



Washington State Energy Facility Site Evaluation Council AGENDA

MONTHLY MEETING
Tuesday, July 18, 2017
1:30 PM

1300 S Evergreen Park Drive SW
Olympia, WA 98504
Hearing Room 206

- 1. Call to OrderBill Lynch, EFSEC Chair
 - 2. Roll CallTammy Mastro, EFSEC Staff
 - 3. Proposed AgendaBill Lynch, EFSEC Chair
 - 4. Minutes **Meeting Minutes**..... Bill Lynch, EFSEC Chair
 - June 20, 2017
 - 5. Projects
 - a. Kittitas Valley Wind Project
 - Operational Update.....Eric Melbardis, EDP Renewables
 - b. Wild Horse Wind Power Project
 - Operational Update.....Jennifer Diaz, Puget Sound Energy
 - c. Columbia Generating Station
 - Operational Update.....Debbie Knaub, Energy Northwest
 - d. WNP – 1/4
 - Non-Operational Update.....Debbie Knaub, Energy Northwest
 - e. Chehalis Generation Facility
 - Operational Update.....Mark Miller, Chehalis Generation Staff
 - f. Grays Harbor Energy Center
 - Operational Update.....Rich Downen, Grays Harbor Energy
 - g. Tesoro/Savage Vancouver Energy Distribution Terminal
 - Project Update.....Sonia Bumpus, EFSEC Staff
 - NPDES Industrial Stormwater Permit.....Sonia Bumpus, EFSEC Staff

*The Council may consider and take **FINAL ACTION** on issuing the Draft Industrial Stormwater Permit for public comment.*
 - 6. Other
 - a. EFSEC Council
 - NPDES Rulemaking.....Bill Lynch, EFSEC Chair

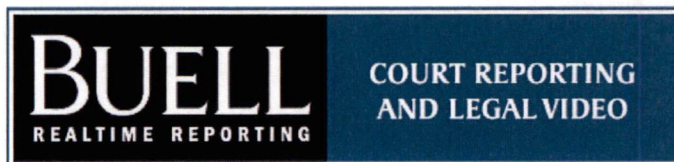
*The Council may consider and take **FINAL ACTION** on issuing a CR-101 to begin rulemaking on modifications to schedules of compliance for NPDES permits.*

 - 1st Quarter Cost Allocation.....Stephen Posner, EFSEC Manager
7. Adjourn.....Bill Lynch, EFSEC Chair

Note: "FINAL ACTION" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance. RCW 42.30.02

Verbatim Transcript of Monthly Council Meeting
Washington State Energy Facility Site Evaluation
Council

June 20, 2017



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Page 1

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6 WASHINGTON STATE
7 ENERGY FACILITY SITE EVALUATION COUNCIL
8 Richard Hemstad Building
9 1300 South Evergreen Park Drive Southwest
10 Conference Room 206
11 Olympia, Washington
12 June 20, 2017
13 1:30 p.m.

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16 MONTHLY COUNCIL MEETING
17 Verbatim Transcript of Proceeding
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23 Taken Before:
24 Laura A. Gjuka, CCR #2057
25 Certified Shorthand Reporter

Page 2

1 APPEARANCES
2 Councilmembers Present:
3 Bill Lynch, Chair
4 Jaime Rossman, Department of Commerce
5 Cullen Stephenson, Department of Ecology
6 Joe Stohr, Department of Fish and Wildlife
7 Dan Siemann, Department of Natural Resources
8
9 Local Government and Optional State Agencies:
10 Ken Stone, Department of Transportation
11 Bryan Snodgrass, City of Vancouver
12 Greg Shafer, Clark County (via phone)
13
14 Assistant Attorney General:
15 Ann Essko, Senior Counsel
16
17 Staff in Attendance:
18 Stephen Posner
19 Jim LaSpina
20 Tammy Mastro
21 Sonia Bumpus
22 Joan Aitken
23 Patti Betts
24 Ami Kidder
25 Christina Potis
26
27 Guests in Attendance:
28 Rich Downen, Grays Harbor Energy
29 Mark A. Miller, PacifiCorp Chehalis Generation Facility
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Page 3

1 APPEARANCES (continued)
2 Guests in Attendance via Phone:
3 Clint Lamoreaux, SWCAA
4 Shannon Khounnala, Columbia Generating & WNP 1/4
5 Kristen Boyles, Earthjustice
6 Karen McGaffey, Perkins Coie
7 Jennifer Diaz, Puget Sound Energy
8 Eric Melbardis, EDP Renewables
9 Tadas Kisielius, Vancouver Energy
10 Jared Larrabee, Tesoro Savage
11 Connie Sue Martin, Port of Vancouver
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Page 4

1 OLYMPIA, WASHINGTON; JUNE 20, 2017
2 1:30 P.M.
3
4 PROCEEDINGS
5
6 CHAIR LYNCH: Good afternoon. Today is
7 June 20th, 2017, the monthly meeting of the Energy
8 Facility Site Evaluation Council. Can we please have
9 the clerk call the roll.
10 MS. MASTRO: Department of Commerce?
11 MR. ROSSMAN: Jaime Rossman is here.
12 MS. MASTRO: Department of Ecology?
13 MR. STEPHENSON: Cullen Stephenson, here.
14 MS. MASTRO: Fish and Wildlife?
15 MR. STOHR: Joe Stohr is here.
16 MS. MASTRO: Department of Natural
17 Resources?
18 MR. SIEMANN: Dan Siemann is here.
19 MS. MASTRO: Utilities and Transportation
20 Commission?
21 CHAIR LYNCH: Councilmember Moss is
22 excused.
23 MS. MASTRO: Local governments and
24 optional state agencies for the Tesoro project,
25 Department of Transportation?

Page 5

1 MR. STONE: Ken Stone is here.
 2 MS. MASTRO: City of Vancouver?
 3 MR. SNODGRASS: Bryan Snodgrass is here.
 4 MS. MASTRO: Clark County?
 5 MR. SHAFER (via phone): Greg Shafer is on
 6 the phone.
 7 MS. MASTRO: Port of Vancouver?
 8 CHAIR LYNCH: Councilmember Paulson is
 9 excused.
 10 MS. MASTRO: Chair, there is a quorum for
 11 the regular council and for the Tesoro Project Council.
 12 CHAIR LYNCH: And if we could just have
 13 the councilmembers take a look at the proposed agenda
 14 for today, you will notice that we will be -- there is
 15 one action item, which is the extension for the Tesoro
 16 Savage project. And following that there will be a few
 17 small good of the order things I want to be talking
 18 about, and then we'll be going into executive session.
 19 Does anyone have any proposed changes to the agenda?
 20 Seeing none, we'll go forward. At this point in
 21 time, before we ask people to identify themselves on the
 22 phone, I just wanted to say happy summer and a belated
 23 happy Father's Day, happy grandfather's day, and happy
 24 great-grandfather's day. I think the latter applies to
 25 Councilmember Stohr but I'm not quite sure of the timing

Page 6

1 of that.
 2 So could we please have those people on the phone
 3 who wish to identify themselves please do so now, though
 4 you're not required to.
 5 MR. LAMOREAUX (vis phone): (Inaudible).
 6 CHAIR LYNCH: Mr. Lamoreaux, you've got to
 7 definitely either speak louder or come closer to the
 8 phone.
 9 That was Clint Lamoreaux with the Southwest Clean
 10 Air Agency. Yeah, Southwest Clean Air Agency.
 11 MS. DIAZ: Jennifer Diaz and
 12 Scott Lichtenberg from the Wild Horse Wind Facility are
 13 on the phone.
 14 MS. KHOUNNALA (via phone):
 15 Shannon Khounnala, Energy Northwest.
 16 MS. MCGAFFEY (via phone): Karen McGaffey,
 17 Perkins Coie.
 18 MS. BOYLES (via phone): Kristen Boyles,
 19 Earthjustice.
 20 MS. MARTIN (via phone): Connie Sue Martin
 21 for the Port of Vancouver.
 22 CHAIR LYNCH: Anyone else? Let's go ahead
 23 and proceed with the approval of the May 16, 2017
 24 minutes. I was able to look them over, and I didn't see
 25 any changes but I didn't know if any other councilmember

Page 7

1 has any other proposed edits. Hearing no proposed
 2 edits, I will entertain the motion for their approval.
 3 MR. STEPHENSON: I'll move the approval of
 4 these minutes, Chair.
 5 MR. STOHR: I'll second.
 6 CHAIR LYNCH: It's been moved and seconded
 7 that the council meeting minutes from the May 16, 2017
 8 meeting be approved. All those in favor say, "Aye."
 9 MULTIPLE SPEAKERS: Aye.
 10 CHAIR LYNCH: Opposed? Motion carries.
 11 At this point in time, we will get updates for our
 12 various projects in the Kittitas Valley Wind Project.
 13 Mr. Melbardis.
 14 MR. MELBARDIS: Good afternoon,
 15 Chair Lynch, EFSEC Council. This is Eric Melbardis with
 16 EDP Renewables for the Kittitas Valley Wind Project.
 17 There was nothing nonroutine to report during the
 18 period. I did note in my update that Mr. LaSpina came
 19 out for our annual compliance visit and that was a
 20 routine visit. And I was able to walk him through some
 21 of our ISO and OSOF EHS Environmental Health and Safety
 22 Management System, and he was pretty impressed with how
 23 (inaudible) --
 24 CHAIR LYNCH: Mr. Melbardis, I'm going to
 25 stop you for a minute. That you were pretty impressed

Page 8

1 with -- and please continue.
 2 MR. MELBARDIS: Jim LaSpina was pretty
 3 impressed with how comprehensive our Environmental
 4 Health and Safety management systems are. So we have
 5 plans to perhaps come visit you, maybe in the fall, for
 6 one of the council meetings in person and perhaps go
 7 through a brief presentation about our ISO and OSOF
 8 compliance and our EHS management system.
 9 CHAIR LYNCH: And you would be very
 10 welcome. And I would encourage councilmembers, once we
 11 get the current proposal in front of us out the door,
 12 for us to start visiting some of these facilities.
 13 Mr. LaSpina.
 14 MR. LASPINA: Thank you, Chair Lynch.
 15 Eric tripped up the court reporter by using acronyms.
 16 ISO stands for the International Standards Organization.
 17 And it's based in Switzerland, and they have -- their
 18 environmental management systems are extremely
 19 comprehensive and go far beyond, for instance, what most
 20 regulatory agencies require. And so Eric gave me a
 21 briefing on that environmental management plan and it
 22 was very impressive. So I wanted to clarify for the
 23 minutes and for the council.
 24 CHAIR LYNCH: Thank you, Mr. LaSpina. Any
 25 questions for Mr. Melbardis? Thank you, Mr. Melbardis.

Page 9

1 It's not easy to impress Mr. LaSpina, so you must be
 2 doing a good job out there.
 3 MR. MELBARDIS: Thank you. And now we'll
 4 hear from Ms. Diaz, Puget Sound Energy, regarding the
 5 Wild Horse Wind Power project.
 6 MS. DIAZ: Thank you, Chair Lynch and
 7 councilmembers. For the record, this is Jennifer Diaz,
 8 the environmental manager for Puget Sound Energy at the
 9 Wild Horse Wind Facility. And I have a couple of
 10 updates for the council today.
 11 One is the Wild Horse Technical Advisory Committee
 12 met on May 31st and members were provided updates on the
 13 2016 hunting plan, the 2016 grazing plan, the eagle
 14 conservation plan and permit, and the second year of
 15 sage grouse habitat monitoring. TAC members also
 16 unanimously voted to recommend approval of the next
 17 five-year grazing plan, the 2017 through 2021 grazing
 18 plan. And then TAC members also went on an optional
 19 field tour of the sage grouse habitat restoration area
 20 which is coming along very nicely.
 21 Following the TAC meeting, Mr. LaSpina conducted an
 22 annual compliance inspection and no compliance issues
 23 were identified. And we also gave Mr. LaSpina a copy of
 24 all of our updated plans and procedures for the
 25 facility. And that's all I have.

Page 10

1 CHAIR LYNCH: And we've got a question by
 2 Councilmember Stephenson.
 3 MS. DIAZ: Okay. Thank you.
 4 MR. STEPHENSON: Thank you, Chair Lynch.
 5 Ms. Diaz, what does it mean that the sage grouse
 6 area is coming along very nicely?
 7 MS. DIAZ: So it's restoring nicely. So
 8 this area was selected by the TAC members and U.S. Fish
 9 and Wildlife and State Fish and Wildlife as an area to
 10 restore for sage grouse nesting and brood-rearing. It's
 11 been two years since that area has been fenced off. It
 12 had been an area that was used heavily by cattle and elk
 13 and people in the past, but we fenced it off and now
 14 things are growing back nicely. The native habitat is
 15 coming in. Weeds are being controlled and water is
 16 being maintained, and the drainage in that area.
 17 MR. STEPHENSON: Thank you.
 18 CHAIR LYNCH: Any other questions for
 19 Ms. Diaz? Thank you, Ms. Diaz.
 20 Now we will hear from Ms. Khounnala,
 21 Energy Northwest, regarding the Columbia Generating
 22 Station and WNP 1/4.
 23 MS. KHOUNNALA: Good afternoon, Chair and
 24 (inaudible) --
 25 CHAIR LYNCH: I'm sorry, we can barely

Page 11

1 hear you.
 2 MS. KHOUNNALA: I apologize, is that
 3 better?
 4 CHAIR LYNCH: That's much better. Good
 5 afternoon.
 6 MS. KHOUNNALA: This is Shannon Khounnala,
 7 manager of the environmental (inaudible) --
 8 CHAIR LYNCH: Now we're losing you again.
 9 MS. KHOUNNALA: I apologize. Any better?
 10 CHAIR LYNCH: Not really.
 11 MS. KHOUNNALA: How is that?
 12 CHAIR LYNCH: It's very faint but it's
 13 better.
 14 MS. KHOUNNALA: I'll do my best to speak
 15 up.
 16 CHAIR LYNCH: I'm sorry, Ms. Khounnala.
 17 We really can't hear you. I'm just wondering if there
 18 is a way for you to get another call in on another line
 19 or something.
 20 MS. KHOUNNALA: Yes, I will try and do
 21 that.
 22 CHAIR LYNCH: Why don't we try this -- try
 23 some more.
 24 MS. KHOUNNALA: Okay.
 25 CHAIR LYNCH: I'm sorry, we're going to

Page 12

1 have to have you call back in, if that's okay. Just
 2 call back in in a few minutes and we'll recognize you.
 3 And for right now, I'm going to turn to Mr. Miller
 4 and the Chehalis Generation Facility.
 5 Welcome, Mr. Miller.
 6 MR. MILLER: Thank you. Good afternoon,
 7 Chair Lynch, councilmembers. My name is Mark Miller.
 8 I'm the plant manager at the PacifiCorp Chehalis
 9 Generation Facility. I have one nonroutine comment to
 10 make, and after consultation with EFSEC Staff and the
 11 EFSEC contractor, the Southwest Clean Air Agency, a
 12 discrepancy or discrepancies were noted in our recent
 13 air and emissions testing report that was submitted
 14 to -- that was conducted in March and submitted to
 15 EFSEC, and I'll defer to EFSEC Staff for further
 16 clarification and context.
 17 CHAIR LYNCH: So nothing nonroutine
 18 outside of that then?
 19 MR. MILLER: Outside of that, no, sir.
 20 CHAIR LYNCH: Okay. Mr. LaSpina?
 21 MR. LASPINA: Chair Lynch, I was prepared
 22 to speak about this but there is a person far more
 23 qualified than I am on the line, Clint Lamoreaux, who
 24 has a real good understanding of what happened. So I'm
 25 going to defer to him at this point.

Page 13

1 Clint, are you there?
 2 MR. LAMOREAUX (via phone): Yes, hopefully
 3 you can hear me.
 4 CHAIR LYNCH: Yes.
 5 MR. LAMOREAUX (via phone): It's very
 6 quiet.
 7 CHAIR LYNCH: Now we can't. Can you just
 8 turn it up or just get closer to the phone?
 9 MR. LAMOREAUX (via phone): How is this?
 10 CHAIR LYNCH: That's better.
 11 MR. LAMOREAUX (via phone): I can try
 12 calling in again.
 13 CHAIR LYNCH: Actually, that's pretty good
 14 right there.
 15 MR. LAMOREAUX (via phone): Okay. During
 16 the DOT testing, the testing contractor, which is
 17 essentially the combined sampling and analytical
 18 (inaudible) that involves organic compounds using a
 19 calibration range that was --
 20 COURT REPORTER: I can't hear every word.
 21 I'm sorry.
 22 CHAIR LYNCH: Mr. Lamoreaux, you're going
 23 to have to speak louder and slower, both.
 24 MR. LAMOREAUX (via phone): Okay. On the
 25 volatile organic compound testing -- can you hear me?

Page 14

1 CHAIR LYNCH: Just go ahead, please.
 2 MR. LAMOREAUX (via phone): The testing
 3 contractors used the calibration range much too high to
 4 resolve compliance with the permitted emission limits.
 5 And so the bottom scale was -- there are uncertainty in
 6 the measurements approximately equivalent to the entire
 7 permit limits for volatile organic compounds. This is a
 8 mistake by the testing contractor. So we recommend that
 9 the testing be repeated at some point in the future.
 10 CHAIR LYNCH: So just to summarize what
 11 you said, and Mr. LaSpina can correct me, essentially
 12 the contractor who came in to do the testing used a
 13 measurement device that was -- I believe the facility
 14 has a particular limit for ammonia, and the testing
 15 device he used -- well, I'll just say it was like 1.0,
 16 that their scale started at 1.0.
 17 And so it wasn't -- you didn't get a real accurate
 18 measurement of what the ammonia level was, but it also
 19 was not in exceedance. So there is no permit violation.
 20 And so what's being recommended by SWCAA is that just it
 21 be retested again in early 2018; is that correct?
 22 MR. LAMOREAUX (via phone): With the
 23 exception -- that is correct, except for the pollutant
 24 involves organic compounds.
 25 CHAIR LYNCH: Oh, it was VOCs?

Page 15

1 MR. LAMOREAUX (via phone): Correct.
 2 CHAIR LYNCH: Okay. That's right, you did
 3 say VOCs.
 4 And any questions for Mr. Miller or Mr. Lamoreaux?
 5 Mr. LaSpina? Yes, Jaime. Mr. Rossman. Sorry.
 6 MR. ROSSMAN: Thank you, Chair Lynch. Do
 7 I recall some issues with some other aspect of air
 8 emissions calculations at the facility within the last
 9 year? I'm forgetting exactly the details of it, but I
 10 think I remember --
 11 MR. MILLER: If you're asking the question
 12 of the Chehalis plant, not with respect to Chehalis
 13 omissions, or our relative accuracy test audit which is
 14 conducted annually on the continuous emission monitors.
 15 This was an analysis and subsequent finding by the
 16 contractor for EFSEC, Clint Lamoreaux at the Clean Air
 17 Agency. It was done in his very thorough review of the
 18 calculations and review of the calibration gases that
 19 were used in the reference testing. And either Clint or
 20 Mr. Lamoreaux or Mr. LaSpina can correct me if I'm
 21 wrong, but that's my understanding that this is the
 22 first issue we've had in many, many years.
 23 MR. ROSSMAN: Got it. A calculation
 24 error? Maybe I'm misremembering this. Nothing rings a
 25 bell? All right. Thank you.

Page 16

1 MR. MILLER: Okay.
 2 CHAIR LYNCH: Thank you. Any further
 3 questions from councilmembers regarding the Chehalis
 4 Generation Facility?
 5 Okay. We're going to turn to -- thank you very
 6 much. We're going to turn to Mr. Downen of the
 7 Grays Harbor Energy Center.
 8 MR. DOWNEN: Afternoon, Chair Lynch and
 9 councilmembers and staff. There are a few items that I
 10 wanted to highlight in our report this month. I'll
 11 start at the bottom. So site visits is Area 5. And we
 12 had a couple of site visits in the month of May. And we
 13 had a class enact 299, a class which is better described
 14 by the verbiage there. And they just used our facility
 15 for part of the field trip portion of this class. So we
 16 had air regulators throughout the west that were on
 17 site. And then we also hosted a group that consisted of
 18 UTC Commissioner Jay, and I'm just not going to try his
 19 last name. It's just not --
 20 CHAIR LYNCH: Commissioner Balasbas. I'm
 21 not sure if I'm saying it correctly myself. He's not
 22 here.
 23 MR. DOWNEN: Right. So if he hears this
 24 later. But anyway, he was UTC commissioner and aid
 25 staff from UTC Canada and toured the plant and just got

Page 17

1 a feel for what a gas turbine combined cycle plant, how
 2 it operates. And it was a good tour.
 3 And then the other two things that I would highlight
 4 in the environmental section, No. 2.3. We had a storm
 5 water test measurement for turbidity, which was 6.4. If
 6 you remember, in April we reported there was a sample at
 7 32 NTUs of turbidity, and that is a quarterly average
 8 that is the permitted value.
 9 So that number is well within the permitted value
 10 for the quarter. We thought that was kind of an
 11 anomaly, that reading. Subsequently, we will report on
 12 it on the June report, but we have done a lot of work on
 13 the BMPs for the storm water there. We have got to
 14 replace everything on site. So we're headed in the
 15 right direction there.
 16 And then the last thing would be item 2.7, the
 17 arsenic and mercury levels in the May 19th outfall
 18 sample were below minimum levels. So while that's
 19 not -- there is a lot more testing to be done there.
 20 It's kind of that initial first look, post-cooling tower
 21 replacement, that is a good indication that things are
 22 going to be heading in the right direction there.
 23 CHAIR LYNCH: Very good.
 24 MR. DOWNEN: Yeah. I think that's it.
 25 CHAIR LYNCH: Any questions for

Page 18

1 Mr. Downen? Thank you, Mr. Downen.
 2 MR. DOWNEN: Thank you.
 3 CHAIR LYNCH: I'm just going to ask if
 4 Ms. Khounnala, are you back on the line? Apparently
 5 not. Let me just see if -- so let's go ahead and turn
 6 to the Tesoro Vancouver Energy Distribution Terminal.
 7 Ms. Bumpus.
 8 MS. BUMPUS: Thank you. Good afternoon,
 9 Chair Lynch and councilmembers. Not a whole lot of
 10 updates this month. For SEPA, next week outside staff
 11 will begin reviewing FEIS sections back from our
 12 consultant that have undergone revisions per EFSEC
 13 staff's instructions. We will be conducting a review of
 14 those revisions, and at the same time we're also
 15 continuing to work with the applicant to revise the air
 16 quality impact analysis for the EIS. For the court
 17 reporter, that's the Environmental Impact Statement.
 18 We recently received the applicant's proposed
 19 approach on June 14th, and staff have a call scheduled
 20 with our consultant tomorrow to discuss their review
 21 results and determine what feedback we need to provide
 22 to the applicant.
 23 As far as the FEIS goes, I wanted to add that once
 24 the air quality impact analysis is updated, it will need
 25 to be incorporated into the FEIS, and staff plans to do

Page 19

1 another, what we're calling final review, at that time
 2 to look at affected sections of the FEIS, where new
 3 information has been added or updated.
 4 So I'll start with the NPDES construction permit if
 5 there aren't any questions.
 6 CHAIR LYNCH: Any questions for Ms. Bumpus
 7 at this point? Please proceed.
 8 MS. BUMPUS: So there is no new
 9 information to provide on the NPDES construction storm
 10 water permit. That permit went out for public comment,
 11 and we're working on it where we can to address the
 12 comments and provide responses so that we can develop a
 13 permit.
 14 For the notice of construction, the public hearing
 15 on the NOC was held on June 7th in Vancouver.
 16 Approximately 147 people signed up to speak. And we are
 17 still tallying how many comments we received, but it
 18 looks like we're going to have just over 1,500 comments
 19 when we're all done getting everything into the
 20 database.
 21 At that time -- well, actually this has already
 22 begun -- we'll be reviewing those to identify
 23 substantive comments that we'll need to respond to to
 24 finalize and prepare a final permit. So that's already
 25 started to happen, and I'll keep the councilmembers

