Once per day when there is discharge from the storm collector basins
pH	Between 6.5 and 8.5 at all times	Grab
		Once per day when there is discharge from the storm collector basins

Note (1) These limits may be exceeded during periods when runoff volumes exceed those generated by a "10-year, 24-hour rainfall event" as defined in 40CFR 423.41(d). This has been determined to be 3.5" per 24 hours.

S.3 BOUNDARIES OF MIXING ZONES FOR OUTFALL DISCHARGE SERIAL NUMBER 001

Outfall 001

- a. The boundaries in the vertical plane shall be one foot below the receiving water surface and one foot above the riverbed;
- b. The upstream and downstream boundaries shall be 10 feet and 100 feet, respectively, from the center line of the diffuser; and
- c. The lateral boundaries shall be 50 feet, respectively, from the center of the diffuser.

S.4 SPECIAL CONDITIONS APPLICABLE TO DISCHARGE OF SANITARY SEWAGE INTO MUNICIPAL SEWERAGE SYSTEM OF THE CITY OF SEDRO WOOLLEY, WASHINGTON

- a. Permit. Permittee is authorized to discharge sanitary sewage generated during the construction and operation of the Project to the municipal sewerage system of the City of Sedro Woolley, Washington.
- b. Discharge Location. The point(s) of discharge into the municipal sewerage system shall be at such location(s) as may be approved by the City of Sedro Woolley.
- c. Maximum Flow. The maximum flow of the discharge authorized herein shall be 50,000 gpd or such greater flow as may be authorized by the City of Sedro Woolley.
- d. Prohibited Wastes. The discharge authorized herein shall not include any "incompatible pollutant" as defined in 40 CFR 128.122 nor any waste prohibited by 40 CFR 128.131.
- e. Pretreatment Requirements. None, except as may be required to comply with 40 CFR 128.131.

f. Limitations and Monitoring Requirements.

1. Flow  
Limitations: 0.05 mgd daily average  
0.05 mgd daily maximum  
(Subject to paragraph C, Maximum Flow, above).

Monitoring Requirements:  
Minimum frequency - continuous  
Sample type - instantaneous

2. Other Constituents  
Limitation: Raw untreated sanitary sewage constituent concentrations (BOD, suspended solids, pH and fecal coliform) shall be within the ranges normally experienced for such wastes.

Monitoring Requirements:  
Minimum frequency - monthly  
Sample type - 6 hour composite

One copy of each monitoring report required under Condition G-27, to the extent it covers the discharge authorized herein, shall also be submitted to the City of Sedro Woolley.

- g. Plans and Specifications. All plans and specifications for the construction of the sewerage system extension or other facilities proposed for conveying the discharge authorized herein to the municipal sewerage system of the City of Sedro Woolley, and the proposed method of future operation and maintenance of said facilities, shall be submitted to and approved by the City of Sedro Woolley and the Council before construction thereof may begin.

GENERAL CONDITIONS

- G1. No discharge of polychlorinated biphenol compounds, such as transformer fluid is permitted. No discharge of materials added for corrosion inhibition including, but not limited to, zinc, chromium, and phosphorous is permitted.
- G2. All discharges and activities authorized herein shall be consistent with the terms and conditions of this Permit. Permittee is authorized to discharge those pollutants which are: (1) contained in the raw water supply, (2) entrained from the atmosphere, or (3) quantitatively and qualitatively identified in the Permit application; except as modified or limited by the special or general conditions of this Permit. However, the effluent concentrations in Permittee's waste water shall be determined on a gross basis and the effluent limitations in this Permit mean gross concentrations and not net addition of pollutants. The discharge of any pollutant more frequently than or at a level in excess of that authorized by this Permit shall constitute a violation of the terms and conditions of this Permit. No liquid radioactive waste shall be added to Project Discharge.

G3. The radiological waste materials contained in the discharge from discharge point Serial Number 001, which are attributable to plant operation, shall never exceed the following calculated levels:

