

**North Dakota Department of Environmental Quality Public Notice
Reissue of an NDPDES Permit**

Public Notice Date: 5/19/2021

Public Notice Number: ND-2021-017

Purpose of Public Notice

The Department intends to reissue the following North Dakota Pollutant Discharge Elimination System (NDPDES) Discharge Permit under the authority of Section 61-28-04 of the North Dakota Century Code.

Permit Information

Application Date: 12/22/2020

Application Number: NDP000001

Applicant Name: Goodrich (formerly UTC - United Technologies Center: Aero Space Systems)

Mailing Address: 2604 Hwy 20 N, Jamestown, ND 58401

Telephone Number: 701.253.7373

Proposed Permit Expiration Date: 6/30/2026

Facility Description

Goodrich, a Collins Aerospace Systems Company, manufactures aero cargo systems. The facility is located at 2604 Highway 20 North in Jamestown, ND 58401 in Stutsman County. Goodrich is a regulated categorical industrial user and a new source subject to 40 CFR 433.17 (Metal Finishing) and North Dakota Administrative Code 33.1-16-01.1 (Pretreatment Regulations). Permit reissuance under the NDPDES program is only for the discharge of process wastewater after treatment from metal finishing operations to the City of Jamestown's Publicly Owned Treatment Works.

Tentative Determinations

Proposed effluent limitations and other permit conditions have been made by the Department. They assure that State Water Quality Standards and applicable provisions of the FWPCA will be protected.

Information Requests and Public Comments

Copies of the application, draft permit, and related documents are available for review. For further information on making public comments/public comment tips please visit: <https://deq.nd.gov/PublicCommentTips.aspx>. Comments or requests should be directed to the ND Dept of Env Quality, Div of Water Quality, 918 East Divide Ave, Bismarck ND 58501-1947 or by calling 701.328.5210.

All comments received by June 18, 2021 will be considered prior to finalizing the permit. If there is significant interest, a public hearing will be scheduled. Otherwise, the Department will issue the final permit within sixty (60) days of this notice. If you require special facilities or assistance relating to a disability, call TDD at 1.800.366.6868.

**STATEMENT OF BASIS FOR NDPDES PERMIT NDP000001
May 2021**

**GOODRICH
Industrial Pretreatment (Categorical Industrial User)**

INTRODUCTION

The Federal Clean Water Act (CWA, 1972, and later amendments in 1977, 1981, and 1987, etc.) established water quality goals for the navigable (surface) waters of the United States. One mechanism for achieving the goals of the CWA is the National Pollutant Discharge Elimination System (NPDES), which the US Environmental Protection Agency (EPA) oversees. In 1975, the State of North Dakota was delegated primacy of the NPDES program by the EPA. The North Dakota Department of Environmental Quality, hereafter referred to as “department”, has been designated the state water pollution control agency for all purposes of the CWA as amended [33 U.S.C. 1251, et seq.], and is hereby authorized to take all action necessary or appropriate to secure to this state the benefits of the act and similar federal acts. The department’s authority and obligations for the wastewater discharge permit program is in North Dakota Administrative Code (NDAC) article 33.1-16, which was adopted under North Dakota Century Code (NDCC) chapter 61-28. In North Dakota, these permits are referred to as North Dakota Pollutant Discharge Elimination System (NDPDES) permits.

This facility falls under the Industrial Pretreatment Program, which is under the NDPDES program. The department was delegated pretreatment authority from the EPA in 2005. The following regulations apply to NDPDES permits issued to Significant and/or Categorical Industrial Users:

- Procedures the department follows for issuing NDPDES permits (NDAC chapter 33.1-16-01);
- North Dakota Pretreatment Regulations (NDAC chapter 33.1-16-01.1);
- Code of Federal Regulations (CFR) General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Section 403).

These rules require industrial users that introduce pollutants into publicly owned treatment works (POTWs) comply with applicable Pretreatment Standards and Requirements. To protect POTWs an industrial user permit or similar control mechanism must be obtained prior to discharge. Regulations adopted by the state also define the basis for limits on each discharge and for other requirements imposed by the permit.

According to NDAC section 33.1-16-01-08, the department must prepare a draft permit and accompanying statement of basis and make it available for public review. The department must also publish an announcement (public notice) during a period of thirty days, informing the public where a draft permit may be obtained and where comments regarding the draft permit may be sent (NDAC section 33.1-16-01-07). For more information regarding preparing and submitting comments about the statement of basis and permit, please see **Appendix A – Public Involvement**. Following the public comment period, the department may make changes to the draft NDPDES permit. The department will summarize the responses to comments and changes to the permit in **Appendix H – Response to Comments**.

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BACKGROUND INFORMATION

Table 1 – General Facility Information.

Applicant:	Goodrich Corporation, a Collins Aerospace Systems Company
Facility Name and Address:	Goodrich 2604 Hwy 20 North Jamestown, ND 58401
Owner:	Goodrich
Operator:	Goodrich
Facility Contact(s):	Jill Mazur, EHS Manager 701.253.7593 Wayne Jones, General Manager 701.253.7373
Standard Industrial Classification Code(s):	3728, Aircraft Parts and Auxiliary Equipment, Not Elsewhere Classified
North American Industrial Classification System Code(s):	336413, Other Aircraft Parts and Auxiliary Equipment Manufacturing
Industrial User Type:	Categorical Industrial User
Applicable Categorical Standards:	40 CFR 433.17 – Metal Finishing, Pretreatment Standards for New Sources
NDPDES Permit Number:	NDP000001
Permit Type:	Minor, Pretreatment

Table 2 – Receiving Publicly Owned Treatment Works Information.

Receiving POTW:	City of Jamestown
Facility Name and Address:	City of Jamestown Publicly Owned Treatment Works 102 3rd Ave SE (City office) Jamestown, ND 58401
Facility Contact(s):	Ron Olson, Operator 701.252.9149



Figure 1 – Location overview of Goodrich Corporation in the City of Jamestown, Stutsman County, North Dakota including the Jamestown Wastewater Treatment Facility. Data source: ND GIS Hub December 29, 2020.