Page 20

1 updated on our progress there.
 2 For the NPDES industrial storm water permit, this is
 3 the draft permit that we brought to the council last
 4 month for action. I received Councilmember Stone's
 5 comments on the draft fact sheet and permit after the
 6 council meeting on the 16th of May, and we started to
 7 work on those right away. EFSEC Staff and the permit
 8 writer worked together to make some minor edits, in
 9 light of Councilmember Stone's comments and
 10 Councilmember Rossman's comments.
 11 And the legal review was then started and we didn't
 12 get that back until June 1st. And at that time the
 13 permit writer was then on leave, and we needed the
 14 permit writer to come in and look at some of those
 15 comments and make some revisions.
 16 So, in short, we are still working on getting the
 17 key folks involved in the review and making sure
 18 everything is final before we send that back to the
 19 council.
 20 Are there any questions about the status of the
 21 industrial permit?
 22 CHAIR LYNCH: Any questions for Ms. Bumpus
 23 regarding the industrial permit? No, please continue.
 24 MS. BUMPUS: Let's see, well, I think
 25 that -- that concludes my updates on the project. And

Page 21

1 Mr. Posner is going to speak to the request for an
 2 extension letter that was received by EFSEC.
 3 CHAIR LYNCH: Right. And in your packet
 4 you'll notice that you have a letter signed by
 5 Mr. Flynt.
 6 Mr. Larrabee, did you want to address the council?
 7 MR. POSNER: Chair Lynch, councilmembers,
 8 I just have a few comments and then Mr. Larrabee is here
 9 to answer any questions councilmembers may have.
 10 CHAIR LYNCH: Okay.
 11 MR. POSNER: So you do have a copy of the
 12 letter. It's in your packets. The letter requests an
 13 extension of the review time until August 31st, 2017.
 14 That would be a two-month extension from the current
 15 deadline, which is June 30th, 2017.
 16 So as we've discussed in the past, when these
 17 extension requests come before the council, this is to
 18 comply with RCW 80.50.100 where the council and the
 19 applicant can't agree to an extension of the time frame
 20 for processing the application. So that was the purpose
 21 of this letter.
 22 And I think with that I'll turn it over to council.
 23 Mr. Larrabee is here. He can answer any questions
 24 councilmembers may have.
 25 CHAIR LYNCH: Any questions first for

Page 22

1 Mr. Posner? Any questions for Mr. Larrabee?
 2 We have no questions. Thank you.
 3 I'm sorry. Mr. Snodgrass?
 4 MR. SNODGRASS: I guess a question just on
 5 the -- for Mr. Posner, I guess. I heard Ms. Bumpus talk
 6 about quite a bit of work and moving parts still in
 7 place. I guess the question I would have, if we're
 8 not -- if this is a realistic timeline or if we're
 9 essentially guaranteeing ourselves that we will be back
 10 in August with a further extension?
 11 MR. POSNER: Well, I would say based on my
 12 understanding of the work that remains, two months is
 13 not adequate time to complete the process and, you know,
 14 make the recommendation to the governor.
 15 CHAIR LYNCH: Any other questions?
 16 So at this point in time, I would entertain a motion
 17 for extending the time frame for the council for winding
 18 up its work and providing a recommendation to the
 19 governor. The applicant has requested a two-month
 20 extension to August 31st, 2017. Do we have a motion?
 21 MR. ROSSMAN: Question, Mr. Chair. Sorry.
 22 CHAIR LYNCH: Yes, Mr. Rossman.
 23 MR. ROSSMAN: To whatever extent we -- the
 24 letter is requesting a meeting and establishment of a
 25 schedule. And once that is done or if any information

Page 23

1 is available there, if that can be shared with us and
 2 perhaps on the website too just to make it clearer, as
 3 much as we know about what the timeline would be, that
 4 would be appreciated.
 5 With that, I would motion to approve the extension
 6 request.
 7 CHAIR LYNCH: Move to second.
 8 MR. STOHR: I'll second.
 9 CHAIR LYNCH: It's been moved and seconded
 10 that we approve the two-month extension request. All
 11 those in favor say, "Aye."
 12 MULTIPLE SPEAKERS: Aye.
 13 CHAIR LYNCH: Opposed? Motion carries.
 14 Okay, before we go into executive session, I would
 15 note two things for the good of the order. One is that
 16 EPA has approved our SIP request and at the end of this
 17 month actually going to issue our own PSD permits. So
 18 that was a big effort, both by our staff and of the
 19 Ecology staff. Thank you, particularly Mr. LaSpina, for
 20 helping make that come about. And that's a big deal.
 21 That was years of work to get to that point.
 22 And then at the back of your packets you'll see a
 23 proposed rule change. And I'm not asking that we take
 24 any action on this today, but this is something I'm
 25 going to be talking about next council meeting, next

Page 24

1 month.
 2 As we go forward and continue to update our rules
 3 and processes to make ourselves more efficient, one of
 4 the things that was pointed out by Mr. LaSpina is that
 5 our NPDES permit modification rules are much more strict
 6 than Ecology's rules.
 7 And under the existing rule, if there is even a
 8 slight change we have to open up a whole permit again in
 9 order to make a correction. And Ecology rules provide
 10 that, depending on the type of change that's being made,
 11 if it's a minor change, then the council will, on a
 12 case-by-case basis, determine how much notice is
 13 required. So you could actually have a hearing, you
 14 could just publish notice. Or what frequently happens,
 15 if it's just a small change, is Ecology will just send a
 16 letter to the permit holder.
 17 And I'll just give you a quick example of something
 18 that could happen like that when we're talking about a
 19 change in a compliance schedule. Let's say, for
 20 example, a permit holder was required to do some
 21 particular work by a certain date and then there is a
 22 minor flood event at the facility. Well, what EFSEC
 23 could do then is once the flood receded, we could say,
 24 Well, instead of a report being done, I'll just say
 25 September 1st, we could say the report can be due

Page 25

1 December 1st, and we could just do it by a letter
 2 without requiring a whole permit modification. So
 3 that's an example of us being a lot more efficient and
 4 paralleling Ecology's process which is what we would
 5 like to do as much as possible.
 6 And I would also note that Ecology has had this rule
 7 in effect since at least 1988. That's the last time
 8 their rule was amended. So when I say at least 1988, it
 9 could have even been in place before that.
 10 So at our next council meeting I would like to talk
 11 about this some more and hopefully start the rulemaking
 12 process, the regular rulemaking process. And this would
 13 be another arrow in our quiver for being more efficient.
 14 Any thoughts about this? Mr. Stephenson, were you
 15 going to add something?
 16 MR. STEPHENSON: Thank you, Chair Lynch.
 17 To the extent that we can have EFSEC and other agency
 18 policies and procedures align, that makes sense. And so
 19 I very much appreciate that you've been trying to do
 20 that and to get EFSEC's regulatory and rulemaking and
 21 other procedures in line with what we've worked very
 22 hard for for a long time. So that's very helpful. And
 23 we appreciate that.
 24 CHAIR LYNCH: You're saying all the right
 25 things, Mr. Stephenson.

Page 26

1 MR. STEPHENSON: Yeah. All in favor of
 2 Mr. Lynch. Sorry.
 3 CHAIR LYNCH: And with that we're going to
 4 go into an executive session. Excuse me.
 5 Ms. Khounnala. By any chance are you on the line?
 6 I would just note that there were no real
 7 significant changes by Energy Northwest, and this was
 8 also when they wrapped up, the facility was down for a
 9 while for operational checks and upgrades and all that.
 10 And they should have come back online, I think,
 11 yesterday. So that's what I'm sure Ms. Khounnala was
 12 trying to say to us.
 13 And with that, we will go into executive session
 14 pursuant to RCW 42.30.110(1)(i) to discuss potential
 15 agency litigation as allowed per that particular
 16 subsection in the opening exec. And so it is a little
 17 bit after -- between 5 and 10 after 2:00, and I
 18 anticipate we will be back in one hour. And with that,
 19 we are in recess for purposes of executive session.
 20 (Recess.)
 21 CHAIR LYNCH: Okay. We're back on the
 22 record. It is about 10 after 3:00 and we are not yet
 23 through with our executive session. So we will be
 24 coming back on the record at 4:00 o'clock. Thank you.
 25 (Recess.)

Page 27

1 CHAIR LYNCH: This is Bill Lynch. I'm the
 2 chair of EFSEC. We're back on the record. It is
 3 roughly ten after 4:00, and our executive session has
 4 concluded. There is no further business for the council
 5 today and we're adjourned. Thank you.
 6 (Proceedings concluded at 4:09 p.m.)
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Page 28

1 CERTIFICATE
 2 I, Laura Gjuka, a Certified Court Reporter in
 3 and for the State of Washington, residing at
 4 University Place, Washington, authorized to administer
 5 oaths and affirmations pursuant to RCW 5.28.010, do
 6 hereby certify;
 7 That the foregoing Verbatim Report of Proceedings
 8 was taken stenographically before me and transcribed
 9 under my direction; that the transcript is a full, true
 10 and complete transcript of the proceedings, including
 11 all questions, objections, motions and exceptions;
 12 That I am not a relative, employee, attorney or
 13 counsel of any party to this action or relative or
 14 employee of any such attorney or counsel, and that I am
 15 not financially interested in the said action or the
 16 outcome thereof;
 17 That upon completion of signature, if required, the
 18 original transcript will be securely sealed and the same
 19 served upon the appropriate party.
 20 IN WITNESS WHEREOF, I have hereunto set my hand this
 21 6th day of July, 2017.
 22
 23
 24
 25

Laura Gjuka, CCR No. 2057

Kittitas Valley Wind Power Project

Monthly Project Update

July 18, 2017

Project Status Update

June Production Summary:

Power generated:	23,725 MWh
Wind speed:	8.6 m/s
Capacity Factor:	32.7%

Safety:

No incidents

Compliance:

Project is in compliance as of July 17, 2017.

Sound:

No complaints

Shadow Flicker:

No complaints

Environmental:

No incidents

WILDHORSE
Operational and Compliance Update for June

Safety

No lost-time accidents or safety injuries/illnesses.

Compliance/Environmental

Nothing to report.

Operations/Maintenance

Nothing to report.

Wind Production

Generation totaled 52,705 MWh for an average capacity factor of 26.85%.

Jennifer Diaz
Project Manager
Wild Horse Wind & Solar Facility

**Energy Northwest
EFSEC Council Meeting
July 18, 2017
Debbie Knaub/Shannon Khounnala**

I. Columbia Generating Station Operational Status

- a. Columbia is online at 100% power and producing 1138 MWs. The plant has been online for 21 days.

- b. Columbia Generating Station completed its 23rd refueling and maintenance outage in June, reconnected to the Northwest power grid on June 19th. The outage, originally scheduled for 40 days, was completed two and a half days early. Every two years, approximately a third of Columbia's fuel assemblies are removed from the core and placed in the used fuel pool after spending a total of six years in the reactor core. In addition, during this year's refueling outage, a new low pressure turbine rotor was successfully installed. More than 1,350 skilled outage workers were hired locally and from across the country to support maintenance projects throughout the plant during the outage.

- c. Energy Northwest is permitted to operate the evaporation pond wastewater treatment system (evaporation ponds) per EFSEC Order No. 874. Evaporation ponds 3 and 4 receive wastewater and stormwater originating from the Columbia Generating Station power block. The recent above average seasonal precipitation and cooler spring temperatures resulted in higher than usual pond levels this summer. Energy Northwest proposes to add several aerators this summer to increase evaporation during the warmer months and to prepare for the wet season.

Energy Northwest has worked with the Department of Ecology and Department of Health and provided a technical evaluation for their review to demonstrate that the addition of aerators will not exceed limits. The addition of the aerators does not result in the emission of new radionuclides or cause an exceedance to the limits in EFSEC Order No. 874.

There are no other events, safety incidents, or regulatory issues to report.

d. WNP 1/4 Water Rights

NEPA/Leasing

Energy Northwest's new lease with the Department of Energy for WNP 1/4 went into effect on July 1, 2017. We have started the planning and some field work on the water distribution system project, which will eventually utilize the Water Rights permit granted by the Department of Ecology.

Chehalis Generation Facility----Monthly Plant Report – June 2017

Washington Energy Facility Site Evaluation Council

07-14-2017

Safety:

- There were no recordable incidents this reporting period and the plant staff has achieved 702 days without a Lost Time Accident.

Environment:

- There were no air emissions or stormwater deviations or spills during the month of June 2017.
- Wastewater and Stormwater monitoring results were in compliance with the permit limits for the month of June 2017.

Personnel:

- The Chehalis plant staffing level is currently 19 of 19 approved positions filled.

Operations and Maintenance Activities:

- The Plant generated 47,976 MW-hours in June for a 2017 YTD generation total of 561,701 MW-hours and a capacity factor of 24.14%.

Regulatory/Compliance:

- Nothing to report.

Sound monitoring:

- There were no noise complaints to report.



Carbon Offset Mitigation:

- No update to provide this reporting period.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Miller".

Mark A. Miller
Manager, Gas Plant
Chehalis Generation Facility

EFSEC Monthly Operational Report

June, 2017

1. Safety and Training

- 1.1. There were no accidents or injuries during the month of June.
- 1.2. Conducted scheduled and required monthly training.
- 1.3. Conducted the scheduled safety committee meeting.

2. Environmental

- 2.1. Submitted the May Outfall Discharge Monitor Report (DMR) to Ecology.
- 2.2. The DMR-QA 37 proficiency tests for Grays Harbor Energy's site lab (EPA ID: WA01287) were received back from ERA with no deviations noted.
- 2.3. To ensure continued Storm Water Pollution Prevention Plan (SWPPP) compliance, House Brothers completed East ditch maintenance, the replacement of a damaged catch basin near Auxiliary Boiler, and the replacement of all silt fencing onsite.
- 2.4. Quarterly cylinder gas audits, CEMS analyzer linearities, and continuous opacity meter system (COMS) audits were completed. The Relative Accuracy Test Assessment (RATA) test plan scheduled for the week of August 7 was mailed to EFSEC and ORCAA for review.
- 2.5. A natural gas sample was collected on June 1 and its test results were entered into the continuous emission monitoring system (CEMS) for the month.
- 2.6. The arsenic and mercury levels in both June outfall samples were below the minimum levels documented in Table 3-6 of AECOM's 2015 Engineering Report. The required post-AKART testing for arsenic and mercury will begin once overall process conditions appear to have stabilized.
- 2.7. The Spill Prevention Control and Countermeasure (SPCC) Plan was reviewed and updated. In addition, the quarterly SPCC site inspection and bulk inventory was completed.

3. Operations & Maintenance

- 3.1. Grays Harbor Energy (GHE) operated 17 days and generated 97,416 MWh during the month of June.

4. Noise and/or Odor

- 4.1. There were no complaints made to the site during the month of June.

5. Site Visits

- 5.1. The Invenergy Regional Safety Manager visited the plant during the month of June to review safety programs and training, and found no discrepancies.

6. Other

- 6.1. Grays Harbor is staffed with 19 personnel.

Fact Sheet for NPDES Permit WA0XXXXXX

Vancouver Energy Distribution Terminal

July 18, 2017

Purpose of this Fact Sheet

This fact sheet explains and documents the decisions the Washington State Energy Facility Site Evaluation Council (EFSEC) made in drafting the proposed National Pollutant Discharge Elimination System (NPDES) permit for the Vancouver Energy Distribution Terminal.

This fact sheet complies with Section 463-76-034 of the Washington Administrative Code (WAC), which requires EFSEC to prepare a draft permit and accompanying fact sheet for public evaluation before issuing an NPDES permit.

EFSEC makes the draft permit and fact sheet available for public review and comment at least thirty (30) days before issuing the final permit. Copies of the fact sheet and draft permit for Vancouver Energy Terminal, NPDES permit WAXXXXXX, are available for public review and comment from July 18, 2017 until August 22, 2017. For more details on preparing and filing comments about these documents, please see **Appendix A - Public Involvement**

Information

After the public comment period closes, EFSEC will summarize substantive comments and provide responses to them. EFSEC will include the summary and responses to comments in this fact sheet as **Appendix E - Response to Comments**, and publish it when issuing the final NPDES permit. EFSEC generally will not revise the rest of the fact sheet. The full document will become part of the legal history contained in the facility's permit file.

Summary

Vancouver Energy is proposing to build an Energy Distribution Terminal Facility at the Port of Vancouver in Vancouver, WA. The primary operations of the proposed Terminal include receiving and offloading crude oil by rail, storing crude oil in aboveground storage tanks and transferring crude oil from the tanks via pipeline to marine vessels including tankers and tank barges. Crude oil would be delivered to the proposed Terminal by unit train composed of up to 120 crude oil tank cars each. Crude oil loaded onto marine vessels is primarily for delivery to refineries located on the West Coast of North America.

Permit issuance falls under the Environmental Protection Agency National Pollutant Discharge Elimination System Program. All point source discharges from the facility are identified and regulated as necessary. This permit establishes effluent limits to regulate quality of stormwater discharged from the facility to the Columbia River via the existing Port of Vancouver stormwater outfalls. The limits for stormwater discharges established in the permit include: Total Suspended Solids (TSS), Oil and Grease, copper, zinc, benzene and BTEX (total quantity of benzene, toluene, ethylbenzene and the m,o,p mixed isomers of xylene). This permit also establishes monitoring requirements for process wastewater generated in the unloading area to ensure proper off-site disposal of the wastewater. It also includes a discussion of process wastewater generated at the boiler building. Boiler blowdown and reverse osmosis (RO) reject generated at the

building is treated and discharged to the City of Vancouver wastewater treatment plant under a city issued pretreatment permit.

Table of Contents

I.	<i>Introduction</i>	6
II.	<i>Background Information</i>	7
	A. Facility description	8
	History.....	98
	Industrial Processes.....	9
	Wastewater Treatment processes.....	10
	Discharge outfall.....	1713
	B. Description of the receiving water	1714
	C. Wastewater characterization	1814
	D. Summary of compliance with previous permit Issued	2016
	E. State Environmental Policy Act (SEPA) compliance	2016
III.	<i>Proposed Permit Limits</i>	2017
	A. Design criteria	2117
	B. Technology-based effluent limits	2218
	C. Surface water quality-based effluent limits	2219
	Numerical criteria for the protection of aquatic life and recreation.....	2319
	Numerical criteria for the protection of human health.....	2319
	Narrative criteria.....	2319
	Antidegradation.....	2320
	Mixing zones.....	2421
	D. Designated uses and surface water quality criteria	2521
	E. Water quality impairments	2622
	F. Evaluation of surface water quality-based effluent limits for narrative criteria	2622
	G. Evaluation of surface water quality-based effluent limits for numeric criteria	2623
	H. Human health	2723
	L. Effluent limits:	2724
IV.	<i>Monitoring Requirements</i>	2824
	A. Wastewater monitoring	2825
	B. Lab accreditation	2825
V.	<i>Other Permit Conditions</i>	2925
	A. Reporting and record keeping	2925
	B. Non routine and unanticipated wastewater	2925

C.	Spill plan	<u>2925</u>
D.	Operation and maintenance manual	<u>2926</u>
E.	Stormwater pollution prevention plan (SWPPP)	<u>2926</u>
	Ecology-Approved Stormwater Management Manuals	<u>3026</u>
	Operational Source Control BMPs.....	<u>3027</u>
	Structural Source Control BMPs.....	<u>3127</u>
	Treatment BMPs	<u>3127</u>
	Volume/Flow Control BMPs	<u>3128</u>
F.	Off-site Wastewater Disposal Reporting Requirements	<u>3128</u>
G.	Best Management Practices for Petroleum Bulk Terminals	<u>3228</u>
H.	General conditions	<u>3228</u>
VI.	Permit Issuance Procedures	<u>3228</u>
A.	Permit modifications	<u>3228</u>
B.	Proposed permit Issuance	<u>3229</u>
VII.	REFERENCES FOR TEXT AND APPENDICES	<u>3229</u>
	<i>Appendix A--Public Involvement Information</i>	<u>3431</u>
	<i>Appendix B--Your Right to Appeal</i>	<u>3532</u>
	<i>Appendix C--Glossary</i>	<u>3633</u>
	<i>Appendix D--Technical Calculations</i>	<u>4441</u>
	<i>Appendix E--Response to Comments</i>	<u>4643</u>

Table 1	General Facility Information	7
Table 2	Ambient Background Data	17
Table 3	Predicted Treated Stormwater Characteristics.....	18
Table 4	Flow rate for each of the operating area within the facility.....	21
Table 5	Technology-based Limits	22
Table 6	Freshwater Aquatic Life Uses and Associated Criteria.....	25
Table 7	Recreational Uses and Associated Criteria.....	25
Table 8	Water quality-based limits (Hardness: 61.6)	27
Table 9	Proposed Effluent Limits.....	27
Figure 1	Facility Location Map	8
Figure 2	Facility Layout.....	10

Figure 3 Terminal 4 Drainage System 13
Figure 4 Terminal 5 Drainage System 16

I. Introduction

The Federal Clean Water Act (FCWA, 1972, and later amendments in 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One mechanism for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System (NPDES), administered by the federal Environmental Protection Agency (EPA). The EPA authorized the state of Washington to manage the NPDES permit program in our state. Our state legislature accepted the delegation and assigned the power and duty for conducting NPDES permitting and enforcement for energy facilities to EFSEC (Revised Code of Washington (RCW) 90.48.262(2)). The Legislature defined EFSEC's authority and obligations for the wastewater discharge permit program in RCW 80.50 and RCW 90.48.

The following regulations apply to industrial NPDES permits:

- Procedures EFSEC follows for issuing NPDES permits (chapter 463-76 of the Washington Administrative Code (WAC))
- Water quality criteria for surface waters (chapter 173-201A WAC)
- Water quality criteria for ground waters (chapter 173-200 WAC)
- Whole effluent toxicity testing and limits (chapter 173-205 WAC)
- Sediment management standards (chapter 173-204 WAC)
- Submission of plans and reports for construction of wastewater facilities (chapter 173-240 WAC)

These rules require any applicable industrial facility owner/operator to obtain an NPDES permit before discharging wastewater to state waters. They also help define the basis for limits on each discharge and for performance requirements imposed by the permit.

Under the NPDES permit program and in response to a complete and accepted permit application, EFSEC must prepare a draft permit and accompanying fact sheet, and make them available for public review before final issuance. EFSEC must also publish an announcement (public notice) telling people where they can read the draft permit, and where to send their comments, during a period of thirty days (WAC 463-76-041). (See **Appendix A-Public Involvement Information** for more detail about the public notice and comment procedures). After the public comment period ends, EFSEC may make changes to the draft NPDES permit in response to comment(s). EFSEC will summarize the responses to comments and any changes to the permit in **Appendix E**.