Isotope	Annual Average Release From Plant (Ci/yr)	Annual Average Release From Cooling Tower (Ci/yr)	Annual Average Concentration At Cooling Tower Discharge ( $\mu$ Ci/cc)	Annual Average Concentration Project Discharge ( $\mu$ Ci/cc)	Annual Average Concentration After Mixing ( $\mu$ Ci/cc)
Mn-54	1.8E-6	1.71E-7	3.30E-14	7.4E-15	1.2E-17
Mn-56	2.3E-3	5.9E-6	1.13E-12	2.5E-13	4.1E-16
Fe-59	3.6E-6	3.29E-7	6.32E-14	1.4E-14	2.3E-17
Co-58	2.3E-4	2.13E-5	4.10E-12	9.2E-13	1.5E-15
Co-60	2.3E-5	2.19E-6	4.22E-13	9.5E-14	1.5E-16
Sr-89	1.0E-4	9.18E-6	1.77E-12	4.0E-13	6.3E-16
Sr-90	7.8E-6	7.41E-7	1.42E-13	3.2E-14	5.1E-17
Mo-99	7.8E-4	3.26E-5	6.30E-12	1.4E-12	2.3E-15
Ru-103	6.8E-7	6.17E-8	1.19E-14	2.7E-15	4.3E-18
Ru-106	8.7E-8	8.27E-9	1.59E-15	3.6E-16	5.7E-19
Cs-134	5.5E-6	5.23E-7	1.01E-13	2.3E-14	3.6E-17
Cs-136	3.6E-6	3.01E-7	5.80E-14	1.3E-14	2.1E-17
Cs-137	8.2E-6	7.79E-7	1.50E-13	3.4E-14	5.4E-17
Ba-140	3.1E-4	2.57E-5	4.94E-12	1.1E-12	1.8E-15
I-131	2.3E-2	1.78E-3	3.42E-10	7.7E-11	1.2E-13
I-133	8.4E-2	1.53E-3	2.94E-10	6.6E-11	1.1E-13
H-3	4.84	4.60E-1	8.86E-8	2.0E-08	3.2E-11

- G4. Permittee shall notify the Council no later than 120 days before the date of anticipated first discharge under this Permit.
- G5. Permittee shall not discharge any effluent which shall cause a violation of any applicable State of Washington Water Quality Criteria or standards contained in WAC 173-201, as they exist now or hereafter are amended, outside the boundaries of the applicable mixing zone described in Condition S.3 or inside said zone if in concentrations sufficient to cause biological shock.
- G6. The Permittee shall provide an adequate operating staff which is qualified and shall carry out the operation, maintenance, and testing activities required to insure compliance with the conditions of this Permit.
- G7. Permittee shall handle and dispose of all solid waste material from any waste retention basins or any other source in such a manner as to prevent their pollution of any ground or surface water body. Further, Permittee shall not permit leachate from such solid waste material to cause adverse effect on ground or surface water quality.
- G8. a. Whenever a facility expansion, production increase, process modification or other action, event or occurrence is anticipated which will result in a new or increased discharge, or which will cause any of the conditions of the Permit to be exceeded, a new NPDES Application must be submitted, together with the necessary reports and engineering plans for the proposed changes. No such change shall be made until plans have been approved and a new permit or permit modification has been issued.
- b. Permittee shall notify the Council of any anticipated action, event or occurrence which shall affect or modify the nature, character, composition, or constituents of effluent discharges prior to the occurrence of such action, event or occurrence even though, to the best of the Applicant's knowledge or belief, such action, event or occurrence shall not result in violation of effluent limitations specified in this Permit. The Council may in its discretion waive notification of recurring or insignificant changes.
- G9. If a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Federal Act for a toxic pollutant which is present in the Permittee's discharge and such standards or prohibition is more

stringent than any limitation upon such pollutant in this Permit, this Permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the Permittee shall be so notified.

- G10. If, for any reason, the Permittee does not comply with or will not be able to comply with, any daily maximum effluent limitations specified in this Permit, the Permittee shall:
- a. Immediately take action to stop, contain, and clean up the unauthorized discharge and correct the problem.
  - b. Provide the Council with the following information, in writing, within 48 hours of becoming aware of such condition:
    - (1) A description of the discharge and cause of non-compliance; and
    - (2) The period of noncompliance, including dates and times; or if not corrected, the anticipated time the noncompliance is expected to continue and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the conditions of this Permit or the resulting liability for failure to comply.

- G11. The Permittee shall at all times maintain in good working order and efficiently operate all treatment or control facilities or systems installed or used by the Permittee to achieve compliance with the terms and conditions of this Permit.
- G12. The diversion from or bypass of any discharge from facilities utilized by the Permittee to maintain compliance with the terms and conditions of this Permit is prohibited, except (a) where unavoidable to prevent loss of life or severe property damage, or (b) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the terms and conditions of this Permit. The Permittee shall promptly notify the Council in writing of each such diversion or bypass in accordance with the procedure specified in Condition G10.
- G13. Permittee shall install an alternative electric power source capable of operating any electrically powered pollution control facilities; or, alternatively, Permittee shall certify

to the Council that the terms and conditions of this Permit will be met in case of a loss of primary power to the pollution control equipment by controlling production.