DESCRIPTION OF OPERATIONS

Goodrich Corporation, a Collins Aerospace Systems Company, manufactures aero cargo systems. Originally Western Gear Corporation, the Jamestown, North Dakota facility began operation in 1970. Ownership has changed multiple times, most recently in 2018 when then United Technologies Corporation became Collins Aerospace. The facility employs approximately 500 individuals and operates Monday through Saturday.

Facility operations include the production and assembly of aircraft components such as roller trays, rails, ball panels, side guides, locks, stops, latches, caster panels/channels, and electrical/electromechanical assemblies such as power drive units, lateral guides, and control systems. Goodrich also designs, develops, fabricates, and tests the electrical drive units for the assemblies. Cargo components are manufactured for commercial aircraft systems, and structural components are manufactured for commercial and military aircraft application.

Components are machined on site with aluminum alloy, stainless steel, and titanium. Metal components are treated and finished in chemical process lines, and ultimately painted with protective coatings.

Pretreatment Process

Industrial wastewater is generated from the dipping process (overflow from plating rinse tanks). Municipal water from the City of Jamestown feeds wet chemical processing lines, followed by ion exchange recycling units, and ending with batch treatment and discharge back to the City of Jamestown Publicly Owned Treatment Works (POTW).

In the dipping process aluminum components are subject to phosphoric acid anodizing prior to adhesive bonding. The phosphoric acid anodizing process consists of the following:

1. Nonsilicated alkaline clean
2. City water rinse
3. Phosphoric acid deoxidize (PAD)
4. Demineralized (DI) water rinse
5. Phosphoric acid anodize (PAA)
6. Demineralized water rinse
7. Oven dry

Process solution and rinse tanks are 16 feet long by 3 feet wide by 6 feet deep with a working level volume of approximately 2,000 gallons. City water is applied as an overflowing, nonrecirculating rinse; demineralized rinses are fed with DI that can be recirculated in order to conserve water. An aqueous cleaner is used end-of-process and is contained/recycled.

Pretreatment is applied to rinse and refuse water through continuous and batch pretreatment systems. Batch discharge consists of dimethyl phthalate (DMP) treatment, including filter press for sludge removal from treated wastewater. Continuous pretreatment operates as follows:

- Effluent from the City rinse tank, DI rinse tank, and air scrubber rinse tank mix with the existing wastestream prior to treatment.

- Mixed wastestream is treated in a continuous pretreatment system with conventional chemicals to reduce and precipitate chromium.
- Flocculation, clarification, and sludge removal (thickening and filtration).
- Filter press water from sludge removal is returned to treatment.
- Clarifier effluent is piped directly to the city sanitary sewer.
- Regeneration water from PAA and DI, tank line spills, and PAD tanks are pretreated in the PAA tank followed by flocculation and, if necessary, coagulation.
- Any sludge that forms is settled, decanted, and pumped to the sludge thickening tank. Sludge is dried prior to disposal.

A batch pretreatment system equipped with pH and oxidation reduction potential (ORP) probes alarms in the event a discrepancy is detected. Following an alarm, wastewater is neutralized as needed and staff conduct in-house testing to confirm effluent concentrations are within allowable limits. An additional (continuous) pH meter at the final discharge storage tank is equipped to alarm and shut down discharge if pH readings are outside of set limit conditions. The pH is read continuously during discharge. The facility samples once weekly for chromium and once every six months for cadmium, copper, lead, nickel, silver, zinc, and cyanide. A Toxic Organic Management Plan (TOMP) is maintained in lieu of monitoring for Total Toxic Organics (TTO). The facility's pretreatment system has no bypasses; any spills are looped back into treatment.

Additional wastestreams not covered under this permit include non-contact cooling water (discharged to wastewater evaporator), water treatment, steam condensate, and blowdown from heating and cooling equipment. **Appendix D – Facility Flow Diagram** outlines the facility's wastestreams and average flow rates. Regulated waste is disposed of offsite from process line tank dumps. Location and use of hazardous chemicals are outlined in **Appendix E – Hazardous Materials and Storage**.

Production Rate

The facility is a batch discharger and operates six days/week. Average daily wastewater flow rates ranged between 2,616 gal/day and 43,215 gal/day with peak monitoring period flows between 5,671 gal/day and 284,601 gal/day during the recent permit cycle (1/1/2016 – 12/31/2020). Calculated total discharge volume ranged between 0.2 Mgal and 7.5 Mgal across 6-month reporting periods.

Outfall Description

The authorization to discharge provided under this proposed permit is limited to the outfall specifically designated as the permitted discharge location. Discharge at any location not authorized under an NDPDES permit is a violation of the CWA and could subject the person(s) responsible for such discharge to penalties under Section 309 of the CWA. Knowingly discharging from an unauthorized location or failing to report an unauthorized discharge within the specified timeframe outlined in this permit could subject such person(s) to criminal penalties as provided under the CWA.

The facility discharges from a batch tank with a maximum holding volume of 2,930 gallons. The batch system is designed to discharge as many as three batches per day, if needed. Typical daily operations result in either no discharge from the tank, or a single batch discharge. Outfall 001A represents the compliance point as described below in **Table 4**. The facility site plan included in **Appendix F – Facility Map** also references the location of Outfall 001A in the SE quarter of Building D.

Table 4 – Outfall location.

Outfall 001A. Active. Final Pretreatment – Internal			
Latitude: 46.9361	Longitude: -98.6861	County: Stutsman	
Township: 140 N	Range: 63 W	Section: 19	QQ: BB
Description: This internal compliance point collects process wastewater and serves as a sampling point prior to discharge to the City of Jamestown’s sanitary sewer system.			

PERMIT STATUS

Goodrich was first issued an individual pretreatment permit by the department in 2011. Prior to 2011 the facility operated under a permit-by-rule status granted by EPA. A Baseline Monitoring Report (BMR) for the facility was submitted to EPA in 1987; an updated BMR was submitted to the department in 2010.