II. Background Information

Table 1 General Facility Information

Facility Information	
Applicant:	Tesoro Savage Petroleum Terminal, LLC, dba Vancouver Energy
Facility Name and Address	Vancouver Energy Distribution Terminal 5501 Northwest Lower River Road, Vancouver, WA 98660
Contact at Facility	Name: TBD Telephone #: (801) 944-6600
Responsible Official	Name: Kelly Flint Title: Authorized Person Address: 901 Legacy Center Way, Midvale, UT 84047 Telephone #: (801) 944-6600 FAX # (801) 944-6554
Industry Type	Petroleum Bulk Terminal
Type of Treatment	Granular Activated Carbon, Media Filtration, Oil Water Separation
SIC Codes	5171
NAICS Codes	422710
Facility Location (NAD83/WGS84 reference datum)	Latitude: 45.651778° N Longitude: -122.731131° W
Discharge Waterbody Name and Location (NAD83/WGS84 reference datum)	Columbia River Terminal 4 (T4) Latitude: 45.6375° N Longitude: -122.7125° W Terminal 5 (T5) Latitude: 45.649722° N Longitude: -122.745833° W

Figure 1 Facility Location Map



Figure 1 - Vicinity Map

LEGEND

- Project Boundary
- Vancouver_WA
- Portland,_Oregon

VANCOUVER ENERGY

Tesoro Savage Petroleum Terminal LLC

Date: February 2015
 Map Notes: Aerial photo dated July 2010, courtesy of ESRI World Imagery service

A. Facility description

History

The proposed Facility is new. EFSEC has not previously issued any permits for the facility. Tesoro Savage Petroleum Terminal LLC, dba Vancouver Energy (the Applicant) submitted an Application for Site Certification to EFSEC on August 29, 2013 to construct and operate the Vancouver Energy Distribution Terminal Facility at the Port of Vancouver in Vancouver, Washington.

The Port of Vancouver (the Port) is located 106 river miles from the Pacific Ocean on the Columbia River. The port currently has 13 deep draft vessel berths that can accommodate river and ocean-going vessels. The port is served by BNSF Railway, Union Pacific Railroad, Canadian National Railroad and Canadian Pacific Railroad. The proposed project is located in Terminal 4 and Terminal 5 areas of the port. The rail receiving and offloading area for the proposed Terminal at Terminal 5 is connected to the BNSF railway into the Port. Marine transfer operations will occur at Port Berth 13 located at approximately Columbia River Mile 103.5 (RM 103.5).

The proposed Facility is a bulk oil terminal capable of receiving an average of 360,000 barrels (bbls) of crude oil per day by unit train for storing and transferring crude oil onto marine vessels for delivery to refineries primarily located on the US West Coast. The Standard Industrial Classification (SIC) code for this facility is 5171. Crude oil would be delivered to the proposed Facility by unit trains composed of up to 120 crude oil tank cars each. The most likely sources of crude oil for this facility would be northern mid-continent crude oil produced in North Dakota, Montana, and western Canada. The oil would be shipped to refineries primarily located on the U.S. west coast. An average of four unit trains per day would arrive at the proposed Facility. The facility would operate 24 hours a day, 7 days a week.

Industrial Processes

The proposed facility is located on Terminal 4 and Terminal 5 areas of the Port of Vancouver property with a total area of approximately 47.4 acres. Marine operations will occur at Port Berth 13 and 14 at Columbia River mile 103.5 approximately. The marine terminal is designed to accommodate 46,000 and 165,000 deadweight ton vessels including tankers and articulated barges.

The Port of Vancouver stormwater system is segregated into three drainage areas, Terminal 4, Terminal 5 and the Marine Terminal. Each drainage area has its individual collection/conveyance, treatment system, and discharge point. This permit regulates discharges routed to all of these discharge points.

Figure 2 Facility Layout

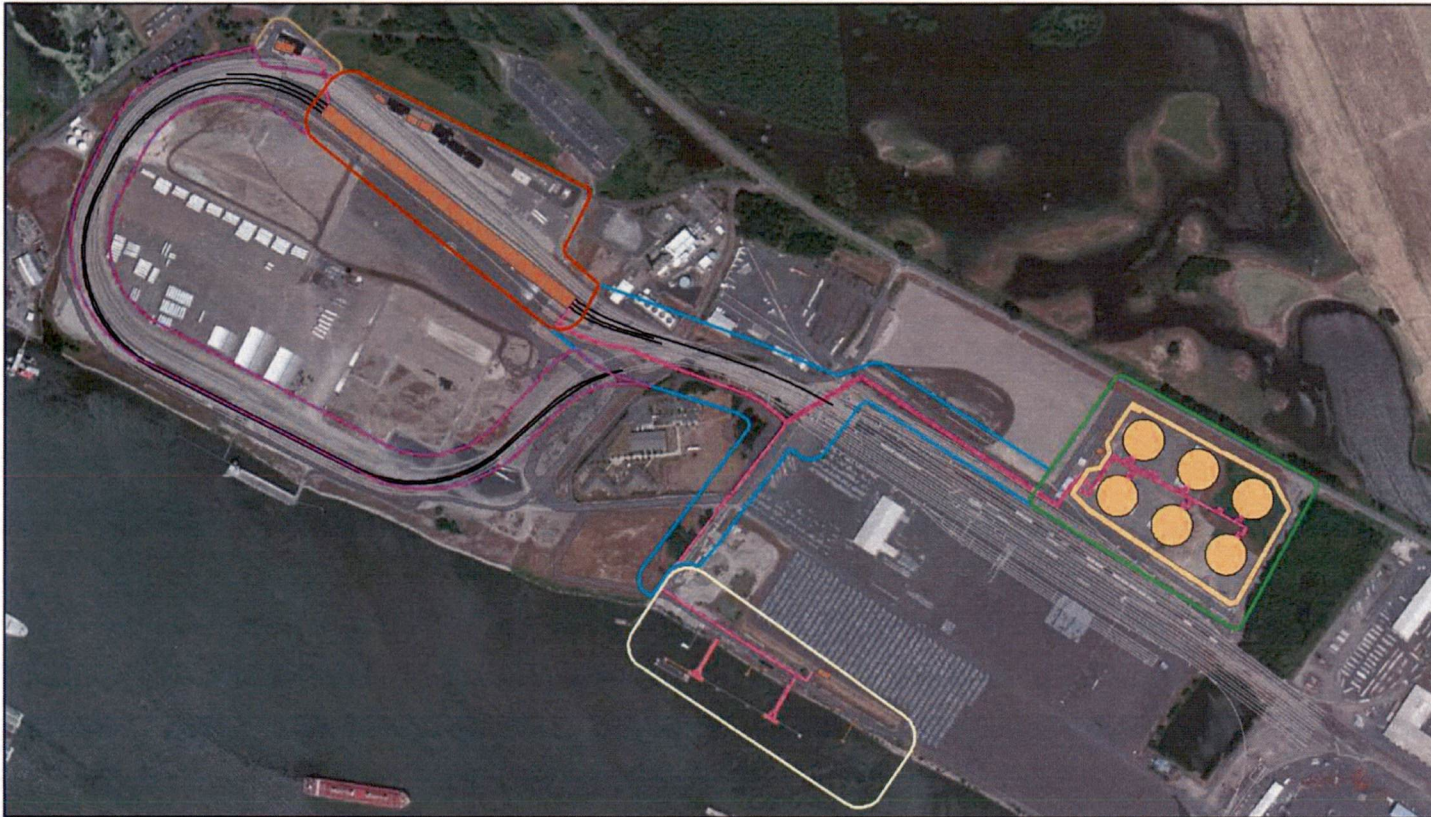


Figure 2 - Site Plan

Proposed Project Facilities

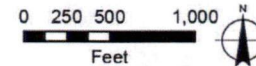
- | | | | |
|------------------|-------------------|-------------------------------|--------------------------|
| Containment Berm | Transfer Pipeline | TSPT Improvement Areas | 500 - Transfer Pipelines |
| Rail | Storage Tank | 200 - Unloading and Office | 600 - West Boiler |
| Parking | Roads | 300 - Storage | Rail Infrastructure |
| Building | Marine Terminal | 400 - Marine Terminal | |



Tesoro Savage Petroleum Terminal LLC

Date: February 2015

Map Notes: Aerial photo dated July 2010, courtesy of ESRI World Imagery service



Wastewater Treatment processes

The stormwater and process wastewater streams, treatment processes employed, and discharge points with Terminal 4 and 5 drainage basin are listed as follows.

Terminal 4 Drainage Basin:

The current drainage system within Terminal 4 drainage basin comprises approximately 250 acres of industrial land. A system of inlets and conveyance pipelines collects and conveys stormwater not associated with the proposed oil terminal operations to the Terminal 4 stormwater retention pond (T4 Pond). As described below, Area 500 also conveys stormwater to the T4 Pond. Stormwater from the T4 Pond is routed to the southeast corner where it is discharged through an existing outfall to the Columbia River.

There are two facility stormwater sources associated with the proposed oil terminal (Area 300, Area 500) within the Terminal 4 drainage basin:

Area 300 (Storage tank containment area, Pump basin and Support building)

The storage tank containment area contains six above ground storage tanks, oil transfer piping systems and a stormwater collection/conveyance system located within the secondary containment area. The containment berms are approximately 6 feet in height. The containment area is sized to contain 110% of the volume of one tank plus precipitation from a 100-year, 24-hour design storm. Stormwater within the containment is collected and conveyed to a treatment system consisting of a coalescing plate (CP) oil/water separator and media filter system with granular activated carbon (GAC) units. The maximum flow rate of the treatment system is 1,100 gallon per minute. Treated stormwater from the containment area discharges to and comingles with runoff from the parking and support area of Area 300. The combined stormwater is treated through a media filter system that also contains GAC in the filter media. The point of compliance for the discharge is established at the end of the treatment train prior to mixing with stormwater flows from other areas of the Port.

There is a 3,300 square feet pump basin in the tank farm containing crude oil transfer pumps for transferring product from storage tanks to the Marine Terminal. The pump basin is covered with a shed roof. Runoff from the roof comingles with stormwater from the support areas and is treated through a media filter system. Treated stormwater from Area 300 and stormwater from the Farwest Steel site (an existing unrelated facility) is discharged to the Terminal 4 Northern pipeline that has been rerouted to bypass the T4 Pond. This re-routed pipeline for treated stormwater reconnects with the Port's Terminal 4 stormwater outfall after the T4 Pond and discharges to the Columbia River under this Permit,

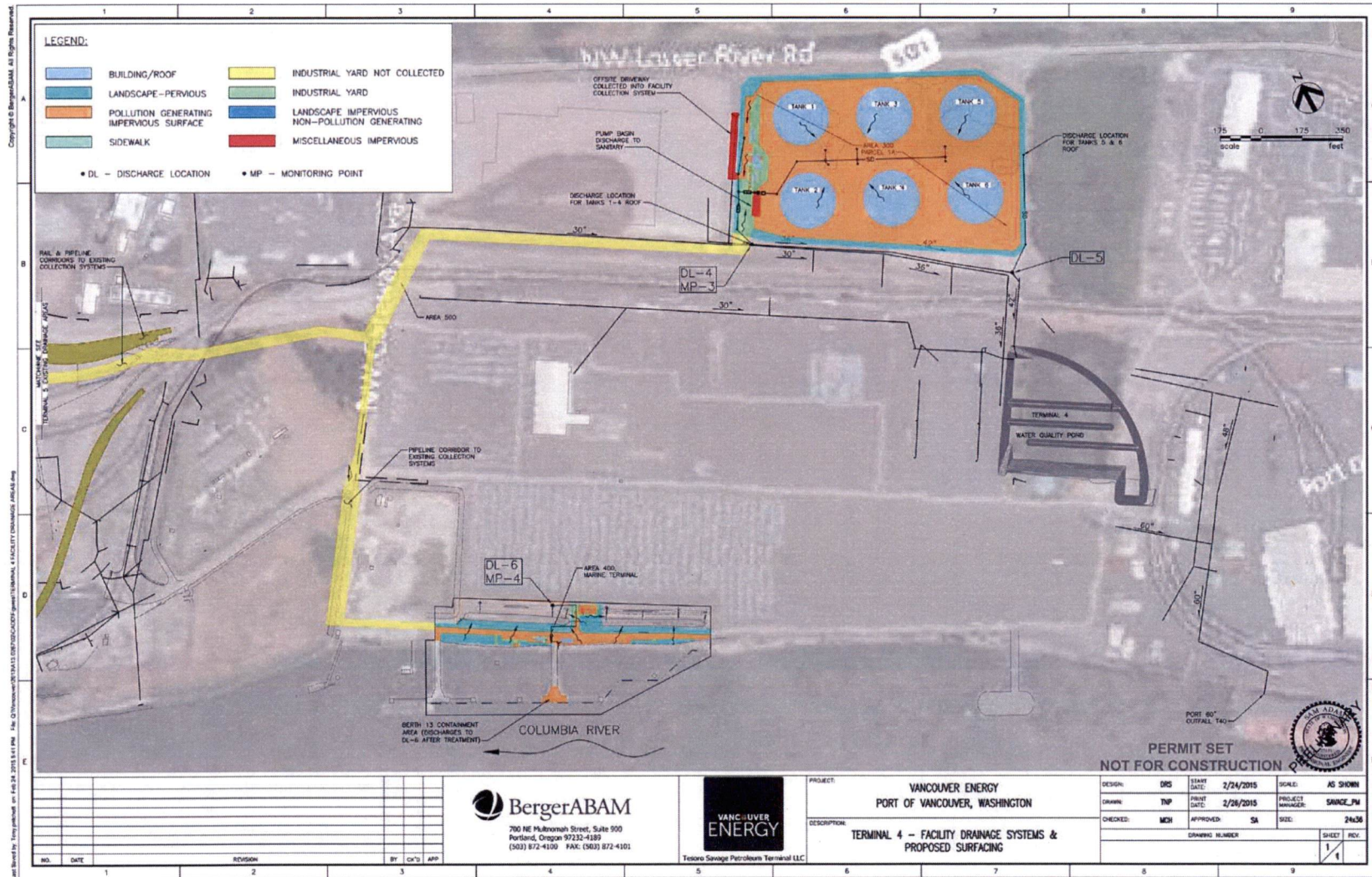
WAXXXXX.

Area 500 (Transfer Pipeline)

Areas along the transfer pipeline are considered as non-pollution generating areas.

Stormwater in those areas is collected and conveyed via the port stormwater system to the T4 Pond for treatment. Discharge of stormwater from the water quality pond to the Columba River is regulated under an Industrial Stormwater General Permit issued to the Port by the Department of Ecology (Ecology), not under this Permit (WAXXXXX).

Figure 3 Terminal 4 Drainage System



Terminal 5 Drainage Basin:

The Terminal 5 drainage basin consists of two different wastewater management areas. Area 200 disposes of both wastewater and stormwater by two different means, trucking and discharge, as described below. Area 600 discharges process wastewater (boiler blowdown wastewater) under a City of Vancouver pretreatment permit as described below.

Area 200 (Unloading area and Administration Building)

The unloading facility is approximately 1,850 feet long and 91 feet wide with a maximum height of 50 feet. The facility receives crude oil from unit trains each consisting of 100 to 120 rail cars with total capacities between 65,000 and 90,000 barrels of oil. The Permit regulates two different waste stream pathways in Area 200 as described below.

1. Miscellaneous part and equipment washing would be conducted in a designated area located within the rail unloading facility. Wash water is generated from a single 5-gpm pressure washer and would be collected and conveyed to the containment tanks located by the administration/support building. Those tanks are double-walled tank with approximately 1,500 bbls of holding capacity.

Rainwater that enters the structure via railcars or blown in from the sides, entry and exits, and fire retardant foam released by the fire suppression system during routine maintenance is also collected and conveyed to the containment tanks. Drip pans and secondary containment trenches are installed between, and adjacent to, the tracks of the railcar unloading structure to capture any rainwater, inadvertently released oil, and fire retardant. This would be directed to sump pumps installed at low points within each containment trench. All stormwater and process wastewater collected within the unloading facility is transferred to containment tanks via the sump pumping system. Contents of the containment tanks are hauled off site by a licensed hauler for treatment and disposal. This permit requires Vancouver Energy to track and record the time, amount of stormwater and process wastewater not treated onsite and transferred elsewhere, and the name of the receiving facility. The records must be made available for state agency inspectors to review.

2. Stormwater system on the south side of the unloading facility is divided into east and west systems. Stormwater collected within each system is comingled with runoff from other areas of the facility and treated in media filter systems. This treated stormwater is then mixed with roof runoff not exposed to industrial activity from the administration building, boiler house, and unloading facility prior to discharging to the ports stormwater systems located in Terminal 5. The point of compliance for the discharges (east and west) is established at the end of the treatment train prior to mixing with stormwater flows from other areas of the Port. Stormwater discharges from Terminal 5 are connected to the Port's Terminal 5 stormwater outfall T5 and discharges to the Columbia

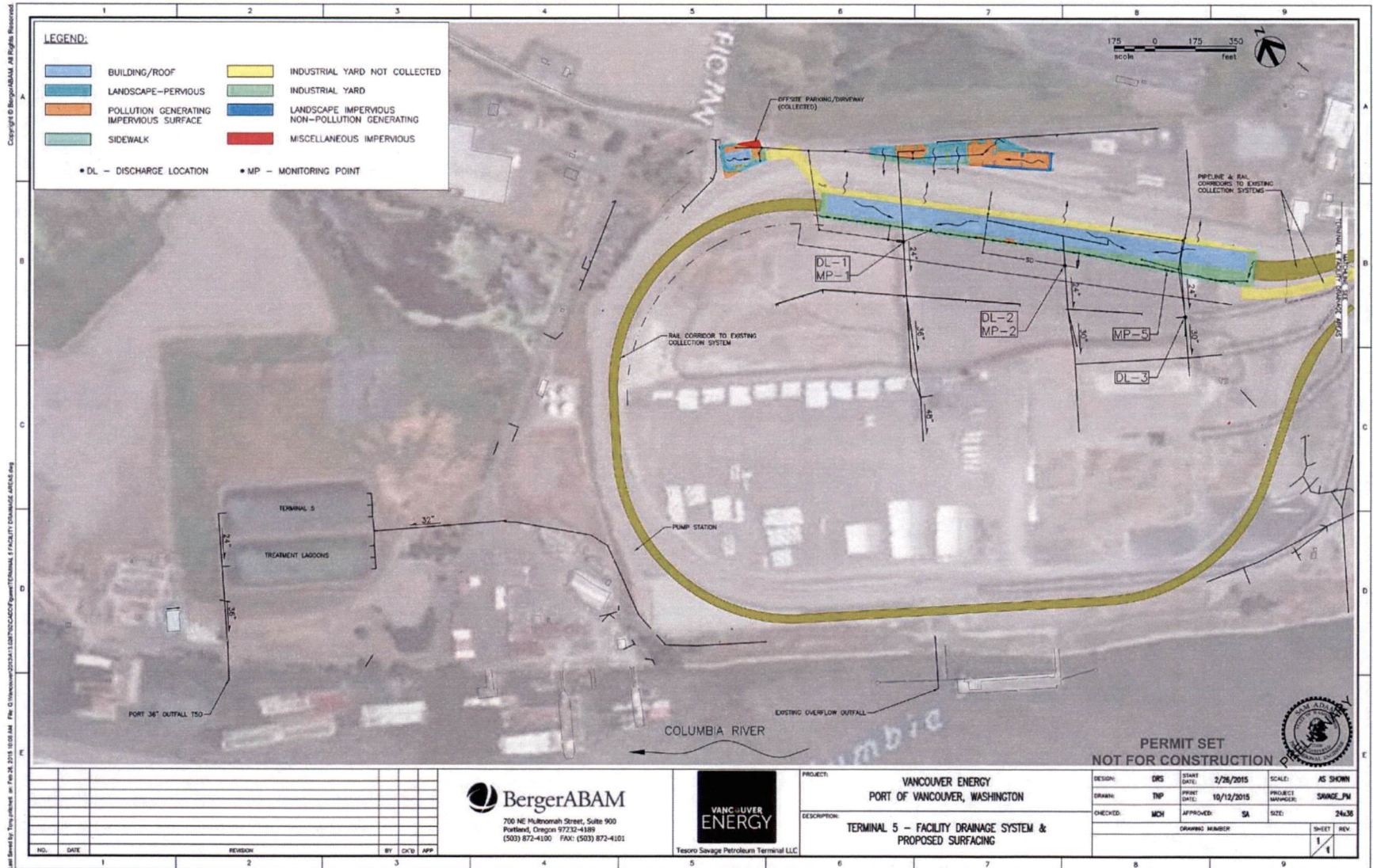
River under this Permit, WAXXXXX.

Area 600 – Boiler Building

The boiler building is located west of the administration building with an area of approximately 6,000 square feet. The building will house two primary and one standby natural gas fired boilers to provide heating for tank car unloading operations. For operation of the boilers, potable water from the City is utilized. The water for boiler operation is treated with an RO system and with chemicals as needed including scaling inhibitor similar to Nalco NextGuard 22310, corrosion inhibitor similar to Nalco Tri-Act 1820, oxygen scavenger similar to Nalco 1720 and pH adjustment similar to Nalco 8735.

Boiler blowdown is combined with RO reject water and miscellaneous maintenance drain water within the boiler plant and pumped to the gravity sewer installed on site at Area 200, passes through an oil-water separator, and is discharged to the City of Vancouver's sanitary sewer system. The discharge of wastewater from the boiler building to sanitary sewer is regulated under a pretreatment permit issued by the City.

Figure 4 Terminal 5 Drainage System



Marine Terminal – Area 400

The marine terminal uses hoses for oil transfer operations. Transfer hoses and manifold are located in a containment area on the dock. The minimum capacity of the dock containment area is 3 barrels in accordance with the US Coast Guard regulation 33 CFR 154.530. Stormwater from the containment area is collected and discharged to an onshore treatment unit containing an CP oil/water separator and a two-stage media filter system which includes GAC units.

Stormwater from the remaining areas, causeway, and parking lot sheet flows upland to the constructed water quality filter strips and discharged to the port’s existing bio-swale with treated stormwater from the containment area.

Treated stormwater from the marine terminal containment area must meet the permit limits under this Permit, WAXXXXX prior to infiltrating to the ground.

Discharge outfall

The treated stormwater flows into the Columbia River through the Port’s existing T4 and T5 stormwater outfalls under Permits, WAXXXXX and WAXXXXX.

B. Description of the receiving water

Vancouver Energy Terminal discharges to the Columbia River via the existing Port of Vancouver T 4 and T 5 outfalls. Other nearby point source outfalls include City of Vancouver Westside Wastewater Treatment Plant and a few industries located on the Port of Vancouver property. This section of the Columbia River is listed on the 303d list for temperature. No drinking water intakes appear to be nearby the proposed Facility. According the Applicant’s preliminary draft Operations Facility Oil Spill Contingency Plan, dated June 2015, the closest downstream drinking water intake is located in Rainer, Oregon at River Mile 68.