- G14. Prior to construction, Permittee shall advise the Council of the design redundancy in the settling capacity of the storm runoff settling ponds with regard to the maximum 24-hour, 10-year rainfall expectancy (3.5 inches). The Council reserves the right to require increased pond capacity or to require such other action as it deems necessary.
- G15. No dumping, spilling or deposit of oil, grease, chemicals, cement truck washings or other substances in areas within which such substances may be drained, washed or carried into discharges from the Plant Site will be allowed, except as specifically authorized in this Permit. Permittee must present to the Council plans outlining preventive, surveillance and corrective measures designed to provide an effective barrier to introduction of foreign substances to Construction Runoff Discharge. No discharges may be made from Discharge Points 002, 003, 004, or 005 unless and until such plans have been accepted and approved by the Council.
- G16. The Permittee shall prepare and present to the Council prior to the discharge of any effluent, an operational manual describing the proper operation of the settling ponds at Discharge Point Serial Nos. 002, 003, 004 and 005, including but not limited to methods of discharge operation, monitoring release and pumping of residue. No discharge shall be made until the operational manuals have been reviewed and accepted by the Council. The Council reserves the right to require amendments to the operational manual at any time.
- G17. No discharges from settling ponds at Discharge Outfall Point Serial Nos. 002, 003, 004, or 005 shall be made if the temperature of the discharge exceeds 70° Fahrenheit; provided that the Council may temporarily waive this limitation if the Council determines that such waiver is appropriate and prudent, considering the total effect upon the ecosystem.
- G18. In the event that operation of Discharge Outfall Points 002, 003, 004 or 005 are shown to have caused damage to downstream property owners through siltation of Tank or Wiseman Creeks, Permittee shall negotiate in good faith with any affected property owner or owners to effect a resolution acceptable to all parties thereto.
- G19. When plant operation commences, the Permittee shall make and report to the Council an analysis to determine the levels of entrained radioactive material being released into the Skagit River.

- G20. Following installation of Ranney wells, and prior to Plant operations, at the earliest time when well intake water composition can be expected to be equivalent to intake during plant operations, Permittee shall conduct base line water quality studies equivalent to those heretofore conducted on Skagit River water. Results of such study or studies shall be made available immediately to the Council. If intake water differs in quality or composition from Skagit River water as described in conjunction with the Application, effects of such difference upon discharge shall be described. If such a difference appears, the Council may require that a new application be filed, require that water treatment or other regulatory steps be taken, or take such other steps as it may deem necessary to insure that discharge quality will be maintained within the parameters established within this Permit.
- G21. The Permittee shall prepare and present to the Council prior to the discharge of any effluent at Discharge Point 001, first, the results of its investigation concerning pipelines laid in the bed of the Skagit River near the proposed diffuser site and which may have been damaged or destroyed by the action of the river or objects carried therein, and second, a review of Applicant's diffuser design in light of the results of the aforementioned investigation in such detail as will permit the Council to evaluate the diffuser design in view of potential river hazards, and third, a summary of any engineering or design changes in such detail as may enable the Council to review their effectiveness. No discharge shall be made at Discharge Point Serial No. 001 until the above information has been received and approved by the Council. The Council reserves the right to require amendments to the design plan before, during or after any discharge period.
- G22. The Permittee shall prepare and present to the Council, prior to the discharge of any effluent at Discharge Point Serial No. 001, information showing the establishment and maintenance of a monitoring system which will enable it to determine whether the diffuser is in place and operating properly. No discharge shall be made until the information concerning the plan has been reviewed and accepted by the Council. The Council reserves the right to require amendments to the monitoring system before, during or after any discharge. If the diffuser is lost or damaged for whatever reason or cause in any manner adversely affecting the mixing of the effluent the Permittee shall immediately notify the Council and discharge, except from the fish rearing facility,

shall cease at the earliest physically and technically possible moment, and shall not again begin until the Permittee has satisfied the Council that the diffuser has been replaced or repaired in such manner as will insure efficient mixing of the effluent; provided that the Council may temporarily waive the requirement that the discharge cease if the Council determines that protection of the overall public interest and welfare will be served and damage to the environment will be minimal.

- G23. Upon full operation, and yearly thereafter the Permittee shall conduct tests indicating effects of discharge upon the most sensitive significant aquatic species. The specific tests to be conducted shall be proposed by the Applicant subject to approval of the Council. If these tests indicate that damage to the aquatic biota is a potential effect of discharge operation, the Council may require such modifications of discharge operations as will in the Council's judgment, effectively protect the ecosystem, and may suspend or cancel portions of this Permit until discharges are shown to be in full compliance with all terms and conditions herein.
- G24. Prior to the conduct of hydrostatic testing and flushing operations, Permittee shall prepare and present to the Council written procedures to be followed in the handling thereof. These procedures shall be subject to Council acceptance, modification, or rejection. No such operations shall be conducted except pursuant to procedures approved by the Council.
- G25. No supplemental biocide, other than sodium hypochlorite solution as described in the Application, will ever be used or discharged in connection with or from Discharge Point Serial No. 001.
- G26. During any period of discharge at outfall point 001, the Council may in its discretion require Permittee to conduct surveys to assess the nature and extent of attraction, if any, which the discharge plume may pose to aquatic organisms. Such surveys shall be conducted by state-of-the-art methods; precise method and timing of the surveys shall be proposed by the Permittee subject to Council approval. If the results of such surveys demonstrate that a significant hazard is posed to the aquatic biota, the Council may take such action as it deems necessary, including but not limited to requiring suspension of discharge until harmful conditions are eliminated.