The 2016 permit cycle was scheduled to end on December 31, 2020. However, to allow sufficient time for the department to review and process a permit renewal, the permit was administratively extended effective January 1, 2021. The department’s decision to issue an administrative extension is based on the facility’s compliance with the existing permit and receipt of a renewal application on December 22, 2020. North Dakota Administrative Code (NDAC) 33.1-16-01-19 allows the department to extend an expired permit until reissuance and maintains the extended permit is fully effective and enforceable.

This facility is a Categorical Industrial User and is therefore subject to pretreatment regulations described in NDAC 33.1-16-01.1. The department proposes to reissue an individual pretreatment permit to Goodrich that allows process wastewater discharge after treatment from metal finishing operations to the City of Jamestown POTW.

SUMMARY OF COMPLIANCE WITH PRETREATMENT REGULATIONS AND CATEGORICAL LIMITS

Three industrial user compliance inspections have been conducted during the recent permit cycle. In 2016 the department conducted a joint inspection with EPA; in 2019 and 2020 inspections were conducted by the department. No findings or corrective actions resulted from the 2016 or 2019 inspections. On the 2020 inspection report the department noted that the facility exceeded the cyanide concentration limit as reported on the Discharge Monitoring Report (DMR) for the period of 1/1/2020 – 6/30/2020. The facility reported a daily maximum and average monthly maximum cyanide concentration of 1.04 mg/L, in excess of the 0.65 mg/L 30-day permit limit. The exceedance was discussed during the 2020 inspection. Cyanide values in the subsequent DMR period were reported as 0.02 mg/L for both daily and monthly values,

below permit limits. No additional exceedances were reported for the current permit cycle. **Table 5** (below) summarizes maximum reported values for each permit parameter.

Table 5 – Previous permit limits and Discharge Monitoring Report data summary January 1, 2016 – December 31, 2020.

Parameter	Permit Daily Limit	DMR Max Daily Value	Permit 30-day Limit	DMR Max 30-day Value	Total Exceedances
Cadmium Total (mg/L)	0.11	0.003	0.07	0.002	0
Chromium Total (mg/L)	2.77	2.3	1.71	0.48	0
Copper Total (mg/L)	3.38	0.52	2.07	0.32	0
Lead Total (mg/L)	0.69	0.01	0.43	0.01	0
Nickel Total (mg/L)	3.98	0.2	2.38	0.11	0
Silver (mg/L)	0.43	0.01	0.24	0.005	0
Zinc (mg/L)	2.61	0.314	1.48	0.302	0
Cyanide (mg/L)	1.20	1.04	0.65	1.04	1
Total Toxic Organics (TTO) (mg/L)	2.13	NA	NA	NA	0
pH (S.U.)	5.0 – 12.5 at all times	Min: 6.19 Max: 11.68	NA	NA	0
Drain (Mgal/6 months)	NA	7.5	NA	NA	NA
Flow Rate (gal/day)	NA	284,601	NA	43,215	NA

Notes:

Goodrich discharged to the City of Jamestown POTW a total of 1,827 days during 2016 – 2020 of the current permit cycle.

The facility has submitted a Toxic Organic Management Plan (TOMP) and submits semiannual certification statements in lieu of monitoring for Total Toxic Organics (TTO). All TTO certifications statements for the previous permit cycle have been received.

PROPOSED LIMITS AND SELF-MONITORING REQUIREMENTS

Goodrich is a Categorical Industrial User subject to wastewater monitoring from its phosphoric acid anodizing (PAA) system under 40 CFR 433.17 - Metal Finishing, Pretreatment Standards for New Sources (PSNS). The facility began electroplating operations in 1976 and metal finishing operations in 1982. Addition of PAA operations in 1998 classify the facility as a new source under the metal finishing subcategory of 40 CFR 433. Chemical etching and coating

operations conducted by the facility are included in this subcategory as described in 40 CFR 433.10(a).

Pretreatment Standards for New Sources represent the most stringent controls attainable for pollutants that pass through, interfere with, or are otherwise incompatible with the operation of POTWs. Technology-based standards for Metal Finishers subject to PSNS are outlined in the table below.

Table 7 – Categorical Pretreatment Standards under 40 CFR 433.17 – Metal Finishing PSNS.

Pollutant or pollutant property	Maximum for any 1 day (mg/L)	Monthly average shall not exceed (mg/L)
Cadmium Total	0.11	0.07
Chromium Total	2.77	1.71
Copper Total	3.38	2.07
Lead Total	0.69	0.43
Nickel Total	3.98	2.38
Silver Total	0.43	0.24
Zinc Total	2.61	1.48
Cyanide Total	1.20	0.65
Total Toxic Organics (TTO)	2.13	-

Local Limits

The City of Jamestown is currently developing a city pretreatment program as required by the department. Until a program has been approved, the department remains the pretreatment Control Authority. Pollutant loading from wastewater discharge with technology-based controls in place is not expected to cause problems such as interference, pass-through, or hazardous exposure to workers at the POTW, nor result in unacceptable pollutant levels in the POTW’s sludge.

Effluent Limitations

The department proposes the following effluent limitations for Outfall 001A:

Table 8 – Effluent Limitations, Outfall 001A.

Parameter	Daily Maximum	Maximum Monthly Average
Cadmium Total (mg/L)	0.11	0.07
Chromium Total (mg/L)	2.77	1.71
Copper Total (mg/L)	3.38	2.07
Lead Total (mg/L)	0.69	0.43
Nickel Total (mg/L)	3.98	2.38
Silver Total (mg/L)	0.43	0.24
Zinc Total (mg/L)	2.61	1.48
Cyanide Total (mg/L)	1.20	0.65
Total Toxic Organics ^{a/} (TTO) (mg/L)	2.13	NA
pH (S.U.)	Between 5.0 and 12.5 at all times	
Drain (Mgal/6 months)	Report Total	
Flow Rate (gal/day)	Report Daily Average	
Flow Rate (gal/day)	Report Daily Maximum	
Notes: ^{a/} Organic compounds comprising TTO are defined in 40 CFR 433.11(e). The sample results for TTO shall be reported as the summation of all quantifiable values greater than 0.01 mg/L for the listed compounds. The permittee need analyze for only those pollutants which would reasonably be expected to be present. The permittee is authorized to submit a TTO certification statement once per six (6) month period in lieu of performing TTO monitoring upon development and implementation of a Toxic Organic Management Plan (TOMP). See Appendix G for TTO Certification Statement.		