The ambient background data used for this permit includes the following from a facility upstream of Vancouver Energy around River mile 120:

Table 2 Ambient Background Data

Parameter	Value Used
Temperature (highest annual 1-DADMax)	21.8° C
Temperature (highest annual 7-DADMax)	21.5° C
pH (Maximum / Minimum)	7.12/ 7.99 standard units
Dissolved Oxygen	11.2 mg/L
Total Ammonia-N	0.06 mg/L

Table 2 Ambient Background Data

Parameter	Value Used
Fecal Coliform	3.68/100 mL dry weather
Turbidity	3.5 NTU
Hardness	61.6 mg/L as CaCO ₃
Lead	0.02 µg/L
Copper	1.27 µg/L
Zinc	0.88 µg/L

C. Wastewater characterization

Vancouver Energy reported the concentration of pollutants in the discharge in the permit application based on representative data from the Tesoro Anacortes Refinery. The tabulated data represents the quality of the stormwater discharged from the refinery tank farm secondary containment areas with similar operating characteristics. The Tesoro Anacortes Refinery has a bulk tank storage area that has many characteristics similar to the proposed facility. The un-treated stormwater from the containment areas is characterized as follows:

Table 3 Predicted Untreated Stormwater Characteristics – Containment Areas

Parameter	Units	Value
Biochemical Oxygen Demand (BOD ₅)	mg/L	3.7
Total Suspended Solids (TSS)	mg/L	10.3
Oil and Grease	µg/L	737.8
Chemical Oxygen Demand	mg/L	9.1
Nitrate + Nitrite Nitrogen (as N)	µg/L	6.4
Nitrogen, Total Kjeldahl (as N)	µg/L	106.5
Phosphorus	µg/L	1.7
Sulfide	mg/L	0.002
BTEX	µg/L	<100

Parameter	Units	Value
Antimony, Total	µg/L	6.2
Arsenic, Total	µg/L	0.3
Cadmium, Total	µg/L	0.3
Chromium, Total	µg/L	0.3
Copper, Total	µg/L	2.7
Lead, Total	µg/L	2.2
Mercury, Total	µg/L	0.0092
Nickel, Total	µg/L	0.4
Selenium	µg/L	0.1
Thallium, Total	µg/L	0.023
Zinc, Total	µg/L	20.8
Benzene	µg/L	0.1
Ethylbenzene	µg/L	0.1
Toluene	µg/L	0.1
Acenaphthene	µg/L	0.2
Anthracene	µg/L	0.1
Fluoranthene	µg/L	0.2
Fluorene	µg/L	0.1
Naphthalene	µg/L	0.1
Phenanthrene	µg/L	0.3
Pyrene	µg/L	0.09

Parameter	Units	Maximum Monthly Geometric Mean
Fecal Coliforms	Col/100 mL	0.6

Parameter	Units	Minimum Value	Maximum Value
pH	standard units	6	9

D. Summary of compliance with previous permit Issued

NA

E. State Environmental Policy Act (SEPA) compliance

To meet the intent of SEPA, new discharges must undergo SEPA review during the permitting process. EFSEC is the lead agency under SEPA for the Vancouver Energy project and, under RCW 80.50, for all associated permitting, including this permit (WAC 197-11-938). EFSEC made a SEPA threshold determination of significance for the project in October 2013. EFSEC published a Draft Environmental Impact Statement (DEIS) on November 24, 2015, that discusses this Permit’s role in managing stormwater discharges from the facility. EFSEC hereby adopts Appendix A, § A.2.3.2 of the DEIS issued on November 24, 2015 for the Vancouver Energy Project, specifically the section regarding the NPDES Industrial Stormwater Permit, as being appropriate for the SEPA analysis required for issuance of this Permit. No determination different than the determination made for the entire Vancouver Energy Project is required.

III. Proposed Permit Limits

Federal and state regulations require that effluent limits in an NPDES permit must be either technology- or water quality-based.

- Technology-based limits are based upon the treatment methods available to treat specific pollutants. Technology-based limits are set by the EPA and published as a regulation, or EFSEC develops the limit on a case-by-case basis (40 CFR 125.3, and WAC 463-76-053).
- Water quality-based limits are calculated so that the effluent will comply with the Surface Water Quality Standards (chapter 173-201A WAC), Ground Water Standards (chapter 173-200 WAC), Sediment Quality Standards (chapter 173-204 WAC), the National Toxics Rule (40 CFR 131.36), or the revised federal water quality criteria for Washington (40 CFR 131.45).
- EFSEC must apply the most stringent of these limits to each parameter of concern. These limits are described below.

The limits in this permit reflect information received in the application and from supporting reports (engineering, hydrogeology, etc.). EFSEC evaluated the permit application and determined the limits needed to comply with the rules adopted by the state of Washington. EFSEC does not develop effluent limits for all reported pollutants. Some pollutants are not

treatable at the concentrations reported, are not controllable at the source, are not listed in regulation, and do not have a reasonable potential to cause a water quality violation.

EFSEC does not usually develop limits for pollutants not reported in the permit application but may be present in the discharge. The permit does not authorize discharge of the non-reported pollutants. During the five-year permit term, the facility’s effluent discharge conditions may change from those conditions reported in the permit application. The facility must notify EFSEC if significant changes occur in any constituent [40 CFR 122.42(a)]. Until EFSEC modifies the permit to reflect additional discharge of pollutants, a permitted facility could be violating its permit.

A. Design criteria

Under WAC 173-220-150 (1)(g), flows and waste loadings must not exceed approved design criteria. EFSEC approved design criteria for this facility’s treatment plant in the engineering report/facility plan/plans and specifications dated October 2015, revised August 2016 and prepared by Berger ABAM. The table below includes design criteria from the referenced report.

Storm events that exceed the hydraulic design criteria of stormwater treatment systems may bypass the treatment system when EFSEC has determined the system meets all known, available, and reasonable methods of prevention, control, and treatment (AKART) requirements. EFSEC would not consider this a violation of the conditions of the permit, if the bypass can meet water quality criteria. AKART for stormwater is constantly progressing and, as technology advances, facilities will have more cost effective, more efficient, and higher capacity treatment system options available. EFSEC expects the facility to meet AKART and make the necessary improvements to its treatment system as the treatment technology evolves.

Stormwater from each area of the facility is collected, conveyed and treated prior to discharging to the Columbia River via the Port’s outfalls. Flow rate for each area varies due to size and surface conditions as listed in Table 4.

Table 4 Flow rate from each of the operating areas within the facility

Area	Location	25-year flow rate (cfs)
200	West –Rail Unloading Facility and Admin Support and Area 600	2.38
200	East – Rail Facility	1.56
300	Containment Area	2.45*

300	Support Building and parking lot	1.1
300	Tank Roof	5.21
400	Dock Containment Area	0.1

* Flow rate from the containment area is restricted to match the oil/water separator design capacity

B. Technology-based effluent limits

EFSEC must ensure that facilities provide all known, available, and reasonable methods of prevention, control, and treatment (AKART) when it issues a permit. Technology-based limitations are set by regulation in the federal effluent guidelines or on a case-by-case basis using Best Professional Judgment (BPJ) when no effluent guidelines exist for an industrial category. Technology-based limits represent the best treatment a facility can achieve consistent with the economic means of the industry as a whole (in the case of effluent guidelines) or of the specific facility being permitted (in the case of BPJ). Technology-based effluent limits are process control parameters or numbers which indicate that a process, which in this case is wastewater treatment, is not functioning properly. The technology-based limits are listed in Table 5 are based on either treatment capability of equipment employed or by BPJ. The limit for benzene is based on the United States Environmental Protection Agency drinking water standards and treatability database.

Table 5 Technology-based Limits

Parameter	Average Monthly Limit	Maximum Daily Limit
Oil & Grease (mg/L)	10	15
Total Suspended Solids (TSS) (mg/L)	30	45
Benzene (µg/L)	NA	5
BTEX	NA	100

Parameter	Daily Minimum	Daily Maximum
pH	6.0 standard units	9.0 standard units

C. Surface water quality-based effluent limits

The Washington State surface water quality standards (chapter 173-201A WAC) are designed to protect existing water quality and preserve the beneficial uses of Washington's surface waters. Waste discharge permits must include conditions that ensure the discharge

will meet the surface water quality standards (WAC 173-201A-510). Water quality-based effluent limits may be based on an individual waste load allocation or on a waste load allocation developed during a basin wide total maximum daily load study (TMDL).

Numerical criteria for the protection of aquatic life and recreation

Numerical water quality criteria are listed in the water quality standards for surface waters (chapter 173-201A WAC). They specify the maximum levels of pollutants allowed in receiving water to protect aquatic life and recreation in and on the water. EFSEC uses numerical criteria along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limits, the discharge must meet the water quality-based limits. The state standards were updated in August 2016.

Numerical criteria for the protection of human health

EPA published final updated ambient water quality criteria for the protection of human health for 94 chemical pollutants. These updated recommendations reflect the latest scientific information and EPA policies, including updated body weight, drinking water consumption rate, fish consumption rate, bioaccumulation factors, health toxicity values, and relative source contributions.

Narrative criteria

Narrative water quality criteria (e.g., WAC 173-201A-240(1) (2006)) limit the toxic, radioactive, or other deleterious material concentrations that the facility may discharge to levels below those which have the potential to:

- Adversely affect designated water uses.
- Cause acute or chronic toxicity to biota.
- Impair aesthetic values.
- Adversely affect human health.

Narrative criteria protect the specific designated uses of all fresh waters (WAC 173-201A-200 (2006)) and of all marine waters (WAC 173-201A-210 (2006)) in the State of Washington.

Antidegradation

Description--The purpose of Washington's Antidegradation Policy (WAC 173-201A-300-330 (2006)) is to:

- Restore and maintain the highest possible quality of the surface waters of Washington.
- Describe situations under which water quality may be lowered from its current condition.
- Apply to human activities that are likely to have an impact on the water quality of surface water.

- Ensure that all human activities likely to contribute to a lowering of water quality, at a minimum, apply all known, available, and reasonable methods of prevention, control, and treatment (AKART).
- Apply three tiers of protection (described below) for surface waters of the state.

Tier I ensures existing and designated uses are maintained and protected and applies to all waters and all sources of pollutions. Tier II ensures that waters of a higher quality than the criteria assigned are not degraded unless such lowering of water quality is necessary and in the overriding public interest. Tier II applies only to a specific list of polluting activities. Tier III prevents the degradation of waters formally listed as "outstanding resource waters," and applies to all sources of pollution.

A facility must prepare a Tier II analysis when all three of the following conditions are met:

- The facility is planning a new or expanded action.
- EFSEC regulates or authorizes the action.
- The action has the potential to cause measurable degradation to existing water quality at the edge of a chronic mixing zone.

Facility Specific Requirements--EFSEC determined that this facility must meet Tier II requirements. A Tier II analysis focuses on evaluating feasible alternatives that would eliminate or significantly reduce the level of degradation. The analysis also includes a review of the benefits and costs associated with the lowering of water quality. New discharges and facility expansions are prohibited from lowering water quality without providing overriding public benefits. The permittee had conducted a Tier II analysis (Section 16.2.6 Vancouver Energy Revised Engineering Report dated August 12, 2016) to assess if discharge from the facility will cause measurable impact in the receiving waterbody as defined in Chapter 173-201A-320 WAC. The Tier II analysis showed that based on the expected treatment levels; discharge from the facility would not cause measurable change in the Columbia River.

Mixing zones

A mixing zone is the defined area in the receiving water surrounding the discharge port(s), where wastewater mixes with receiving water. Within mixing zones the pollutant concentrations may exceed water quality numeric standards, so long as the discharge doesn't interfere with designated uses of the receiving water body (for example, recreation, water supply, and aquatic life and wildlife habitat, etc.) The pollutant concentrations outside of the mixing zones must meet water quality numeric standards.

State and federal rules allow mixing zones because the concentrations and effects of most pollutants diminish rapidly after discharge, due to dilution. EFSEC defines mixing zone sizes to limit the amount of time any exposure to the end-of-pipe discharge could harm water quality, plants, or fish.

The state's water quality standards allow EFSEC to authorize mixing zones for the facility's permitted wastewater discharges only if those discharges already receive all known,

available, and reasonable methods of prevention, control, and treatment (AKART). Mixing zones typically require compliance with water quality criteria within a specified distance from the point of discharge and must not use more than 25% of the available width of the water body for dilution (WAC 173-201A-400 (7)(a)(ii-iii)).

D. Designated uses and surface water quality criteria

Applicable designated uses and surface water quality criteria are defined in chapter 173-201A WAC. In addition, the U.S. EPA has set human health criteria for toxic pollutants for Washington state (EPA 1992 and EPA 2016). The table included below summarizes the criteria applicable to this facility’s discharge.

- Aquatic Life Uses are designated based on the presence of, or the intent to provide protection for the key uses. All indigenous fish and non-fish aquatic species must be protected in waters of the state in addition to the key species. The Aquatic Life Uses for this receiving water are identified below.

Table 6 Freshwater Aquatic Life Uses and Associated Criteria

Salmonid Spawning, Rearing, and Migration	
Temperature Criteria – Highest 7-DAY MAX	17.5°C (63.5°F)
Dissolved Oxygen Criteria – Lowest 1-Day Minimum	8.0 mg/L
Turbidity Criteria	<ul style="list-style-type: none"> • 5 NTU over background when the background is 50 NTU or less; or • A 10 percent increase in turbidity when the background turbidity is more than 50 NTU.
Total Dissolved Gas Criteria	Total dissolved gas must not exceed 110 percent of saturation at any point of sample collection.
pH Criteria	The pH must measure within the range of 6.5 to 8.5 with a human-caused variation within the above range of less than 0.5 units.

- The recreational uses are extraordinary primary contact recreation, primary contact recreation, and secondary contact recreation. The recreational uses for this receiving water are identified below.

Table 7 Recreational Uses and Associated Criteria

Recreational Use	Criteria
Primary Contact Recreation	Fecal coliform organism levels must not exceed a geometric mean value of 100 colonies /100 mL, with not more than 10 percent of all samples (or any single sample when less than ten sample points exist) obtained for calculating the geometric mean value exceeding 200 colonies /100 mL.

- The *water supply uses* are domestic, agricultural, industrial, and stock watering.
- The *miscellaneous freshwater uses* are wildlife habitat, harvesting, commerce and navigation, boating, and aesthetics.

E. Water quality impairments

The entire Columbia River is impaired for temperature. EPA has prepared a draft TMDL for temperature however has delayed issuance pending discussion and information exchanges.

F. Evaluation of surface water quality-based effluent limits for narrative criteria

EFSEC must consider the narrative criteria described in WAC 173-201A-260 when it determines permit limits and conditions. Narrative water quality criteria limit the toxic, radioactive, or other deleterious material concentrations that the facility may discharge which have the potential to adversely affect designated uses, cause acute or chronic toxicity to biota, impair aesthetic values, or adversely affect human health.

EFSEC considers narrative criteria when it evaluates the characteristics of the wastewater and when it implements all known, available, and reasonable methods of treatment and prevention (AKART) as described above in the technology-based limits section. When EFSEC determines if a facility is meeting AKART it considers the pollutants in the wastewater and the adequacy of the treatment to prevent the violation of narrative criteria.

In addition, EFSEC considers the toxicity of the wastewater discharge by requiring whole effluent toxicity (WET) testing when there is a reasonable potential for the discharge to contain toxics. EFSEC's analysis of the need for WET testing for this discharge is described later in the fact sheet.

G. Evaluation of surface water quality-based effluent limits for numeric criteria

EFSEC has not authorized a mixing zone in the permit.

Toxic Pollutants--Federal regulations (40 CFR 122.44) require EFSEC to place limits in NPDES permits on toxic chemicals in an effluent whenever there is a reasonable potential for those chemicals to exceed the surface water quality criteria. EFSEC does not exempt facilities with technology-based effluent limits from meeting the surface water quality standards.

The permittee predicted that following toxic pollutants are present in the discharge based on wastewater information from a facility with similar operations: copper, zinc, benzene, ethylbenzene and toluene. Based on water quality criteria listed in Section 173-201A WAC and effluent monitoring data from facilities with similar operations, EFSEC determined copper, zinc, benzene and BTEX have the potential to cause violation of water quality and it is necessary to establish effluent limits to protect the receiving water quality. The benzene and BTEX limits in the permit are technology-based limits, as described in the previous section. The water quality based limits for copper and zinc are calculated using an Excel spreadsheet (PermitCalcMarch9-2015) developed by Ecology based on criteria listed in Chapter 173-201A WAC.

The resultant water quality-based effluent limits are as follows:

Table 8 Water quality-based limits (Hardness: 61.6)

Parameter	Units	Daily Maximum
Copper	µg/L	11
Zinc	µg/L	76

Vancouver Energy discharges only treated stormwater to the Columbia River. EFSEC determined that temperature is not a significant stormwater pollutant parameter. Therefore, the proposed permit does not include a temperature limit and it does not require the facility to monitor temperature in the stormwater discharges. EFSEC may elect to develop procedures and guidance for regulating the effects of stormwater to comply with temperature water quality criteria in the future.

H. Human health

Washington’s water quality standards include numeric human health-based criteria that EFSEC must consider when writing NPDES permits. These criteria were first established in 1992 by the U.S. EPA in its National Toxics Rule (40 CFR 131.36), then revised again for Washington state in 2016 (40 CFR 131.45). The National Toxics Rule allows states to use mixing zones to evaluate whether discharges comply with human health criteria.

Stormwater discharges are highly intermittent and highly variable in discharge volumes, durations, and pollutant concentrations, both between storms and during a single storm event. Therefore, deriving numeric effluent limits for human health criteria is infeasible. Based on the authority of 40 CFR 122.44(k)(3), this permit should require the implementation of best management practices (BMPs) to control or abate human health pollutants from these discharges. The draft permit will not establish effluent limits based on human health criteria. The permit instead will require will require implementation of BMPs as specified in Special Condition S7.

L. Effluent limits:

Table 9 Proposed Effluent Limits

Proposed Effluent Limits: Outfall T4 and T5				
Parameter	Basis of Limit	Unit	Monthly Average	Daily Maximum
Total Suspended Solids	Technology	mg/L	30	45
Oil and Grease	Technology	mg/L	10	15
Benzene	Technology	µg/L	NA	5
BTEX	Technology	µg/L	NA	100

Proposed Effluent Limits: Outfall T4 and T5				
Parameter	Basis of Limit	Unit	Monthly Average	Daily Maximum
Copper	Water Quality	µg/L	NA	11
Zinc	Water Quality	µg/L	NA	76

Parameter	Basis of Limit	Limit
pH	Technology	Between 6 and 9

IV. Monitoring Requirements

EFSEC requires monitoring, recording, and reporting (WAC 463-76-065 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and that the discharge complies with the permit’s effluent limits.

If a facility uses a contract laboratory to analyze stormwater, it must ensure that the laboratory uses the methods and meets or exceeds the method detection levels required by the permit. The permit describes when facilities may use alternative methods. It also describes what to do in certain situations when the laboratory encounters matrix effects. When a facility uses an alternative method as allowed by the permit, it must report the test method, detection level (DL), and quantitation level (QL) on the discharge monitoring report or in the required report.

A. Wastewater monitoring

The monitoring schedule is detailed in the proposed permit under Special Condition S.2. Specified monitoring frequencies and sampling schedules take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

B. Lab accreditation

EFSEC requires that facilities must use a laboratory registered or accredited under the provisions of chapter 173-50 WAC, Accreditation of Environmental Laboratories, to prepare all monitoring data (with the exception of certain parameters).

The draft permit requires the permittee to perform priority pollutant scan on the facility treatment system effluent quarterly during the first two years of operations. This requirement is to ensure there is no additional pollutant of concern that may cause adverse impact on the receiving water quality. The permittee is required to continue to perform priority pollutant scans annually every October after the first two years of operation. Based on the results of the monthly priority pollutant monitoring, EFSEC reserves the right to require additional monitoring pursuant to Permit Condition G4, or to require the permittee to take other actions as needed by way of administrative order or permit modification.

V. Other Permit Conditions

A. Reporting and record keeping

EFSEC based Special Condition S3 on its authority to specify any appropriate reporting and record keeping requirements to prevent and control waste discharges (WAC 463-76-065).

B. Non routine and unanticipated wastewater

Occasionally, this facility may generate wastewater which was not characterized in the permit application because it is not a routine discharge and was not anticipated at the time of application. These wastes typically consist of waters used to pressure-test storage tanks or fire water systems or of leaks from drinking water systems.

The permit authorizes the discharge of non-routine and unanticipated wastewater under certain conditions. The facility must characterize these waste waters for pollutants and examine the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and on any opportunities for reuse, EFSEC may:

- Authorize the facility to discharge the wastewater.
- Require the facility to treat the wastewater.
- Require the facility to reuse the wastewater.

C. Spill plan

This facility stores a quantity of chemicals on-site that have the potential to cause water pollution if accidentally released. EFSEC can require a facility to develop best management plans to prevent this accidental release under Section 402(a)(1) of the Federal Water Pollution Control Act (FWPCA) and WAC 463-76-053.

The proposed permit requires this facility to develop and implement a plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs.

D. Operation and maintenance manual

EFSEC requires industries to take all reasonable steps to properly operate and maintain their wastewater treatment system in accordance with state and federal regulations [40 CFR 122.41(e) and WAC 463-76-053]. The facility will prepare and submit an operation and maintenance manual as required by the Permit. Implementation of the procedures in the operation and maintenance manual ensures the facility's compliance with the terms and limits in the permit.

E. Stormwater pollution prevention plan (SWPPP)

In accordance with 40 CFR 122.44(k) and 40 CFR 122.44(s), the proposed permit includes requirements for the development and implementation of a SWPPP along with BMPs to minimize or prevent the discharge of pollutants to waters of the state. BMPs constitute Best Conventional Pollutant Control Technology (BCT) and Best Available Technology Economically Achievable (BAT) for stormwater discharges. EFSEC has determined that

Vancouver Energy must develop a SWPPP and implement adequate BMPs in order to meet the requirements of “all known, available, and reasonable methods of prevention, control, and treatment” (AKART). A SWPPP requires a facility to implement actions necessary to manage stormwater to comply with the state’s requirement under chapter 90.48 RCW to protect the beneficial uses of waters of the state.

The SWPPP must identify potential sources of stormwater contamination from industrial activities, establish appropriate BMPs and identify how it plans to manage those sources of contamination to prevent or minimize contamination of stormwater. Vancouver Energy must continuously review and revise the SWPPP as necessary to assure that stormwater discharges do not degrade water quality. It must retain the SWPPP on-site or within reasonable access to the site and available for review by EFSEC.

BMPs are the actions identified in the SWPPP to manage, prevent contamination of, and treat stormwater. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. Vancouver Energy must ensure that its SWPPP includes the operational and structural source control BMPs listed as “applicable” in Ecology’s stormwater management manuals. Many of these “applicable” BMPs are sector-specific or activity-specific, and are not required at facilities engaged in other industrial sectors or activities.

Ecology-Approved Stormwater Management Manuals

The proposed permit requires the facility to implement BMPs contained in the Stormwater Management Manual for Western Washington (2012 edition), or any revisions thereof, or practices that are demonstrably equivalent to practices contained in stormwater technical manuals approved by Ecology. This should ensure that BMPs will prevent violations of state water quality standards, and satisfy the state AKART requirements and the federal technology-based treatment requirements under 40 CFR part 125.3. The SWPPP must document that the BMPs selected provide an equivalent level of pollution prevention, compared to the applicable Stormwater Management Manuals, including: The technical basis for the selection for all stormwater BMPs (scientific, technical studies, and/or modeling) which support the performance claims for the BMPs selected.

If the permittee wishes to submit a practice for evaluation as equivalent to those in the Stormwater Management Manual for Western Washington, an assessment of how the BMPs will satisfy AKART requirements, and the applicable technology-based treatment requirements under 40 CFR part 125.3, must be submitted to EFSEC.

Operational Source Control BMPs

Operational source control BMPs include a schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial practices to prevent or reduce the pollution of waters of the state. These activities do not require construction of pollution control devices but are very important components of a successful SWPPP. Employee training, for instance, is critical to achieving timely and

consistent spill response. Pollution prevention is likely to fail if the employees do not understand the importance and objectives of BMPs. Prohibitions might include eliminating outdoor repair work on equipment and certainly would include the elimination of intentional draining of crankcase oil on the ground. Good housekeeping and maintenance schedules help prevent incidents that could result in the release of pollutants. Operational BMPs represent a cost-effective way to control pollutants and protect the environment. The SWPPP must identify all the operational BMPs and how and where they are implemented. For example, the SWPPP must identify what training will consist of, when training will take place, and who is responsible to assure that employee training happens.

Structural Source Control BMPs

Structural source control BMPs include physical, structural, or mechanical devices or facilities intended to prevent pollutants from entering stormwater. Examples of source control BMPs include erosion control practices, maintenance of stormwater facilities (e.g., cleaning out sediment traps), construction of roofs over storage and working areas, and direction of equipment wash water and similar discharges to the sanitary sewer or a dead end sump. Structural source control BMPs likely include a capital investment but are cost effective compared to cleaning up pollutants after they have entered stormwater.