Monitoring

- G27. Permittee shall comply with the Monitoring Program requirements set forth herein:

Monitoring results for the previous quarter shall be summarized on a monthly basis and reported on a Discharge Monitoring Report Form (EPA 3320-1), postmarked no later than the 28th day of the month following the end of the quarter. The first report is due the 28th day of the first month following the end of the quarter in which the first discharge under this Permit occurs. Duplicate signed copies of these, and all other reports required herein shall be submitted to EPA and the Council at the following addresses:

U.S. EPA Region X  
1200 Sixth Avenue  
Seattle, WA 98101  
Attention:  
Permits Branch M/S 521

TPPSEC  
Attention:  
Executive Secretary  
820 East 5th Avenue  
Olympia, WA 98504

- G28. The Permittee shall retain for a minimum of five years all records of monitoring activities and results, including all reports of recordings from continuous monitoring instrumentations, record of analysis performed and calibration and maintenance of instrumentation. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Council.
- G29. All samples and measurements made under this program shall be representative of the volume and nature of the monitored discharge.
- G30. The Permittee shall record each measurement or sample taken pursuant to the requirements of this Permit for the following information: (1) the date, place and time of sampling; (2) the dates the analyses were performed; (3) who performed the analyses; (4) the analytical techniques or methods used; and (5) the results of the analyses.

Other Provisions

- G31. As used in this permit, the following terms are as defined herein:

- a. The "daily maximum" discharge means the total discharge by weight during any calendar day.
  - b. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the respective discharges occur. Where less than daily sampling is required by the Permit, the daily average discharge shall be determined by the summation of the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
  - c. "Composite sample" is a sample consisting of a minimum of six grab samples collected at regular intervals over a normal operating day and combined proportional to flow, or a sample continuously collected proportional to flow over a normal operating day.
  - d. "Grab sample" is an individual sample collected in a period of less than 15 minutes.
- G32. All sampling and analytical methods used to meet the monitoring requirements specified in this Permit shall conform to regulations published pursuant to Section 304(g) of the Federal Act, or if there is no applicable procedure, shall conform to the latest edition of the following references:
- a. American Public Health Association, Standard Methods for the Examination of Water and Wastewaters.
  - b. American Society for Testing and Materials, A.S.T.M. Standards, part 23, Water, Atmospheric Analysis.
  - c. Environmental Protection Agency, Water Quality Office Analytical Control Laboratory, Methods for Chemicals Analysis of Water and Wastes.

Alternative methods may be utilized if approval pursuant to 40 CFR 136 or as amended is received by Permittee. The Council shall be notified of each such alternative method approved for use.

- G33. Except for data determined confidential under Section 308 of the Federal Act, all reports prepared in accordance with the terms of this Permit shall be available for public inspection

at the offices of the Council and the Regional Administrator. As required by the Federal Act, effluent data shall not be considered confidential. Knowingly making a false statement on any such report may result in the imposition of criminal penalties as provided in Section 309 of the Federal Act.

- G34. After notice and opportunity for a hearing this Permit may be modified, suspended or revoked in whole or in part during its term for cause, including but not limited to the following:
- a. Violation of any terms or conditions of this Permit;
  - b. Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts;
  - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
  - d. If any provision of this permit is declared invalid by the courts.
- G35. The Permittee shall, at all reasonable times, allow authorized representatives of the Council upon the presentation of credentials:
- a. To enter upon the Permittee's premises for the purpose of inspecting and investigating conditions relating to the pollution of, or possible pollution of any of the waters of the State, or for the purpose of investigating compliance with any of the terms of this Permit;
  - b. To have access to and copy any records required to be kept under the terms and conditions of this Permit;
  - c. To inspect any monitoring equipment or monitoring method required by this Permit; or
  - d. To sample any discharge of pollutants.
- G36. Nothing in this Permit shall be construed as excusing the Permittee from compliance with any applicable Federal, State or local statutes, ordinances or regulations.

- G37. Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities or penalties to which the Permittee is or may be subject.
- G38. Should any provision of this Permit be declared by the courts to be unconstitutional or invalid, by reason of federal preemption or otherwise, such decision shall not affect the validity of the other provisions of this Permit, which shall remain in full force and effect.