Samples and measurements shall be representative of the nature of the regulated wastewater discharge. All compliance samples and measurements shall be taken of the process generated wastewater effluent prior to combining with any other streams. Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304 (h) of the CWA codified in 40 CFR 136.

Any additional monitoring and reporting to demonstrate compliance with pretreatment requirements and standards under 40 CFR 403.12 are to be reported on the semiannual DMR.

Self-Monitoring Requirements

Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly and to verify compliance with permit limitations. The permittee is

required to collect samples that are representative of the discharged wastewater. Samples shall be taken during a normal workday when typical operations are in progress and the usual process wastewaters area generated. The facility collects samples from the pretreatment system storage tank, prior to discharging to the POTW. Flow and pH measurements are collected from in-line meters on the storage tank outlet.

The minimum monitoring schedule is detailed below in **Table 9**. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, pollutant significance, and monitoring cost.

Table 9 – Self-Monitoring Requirements, Outfall 001A.

Parameter	Sample Type	Frequency
Cadmium Total (mg/L)	Composite ¹	Semiannually
Chromium Total (mg/L)	Composite ¹	Semiannually
Copper Total (mg/L)	Composite ¹	Semiannually
Lead Total (mg/L)	Composite ¹	Semiannually
Nickel Total (mg/L)	Composite ¹	Semiannually
Silver Total (mg/L)	Composite ¹	Semiannually
Zinc Total (mg/L)	Composite ¹	Semiannually
Cyanide Total (m/L)	4 Grabs ^{2,3}	Semiannually
Total Toxic Organics (TTO) ⁴ (mg/L)	4 Grabs ^{2,4}	Conditional ⁵
pH (S.U.) ⁶	Instantaneous	Continuous
Drain (Mgal/6 months)	Calculated (Meter)	Semiannually
Flow Rate (gal/day)	Calculated (Meter)	Daily

Notes:

¹ Composite sample must be representative of the quality of the discharge. A 24-hour composite sample proportioned according to flow is required where feasible. If unfeasible, the composite shall consist of a minimum of four (4) separate grab samples and proportioned as to flow.

² Grab sample must be representative of the process wastestream and shall be a single, discrete sample collected over a period not exceeding 15 minutes. A minimum of four (4) separate grab samples for each parameter shall be taken and proportioned as to flow.

³ Grab samples for cyanide shall be composited in the laboratory or in the field immediately prior to analysis.

⁴ Grab samples for Total Toxic Organics (TTO) shall be composited in the laboratory.

⁵ The permittee may submit a periodic TTO certification statement in lieu of TTO sampling.

⁶ The department has determined that, based on Best Professional Judgement, continuous pH monitoring consisting of recordings no less than once every 5 (five) minutes during periods of discharge is representative of the facility's process wastestream. This is consistent with NDPDES permitted industrial users with continuous pH monitoring of batch discharges to POTWs.

The permittee shall promptly notify the department and the POTW in advance of any substantial change in the volume or character of pollutants in the permittee's discharge as outlined in 40 CFR 403.12(j).

OTHER PERMIT CONDITONS

General Prohibitions

The permittee shall not introduce into the POTW any pollutant(s) which cause pass through or interference.

Specific Prohibition

The following pollutants may not be introduced into the POTW from any source:

1. Pollutants which create a fire or explosion hazard in the POTW, including waste streams with a closed cup flashpoint of less than sixty (60) degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21.
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the POTW is specifically designed to accommodate such discharges.
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
4. Any pollutant released in a discharge at a flow rate or pollutant concentration which will cause interference.
5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds forty degrees Celsius (104 degree Fahrenheit), unless the department, upon request of the POTW, approves alternate temperature limits.
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or passthrough.
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

Dilution Prohibition

The permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

Reporting Requirements

Reporting requirements are found in NDAC 33.1-16-01.1-12 Additional reporting requirements may be implemented by the control authority. Conditions are based on the authority to specify any appropriate reporting requirements to prevent and control waste discharges.

pH

The permittee is required to report minimum pH, maximum pH, and the number of pH exceedances from Outfall 001A for each reporting period. Individual pH readings shall be recorded no less than once per 5-minutes during periods of discharge on the basis of Best Professional Judgement (see **Table 9**). This is consistent with NDPDES permitted industrial users with continuous pH monitoring of batch discharges to POTWs.

A single pH exceedance shall be noted upon pH falling outside of the assigned limits for a period less than or equal to 5 minutes; all excursions measured within this 5-minute period shall be reported as a single exceedance. An additional pH exceedance shall be noted for each 5-minute period thereafter in which one or more excursions have been measured.

The facility shall notify the POTW and department of each pH excursion, regardless of length of time, as required in **Section II.F(1) Twenty-four Hour Notice of Noncompliance Reporting** of the permit. These requirements are subject to modification by the department in order to protect the receiving POTW.

Operations and Maintenance

Proper operation and regular maintenance ensure constructed facilities are used to their optimum potential in terms of pollutant capture and treatment. An Operation and Maintenance (O & M) Manual shall be required. This manual shall detail procedures for sampling during or prior to the discharge of wastewater. The manual shall list the person responsible for sampling and identify a list of responsible parties to notify in the event of a pretreatment process failure. This manual shall be kept on site and be updated when sampling procedures change.