Treatment BMPs

Operational and structural source control BMPs are designed to prevent pollutants from entering stormwater. However, even with an aggressive and successful program, stormwater may still require treatment to achieve compliance with water quality standards. Treatment BMPs remove pollutants from stormwater. Examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

Volume/Flow Control BMPs

EFSEC recognizes the need to include specific BMP requirements for stormwater runoff quantity control to protect beneficial water uses, including fish habitat. New facilities and existing facilities undergoing redevelopment must implement the requirements for peak runoff rate and volume control identified by volume 1 of the *Western Washington SWMM* as applicable to their development. Chapter 3 of volume 3 *Western Washington SWMM* lists BMPs to accomplish rate and volume control. Existing facilities in western Washington should also review the requirements of volumes 1 (Minimum Technical Requirements) and chapter 3 of volume 3 in the *Western Washington SWMM*. Chapter 2 (Core Elements for New Development and Redevelopment). Although not required to implement these BMPs, controlling rate and volume of stormwater discharge maintains the health of the watershed. Existing facilities should identify control measures that they can implement over time to reduce the impact of uncontrolled release of stormwater.

F. Off-site Wastewater Disposal Reporting Requirements

The Permittee is authorized to dispose of wastewater generated onsite at an approved wastewater treatment facility. The draft permit establishes reporting requirements to ensure all the wastewater generated has been properly disposed of at the approved facility.

G. Best Management Practices for Petroleum Bulk Terminals

Best management practices (BMPs) for petroleum bulk terminals are the actions identified to manage, prevent contamination of, and treat stormwater. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage.

H. General conditions

EFSEC bases the standardized General Conditions on state and federal law and regulations. They are included in all individual industrial NPDES permits issued by EFSEC.

VI. Permit Issuance Procedures

A. Permit modifications

EFSEC may modify this permit to impose numerical limits, if necessary to comply with water quality standards for surface waters, with sediment quality standards, or with water quality standards for groundwaters, after obtaining new information from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

EFSEC may also modify this permit to comply with new or amended state or federal regulations.

B. Proposed permit Issuance

This proposed permit includes all statutory requirements for EFSEC to authorize a wastewater discharge. The permit includes limits and conditions to protect human health and aquatic life, and the beneficial uses of waters of the state of Washington. EFSEC proposes to issue this permit for a term of five years.

VII. REFERENCES FOR TEXT AND APPENDICES

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(<https://fortress.wa.gov/ecy/publications/SummaryPages/92109.html>)

September 2011. *Water Quality Program Guidance Manual – Supplemental Guidance on Implementing Tier II Antidegradation*. Publication Number 11-10-073
(<https://fortress.wa.gov/ecy/publications/summarypages/1110073.html>)

October 2010 (revised). *Water Quality Program Guidance Manual – Procedures to Implement the State's Temperature Standards through NPDES Permits*. Publication Number 06-10-100 (<https://fortress.wa.gov/ecy/publications/summarypages/0610100.html>)

Laws and Regulations(<http://www.ecy.wa.gov/laws-rules/index.html>)

Permit and Wastewater Related Information
(<http://www.ecy.wa.gov/programs/wq/permits/guidance.html>)

February 2007. *Focus Sheet on Solid Waste Control Plan, Developing a Solid Waste Control Plan for Industrial Wastewater Discharge Permittees*, Publication Number 07-10-024. <http://www.ecy.wa.gov/pubs/0710024.pdf>

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Appendix A--Public Involvement Information

The EFSEC tentatively plans to issue a permit to Vancouver Energy. The permit contains conditions and effluent limitations, which are described in this Fact Sheet.

The EFSEC will publish a Public Notice of Draft (PNOD) on July XX, 2017 in the Columbian newspaper to inform the public that a draft permit and fact sheet are available for review. Interested parties were mailed the notice on July XX, 2017 and are invited to submit written comments regarding the draft permit. The draft permit and fact sheet are available for viewing at the EFSEC website: <http://www.efsec.wa.gov>. The draft permit, fact sheet, and related documents are also available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at EFSEC's office listed below. Written comments should be mailed to:

Sonia Bumpus
Energy Facility Site Evaluation Council
PO Box 43172
Olympia, Washington 98504-3172

Any interested party may comment on the draft permit within the 30-day comment period to the address above. EFSEC will hold a hearing on XX/XX/XXXX beginning at XX:XX am/pm at:

Clark College, Gaiser Hall
1933 Fort Vancouver Way
Vancouver, Washington

Comments should reference specific text in the permit followed by proposed modifications or concerns when possible. Comments may address technical issues, accuracy, and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit. If changes to this schedule are necessary, EFSEC will notify the public as soon as possible.

The EFSEC will consider all comments received by midnight on XX/XX/XXXX in formulating a final determination to issue, revise, or deny the permit. EFSEC will provide a response to comments received at the time notice of the final permit decision is provided.

Further information may be obtained from EFSEC by telephone at (360) 664-1160, or at the EFSEC web site at www.efsec.wa.gov.

Questions regarding stormwater management may be directed to Sonia E. Bumpus of EFSEC at (360) 664-1363 or by email sbumpus@utc.wa.gov.

Appendix B--Your Right to Appeal

The terms and conditions of coverage under this permit, prepared as part of an application for site certification, are subject to judicial review pursuant to RCW 80.50.140. The EFSEC's reissuance, modification, or revocation of the permit is subject to judicial review pursuant to the provisions of RCW 34.05 (WAC 463-76-063).

Appendix C--Glossary

1-DMax or 1-day maximum temperature -- The highest water temperature reached on any given day. This measure can be obtained using calibrated maximum/minimum thermometers or continuous monitoring probes having sampling intervals of thirty minutes or less.

7-DADMax or 7-day average of the daily maximum temperatures -- The arithmetic average of seven consecutive measures of daily maximum temperatures. The 7-DADMax for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three days prior and the three days after that date.

Acute toxicity --The lethal effect of a compound on an organism that occurs in a short time period, usually 48 to 96 hours.

AKART -- The acronym for "all known, available, and reasonable methods of prevention, control and treatment." AKART is a technology-based approach to limiting pollutants from wastewater discharges, which requires an engineering judgment and an economic judgment. AKART must be applied to all wastes and contaminants prior to entry into waters of the state in accordance with RCW 90.48.010 and 520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

Alternate point of compliance -- An alternative location in the groundwater from the point of compliance where compliance with the groundwater standards is measured. It may be established in the groundwater at locations some distance from the discharge source, up to, but not exceeding the property boundary and is determined on a site specific basis following an AKART analysis. An "early warning value" must be used when an alternate point is established. An alternate point of compliance must be determined and approved in accordance with WAC 173-200-060(2).

Ambient water quality -- The existing environmental condition of the water in a receiving water body.

Ammonia -- Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Annual average design flow (AADF) -- average of the daily flow volumes anticipated to occur over a calendar year.

Average monthly (intermittent) discharge limit-- The average of the measured values obtained over a calendar months' time taking into account zero discharge days.

Average monthly discharge limit -- The average of the measured values obtained over a calendar months' time.

Background water quality -- The concentrations of chemical, physical, biological or radiological constituents or other characteristics in or of groundwater at a particular point in time upgradient of an activity that has not been affected by that activity, [WAC 173-200-020(3)]. Background water quality for any parameter is statistically defined as the 95% upper tolerance interval with a 95% confidence based on at least eight hydraulically upgradient

water quality samples. The eight samples are collected over a period of at least one year, with no more than one sample collected during any month in a single calendar year.

Best management practices (BMPs) -- Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD5 -- Determining the five-day Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD5 is used in modeling to measure the reduction of dissolved oxygen in receiving waters after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD₅ is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass -- The intentional diversion of waste streams from any portion of a treatment facility.

Categorical pretreatment standards -- National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties, which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

Chlorine -- A chemical used to disinfect wastewaters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic toxicity -- The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean water act (CWA) -- The federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

Compliance inspection-without sampling -- A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance inspection-with sampling -- A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations. In addition it includes as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. EFSEC and/or Ecology may conduct additional sampling.

Composite sample -- A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite" (collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected

by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots).

Construction activity -- Clearing, grading, excavation, and any other activity, which disturbs the surface of the land. Such activities may include road building; construction of residential houses, office buildings, or industrial buildings; and demolition activity.

Continuous monitoring -- Uninterrupted, unless otherwise noted in the permit.

Critical condition -- The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

Date of receipt -- This is defined in RCW 43.21B.001(2) as five business days after the date of mailing; or the date of actual receipt, when the actual receipt date can be proven by a preponderance of the evidence. The recipient's sworn affidavit or declaration indicating the date of receipt, which is unchallenged by the agency, constitutes sufficient evidence of actual receipt. The date of actual receipt, however, may not exceed forty-five days from the date of mailing.

Detection limit -- The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the pollutant concentration is above zero and is determined from analysis of a sample in a given matrix containing the pollutant.

Dilution factor (DF) -- A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction, for example, a dilution factor of 10 means the effluent comprises 10% by volume and the receiving water 90%.

Distribution uniformity -- The uniformity of infiltration (or application in the case of sprinkle or trickle irrigation) throughout the field expressed as a percent relating to the average depth infiltrated in the lowest one-quarter of the area to the average depth of water infiltrated.

Early warning value -- The concentration of a pollutant set in accordance with WAC 173-200-070 that is a percentage of an enforcement limit. It may be established in the effluent, groundwater, surface water, the vadose zone or within the treatment process. This value acts as a trigger to detect and respond to increasing contaminant concentrations prior to the degradation of a beneficial use.

Enforcement limit -- The concentration assigned to a contaminant in the groundwater at the point of compliance for the purpose of regulation, [WAC 173-200-020(11)]. This limit assures that a groundwater criterion will not be exceeded and that background water quality will be protected.

Engineering report -- A document that thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report must contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Fecal coliform bacteria -- Fecal coliform bacteria are used as indicators of pathogenic bacteria in the effluent that are harmful to humans. Pathogenic bacteria in wastewater discharges are

controlled by disinfecting the wastewater. The presence of high numbers of fecal coliform bacteria in a water body can indicate the recent release of untreated wastewater and/or the presence of animal feces.

Grab sample -- A single sample or measurement taken at a specific time or over as short a period of time as is feasible.

Groundwater -- Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

Industrial user -- A discharger of wastewater to the sanitary sewer that is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

Industrial wastewater -- Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business; from the development of any natural resource; or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities.

Interference -- A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Local limits -- Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

Major facility -- A facility discharging to surface water with an EPA rating score of > 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Matrix effect -- In chemical analysis, matrix refers to the components of a sample other than the analyte of interest. The matrix can have a considerable effect on the way the analysis is conducted and the quality of the results obtained; such effects are called matrix effects.

Maximum daily discharge limit -- The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Maximum day design flow (MDDF) -- The largest volume of flow anticipated to occur during a one-day period, expressed as a daily average.

Maximum month design flow (MMDF) -- The largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average.

Maximum week design flow (MWDF) -- The largest volume of flow anticipated to occur during a continuous 7-day period, expressed as a daily average.

Method detection level (MDL) -- See Detection Limit.

Minor facility -- A facility discharging to surface water with an EPA rating score of < 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Mixing zone -- An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The permit specifies the area of the authorized mixing zone that Ecology defines following procedures outlined in state regulations (chapter 173-201A WAC).

National pollutant discharge elimination system (NPDES) -- The NPDES (Section 402 of the Clean Water Act) is the federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both state and federal laws.

pH -- The pH of a liquid measures its acidity or alkalinity. It is the negative logarithm of the hydrogen ion concentration. A pH of 7 is defined as neutral and large variations above or below this value are considered harmful to most aquatic life.

Pass-through -- A discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

Peak hour design flow (PHDF) -- The largest volume of flow anticipated to occur during a one-hour period, expressed as a daily or hourly average.

Peak instantaneous design flow (PIDF) -- The maximum anticipated instantaneous flow.

Point of compliance -- The location in the groundwater where the enforcement limit must not be exceeded and a facility must comply with the Ground Water Quality Standards. EFSEC determines this limit on a site-specific basis. EFSEC locates the point of compliance in the groundwater as near and directly downgradient from the pollutant source as technically, hydrogeologically, and geographically feasible, unless it approves an alternative point of compliance.

Potential significant industrial user (PSIU) -- A potential significant industrial user is defined as an Industrial User that does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

- a. Exceeds 0.5 % of treatment plant design capacity criteria and discharges <25,000 gallons per day or;

- b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

EFSEC may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

Quantitation level (QL) -- Also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to $(1,2,\text{or } 5) \times 10^n$, where n is an integer. (64 FR 30417).

ALSO GIVEN AS:

The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007).

Reasonable potential -- A reasonable potential to cause a water quality violation, or loss of sensitive and/or important habitat.

Responsible corporate officer -- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

Sample Maximum -- No sample may exceed this value.

Significant industrial user (SIU) --

- 1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;
- 2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR 403.8(f)(6)].

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in

accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

Slug discharge -- Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate that may cause interference or pass through with the POTW or in any way violate the permit conditions or the POTW's regulations and local limits.

Soil scientist -- An individual who is registered as a Certified or Registered Professional Soil Scientist or as a Certified Professional Soil Specialist by the American Registry of Certified Professionals in Agronomy, Crops, and Soils or by the National Society of Consulting Scientists or who has the credentials for membership. Minimum requirements for eligibility are: possession of a baccalaureate, masters, or doctorate degree from a U.S. or Canadian institution with a minimum of 30 semester hours or 45 quarter hours professional core courses in agronomy, crops or soils, and have 5,3, or 1 years, respectively, of professional experience working in the area of agronomy, crops, or soils.

Solid waste -- All putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

Soluble BOD₅ -- Determining the soluble fraction of Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of soluble organic material present in an effluent that is utilized by bacteria. Although the soluble BOD₅ test is not specifically described in Standard Methods, filtering the raw sample through at least a 1.2 um filter prior to running the standard BOD₅ test is sufficient to remove the particulate organic fraction.

State waters -- Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater--That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a defined surface water body, or a constructed infiltration facility.

Technology-based effluent limit -- A permit limit based on the ability of a treatment method to reduce the pollutant.

Total coliform bacteria--A microbiological test, which detects and enumerates the total coliform group of bacteria in water samples.

Total dissolved solids--That portion of total solids in water or wastewater that passes through a specific filter.

Total maximum daily load (TMDL) --A determination of the amount of pollutant that a water body can receive and still meet water quality standards.

Total suspended solids (TSS) -- Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

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

Water quality-based effluent limit -- A limit imposed on the concentration of an effluent parameter to prevent the concentration of that parameter from exceeding its water quality criterion after discharge into receiving waters.

Appendix D--Technical Calculations

Several of the Excel® spreadsheet tools used to evaluate a discharger's ability to meet Washington State water quality standards can be found in the PermitCalc workbook on Ecology's webpage at: <http://www.ecy.wa.gov/programs/wq/permits/guidance.html>.

Simple Mixing:

EFSEC uses simple mixing calculations to assess the impacts of certain conservative pollutants, such as the expected increase in fecal coliform bacteria at the edge of the chronic mixing zone boundary. Simple mixing uses a mass balance approach to proportionally distribute a pollutant load from a discharge into the authorized mixing zone. The approach assumes no decay or generation of the pollutant of concern within the mixing zone. The predicted concentration at the edge of a mixing zone (C_{mz}) is based on the following calculation:

$$C_{mz} = Ca + \frac{(Ce - Ca)}{DF}$$

where: Ce = Effluent Concentration
Ca = Ambient Concentration
DF = Dilution Factor

Reasonable Potential Analysis:

The spreadsheets Input 2 – Reasonable Potential, and LimitCalc in Ecology's PermitCalc Workbook determine reasonable potential (to violate the aquatic life and human health water quality standards) and calculate effluent limits. The process and formulas for determining reasonable potential and effluent limits in these spreadsheets are taken directly from the *Technical Support Document for Water Quality-based Toxics Control*, (EPA 505/2-90-001). The adjustment for autocorrelation is from EPA (1996a), and EPA (1996b).

Calculation of Water Quality-Based Effluent Limits:

Water quality-based effluent limits are calculated by the two-value wasteload allocation process as described on page 100 of the TSD (EPA, 1991) and shown below.

1. Calculate the acute wasteload allocation WLA_a by multiplying the acute criteria by the acute dilution factor and subtracting the background factor. Calculate the chronic wasteload allocation (WLA_c) by multiplying the chronic criteria by the chronic dilution factor and subtracting the background factor.

$$WLA_a = (\text{acute criteria} \times DF_a) - [(\text{background conc.} \times (DF_a - 1))]$$

$$WLA_c = (\text{chronic criteria} \times DF_c) - [(\text{background conc.} \times (DF_c - 1))]$$

where: DF_a = Acute Dilution Factor
 DF_c = Chronic Dilution Factor

2. Calculate the long term averages (LTA_a and LTA_c) which will comply with the wasteload allocations WLA_a and WLA_c .

$$LTA_a = WLA_a \times e^{[0.5\sigma^2 - z\sigma]}$$

where: $\sigma^2 = \ln[CV^2 + 1]$
 $z = 2.326$
 $CV = \text{coefficient of variation} = \text{std. dev}/\text{mean}$

$$LTA_c = WLA_c \times e^{[0.5\sigma^2 - z\sigma]}$$

where: $\sigma^2 = \ln[(CV^2 \div 4) + 1]$
 $z = 2.326$

3. Use the smallest LTA of the LTA_a or LTA_c to calculate the maximum daily effluent limit and the monthly average effluent limit.

MDL = Maximum Daily Limit

$$MDL = LTA \times e^{(z\sigma - 0.5\sigma^2)}$$

where: $\sigma^2 = \ln[CV^2 + 1]$
 $z = 2.326$ (99th percentile occurrence)
 $LTA = \text{Limiting long term average}$

AML = Average Monthly Limit

$$AML = LTA \times e^{(z\sigma_n - 0.5\sigma_n^2)}$$

where: $\sigma^2 = \ln[(CV^2 \div n) + 1]$
 $n = \text{number of samples/month}$
 $z = 1.645$ (95th % occurrence probability)
 $LTA = \text{Limiting long term average}$

Appendix E--Response to Comments

[EFSEC will complete this section after the public notice of draft period.]

Issuance Date: ?
Effective Date: ?
Expiration ?
Date:

**National Pollutant Discharge Elimination System
Waste Discharge Permit No. WA0XXXXXX**

State of Washington
Energy Facility Site Evaluation Council

1300 S. Evergreen Park Dr. S.W.
P.O. Box 43172
Olympia, WA

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington

The State of Washington Energy Facility Siting Law
Chapter 80.50 Revised Code of Washington; and

The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1342 et seq.

Vancouver Energy Terminal
901 W. Legacy Center Way
Midvale, UT 84047

Tesoro Savage Petroleum Terminal, LLC, dba Vancouver Energy is authorized to discharge in accordance with the Special and General Conditions that follow.

Facility Location: 5501 Northwest Lower River Road, Vancouver, WA 98660	Receiving Water: Columbia River
Treatment Type: Oil/water Separation, filtration and carbon absorption	SIC Code: 5171 NAICS Code: 422710
Industry Type: Petroleum and Chemical Bulk Terminal	

William L. Lynch
Chair
Washington State Energy Facility Site
Evaluation Council

Date: _____

Table of Contents

<i>Summary of Permit Report Submittals</i>	5
<i>Special Conditions</i>	6
S1. Discharge limits	6
S1.A. Treated Stormwater discharges	6
S2. Monitoring requirements	7
S2.A. Monitoring schedule	7
S2.B. Sampling and analytical procedures	8
S2.C. Flow measurement, and continuous monitoring devices	8
S2.D. Laboratory accreditation	9
S3. Reporting and recording requirements	9
S3.A. Discharge monitoring reports	9
S3.B. Permit Submittals and Schedules	11
S3.C. Records retention	11
S3.D. Recording of results	12
S3.E. Additional monitoring by the Permittee.....	12
S3.F. Reporting permit violations.....	12
S3.G. Other reporting	14
S3.H. Maintaining a copy of this permit.....	14
S4. Operation and maintenance	14
S4.A. Operations and maintenance (O&M) manual	15
S4.B. Bypass procedures	16
S5. Application for permit renewal or modification for facility changes	18
S6. Spill control plan	18
S.A. Spill control plan submittals and requirements	18
S.B. Spill control plan components	18
S7. Stormwater pollution prevention plan	19
S8. Off-site Wastewater Disposal Reporting Requirements	28
S9. Best management practices	28
<i>General Conditions</i>	29
G1. Signatory requirements	29
G2. Right of inspection and entry	30
G3. Permit actions	31
G4. Reporting planned changes	31
G5. Plan review required	31
G6. Compliance with other laws and statutes	31
G7. Transfer of this permit	31
G8. Reduced production for compliance	31
G9. Removed substances	32
G10. Duty to provide information	32
G11. Other requirements of 40 CFR	32
G12. Additional monitoring	32
G13. Payment of fees	32
G14. Penalties for violating permit conditions	32
G15. Upset	33
G16. Property rights	33
G17. Duty to comply	33
G18. Toxic pollutants	33
G19. Penalties for tampering	33
G20. Reporting requirements applicable to existing manufacturing, commercial, mining, and silvicultural dischargers	34
G21. Compliance schedules	34
APPENDIX A	35

Summary of Permit Report Submittals

Permit Section	Submittal	Frequency	First Submittal Date
S3.A	Discharge Monitoring Report (DMR)	Monthly	XX/XX/XXXX
S3.A	DMR - Priority Pollutant Data - Single Sample Data	Yearly	XX/XX/XXXX
S3.F	Reporting Permit Violations	As necessary	
S4.A	Operations and Maintenance Manual	1/permit cycle	
S4.A	Operations and Maintenance Manual Update or Review Confirmation Letter	Annually	
S4.A	Operations and Maintenance Manual	1/permit cycle	XX/XX/XXXX
S4.B	Reporting Bypasses	As necessary	
S5	Application for Permit Renewal	1/permit cycle	
S6	Spill Control Plan	1/permit cycle, updates submitted as necessary	
S7	Stormwater Pollution Prevention Plan	1/permit cycle	
S8	Off-site Wastewater Disposal Reporting Requirements	Annually	
G1	Notice of Change in Authorization	As necessary	
G4	Permit Application for Substantive Changes to the Discharge	As necessary	
G5	Engineering Report for Construction or Modification Activities	As necessary	
G7	Notice of Permit Transfer	As necessary	
G10	Duty to Provide Information	As necessary	

Special Conditions

S1. Discharge limits

S1.A. Treated Stormwater discharges

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

The discharge of any of the following pollutants more frequently than, or at a level in excess of that identified and authorized by this permit violates the terms and conditions of this permit.

Beginning on the effective date of this permit, the Permittee is authorized to discharge treated stormwater to the Columbia River via the Port of Vancouver stormwater outfalls at the permitted locations subject to complying with the following limits:

Effluent Limits: Outfall T4 & T5		
T4: Latitude 45.6375° N		Longitude -122.7125° W
T5: Latitude 45.649722° N		Longitude -122.745833° W
Parameter	Average Monthly ^a	Maximum Daily ^b
Total Suspended Solids	30 (mg/L)	45 (mg/L)
Oil and Grease	10 (mg/L)	15 (mg/L)
Benzene	NA	5 (µg/L)
BTEX	NA	100 (µg/L)
Copper	NA	11 (µg/L)
Zinc	NA	76 (µg/L)
	Minimum	Maximum
pH	6.0 standard units	9.0 standard units
a	Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured.	
b	Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, calculate the daily discharge as the total mass of the pollutant discharged over the day. This does not apply to pH or temperature.	

S2. Monitoring requirements

S2.A. Monitoring schedule

The Permittee must monitor in accordance with the following schedule and the requirements specified in **Appendix A**.

Parameter	Units & Speciation	Minimum Sampling Frequency	Sample Type
Effluent^f			
Flow	Gallon per day	Once per day	Continuous ^a
pH ^b	Standard Units	Once per day	Grab ^{c,f,j}
Total Suspended Solids	milligrams/liter (mg/L)	Once per Month	Grab ^{c,f,j}
Oil and Grease	milligrams/liter (mg/L)	Once per Month	Grab ^{c,f,j}
BTEX ^d	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Benzene	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Ethylbenzene	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Toluene	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Xylene	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Copper	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Zinc	micrograms/liter (µg/L)	Once per Month	Grab ^{c,f,j}
Priority Pollutants (PP) – Total Metals	µg/L; ng/L for mercury	Once a Quarter ^{g,h}	24-Hour composite ^e ; Grab for mercury
PP – Volatile Organic Compounds	µg/L	Once a Quarter ^{g,h}	Grab ^{c,i}
PP – Acid-extractable Compounds	µg/L	Once a Quarter ^{g,h}	24-Hour composite ^e
PP – Base-neutral Compounds	µg/L	Once a Quarter ^{g,h}	24-Hour composite ^e
PP - Dioxin	pg/L	Once a Quarter ^{g,h}	24-Hour composite ^e
PP – Pesticides/PCBs	µg/L	Once a Quarter ^{g,h}	24-Hour composite ^e
a	Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance		
b	Permittee must report the instantaneous maximum and minimum pH monthly. Do not average pH values.		
c	Grab means an individual sample collected over a fifteen (15) minute, or less, period.		
d	BTEX – Use the test method specified in Appendix A for BTEX and report the total quantity of benzene, toluene, ethylbenzene, and the (m,o,p mixed isomers) xylenes. In addition, report the individual quantities of benzene, toluene, ethylbenzene, and xylene (m,o,p – mixed isomers).		
e	24-hour composite means a series of individual samples collected over a 24-hour period into a single container, and analyzed as one sample.		
f	Effluent samples must be collected immediately downstream from the water quality vaults prior to mixing with stormwater from other areas of the Port.		
g	Permittee shall perform priority pollutant scan on treatment system effluent Quarterly during the first two years of operation and annually in October after the first two years. Quarterly sampling periods are January through March, April through June, July through September, and October through December.		

Parameter	Units & Speciation	Minimum Sampling Frequency	Sample Type
h.	Permittee shall sample the stormwater discharge from the first fall storm event each year. "First fall storm event" means the first time on or after October 1st of each year that precipitation occurs and results in a stormwater discharge from the facility		
i	Permittee shall collect samples within the first 12 hours of stormwater discharge events		

S2.B. Sampling and analytical procedures

Samples and measurements taken to meet the requirements of this permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 (or as applicable in 40 CFR subchapters N [Parts 400–471] or O [Parts 501–503]) unless otherwise specified in this permit. EFSEC may only specify alternative methods for parameters without limits and for those parameters without an EPA approved test method in 40 CFR Part 136.

S2.C. Flow measurement and continuous monitoring devices

The Permittee must:

- Select and use appropriate flow measurement and methods consistent with accepted scientific practices.
- Install, calibrate, and maintain these devices to ensure the accuracy of the measurements is consistent with the accepted industry standard, the manufacturer's recommendation, and approved O&M manual procedures for the device and the wastestream.
- Calibrate continuous monitoring instruments weekly unless it can demonstrate a longer period is sufficient based on monitoring records. The Permittee:
 - May calibrate apparatus for continuous monitoring of dissolved oxygen by air calibration.
 - Must calibrate continuous pH measurement instruments using a grab sample analyzed in the lab with a pH meter calibrated with standard buffers and analyzed within 15 minutes of sampling.
 - Must calibrate continuous chlorine measurement instruments using a grab sample analyzed in the laboratory within 15 minutes of sampling.
- Calibrate micro-recording temperature devices, known as thermistors, using protocols from Ecology's Quality Assurance Project Plan Development Tool (*Standard Operating Procedures for Continuous Temperature Monitoring of*

Fresh Water Rivers and Streams Version 1.0 10/26/2011). This document is available online at:

http://www.ecy.wa.gov/programs/eap/qa/docs/ECY_EAP_SOP_Cont_Temp_Mon_Ambient_v1_0EAP080.pdf

Calibration as specified in this document is not required if the Permittee uses recording devices certified by the manufacturer.

5. Use field measurement devices as directed by the manufacturer and do not use reagents beyond their expiration dates.
6. Establish a calibration frequency for each device or instrument in the O&M manual that conforms to the frequency recommended by the manufacturer.
7. Maintain calibration records for at least three years.

S2.D. Laboratory accreditation

The Permittee must ensure that all monitoring data required by EFSEC for permit specified parameters is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, pH, and internal process control parameters are exempt from this requirement. The Permittee must obtain accreditation for conductivity and pH if it must receive accreditation or registration for other parameters.

S3. Reporting and recording requirements

The Permittee must monitor and report in accordance with the following conditions. Falsification of information submitted to Ecology and/or EFSEC is a violation of the terms and conditions of this permit.

S3.A. Discharge monitoring reports

The first monitoring period begins on the effective date of the permit (unless otherwise specified). The Permittee must:

1. Summarize, report, and submit monitoring data obtained during each monitoring period on the electronic discharge monitoring report (DMR) form provided by Ecology within the Water Quality Permitting Portal. Include data for each of the parameters tabulated in Special Condition S2 and as required by the form. Report a value for each day sampling occurred (unless specifically exempted in the permit) and for the summary values (when applicable) included on the electronic form.

To find out more information and to sign up for the Water Quality Permitting Portal go to: <http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html>

2. Ensure that DMRs are electronically submitted no later than the dates specified below, unless otherwise specified in this permit.

3. Submit DMRs for parameters with the monitoring frequencies specified in S2 (monthly, quarterly, annual, etc.) at the reporting schedule identified below. The Permittee must:
 - a. Submit **monthly** DMRs by the 15th day of the following month.
 - b. Submit **annual DMRs**, unless otherwise specified in the permit, by January 15 for the previous calendar year. The annual sampling period is the calendar year.
4. Enter the "No Discharge" reporting code for an entire DMR, for a specific monitoring point, or for a specific parameter as appropriate, if the Permittee did not discharge wastewater or a specific pollutant during a given monitoring period.
5. Report single analytical values below detection as "less than the detection level (DL)" by entering < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL and quantitation level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.
6. Report single analytical values between the detection level (DL) and the quantitation level (QL) by entering the estimated value, the code for estimated value/below quantitation limit (j) and any additional information in the comments. Submit a copy of the laboratory report as an attachment using Ecology's WQWebDMR.
7. Report the test method used for analysis in the comments if the laboratory used an alternative method not specified in the permit and as allowed in [Appendix A OR S2](#).
8. Calculate average values and calculated total values (unless otherwise specified in the permit) using:
 - a. The reported numeric value for all parameters measured between the detection value and the quantitation value for the sample analysis.
 - b. One-half the detection value (for values reported below detection) if the lab detected the parameter in another sample from the same monitoring point for the reporting period.
 - c. Zero (for values reported below detection) if the lab did not detect the parameter in another sample for the reporting period.
9. Report single-sample grouped parameters (for example: priority pollutants, PAHs, pulp and paper chlorophenolics, TTOs) on the WQWebDMR form and include: sample date, concentration detected, detection limit (DL) (as

necessary), and laboratory quantitation level (QL) (as necessary).

The Permittee must also submit an electronic copy of the laboratory report as an attachment using WQWebDMR. The contract laboratory reports must also include information on the chain of custody, QA/QC results, and documentation of accreditation for the parameter.

10. In addition to reporting through WQWebDMR, permittee must submit a signed paper copy of the DMR to the Council at the following address:

EFSEC
P.O. Box 43172
Olympia, WA 98504-3172

Permittees shall submit DMR forms to be received by EFSEC within 15 days following the end of each month.

S3.B. Permit Submittals and Schedules

The Permittee must use the Water Quality Permitting Portal – Permit Submittals application (unless otherwise specified in the permit) to submit all other written permit-required reports by the date specified in the permit.

When another permit condition requires submittal of a paper (hard-copy) report, the Permittee must ensure that it is postmarked or received by Ecology and EFSEC no later than the dates specified by this permit. Send these paper reports to Ecology at:

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

And to EFSEC at:

EFSEC
P.O. Box 43172
Olympia, WA 98504-3172

S3.C. Records retention

The Permittee must retain records of all monitoring information for the life of the facility. Such information must include all calibration and maintenance records and all original 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. The Permittee must extend this period of retention

during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by EFSEC.

S3.D. Recording of results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, exact place, method, and time of sampling or measurement.
2. The individual who performed the sampling or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

S3.E. Additional monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by Special Condition S2 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR unless otherwise specified by Special Condition S2.

S3.F. Reporting permit violations

The Permittee must take the following actions when it violates or is unable to comply with any permit condition:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance and correct the problem.
2. If applicable, immediately repeat sampling and analysis. Submit the results of any repeat sampling to Ecology and EFSEC within thirty (30) days of sampling.

a. Immediate reporting

The Permittee must immediately report to EFSEC, the Department of Ecology, and the Department of Health, Drinking Water Program (at the numbers listed below), all:

- Failures of the disinfection system.
- Collection system overflows discharging to a water body used as a source of drinking water.
- Plant bypasses discharging to a waterbody used as a source of drinking water.

EFSEC 360-664-1345
Ecology Southwest Regional 360-407-6300
Office

Department of Health, 800-521-0323 (business hours)
Drinking Water Program 877-481-4901 (after business hours)
Clark County Public Health 360-397-8215

b. Twenty-four-hour reporting

The Permittee must report the following occurrences of noncompliance by telephone, to Ecology and EFSEC at the telephone numbers listed above, within 24 hours from the time the Permittee becomes aware of any of the following circumstances:

1. Any noncompliance that may endanger health or the environment, unless previously reported under immediate reporting requirements.
2. Any unanticipated bypass that causes an exceedance of any effluent limit in the permit (See Part S4.B., "Bypass Procedures").
3. Any upset that causes an exceedance of an effluent limit in the permit (See G.15, "Upset").
4. Any violation of a maximum daily or instantaneous maximum discharge limit for any of the pollutants in Section S1.A of this permit.
5. Any overflow prior to the stormwater treatment system, whether or not such overflow endangers health or the environment or exceeds any effluent limit in the permit. This requirement does not include industrial process wastewater overflows to impermeable surfaces which are collected and discharged in accordance with the City's pre-treatment permit or hauled off-site..

c. Report within five days

The Permittee must also submit a written report within five days of the time that the Permittee becomes aware of any reportable event under subparts a or b, above. The report must contain:

1. A description of the noncompliance and its cause.
2. The period of noncompliance, including exact dates and times.
3. The estimated time the Permittee expects the noncompliance to continue if not yet corrected.
4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
5. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

d. Waiver of written reports

EFSEC may waive the written report required in subpart c, above, on a case-by-case basis upon request if the Permittee has submitted a timely oral report.

e. All other permit violation reporting

The Permittee must report all permit violations, which do not require immediate or within 24 hours reporting, when it submits monitoring reports for S3.A ("Reporting"). The reports must contain the information listed in subpart c, above. Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S3.G. Other reporting

a. Spills of Oil or Hazardous Materials

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and chapter 173-303-145. You can obtain further instructions at the following website:
<http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm>.

b. Failure to submit relevant or correct facts

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to EFSEC and Ecology, it must submit such facts or information promptly.

S3.H. Maintaining a copy of this permit

The Permittee must keep a copy of this permit at the facility and make it available upon request to EFSEC and/or Ecology inspectors.

S4. Operation and maintenance

The Permittee must, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances), which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes keeping a daily operation logbook (paper or electronic), adequate laboratory controls, and appropriate quality assurance procedures. This provision of the permit requires the Permittee to operate backup or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this permit.

The Permittee must not schedule any facility maintenance, which might require interruption of wastewater treatment and degrade effluent quality, during critical water

quality periods and carry this maintenance out according to the approved O&M manual or as otherwise approved by EFSEC.

S4.A. Operations and maintenance (O&M) manual

a. O&M manual submittal and requirements

The Permittee must:

1. Prepare an O&M Manual that meets the requirements of 173-240-150 WAC and submit it to EFSEC for approval by XX/XX.
2. Review the O&M Manual at least annually and confirm this review by letter to EFSEC by XX/XX of each year.
3. Submit to EFSEC for review and approval significant process changes or updates to the O&M Manual whenever it incorporates them into the manual. The updated O&M Manual must incorporate any applicable pollution reduction measures detailed in the approved Engineering Report.
4. The O&M Manual must be kept available at the permitted facility and all operators must follow the instructions and procedures of this manual. Follow the instructions and procedures of this manual.

b. O&M manual components

In addition to the requirements of WAC 173-240-150, the O&M Manual must be consistent with the guidance in Table G1-3 in the *Criteria for Sewage Works Design* (Orange Book) 2008. The O&M Manual must include:

1. Emergency procedures for plant shutdown and cleanup in the event of a treatment system upset or failure.
2. A review of system components which if failed could pollute surface water or could impact human health. Provide a procedure for a routine schedule of checking the function of these components.
3. Treatment system maintenance procedures that contribute to the generation of process wastewater.
4. Any directions to maintenance staff when cleaning, or maintaining other equipment or performing other tasks which are necessary to protect the operation of the treatment system.
5. Sampling protocols and procedures for compliance with the sampling and reporting requirements in the discharge permit.
6. Minimum staffing adequate to operate and maintain the treatment processes and carry out compliance monitoring required by the permit.
7. Treatment plant process control monitoring schedule.

c. Treatment system operating plan

The Permittee must summarize the following information in the initial chapter of the O&M Manual entitled the "Treatment System Operating Plan." For the purposes of this permit, a Treatment System Operating Plan (TSOP) is a concise summary of specifically defined elements of the O&M Manual.

The Permittee must submit an updated Treatment System Operating Plan to EFSEC by XX/XX. The Permittee must update and submit this plan, as necessary, to include requirements for any major modifications of the treatment system.

The TSOP must not conflict with the O&M Manual and must include the following information:

1. A baseline operating condition, which describes the operating parameters and procedures, used to meet the effluent limits of S1 at the production levels used in developing these limits.
2. In the event of production rates, which are below the baseline levels used to establish these limits, the plan must describe the operating procedures and conditions needed to maintain design treatment efficiency. The monitoring and reporting must be described in the plan.
3. In the event of an upset, due to plant maintenance activities, severe stormwater events, start ups or shut downs, or other causes, the plan must describe the operating procedures and conditions employed to mitigate the upset. The monitoring and reporting must be described in the plan.
4. A description of any regularly scheduled maintenance or repair activities at the facility which would affect the volume or character of the wastes discharged to the wastewater treatment system and a plan for monitoring and treating/controlling the discharge of maintenance-related materials (such as cleaners, degreasers, solvents, etc.).

S4.B. Bypass procedures

A bypass is the intentional diversion of waste streams from any portion of a stormwater conveyance and treatment systems facility. This permit prohibits all bypasses except when the bypass is for essential maintenance, as authorized in special condition S4.B.1, or is approved by EFSEC as an anticipated bypass following the procedures in S4.B.2.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

This permit allows bypasses for essential maintenance of the treatment system when necessary to ensure efficient operation of the system. The Permittee

may bypass the treatment system for essential maintenance only if doing so does not cause violations of effluent limits. The Permittee is not required to notify EFSEC when bypassing for essential maintenance. However the Permittee must comply with the monitoring requirements specified in special condition S2.B.

2. Anticipated bypasses for non-essential maintenance

EFSEC may approve an anticipated bypass under the conditions listed below. This permit prohibits any anticipated bypass that is not approved through the following process.

- a. If a bypass is for non-essential maintenance, the Permittee must notify EFSEC at least ten (10) days before the planned date of bypass. The notice must contain:
 - A description of the bypass and the reason the bypass is necessary.
 - An analysis of all known alternatives which would eliminate, reduce, or mitigate the potential impacts from the proposed bypass.
 - A cost-effectiveness analysis of alternatives.
 - The minimum and maximum duration of bypass under each alternative.
 - A recommendation as to the preferred alternative for conducting the bypass.
 - The projected date of bypass initiation.
 - A statement of compliance with SEPA.
 - A request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated.
 - Details of the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- b. For probable construction bypasses, the Permittee must notify EFSEC of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report as well as the plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.
- c. EFSEC will determine if the Permittee has met the conditions of special condition S4.B.2 a and b and consider the following prior to issuing a determination letter, an administrative order, or a permit modification as appropriate for an anticipated bypass:

- If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.
- If the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause 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.
- If feasible alternatives to the bypass exist, such as:
 - The use of auxiliary treatment facilities.
 - Retention of untreated wastes.
 - Stopping production.
 - Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
 - Transport of untreated wastes to another treatment facility.

S5. Application for permit renewal or modification for facility changes

The Permittee must reapply by submitting an NOI to EFSEC and follow the requirements of WAC 463-76-061.

S6. Spill control plan

S.A. Spill control plan submittals and requirements

The Permittee must:

1. Submit to EFSEC an update to the existing spill control plan by **TBD**.
2. Submit to EFSEC a spill control plan for the prevention, containment, and control of spills or unplanned releases of pollutants by **TBD**.
3. Review the plan at least annually and update the spill plan as needed.
4. Send changes to the plan to EFSEC.
5. Follow the plan and any supplements throughout the term of the permit.

S.B. Spill control plan components

The spill control plan must include the following:

1. A list of all oil and petroleum products and other materials used and/or stored on-site, which when spilled, or otherwise released into the environment, designate as Dangerous Waste (DW) or Extremely Hazardous Waste (EHW)

by the procedures set forth in WAC 173-303-070. Include other materials used and/or stored on-site which may become pollutants or cause pollution upon reaching state's waters.

2. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
3. A description of the reporting system the Permittee will use to alert responsible managers and legal authorities in the event of a spill.
4. A description of operator training to implement the plan.

The Permittee may submit plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies, which meet the intent of this section.

S7. Stormwater pollution prevention plan

A. General Requirements

1. The Permittee shall develop and implement a SWPPP for the permitted *facility* as follows:
2. The SWPPP shall specify the *Best Management Practices* (BMPs) necessary to:
 - a. Provide *all known, available, and reasonable methods of prevention, control, and treatment (AKART)* of *stormwater pollution*.
 - b. Ensure the *discharge* does not cause or contribute to a violation of the *Water Quality Standards*.
 - c. Comply with applicable federal technology-based treatment requirements under *40 CFR* 125.3.
3. Proper Selection and Use of *BMPs*:

BMPs shall be consistent with:

 - a. *Stormwater Management Manual* (SWMM) for Western Washington (*2012* edition); or
 - b. Revisions to the manual in S7.A.3.a, or other *stormwater* management guidance documents or manuals which provide an equivalent level of *pollution* prevention, that are approved by *Ecology* and incorporated into this permit in accordance with the permit modification requirements of WAC 173-226-230. For purposes of this section, the documents listed in Appendix 10 of the August 1, 2013 Phase I Municipal Stormwater Permit are hereby incorporated into this permit; or
 - c. Documentation in the SWPPP that the BMPs selected are *demonstrably equivalent* to practices contained in stormwater technical manuals approved by *Ecology*, including the proper selection, implementation, and maintenance of

all applicable and appropriate *best management practices* for on-site *pollution* control.

4. Update of the SWPPP
 - a. The Permittee shall modify the SWPPP if the owner/operator or the applicable local or state regulatory authority determines during inspections or investigations that the SWPPP is, or would be, ineffective in eliminating or significantly minimizing *pollutants* in *stormwater* discharges from the site. The Permittee shall modify the SWPPP:
 - i. As necessary to include additional or modified BMPs designed to correct problems identified.
 - ii. To correct the deficiencies identified in writing from *EFSEC* within 30 days of notice.
 - b. The Permittee shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance at the *facility* that significantly changes the nature of *pollutants* discharged in *stormwater* from the *facility*, or significantly increases the quantity of pollutants discharged.
5. Other *Pollution Control Plans*

The Permittee may incorporate by reference applicable portions of plans prepared for other purposes at their *facility*. Plans or portions of plans incorporated by reference into a SWPPP become enforceable requirements of this permit.

6. Signatory Requirements

The Permittee shall sign and certify all SWPPPs in accordance with General Condition G2.

B. Specific SWPPP Requirements

The SWPPP shall contain a site map, a detailed assessment of the *facility*, a detailed description of the BMPs, Spill Prevention and Emergency Cleanup Plan, and a sampling plan. The Permittee shall identify any parts of the SWPPP which the *facility* wants to claim as Confidential Business Information.

1. The site map shall identify:
 - a. The scale or include relative distances between significant structures and drainage systems.
 - b. Significant features.
 - c. The *stormwater* drainage and *discharge* structures and identify, by name, any other party other than the Permittee that owns any *stormwater* drainage or discharge structures.
 - d. The *stormwater* drainage areas for each *stormwater discharge* point off-site (including discharges to *ground water*) and assign a unique identifying number for each discharge point.

- e. Each sampling location by unique identifying number.
 - f. Paved areas and buildings.
 - g. Areas of *pollutant* contact (actual or potential) associated with specific industrial activities.
 - h. Conditionally approved non-*stormwater* discharges (Condition S5.D).
 - i. Surface water locations (including wetlands and drainage ditches).
 - j. Areas of existing and potential soil *erosion* that could result in the discharge of a *significant amount* of turbidity, sediment or other pollutants.
 - k. *Vehicle maintenance* areas.
 - l. Lands and waters adjacent to the site that may be helpful in identifying *discharge* points or drainage routes.
2. The *facility* assessment shall include a description of the *facility*; an inventory of *facility* activities and equipment that contribute to or have the potential to contribute any *pollutants* to *stormwater*; and, an inventory of materials that contribute to or have the potential to contribute pollutants to *stormwater*.
- a. The *facility* description shall describe:
 - i. The industrial activities conducted at the site.
 - ii. *Regular business hours* and seasonal variations in business hours or industrial activities.
 - iii. The general layout of the *facility* including buildings and storage of raw materials, and the flow of goods and materials through the *facility*.
 - b. The inventory of industrial activities shall identify all areas associated with industrial activities that have been or may potentially be sources of *pollutants*, including, but not limited to, the following:
 - i. Loading and unloading of dry bulk materials or liquids.
 - ii. Outdoor storage of materials or products.
 - iii. Outdoor manufacturing and processing.
 - iv. On-site dust or particulate generating processes.
 - v. On-site waste treatment, storage, or disposal.
 - vi. *Vehicle* and equipment fueling, maintenance, and/or cleaning (includes washing).
 - vii. Roofs or other surfaces exposed to *air emissions* from a manufacturing building or a process area.
 - viii. Roofs or other surfaces composed of materials that may be mobilized by *stormwater* (e.g., galvanized roofs, galvanized fences).