Spill and Slug Discharge Control Plan

The department has the authority to require the permittee to develop Best Management Practices to prevent a sludge discharge or a spill release as stated in NDAC 33.1-16-01.1 Appendix A. A slug discharge is any discharge of a nonroutine, episodic nature, including an accidental spill or a noncustomary batch discharge. Where required, the

permittee must develop a plan for preventing the release of pollutants to the POTW and/or waters of the state and minimizing damages if such a discharge/spill occurs. The plan shall include the following:

1. A description of discharge practices for batch and continuous processes under normal and non-routine circumstances;
2. A list of all raw materials, products, chemicals, and hazardous materials used, processed, or stored at the facility; the normal quantity maintained on the premises for each listed material and a map showing where they are located;
3. Procedures for immediately notifying the publicly owned treatment works of slug discharges, including any discharge that would violate a prohibition under subsection 2 of section 33.1-16-01.1-02, with procedures for follow up written notification within five days; and
4. Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures of equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.

The result of any slug discharge or spill shall be available to the department upon request.

The facility's Combined Emergency Management, Hazardous Waste Management, and Business Continuity Plan details spill and slug management as described in the requirements above. The department received an updated plan from Goodrich on October 5, 2020. During year one of the permit cycle, the permittee will review and update the plan as necessary and submit an updated plan to the department. If no updates are needed, the permittee will certify with the department that the previously submitted plan is up to date.

Total Toxic Organic (TTO) Monitoring Alternative

Alternative monitoring requirements for Total Toxic Organics (TTO) as required for metal finishing are described under 40 CFR 433.12. The permittee may request approval from the department to submit certification statements in lieu of TTO monitoring. To request a certification alternative, the discharger shall submit a Toxic Organic Management Plan (TOMP) that specifies, to the satisfaction of department, the following:

- 1) The identification of the toxic organics listed under 40 CFR 433.11(e) which the IU uses;
- 2) The method of disposal used instead of dumping such as reclamation, contract hauling, or incineration; and

- 3) Procedures for ensuring that toxic organics do not routinely spill or leak into the wastestream.

The permittee is only exempt from TTO monitoring if a TOMP is accepted by the department, and the permittee certifies on each DMR that no TTO are introduced into its metal finishing process that discharges to the POTW. Upon review, the department may require that the permittee conduct TTO sampling and analysis. The certification statement is described in 40 CFR 433.12(a) and is included in **Appendix G**.

The department received an updated Toxic Organic Management Plan (TOMP) from Goodrich on August 20, 2015. During year one of the permit cycle, the permittee will review and update the plan as necessary and submit an updated plan to the department. If no updates are needed, the permittee will certify with the department that the previously submitted TOMP is up to date.

Public Notification of Noncompliance

A list of all industrial users that were in significant noncompliance with Pretreatment Standards or Requirements during any portion of a reporting period may be annually published by the department in a local newspaper. Accordingly, the permittee is apprised that noncompliance with this permit may result in publication of the noncompliance.

PERMIT ISSUANCE PROCEDURES

Permit Modifications

This permit may be modified, revoked and reissued, or terminated for cause. This includes the establishment of limitations or prohibitions based on changes to Water Quality Standards, the development and approval of waste load allocation plans, the development or revision to water quality management plans, changes in sewage sludge practices, or the establishment of prohibitions or more stringent limitations for toxic or conventional pollutants and/or sewage sludges. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

Proposed Permit Issuance

This proposed permit meets all statutory requirements for the department to authorize a wastewater discharge. The department proposes to issue this permit for a term of five (5) years.

APPENDIX A – PUBLIC INVOLVEMENT INFORMATION

The department proposes to issue a permit to **Goodrich**. The permit includes wastewater discharge limits and other conditions. This statement of basis describes the facility and the department's basis for requiring a permit.

The department will place a Public Notice of Draft on **May 19, 2021** in the **Jamestown Sun** to inform the public and to invite comment on the proposed draft North Dakota Pollutant Discharge Elimination System permit and statement of basis.

The Notice –

- Tells where copies of the draft permit and statement of basis are available for public evaluation.
- Offers to provide assistance to accommodate special needs.
- Urges people to submit their comments before the end of the comment period.
- Informs the public that if there is significant interest, a public hearing will be scheduled.

You may obtain further information from the department by telephone, 701.328.5210 or by writing to the address listed below:

North Dakota Department of Environmental Quality
Division of Water Quality
918 East Divide Avenue, 4th Floor
Bismarck, ND 58501

The primary author of this permit and statement of basis is Emily Joynt.

**North Dakota Department of Environmental Quality Public Notice
Reissue of an NDPDES Permit**

Public Notice Date: 5/19/2021

Public Notice Number: ND-2021-017

Purpose of Public Notice

The Department intends to reissue the following North Dakota Pollutant Discharge Elimination System (NDPDES) Discharge Permit under the authority of Section 61-28-04 of the North Dakota Century Code.

Permit Information

Application Date: 12/22/2020

Application Number: NDP000001

Applicant Name: Goodrich (formerly UTC - United Technologies Center: Aero Space Systems)

Mailing Address: 2604 Hwy 20 N, Jamestown, ND 58401

Telephone Number: 701.840.5590, 701.253.7373

Proposed Permit Expiration Date: 6/30/2026

Facility Description

Goodrich, a Collins Aerospace Systems Company, manufactures aero cargo systems. The facility is located at 2604 Highway 20 North in Jamestown, ND 58401 in Stutsman County. Goodrich is a regulated categorical industrial user and a new source subject to 40 CFR 433.17 (Metal Finishing) and North Dakota Administrative Code 33.1-16-01.1 (Pretreatment Regulations). Permit reissuance under the NDPDES program is only for the discharge of process wastewater after treatment from metal finishing operations to the City of Jamestown's Publicly Owned Treatment Works.

Tentative Determinations

Proposed effluent limitations and other permit conditions have been made by the Department. They assure that State Water Quality Standards and applicable provisions of the FWPCA will be protected.

Information Requests and Public Comments

Copies of the application, draft permit, and related documents are available for review. Comments or requests should be directed to the ND Dept of Env Quality, Div of Water Quality, 918 East Divide Ave, Bismarck ND 58501-1947 or by calling 701.328.5210.

All comments received by June 18, 2021 will be considered prior to finalizing the permit. If there is significant interest, a public hearing will be scheduled. Otherwise, the Department will issue the final permit within sixty (60) days of this notice. If you require special facilities or assistance relating to a disability, call TDD at 1.800.366.6868.