- c. The inventory of materials shall list:
 - i. The types of materials handled at the site that potentially may be exposed to precipitation or *runoff* and could result in *stormwater pollution*.
 - ii. A short narrative for each material describing the potential of the *pollutant* to be present in *stormwater* discharges. The Permittee shall update this narrative when data become available to verify the presence or absence of these pollutants.
 - iii. A narrative description of any potential sources of *pollutants* from past activities, materials and spills that were previously handled, treated, stored, or disposed of in a manner to allow ongoing exposure to *stormwater*. Include the method and location of on-site storage or disposal. List significant spills and significant leaks of toxic or hazardous pollutants.
3. The SWPPP shall identify specific individuals by name or by title within the organization (*pollution* prevention team) whose responsibilities include: SWPPP development, implementation, maintenance, and modification.
4. *Best Management Practices* (BMPs)
- a. General BMP Requirements
The Permittee shall describe each BMP selected to eliminate or reduce the potential to contaminate *stormwater* and prevent violations of *water quality standards*. The SWPPP must explain in detail how and where the selected BMPs will be implemented.
 - b. The Permittee shall include each of the following mandatory BMPs in the SWPPP and implement the BMPs. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or the Permittee provides alternative and equally effective BMPs; if the Permittee clearly justifies each BMP omission in the SWPPP.
 - i. *Operational Source Control BMPs*
 - 1) The SWPPP shall include the *Operational Source Control BMPs* listed as "applicable" in *Ecology's* SWMMs, or other guidance documents or manuals approved in accordance with S8.A.3.c.
 - 2) *Good Housekeeping*: The SWPPP shall include BMPs that define ongoing maintenance and cleanup, as appropriate, of areas which may contribute *pollutants* to *stormwater* discharges. The SWPPP shall include the schedule/frequency for completing each housekeeping task, based upon *industrial activity*, sampling results and observations made during inspections. The Permittee shall:
 - a) Vacuum paved surfaces with a vacuum sweeper (or a sweeper with a vacuum attachment) to remove accumulated *pollutants* a minimum of once per quarter.

- b) Identify and control all on-site sources of dust to minimize *stormwater* contamination from the deposition of dust on areas exposed to precipitation.
 - c) Inspect and maintain bag houses monthly to prevent the escape of dust from the system. Immediately remove any accumulated dust at the base of exterior bag houses.
 - d) Keep all dumpsters under cover or fit with a lid that must remain closed when not in use.
- 3) Preventive Maintenance: The SWPPP shall include BMPs to inspect and maintain the *stormwater* drainage, source controls, treatment systems (if any), and plant equipment and systems that could fail and result in contamination of *stormwater*. The SWPPP shall include the schedule/frequency for completing each maintenance task. The Permittee must:
- a) Clean catch basins when the depth of debris reaches 60% of the sump depth. In addition, the Permittee must keep the debris surface at least 6 inches below the outlet pipe.
 - b) Maintain ponds, tanks/vaults, catch basins, swales, filters, oil/water separators, drains, and other stormwater drainage/treatment facilities in accordance with the Maintenance Standards set forth in the applicable Stormwater Management Manual (SWMM), other guidance documents or manuals approved in accordance with S7.A.3.c., demonstrably equivalent BMPs per S7.A.3.d., or an O&M Manual submitted to EFSEC in accordance with S8.D.
 - c) Inspect all equipment and vehicles during monthly site inspections for leaking fluids such as oil, antifreeze, etc. Take leaking equipment and *vehicles* out of service or prevent leaks from spilling on the ground until repaired.
 - d) Immediately clean up spills and leaks (e.g., using absorbents, vacuuming) to prevent the *discharge* of *pollutants*.
- 4) Spill Prevention and Emergency Cleanup Plan (SPEC): The SWPPP shall include a SPEC that includes BMPs to prevent spills that can contaminate *stormwater*. The SPEC shall specify BMPs for *material handling* procedures, storage requirements, cleanup equipment and procedures, and spill logs, as appropriate. The Permittee shall:
- a) Store all chemical liquids, fluids, and petroleum products, on an impervious surface that is surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed

- tank volume or 110% of the volume contained in the largest tank, whichever is greater.
- b) Prevent precipitation from accumulating in containment areas with a roof or equivalent structure or include a plan on how it will manage and dispose of accumulated water if a containment area cover is not practical.
 - c) Locate spill kits within 25 feet of all stationary fueling stations, fuel transfer stations, mobile fueling units, and used oil storage/transfer stations. At a minimum, spill kits shall include:
 - i) Oil absorbents capable of absorbing 15 gallons of fuel.
 - ii) A storm drain plug or cover kit.
 - iii) A non-water containment boom, a minimum of 10 feet in length with a 12-gallon absorbent capacity.
 - iv) A non-metallic shovel.
 - v) Two five-gallon buckets with lids.
 - d) Not lock shut-off fueling nozzles in the open position. Do not "topoff" tanks being refueled.
 - e) Block, plug or cover storm drains that receive *runoff* from areas where fueling, during fueling.
 - f) Use drip pans or equivalent containment measures during all petroleum transfer operations.
 - g) Locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems (confine the storage of leaky or leak-prone *vehicles* and equipment awaiting maintenance to protected areas).
 - h) Use drip pans and absorbents under or around leaky *vehicles* and equipment or store indoors where feasible. Drain fluids from equipment and *vehicles* prior to on-site storage or disposal.
 - i) Maintain a spill log that includes the following information for chemical and petroleum spills: date, time, amount, location, and reason for spill; date/time cleanup completed, notifications made and staff involved.
- 5) Employee Training: The SWPPP shall include BMPs to provide SWPPP training for employees who have duties in areas of industrial activities subject to this permit. At a minimum, the training plan shall include:
- a) The content of the training.
 - i) An overview of what is in the SWPPP.

- ii) How employees make a difference in complying with the SWPPP and preventing contamination of *stormwater*.
 - iii) Spill response procedures, good housekeeping, maintenance requirements, and material management practices.
 - b) How the Permittee will conduct training.
 - c) The frequency/schedule of training. The Permittee shall train employees annually, at a minimum.
 - d) A log of the dates on which specific employees received training.
- 6) Inspections and Recordkeeping: The SWPPP shall include documentation of procedures to ensure compliance with permit requirements for inspections and recordkeeping. At a minimum, the SWPPP shall:
- a) Identify *facility* personnel who will inspect designated equipment and *facility* areas as required in Condition S7.
 - b) Contain a visual inspection report or check list that includes all items required by Condition S7.C.
 - c) Provide a tracking or follow-up procedure to ensure that a report is prepared and any appropriate action taken in response to visual inspections.
 - d) Define how the Permittee will comply with signature requirements and records retention identified in the Reporting and Recordkeeping Requirements.
 - e) Include a certification of compliance with the SWPPP and permit for each inspection using the language in S7.C.1.c.
 - f) Include all inspection reports completed by the Permittee (S7.C).
- 7) *Illicit Discharges*: The SWPPP shall include measures to identify and eliminate the *discharge of process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges, to the stormwater drainage system, or to surface waters and ground waters of the state*. The Permittee can find BMPs to identify and eliminate *illicit discharges* in Volume IV of *Ecology's SWMM for Western Washington* and Chapter 8 of the SWMM for Eastern Washington.
- Water from washing *vehicles* or equipment, steam cleaning and/or pressure washing is considered *process wastewater*. The Permittee must not allow this process wastewater to come into contact with *stormwater* or enter storm drains; and must collect in a tank for off-site disposal, or *discharge* it to a *sanitary sewer*, with written approval from the local sewage authority.
- ii. *Structural Source Control BMPs*

- 1) The SWPPP shall include the *Structural Source Control BMPs* listed as "applicable" in *Ecology's SWMMs*, or other guidance documents or manuals approved in accordance with S7.A.3.
- 2) The SWPPP shall include BMPs to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and *runoff* by either locating these industrial materials and activities inside or protecting them with storm resistant coverings.

Permittees shall:

- a) Use grading, berming, or curbing to prevent *runoff* of contaminated flows and divert run-on away from these areas.
- b) Perform all cleaning operations indoors, under cover, or in bermed areas that prevent *stormwater runoff* and run-on, also that capture any overspray.
- c) Ensure that all washwater drains to a collection system that directs the washwater to further treatment or storage and not to the *stormwater drainage system*.

iii. *Treatment BMPs*

The Permittee shall:

- 1) Use *Treatment BMPs* consistent with the applicable documents referenced in Condition S7.A.3.
- 2) Employ oil/water separators, booms, skimmers, or other methods to eliminate or minimize oil and grease contamination of *stormwater* discharges.
- 3) Obtain *EFSEC* approval before beginning construction/installation of all *treatment BMPs* that include the addition of chemicals to provide treatment.

iv. *Stormwater Peak Runoff Rate and Volume Control BMPs*

Facilities with *new development* or *redevelopment* shall evaluate whether flow control BMPs are necessary to satisfy the state's AKART requirements, and prevent violations of water quality standards.

v. *Erosion and Sediment Control BMPs*

The SWPPP shall include BMPs necessary to prevent the *erosion* of soils and other earthen materials (crushed rock/gravel, etc.), control off-site *sedimentation*, and prevent violations of *water quality standards*. The Permittee shall implement and maintain:

- 1) *Sediment* control BMPs such as *detention* or retention ponds or traps, vegetated filter strips, bioswales, or other permanent *sediment* control BMPs to minimize *sediment* loads in *stormwater* discharges.
- 2) Filtration BMPs to remove solids from catch basins, sumps or other *stormwater* collection and conveyance system components (catch basin filter inserts, filter socks, modular canisters, sand filtration, centrifugal separators, etc.).

5. Sampling Plan

The SWPPP shall include a sampling plan. The plan shall:

- a. Identify points of *discharge* to surface water, *storm sewers*, or discrete *ground water* infiltration locations, such as dry wells or *detention* ponds.
- b. Include documentation of why applicable parameters are not sampled at each *discharge* point:
 - i. Location of which *discharge* points the Permittee does not sample applicable parameters because the *pollutant* concentrations are substantially identical to a discharge point being sampled.
 - ii. General industrial activities conducted in the drainage area of each *discharge* point.
 - iii. *Best Management Practices* conducted in the drainage area of each discharge point.
 - iv. Exposed materials located in the drainage area of each *discharge* point that are likely to be significant contributors of *pollutants* to *stormwater discharges*.
 - v. Impervious surfaces in the drainage area that could affect the percolation of *stormwater runoff* into the ground (e.g., asphalt, crushed rock, grass).
 - vi. Reasons why the Permittee expects the *discharge* points to discharge substantially identical effluents.
- c. Identify each sampling location by its unique identifying number such as A1, A2.
- d. Identify staff responsible for conducting *stormwater* sampling.
- e. Specify procedures for sample collection and handling.
- f. Specify procedures for sending samples to a laboratory.
- g. Identify parameters for analysis, holding times and preservatives, laboratory *quantitation levels*, and analytical methods.
- h. Specify the procedure for submitting results to *EFSEC*.

S8. Off-site Wastewater Disposal Reporting Requirements

The Permittee is authorized to dispose of wastewater generated in Area 200 at an approved off-site wastewater treatment facility. The Permittee must maintain records of the waste streams treated at the off-site wastewater facility. The origin, volume, known waste constituents, any analytical data, and date of shipment must be recorded. This information must be available to an authorized representative of EFSEC and/or Ecology per General Condition G2. An annual summary of the off-site wastewater accepted and treated by the treatment facility must be submitted by **TBD**.

S9. Best management practices For Petroleum Bulk Terminals

1. Oil/water separators must be inspected at least weekly and maintained as needed to ensure satisfactory performance. A record of inspection, maintenance, and sludge disposal must be kept on file and available for review by EFSEC and/or Ecology.
2. All wastewater from vehicle washing with detergent must be conducted on established wash rack and discharged to the sanitary sewer.
3. No emulsifiers or dispersants, fire suppression foam agents or wash water may be released to the oil/water separators.
4. Waste oils, tank bottom water, sludge and solvents must not be discharged to the oil/water separators or sewer systems. Records or manifests for the waste oil disposal (hauling) must be kept on-site and made available for inspection.
5. Oil transfer operations must be conducted in accordance with Chapter 173-180 Part B WAC. All equipment involved in oil transfer operations must be inspected and certified to be fit for service in accordance with Chapter 173-180 Part C WAC.
6. The transfer pipeline leak detection system/procedures must be capable of detecting any leak equal to 8% of the maximum flow rate within 15 minute during oil transfer operation as specified in Section 173-180-340(11) WAC.
7. Best Management Practices must be employed on-site to reduce dust and debris by sweeping the area impacted by heavy vehicle traffic whenever weather permits.
8. All exposed galvanized metal surfaces should be painted or replaced as much as possible to eliminate the source of zinc in the stormwater. Refer to Ecology publication "Suggested Practices to Reduce Zinc Concentrations in Industrial Stormwater Discharges" for more information.
9. All oil and hydraulic fluid leaks or drips must be cleaned up promptly.
10. Sludges, scales, and sediments from tanks must be disposed of in an approved manner other than to waters of the state, and other than to the sanitary sewer. All waste material must be handled and disposed of in such a manner as to prevent its entry into ground or surface water.
11. All barrels, drums, or similar containers containing toxic or deleterious materials, including, but not limited to petroleum products, organic solvents, resins, strong

acids and bases, cyanides, and heavy metal salts, must be stored in an upright position, in a bermed, covered area sufficient to prevent discharge into state ground or surface waters in the event of leakage or rupture.

12. Empty barrels must be stored with all openings plugged, in an upright position, and at least twenty feet from a storm drain.

General Conditions

G1. Signatory requirements

1. All applications submitted to EFSEC must be signed and certified.
 - a. In the case of corporations, by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
 - The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. In the case of a partnership, by a general partner.
 - c. In the case of sole proprietorship, by the proprietor.
 - d. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity shall be submitted by the public entity.

2. All reports required by this permit and other information requested by EFSEC must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- a. The authorization is made in writing by a person described above and submitted to EFSEC.
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to authorization. If an authorization under paragraph G1.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph G1.2, above, must be submitted to EFSEC prior to or together with any reports, information, or applications to be signed by an authorized representative.
 4. Certification. Any person signing a document under this section must make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. Right of inspection and entry

The Permittee must allow an authorized representative of EFSEC and/or Ecology, upon the presentation of credentials and such other documents as may be required by law:

1. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
2. To have access to and copy, at reasonable times and at reasonable cost, any records required to be kept under the terms and conditions of this permit.
3. To inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
4. To sample or monitor, at reasonable times, any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. Permit actions

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon EFSEC's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 463-76-055(2) according to the procedures of 40 CFR 124.5 and WAC 463-76-062 as applicable.

G4. Reporting planned changes

The Permittee must, as soon as possible, but no later than one hundred eighty (180) days prior to the proposed changes, give notice to EFSEC of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:

1. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b).
2. A significant change in the nature or an increase in quantity of pollutants discharged.
3. A significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. Plan review required

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications must be submitted to EFSEC for approval in accordance with WAC 463-76. Engineering reports, plans, and specifications must be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by EFSEC. Facilities must be constructed and operated in accordance with the approved plans.

G6. Compliance with other laws and statutes

Nothing in this permit excuses the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. Transfer of this permit

Transfer of coverage may only be authorized by the EFSEC Council.

G8. Reduced production for compliance

The Permittee, in order to maintain compliance with its permit, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until

the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G9. Removed substances

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G10. Duty to provide information

The Permittee must submit to EFSEC and Ecology, within a reasonable time, all information which EFSEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee must also submit to EFSEC and/or Ecology upon request, copies of records required to be kept by this permit.

G11. Other requirements of 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G12. Additional monitoring

EFSEC may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G13. Payment of fees

The Permittee must submit payment of fees for costs incurred associated with this permit as assessed by EFSEC.

G14. Penalties for violating permit conditions

Enforcement actions for violations of this permit, including the issuance of penalties, shall be consistent with RCW 80.50.150, RCW 80.50.155, RCW 90.48, WAC 463-70 and WAC 463-76. Any person who is found guilty of willfully violating the terms and conditions of this permit is deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit may incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is deemed to be a separate and distinct violation.

G15. Upset

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

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limits if the requirements of the following paragraph are met.

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

1. An upset occurred and that the Permittee can identify the cause(s) of the upset.
2. The permitted facility was being properly operated at the time of the upset.
3. The Permittee submitted notice of the upset as required in Special Condition S3.F.
4. The Permittee complied with any remedial measures required under S3.F of this permit.

In any enforcement action the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G16. Property rights

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

G17. Duty to comply

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G18. Toxic pollutants

The Permittee must comply with 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 this permit has not yet been modified to incorporate the requirement.

G19. Penalties for 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 (2) years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this condition, punishment shall be a fine of not more than \$25,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G20. Reporting requirements applicable to existing manufacturing, commercial, mining, and silvicultural dischargers

The Permittee belonging to the categories of existing manufacturing, commercial, mining, or silviculture must notify EFSEC as soon as they know or have reason to believe:

1. 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 this permit, if that discharge will exceed the highest of the following “notification levels:”
 - a. One hundred micrograms per liter (100 µg/L).
 - b. 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.
 - c. Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - d. The level established by the Council in accordance with 40 CFR 122.44(f).
2. 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 this permit, if that discharge will exceed the highest of the following “notification levels:”
 - a. Five hundred micrograms per liter (500 µg/L).
 - b. One milligram per liter (1 mg/L) for antimony.
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).
 - d. The level established by the Council in accordance with 40 CFR 122.44(f).

G21. Compliance schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than fourteen (14) days following each schedule date.

APPENDIX A

LIST OF POLLUTANTS WITH ANALYTICAL METHODS, DETECTION LIMITS AND QUANTITATION LEVELS

The Permittee must use the specified analytical methods, detection limits (DLs) and quantitation levels (QLs) in the following table for permit and application required monitoring unless:

- Another permit condition specifies other methods, detection levels, or quantitation levels.
- The method used produces measurable results in the sample and EPA has listed it as an EPA-approved method in 40 CFR Part 136.

If the Permittee uses an alternative method, not specified in the permit and as allowed above, it must report the test method, DL, and QL on the discharge monitoring report or in the required report.

If the Permittee is unable to obtain the required DL and QL in its effluent due to matrix effects, the Permittee must submit a matrix-specific detection limit (MDL) and a quantitation limit (QL) to EFSEC and Ecology with appropriate laboratory documentation.

When the permit requires the Permittee to measure the base neutral compounds in the list of priority pollutants, it must measure all of the base neutral pollutants listed in the table below. The list includes EPA required base neutral priority pollutants and several additional polynuclear aromatic hydrocarbons (PAHs). The Water Quality Program added several PAHs to the list of base neutrals below from Ecology's Persistent Bioaccumulative Toxics (PBT) List. It only added those PBT parameters of interest to Appendix A that did not increase the overall cost of analysis unreasonably.

EFSEC added this appendix to the permit in order to reduce the number of analytical "non-detects" in permit-required monitoring and to measure effluent concentrations near or below criteria values where possible at a reasonable cost.

The lists below include conventional pollutants (as defined in CWA section 502(6) and 40 CFR Part 122.), toxic or priority pollutants as defined in CWA section 307(a)(1) and listed in 40 CFR Part 122 Appendix D, 40 CFR Part 401.15 and 40 CFR Part 423 Appendix A), and nonconventionals. 40 CFR Part 122 Appendix D (Table V) also identifies toxic pollutants and hazardous substances which are required to be reported by dischargers if expected to be present. This permit appendix A list does not include those parameters. The list also includes pulp and paper pollutants identified in 40 CFR Part 430 and the dioxin and furan congeners identified using EPA Method 1613.

CONVENTIONAL POLLUTANTS

Pollutant	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
Biochemical Oxygen Demand		SM5210-B		2 mg/L
Biochemical Oxygen Demand, Soluble		SM5210-B ³		2 mg/L
Fecal Coliform		SM 9221E,9222	N/A	Specified in method - sample aliquot dependent
Oil and Grease (HEM) (Hexane Extractable Material)		1664 A or B	1,400	5,000
pH		SM4500-H ⁺ B	N/A	N/A
Total Suspended Solids		SM2540-D		5 mg/L

NONCONVENTIONAL POLLUTANTS

Pollutant & CAS No. (if available)	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
Alkalinity, Total		SM2320-B		5 mg/L as CaCO ₃
Aluminum, Total	7429-90-5	200.8	2.0	10
Ammonia, Total (as N)		SM4500-NH ₃ -B and C/D/E/G/H		20
Barium Total	7440-39-3	200.8	0.5	2.0
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)		EPA SW 846 8021/8260	1	2
Boron, Total	7440-42-8	200.8	2.0	10.0
Chemical Oxygen Demand		SM5220-D		10 mg/L
Chloride		SM4500-Cl B/C/D/E and SM4110 B		Sample and limit dependent
Chlorine, Total Residual		SM4500 Cl G		50.0
Cobalt, Total	7440-48-4	200.8	0.05	0.25

NONCONVENTIONAL POLLUTANTS

Pollutant & CAS No. (if available)	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
Color		SM2120 B/C/E		10 color units
Dissolved oxygen		SM4500-OC/OG		0.2 mg/L
Flow		Calibrated device		
Fluoride	16984-48-8	SM4500-F E	25	100
Hardness, Total		SM2340B		200 as CaCO ₃
Iron, Total	7439-89-6	200.7	12.5	50
Magnesium, Total	7439-95-4	200.7	10	50
Manganese, Total	7439-96-5	200.8	0.1	0.5
Molybdenum, Total	7439-98-7	200.8	0.1	0.5
Nitrate + Nitrite Nitrogen (as N)		SM4500-NO ₃ - E/F/H		100
Nitrogen, Total Kjeldahl (as N)		SM4500-N _{org} B/C and SM4500NH ₃ -B/C/D/E/G/H		300
NWTPH Dx ⁴		Ecology NWTPH Dx	250	250
NWTPH Gx ⁵		Ecology NWTPH Gx	250	250
Phosphorus, Total (as P)		SM 4500 PB followed by SM4500-PE/PF	3	10
Salinity		SM2520-B		³ practical salinity units or scale (PSU or PSS) Sample and limit dependent
Settleable Solids		SM2540 -F		10
Soluble Reactive Phosphorus (as P)		SM4500-P E/F/G	3	10
Sulfate (as mg/L SO ₄)		SM4110-B		0.2 mg/L
Sulfide (as mg/L S)		SM4500-S ²⁻ F/D/E/G		0.2 mg/L
Sulfite (as mg/L SO ₃)		SM4500-SO3B		2 mg/L
Temperature (max. 7-day avg.)		Analog recorder or Use micro-recording devices known as thermistors		0.2° C
Tin, Total	7440-31-5	200.8	0.3	1.5

NONCONVENTIONAL POLLUTANTS

Pollutant & CAS No. (if available)	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
Titanium, Total	7440-32-6	200.8	0.5	2.5
Total Coliform		SM 9221B, 9222B, 9223B	N/A	Specified in method - sample aliquot dependent
Total Organic Carbon		SM5310-B/C/D		1 mg/L
Total dissolved solids		SM2540 C		20 mg/L

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
METALS, CYANIDE & TOTAL PHENOLS					
Antimony, Total	114	7440-36-0	200.8	0.3	1.0
Arsenic, Total	115	7440-38-2	200.8	0.1	0.5
Beryllium, Total	117	7440-41-7	200.8	0.1	0.5
Cadmium, Total	118	7440-43-9	200.8	0.05	0.25
Chromium (hex) dissolved	119	18540-29-9	SM3500-Cr C	0.3	1.2
Chromium, Total	119	7440-47-3	200.8	0.2	1.0
Copper, Total	120	7440-50-8	200.8	0.4	2.0
Lead, Total	122	7439-92-1	200.8	0.1	0.5
Mercury, Total	123	7439-97-6	1631E	0.0002	0.0005
Nickel, Total	124	7440-02-0	200.8	0.1	0.5
Selenium, Total	125	7782-49-2	200.8	1.0	1.0
Silver, Total	126	7440-22-4	200.8	0.04	0.2
Thallium, Total	127	7440-28-0	200.8	0.09	0.36
Zinc, Total	128	7440-66-6	200.8	0.5	2.5
Cyanide, Total	121	57-12-5	335.4	5	10
Cyanide, Weak Acid Dissociable	121		SM4500-CN I	5	10
Cyanide, Free Amenable to Chlorination (Available Cyanide)	121		SM4500-CN G	5	10
Phenols, Total	65		EPA 420.1		50