APPENDIX B – DEFINITIONS Pretreatment Permit - BP 2020.11.12

1. "**Act**" means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended [33 U.S.C. 1251, et seq.].
2. "**Approval authority**" means the department.
3. "**Best management practices**" or "**BMPs**" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
4. "**Bypass**" means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
5. "**Categorical industrial user**" means an industrial user that is subject to a categorical pretreatment standard or categorical standard.
6. "**Categorical pretreatment standard**" or "**categorical standard**" means any regulation containing pollutant discharge limits promulgated by the environmental protection agency in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of users and that appear in 40 CFR chapter I, subchapter N, parts 405 through 471.
7. "**Control authority**" means either:
 - a. The publicly owned treatment works, if the publicly owned treatment works which receives the indirect discharge administers an approved pretreatment program in accordance with sections 33.1-16-01.1-06 and 33.1-16-01.1-08; or
 - b. The department, if the publicly owned treatment works which receives the indirect discharge does not administer an approved pretreatment program in accordance with sections 33.1-16-01.1-06 and 33.1-16-01.1-08.
8. "**Department**" means the North Dakota Department of Environmental Quality, Division of Water Quality.
9. "**Director**" means the department.
10. "**DMR**" means discharge monitoring report.
11. "**EPA**" means the United States Environmental Protection Agency.
12. "**Indirect discharge**" means the introduction of pollutants into a publicly owned treatment works from any nondomestic source regulated under 307(b), (c), or (d) of the Federal Water Pollution Control Act.

13. "**Industrial user**" or "**user**" means a source of indirect discharge.
14. "**Interference**" means an indirect discharge which, alone or in conjunction with any other indirect discharges, both:
 - a. Inhibits or disrupts the publicly owned treatment works processes or operations, or its sludge processes, use or disposal; and
 - b. Causes a violation of any requirement of the publicly owned treatment works North Dakota pollutant discharge elimination system permit, including an increase in the magnitude or duration of a violation or prevents sewage sludge use or disposal in compliance with federal or state law or statute.
15. "**New source**" means:
 - a. Any building, structure, facility, or installation for which construction commenced after the publication of proposed pretreatment standards which will apply to such source after promulgation, from which there is or may be an indirect discharge, provided that:
 - (1) The building, structure, facility or installation is constructed at a site at which no other source is located;
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the indirect discharge at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent factors, such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
 - b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraphs 2 and 3 of subdivision a, but otherwise alters, replaces or adds to existing process or production equipment.
 - c. Construction of a new source as defined under this subsection has commenced if the owner or operator has:
 - (1) Begun, or caused to begin as part of a continuous onsite construction program:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this subsection.
16. "**Passthrough**" means a discharge which exits the publicly owned treatment works 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 publicly owned treatment works North Dakota pollutant discharge elimination system permit, including an increase in the magnitude or duration of a violation.
17. "**Pretreatment**" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a publicly owned treatment works. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the publicly owned treatment works. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e).
18. "**Pretreatment requirements**" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.
19. "**Pretreatment standards**" means any regulation which applies to industrial users that contains pollutant discharge limits promulgated by the environmental protection agency in accordance with the Federal Water Pollution Control Act, including prohibitive discharge limits established pursuant to section 33.1-16-01.1-02.
20. "**Publicly owned treatment works**" or "**POTW**" means a treatment works as defined by section 212 of the Federal Water Pollution Control Act, which is owned by a state or municipality, including any devices or systems used in the storage, treatment, recycling, and reclamation of municipal sewage or liquid industrial wastes, as well as sewers, pipes, and other conveyances that convey wastewater to a publicly owned treatment works treatment plant. This term also means the municipality that has jurisdiction over the indirect discharges to and the discharges from the treatment works.
21. "**Publicly owned treatment works treatment plant**" means that portion of the publicly owned treatment works which is designed to provide treatment of municipal sewage and industrial waste.

22. "**Severe property damage**" means substantial physical damage to property, damage to treatment facilities which renders 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.
23. "**Significant industrial user**" means:
- a. All industrial users subject to categorical pretreatment standards under sections 33.1-16-01.1-04 and 33.1-16-01-31;
 - b. Any other industrial user that meets at least one of the following criteria:
 - (1) Discharges an average of twenty-five thousand gallons [94,635 liters] per day or more of process wastewater to the publicly owned treatment works, excluding sanitary wastewater, noncontact cooling water and boiler blowdown wastewater;
 - (2) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the publicly owned treatment works treatment plant; or
 - (3) Is designated as a significant industrial user by the control authority on the basis that the user has a reasonable potential for adversely affecting the publicly owned treatment works operation or for violating any pretreatment standard or requirement.
 - c. The control authority may determine that an industrial user subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than one hundred gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - (1) The industrial user, prior to the control authority's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - (2) The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - (3) The industrial user never discharges any untreated concentrated wastewater.
 - d. Upon a finding that an industrial user which meets the criteria of subdivision b has no reasonable potential for adversely affecting the publicly owned treatment works operation or for violating any pretreatment standard or requirement, the control authority may, at any time, determine that the industrial user is not a significant industrial user.

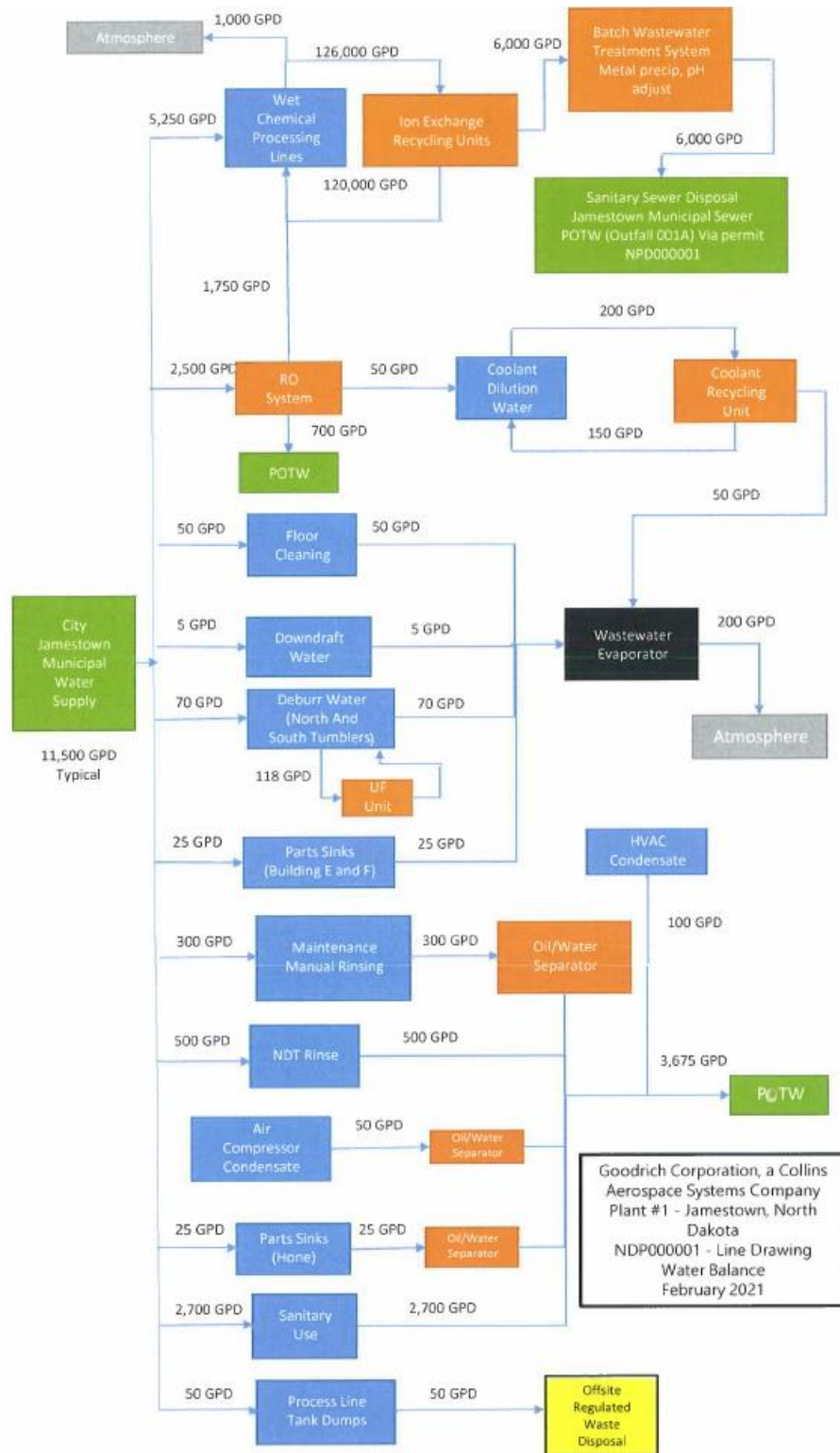
24. "**Upset**" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. Upset does not include noncompliance to the extent caused by operational error, inadequate or improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.

25. "**Water management division director**" means the director of the water management division of the regional office of the United States environmental protection agency or this person's delegated representative.

APPENDIX C – CALCULATIONS

The department reviewed DMR information, NDAC 33.1-16, 40 CFR Part 403, and 40 CFR Part 433 to determine appropriate requirements to be placed in this permit.

APPENDIX D – FACILITY FLOW DIAGRAM



APPENDIX E – HAZARDOUS MATERIALS STORAGE

The facility's Combined Emergency Management, Hazardous Waste Management, and Business Continuity Plan dated 09/04/2020 details the following regarding hazardous materials and storage:



MP5306 Rev. AR

Appendix F Quick Reference Guide

1.0 HAZARDOUS WASTE INFORMATION

- 1.1 The facility has the following hazardous waste:
- 1.2 Waste No. D006, D007, D008, F006, F0019 Chromic Acid Filter Press Cake is generated in the Wastewater Pretreatment System. The filter press cake is shipped to an approved hazardous waste reclamation and disposal facility.
- 1.3 Waste No. D035, D001, F005, D007, D008, F003, waste paint related material is generated in the Paint Shop and stored in the Flammable Storage area until it is shipped to an approved hazardous waste reclamation and disposal facility.
- 1.4 Waste No. D035, D001, F005, D007, D008, F003, Paint filters, racks and corks are used to collect paint overspray and hold parts. This waste is classified as due to the chromium content. The stream also includes paint related waste and solvents from satellite accumulation cans throughout the site. This waste is collected, compacted, and stored in the paint area until it is shipped to an approved incinerator.
- 1.5 Waste No. D002, D006, D007, D008, Waste Phosphoric Acid is generated from the Process Line area which is sent to an approved disposal facility.
- 1.6 Occasional Lab Packs are accumulated and shipped as hazardous wastes. The Lab Packs are usually an accumulation of chemicals that have exceeded their shelf life.

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(APPENDIX E)



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Appendix F
 Quick Reference Guide