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
ACID COMPOUNDS					
2-Chlorophenol	24	95-57-8	625	1.0	2.0
2,4-Dichlorophenol	31	120-83-2	625	0.5	1.0
2,4-Dimethylphenol	34	105-67-9	625	0.5	1.0
4,6-dinitro-o-cresol (2-methyl-4,6-dinitrophenol)	60	534-52-1	625/1625B	2.0	4.0
2,4 dinitrophenol	59	51-28-5	625	1.5	3.0
2-Nitrophenol	57	88-75-5	625	0.5	1.0
4-Nitrophenol	58	100-02-7	625	1.0	2.0
Parachlorometacresol (4-chloro-3-methylphenol)	22	59-50-7	625	1.0	2.0
Pentachlorophenol	64	87-86-5	625	0.5	1.0
Phenol	65	108-95-2	625	2.0	4.0
2,4,6-Trichlorophenol	21	88-06-2	625	2.0	4.0

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
VOLATILE COMPOUNDS					
Acrolein	2	107-02-8	624	5	10
Acrylonitrile	3	107-13-1	624	1.0	2.0
Benzene	4	71-43-2	624	1.0	2.0
Bromoform	47	75-25-2	624	1.0	2.0
Carbon tetrachloride	6	56-23-5	624/601 or SM6230B	1.0	2.0
Chlorobenzene	7	108-90-7	624	1.0	2.0
Chloroethane	16	75-00-3	624/601	1.0	2.0
2-Chloroethylvinyl Ether	19	110-75-8	624	1.0	2.0
Chloroform	23	67-66-3	624 or SM6210B	1.0	2.0
Dibromochloromethane (chlorodibromomethane)	51	124-48-1	624	1.0	2.0

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
VOLATILE COMPOUNDS					
1,2-Dichlorobenzene	25	95-50-1	624	1.9	7.6
1,3-Dichlorobenzene	26	541-73-1	624	1.9	7.6
1,4-Dichlorobenzene	27	106-46-7	624	4.4	17.6
Dichlorobromomethane	48	75-27-4	624	1.0	2.0
1,1-Dichloroethane	13	75-34-3	624	1.0	2.0
1,2-Dichloroethane	10	107-06-2	624	1.0	2.0
1,1-Dichloroethylene	29	75-35-4	624	1.0	2.0
1,2-Dichloropropane	32	78-87-5	624	1.0	2.0
1,3-dichloropropene (mixed isomers) (1,2-dichloropropylene) ⁶	33	542-75-6	624	1.0	2.0
Ethylbenzene	38	100-41-4	624	1.0	2.0
Methyl bromide (Bromomethane)	46	74-83-9	624/601	5.0	10.0
Methyl chloride (Chloromethane)	45	74-87-3	624	1.0	2.0
Methylene chloride	44	75-09-2	624	5.0	10.0
1,1,2,2-Tetrachloroethane	15	79-34-5	624	1.9	2.0
Tetrachloroethylene	85	127-18-4	624	1.0	2.0
Toluene	86	108-88-3	624	1.0	2.0
1,2-Trans-Dichloroethylene (Ethylene dichloride)	30	156-60-5	624	1.0	2.0
1,1,1-Trichloroethane	11	71-55-6	624	1.0	2.0
1,1,2-Trichloroethane	14	79-00-5	624	1.0	2.0
Trichloroethylene	87	79-01-6	624	1.0	2.0
Vinyl chloride	88	75-01-4	624/SM6200B	1.0	2.0

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
BASE/NEUTRAL COMPOUNDS (compounds in bold are Ecology PBTs)					
Acenaphthene	1	83-32-9	625	0.2	0.4
Acenaphthylene	77	208-96-8	625	0.3	0.6
Anthracene	78	120-12-7	625	0.3	0.6
Benzdine	5	92-87-5	625	20	40
Benzyl butyl phthalate	67	85-68-7	625	0.3	0.6
Benzo(a)anthracene	72	56-55-3	625	0.3	0.6
Benzo(b)fluoranthene (3,4-benzofluoranthene) [†]	74	205-99-2	610/625	0.8	1.6
Benzo(j)fluoranthene [†]		205-82-3	625	0.5	1.0
Benzo(k)fluoranthene (11,12-benzofluoranthene) [†]	75	207-08-9	610/625	0.8	1.6
Benzo(r,s,t)pentaphene		189-55-9	625	1.3	5.0
Benzo(a)pyrene	73	50-32-8	610/625	0.5	1.0
Benzo(ghi)Perylene	79	191-24-2	610/625	0.5	1.0
Bis(2-chloroethoxy)methane	43	111-91-1	625	5.3	21.2
Bis(2-chloroethyl)ether	18	111-44-4	611/625	0.3	1.0
Bis(2-chloroisopropyl)ether	42	39638-32-9	625	0.5	1.0
Bis(2-ethylhexyl)phthalate	66	117-81-7	625	0.3	1.0
4-Bromophenyl phenyl ether	41	101-55-3	625	0.3	0.5
2-Chloronaphthalene	20	91-58-7	625	0.3	0.6
4-Chlorophenyl phenyl ether	40	7005-72-3	625	0.3	0.5
Chrysene	76	218-01-9	610/625	0.3	0.6
Dibenzo (a,h)acridine		226-36-8	610M/625M	2.5	10.0
Dibenzo (a,j)acridine		224-42-0	610M/625M	2.5	10.0
Dibenzo(a-h)anthracene (1,2,5,6-dibenzanthracene)	82	53-70-3	625	0.8	1.6
Dibenzo(a,e)pyrene		192-65-4	610M/625M	2.5	10.0
Dibenzo(a,h)pyrene		189-64-0	625M	2.5	10.0
3,3-Dichlorobenzidine	28	91-94-1	605/625	2.0	14.0
Diethyl phthalate	70	84-66-2	625	1.9	7.6
Dimethyl phthalate	71	131-11-3	625	1.6	6.4

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
BASE/NEUTRAL COMPOUNDS (compounds in bold are Ecology PBTs)					
Di-n-butyl phthalate	68	84-74-2	625	0.5	1.0
2,4-dinitrotoluene	35	121-14-2	609/625	1.0	2.0
2,6-dinitrotoluene	36	606-20-2	609/625	1.0	2.0
Di-n-octyl phthalate	69	117-84-0	625	0.3	0.6
1,2-Diphenylhydrazine (as Azobenzene)	37	122-66-7	1625B	5.0	20
Fluoranthene	39	206-44-0	625	0.3	0.6
Fluorene	80	86-73-7	625	0.3	0.6
Hexachlorobenzene	9	118-74-1	612/625	0.3	0.6
Hexachlorobutadiene	52	87-68-3	625	0.5	1.0
Hexachlorocyclopentadiene	53	77-47-4	1625B/625	2.0	4.0
Hexachloroethane	12	67-72-1	625	0.5	1.0
Indeno(1,2,3-cd)Pyrene	83	193-39-5	610/625	0.5	1.0
Isophorone	54	78-59-1	625	0.5	1.0
3-Methyl cholanthrene		56-49-5	625	2.0	8.0
Naphthalene	55	91-20-3	625	0.4	0.75
Nitrobenzene	56	98-95-3	625	0.5	1.0
N-Nitrosodimethylamine	61	62-75-9	607/625	2.0	4.0
N-Nitrosodi-n-propylamine	63	621-64-7	607/625	0.5	1.0
N-Nitrosodiphenylamine	62	86-30-6	625	1.0	2.0
Perylene		198-55-0	625	1.9	7.6
Phenanthrene	81	85-01-8	625	0.3	0.6
Pyrene	84	129-00-0	625	0.3	0.6
1,2,4-Trichlorobenzene	8	120-82-1	625	0.3	0.6

PRIORITY POLLUTANT	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
DIOXIN					
2,3,7,8-Tetra-Chlorodibenzo-P-Dioxin (2,3,7,8 TCDD)	129	1746-01-6	1613B	1.3 pg/L	5 pg/L

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
PESTICIDES/PCBs					
Aldrin	89	309-00-2	608	0.025	0.05
alpha-BHC	102	319-84-6	608	0.025	0.05
beta-BHC	103	319-85-7	608	0.025	0.05
gamma-BHC (Lindane)	104	58-89-9	608	0.025	0.05
delta-BHC	105	319-86-8	608	0.025	0.05
Chlordane *	91	57-74-9	608	0.025	0.05
4,4'-DDT	92	50-29-3	608	0.025	0.05
4,4'-DDE	93	72-55-9	608	0.025	0.05
4,4' DDD	94	72-54-8	608	0.025	0.05
Dieldrin	90	60-57-1	608	0.025	0.05
alpha-Endosulfan	95	959-98-8	608	0.025	0.05
beta-Endosulfan	96	33213-65-9	608	0.025	0.05
Endosulfan Sulfate	97	1031-07-8	608	0.025	0.05
Endrin	98	72-20-8	608	0.025	0.05
Endrin Aldehyde	99	7421-93-4	608	0.025	0.05
Heptachlor	100	76-44-8	608	0.025	0.05
Heptachlor Epoxide	101	1024-57-3	608	0.025	0.05
PCB-1242 *	106	53469-21-9	608 - Modified	0.05	0.2
PCB-1254	107	11097-69-1	608 - Modified	0.05	0.2
PCB-1221	108	11104-28-2	608 - Modified	0.05	0.2

PRIORITY POLLUTANTS	PP #	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
PESTICIDES/PCBs					
PCB-1232	109	11141-16-5	608 - Modified	0.05	0.2
PCB-1248	110	12672-29-6	608 - Modified	0.05	0.2
PCB-1260	111	11096-82-5	608 - Modified	0.05	0.2
PCB-1016 *	112	12674-11-2	608 - Modified	0.05	0.2
Toxaphene	113	8001-35-2	608	0.24	0.5

PULP & PAPER POLLUTANTS (40CFR Part 430)

Pollutant	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
Adsorbable Organic Halides (AOX)		EPA 1650		20
2,3,7,8- Tetrachlorodibenzo-p-dioxin (TCDD) (this is also priority pollutant and is listed above)	1746-01-6	EPA 1613	1.3 pg/L	5 pg/L
2,3,7,8- Tetrachlorodibenzofuran (TCDF)	51207-31-9	EPA 1613	1.3 pg/L	5 pg/L
Trichlorosyringol		EPA 1653		2.5
3,4,5-Trichlorocatechol		EPA 1653		5.0
3,4,6-Trichlorocatechol		EPA 1653		5.0
3,4,5-Trichloroguaiacol		EPA 1653		2.5
3,4,6-Trichloroguaiacol		EPA 1653		2.5
4,5,6-Trichloroguaiacol		EPA 1653		2.5
2,4,5-Trichlorophenol		EPA 1653		2.5
2,4,6-Trichlorophenol		EPA 1653		2.5
Tetrachlorocatechol		EPA 1653		5.0
Tetrachloroguaiacol		EPA 1653		5.0

PULP & PAPER POLLUTANTS (40CFR Part 430)

Pollutant	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
2,3,4,6-Tetrachlorophenol		EPA 1653		2.5
Pentachlorophenol (this is also priority pollutant and is listed above)		EPA 1653		5.0

NONCONVENTIONALS – DIOXIN & FURAN CONGENERS

Pollutant	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
2,3,7,8- Tetrachlorodibenzo- <i>p</i> -dioxin (TCDD) (this is a priority pollutant and is also listed above)	1746-01-6	EPA 1613	1.3 pg/L	5 pg/L
Total TCDD	41903-57-5			
2,3,7,8- Tetrachlorodibenzofuran (TCDF)	51207-31-9		1.3 pg/L	5 pg/L
Total-TCDF	55722-27-5			
1,2,3,7,8- Pentachlorodibenzo- <i>p</i> -dioxin (PeCDD)	40321-76-4			
Total-PeCDD	36088-22-9			
1,2,3,7,8- Pentachlorodibenzofuran (PeCDF)	57117-41-6			
2,3,4,7,8-PeCDF	57117-31-4			
Total-PeCDF	30402-15-4			
1,2,3,4,7,8- Hexachlorodibenzo- <i>p</i> -dioxin (HxCDD)	39227-28-6			
1,2,3,6,7,8-HxCDD	57653-85-7			
1,2,3,7,8,9-HxCDD	19408-74-3			
Total-HxCDD	34465-46-8			

NONCONVENTIONALS – DIOXIN & FURAN CONGENERS

Pollutant	CAS Number (if available)	Recommended Analytical Protocol	Detection (DL) ¹ µg/L unless specified	Quantitation Level (QL) ² µg/L unless specified
1,2,3,4,7,8- Hexachlorodibenzofuran (HxCDF)	70648-26-9			
1,2,3,6,7,8-HxCDF	57117-44-9			
1,2,3,7,8,9-HxCDF	72918-21-9			
2,3,4,6,7,8-HxCDF	60851-34-5			
Total-HxCDF	55684-94-1			
1,2,3,4,6,7,8- Heptachlorodibenzo- <i>p</i> -dioxin (HpCDD)	35822-46-9			
Total-HpCDD	37871-00-4			
1,2,3,4,6,7,8- Heptachlorodibenzofuran (HpCDF)	67562-39-4			
1,2,3,4,7,8,9-HpCDF	55673-89-7			
Total-HpCDF	38998-75-3			
Octachlorodibenzo- <i>p</i> -dioxin (OCDD)	3268-87-9			
Octachlorodibenzofuran (OCDF)	39001-02-0			

- Detection level (DL)** or detection limit means the minimum concentration of an analyte (substance) that can be measured and reported with a 99% confidence that the analyte concentration is greater than zero as determined by the procedure given in 40 CFR part 136, Appendix B.
- Quantitation Level (QL)** also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to (1, 2, or 5) x 10ⁿ, where n is an integer. (64 FR 30417).
 ALSO GIVEN AS:
 The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias)

achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007).

- 1.
- 2.
3. Soluble Biochemical Oxygen Demand method note: First, filter the sample through a Millipore Nylon filter (or equivalent) - pore size of 0.45-0.50 um (prep all filters by filtering 250 ml of laboratory grade deionized water through the filter and discard). Then, analyze sample as per method 5210-B.
4. NWTPH Dx - Northwest Total Petroleum Hydrocarbons Diesel Extended Range - see <http://www.ecy.wa.gov/biblio/97602.html>
5. NWTPH Gx - Northwest Total Petroleum Hydrocarbons Gasoline Extended Range - see <http://www.ecy.wa.gov/biblio/97602.html>
6. 1,3-dichloropropylene (mixed isomers) You may report this parameter as two separate parameters: cis-1, 3-dichloropropene (10061-01-5) and trans-1, 3-dichloropropene (10061-02-6).
7. Total Benzo(a)fluoranthenes - Because Benzo(b)fluoranthene, Benzo(j)fluoranthene and Benzo(k)fluoranthene co-elute you may report these three isomers as total benzo(a)fluoranthenes.
8. Chlordane - You may report alpha-chlordane (5103-71-9) and gamma-chlordane (5103-74-2) in place of chlordane (57-74-9). If you report alpha and gamma-chlordane, the DL/PQLs that apply are 0.025/0.050.
9. PCB 1016 & PCB 1242 - You may report these two PCB compounds as one parameter called PCB 1016/1242.

MEMO

DATE: July 18, 2017

TO: EFSEC Council

FROM: EFSEC Staff

SUBJECT: Request for Approval to File CR-101 to Amend Chapter 463-76 WAC – Regulations for Compliance with NPDES Permit Program

Good afternoon Chair Lynch and Council Members:

Today EFSEC Staff is seeking the Council's approval to file the begin the rulemaking process to amend Chapter 463-76 WAC – Regulations for Compliance with NPDES Permit Program. Specifically, staff requests your approval to file the CR-101 to the Code Reviser's Office on or before August 2, 2017.

The purpose of the proposed rule revisions are to be consistent with Ecology and EPA rules and to streamline the permit modification processes. The revisions help to fulfill the intent of RCW 90.48.262(2) that require EFSEC and Ecology to work together to maximize coordination and minimize duplication of regulatory processes.

Details of the proposed rule amendments are described in Attachment A of the CR-101.



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Energy Facility Site Evaluation Council (EFSEC)

Subject of possible rule making:

The Washington Energy Facility Site Evaluation Council (EFSEC) proposes to amend two subsections of chapter 463-76 WAC. These two rule amendments will streamline the revision of schedules of compliance in National Pollutant Discharge Elimination System (NPDES) Permits. Both amendments are based on existing provisions in Ecology NPDES rules, chapter 173-220 WAC.

Statutes authorizing the agency to adopt rules on this subject:

Chapter 90.48 RCW and Chapter 80.50 RCW.

Reasons why rules on this subject may be needed and what they might accomplish:

See Attachment A.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The U. S. Environmental Protection Agency (EPA) delegates permitting authority to EFSEC. EFSEC rules are required to be consistent with EPA regulations.

EFSEC contracts with the Washington Department of Ecology (Ecology) to write EFSEC's NPDES Permits and assist with compliance and enforcement issues. Chapter 90.48 RCW requires EFSEC and Ecology to work together to maximize coordination and minimize duplication in implementing their respective NPDES programs. Consistency between EFSEC and Ecology rules is required by state law, when possible, and facilitates consistency between the programs.

Process for developing new rule (check all that apply):

Negotiated rule making

Pilot rule making

Agency study

Other (describe)

EFSEC will use standard rulemaking procedures described in chapter 34.05 RCW, e. g., CR-101, CR-102, CR-103.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

- Updates will be posted on EFSEC's website: <http://www.efsec.wa.gov/default.shtm>
- Subscribers to EFSEC's Interested Parties and Rulemaking lists will be mailed updates.
- Contact EFSEC Staff:

Jim La Spina

jlaspina@utc.wa.gov

DATE

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Stephen Posner

SIGNATURE

TITLE

EFSEC Manager

ATTACHMENT A

Reasons why rules on this subject may be needed and what they might accomplish:

WAC 463-76-054 – Schedules of Compliance

The purpose of this rule amendment is make EFSEC rules consistent with existing state and federal rules concerning interim compliance dates within a schedule of compliance. EFSEC's existing rules require interim compliance dates be no more than nine months apart. Ecology and federal rules require interim compliance dates to be no more than one year apart. WAC 173-220-140(2) and 40 CFR 122.47(a)(3), respectively. EFSEC proposes to amend EFSEC's existing rules to allow interim compliance dates of up to one year apart.

WAC 463-76-062 – Modification of NPDES permit

The purpose of this rule amendment is to make EFSEC rules consistent with Ecology rules to streamline and simplify EFSEC's process to make minor revisions to an NPDES permit. Existing EFSEC rules require implementation of the full permit revision process, with formal public notice and Council approval processes. Ecology rules differentiate between major and minor permit modifications and allow the use of an abbreviated public process for the minor modification of an NPDES, provided the revision does not result in less stringent effluent limits. WAC 173-220-190(3). EFSEC's proposal to adopt Ecology's approach to minor permit revisions will simplify and streamline the permittees' requests for permit modifications and allow more expedited action by EFSEC to implement such requests.

WAC 463-76-054 Schedules of compliance. EFSEC shall establish schedules and permit conditions as follows to achieve compliance with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements:

(1) With respect to any discharge which is found by the council not to be in compliance with applicable effluent standards and limitations, applicable water quality standards, or other legally applicable requirements listed in WAC 463-76-053 (1)(b) and (c), the permittee shall be required to take specific steps to achieve compliance with the following:

(a) Any legally applicable schedule of compliance contained in:

- (i) Applicable effluent standards and limitations;
- (ii) Water quality standards; or
- (iii) Legally applicable requirements listed in WAC 463-76-053; or

(b) In the absence of any legally applicable schedule of compliance, the permittee shall take the required steps in a

reasonable period of time, such period to be consistent with the guidelines and requirements of the act.

(2) In any case where the period of time for compliance specified in paragraph (1)(a) of this section exceeds one year (~~nine months~~), a schedule of compliance shall be specified in the permit which will set forth interim requirements and the dates for their achievement; however, in no event may (~~shall~~) more than one year (~~nine months~~) elapse between interim dates. If the time necessary for completion of the interim requirement (such as construction of a treatment facility) is more than one year (~~nine months~~) and is not readily divided into stages of completion, interim dates shall be specified for the submission of reports of progress toward completion of the interim requirement. For each NPDES permit schedule of compliance, interim dates and the final date of compliance shall, to the extent practicable, fall on the last day of the months of March, June, September and December.

(3) Either before or up to fourteen days following each interim date and the final date of compliance, the permittee shall provide the council with written notice of the permittee's compliance or noncompliance with the interim or final requirement.

(4) If a permittee fails or refuses to comply with an interim or final requirement in a permit, such noncompliance shall constitute a violation of the permit for which the council may modify or revoke the permit or take direct enforcement action.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, amended and recodified as § 463-76-054, filed 10/11/04, effective 11/11/04; Order 114, § 463-38-054, filed 2/4/77. Formerly WAC 463-16-054.]

EFFECT: Makes EFSEC water quality compliance schedules the same length (one year) as the length for Ecology water quality compliance schedules, and makes the length consistent with federal rules. See WAC 173-220-140.

Proposed Change to WAC 463-76-062

WAC 463-76-062

Modification of NPDES permit.

(1) After notice and opportunity for a public hearing, any permit issued under the NPDES can be modified, suspended or revoked in whole or in part during its term for cause including, but not limited to, the causes listed in WAC 463-76-055(2).

(2) The council may, upon request of a permittee, revise or modify a schedule of compliance in an issued NPDES permit if the council determines good and valid cause exists for such revision and if within thirty days following receipt of notice from the council, the regional administrator does not object in writing.

(3) Any such modifications which lessen the stringency of effluent limitations shall be executed by the council and the permittee in the same manner as the NPDES permit was executed, including full compliance with the requirements of WAC 463-76-041, 463-76-042 and 463-76-043. In all other instances, the form of public notice and public participation, if any, shall be determined by the council on a case-by-case basis according to the significance of the proposed action.

Effect of proposed rule amendment:

The proposed change would make EFSEC's NPDES permit modification rule consistent with Ecology's NPDES permit modification rule (WAC 173-220-190). This establishes a major vs minor modification distinction in EFSEC's rule, which has been part of Ecology's program since at least 1988. Small technical adjustments can be made in a much quicker and less expensive manner.

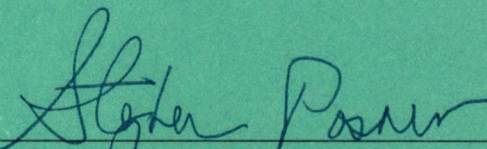
Energy Facility Site Evaluation Council

Non Direct Cost Allocation for 1st Quarter FY 2018 July 1, 2017 – September 30, 2017

The EFSEC Cost Allocation Plan (Plan) was approved by the Energy Facility Site Evaluation Council in September 2004. The Plan directed review of the past quarter's percentage of EFSEC technical staff's average FTE's, charged to EFSEC projects. This information is used as the basis for determining the non-direct cost percentage charge, for each EFSEC project. In addition, the Plan allows for adjustment due to anticipated work load and the addition of new projects.

Based on the levels of work during the 4th quarter of FY 2017, using the procedures for developing cost allocation, and allowance for new projects, the following percentages shall be used to allocate EFSEC's non direct costs for the 1st quarter of FY 2018:

Kittitas Valley Wind Power Project	6%
Wild Horse Wind Power Project	8%
Columbia Generating Station	19%
WNP-1	3%
Whistling Ridge Energy Project	3%
Grays Harbor 1&2	10%
Chehalis Generation Project	9%
Desert Claim Wind Power Project	3%
Grays Harbor Energy 3&4	3%
Tesoro Savage	36%



Stephen Posner, EFSEC Manager

Date: 7/10/17