Table 1
 Hazardous Waste Information

Location	Types/Name of Hazardous Waste	Associated hazards (Current state, disrupted state, and foreseen hazards)	Estimated maximum amounts present at any one time	Exposure require unique or special medical treatment
Process Line Plant 1	Chromic Acid Filter Press Cake	Contains chrome, is a solid, and could break into a dust if storage bag is damaged.	10,000 P	NA to our knowledge unless it was a vapor, gas, or airborne that you could breathe it in. In that case medical attention is required
Process Line Plant 1	Acids (Boric, Phosphoric, Sulfuric, Nitric)	Inhalation move to fresh air, give oxygen if needed, skin and eye contact wash off/flush out immediately. Causes burns to body very corrosive material.	Most acids are pumped out directly from production tank. 3,000 gallons.	Immediately call poison center
Paint Shop Plant 1	Paint debris (Filters, q-tips, cups, corks, tape, and paper)	Flammable and some contain chrome	15 Drums around 2,000 P	NA to our knowledge unless it was a vapor, gas, or airborne that you could breathe it in. In that case medical attention is required
Paint Shop Plant 1	Liquid Paint	Flammable and some contain chrome	3 Drums around 1,500 P	NA to our knowledge unless it was a vapor, gas, or airborne that you could breathe it in. In that case medical attention is required
Paint Shop Plant 1	Solvents	Flammable	Contained in the same drums as the paint debris waste	Contact to eyes and skin need to flush/ wash off with water.
Paint Shop Plant 2	Paint debris (Filters, q-tips, cups, corks, tape, and paper)	Flammable and some contain chrome	1 Drum around 130 P	NA to our knowledge unless it was a vapor, gas, or airborne that you could breathe it in. In that case medical attention is required
Paint Shop Plant 2	Liquid Paint	Flammable and some contain chrome	1 Drums around 500 P	NA to our knowledge unless it was a vapor, gas, or airborne that you could breathe it in. In that case medical attention is required
Paint Shop Plant 2	Solvents	Flammable	Contained in the same drums as the paint debris waste	Contact to eyes and skin need to flush/ wash off with water.

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(APPENDIX E)



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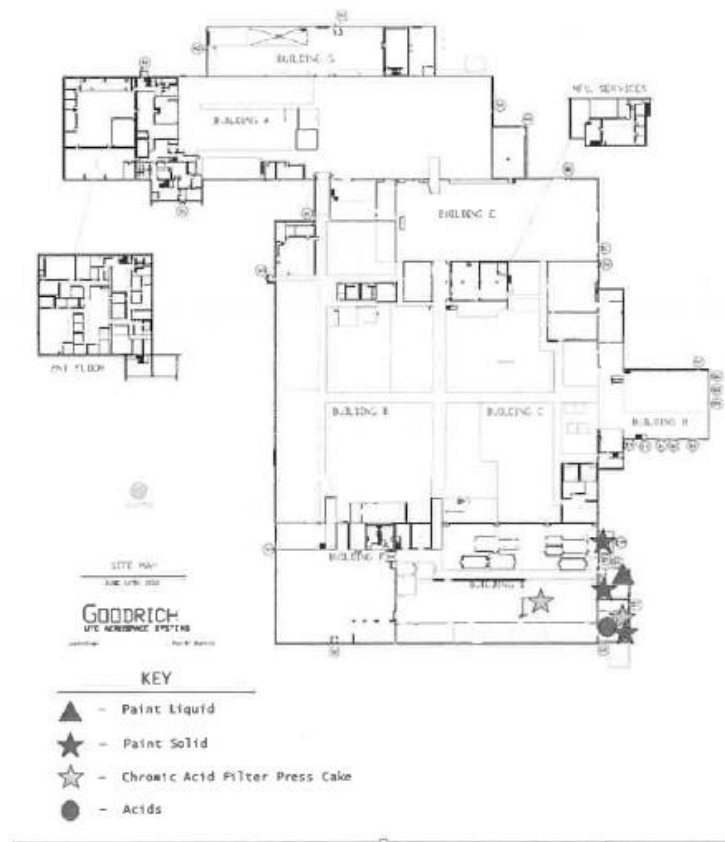
Appendix F
Quick Reference Guide

2.0 HAZARDOUS WASTE MAPS

2.0 The plant 1 site located at 2604 Highway 20 North as four locations that hazardous waste are stored. Two are within the Process Line and two within the Paint Shop. Each location has been identified with signage that calls out hazardous waste storage.

Figure 10

Hazardous Waste Storage Location Plant 1



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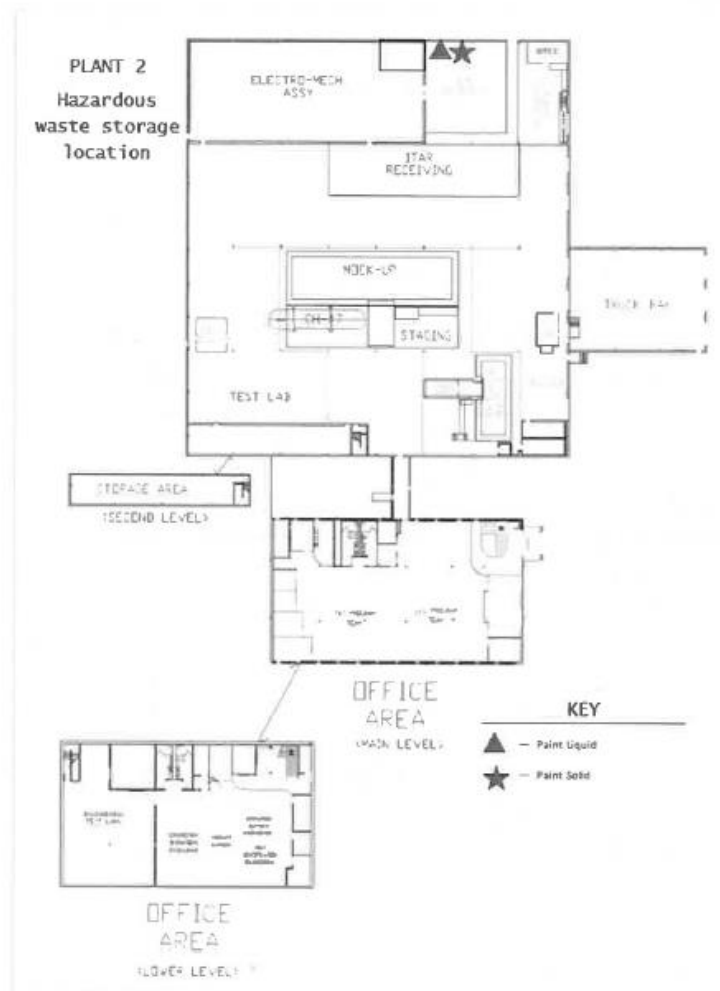


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Appendix F
Quick Reference Guide

Figure 11

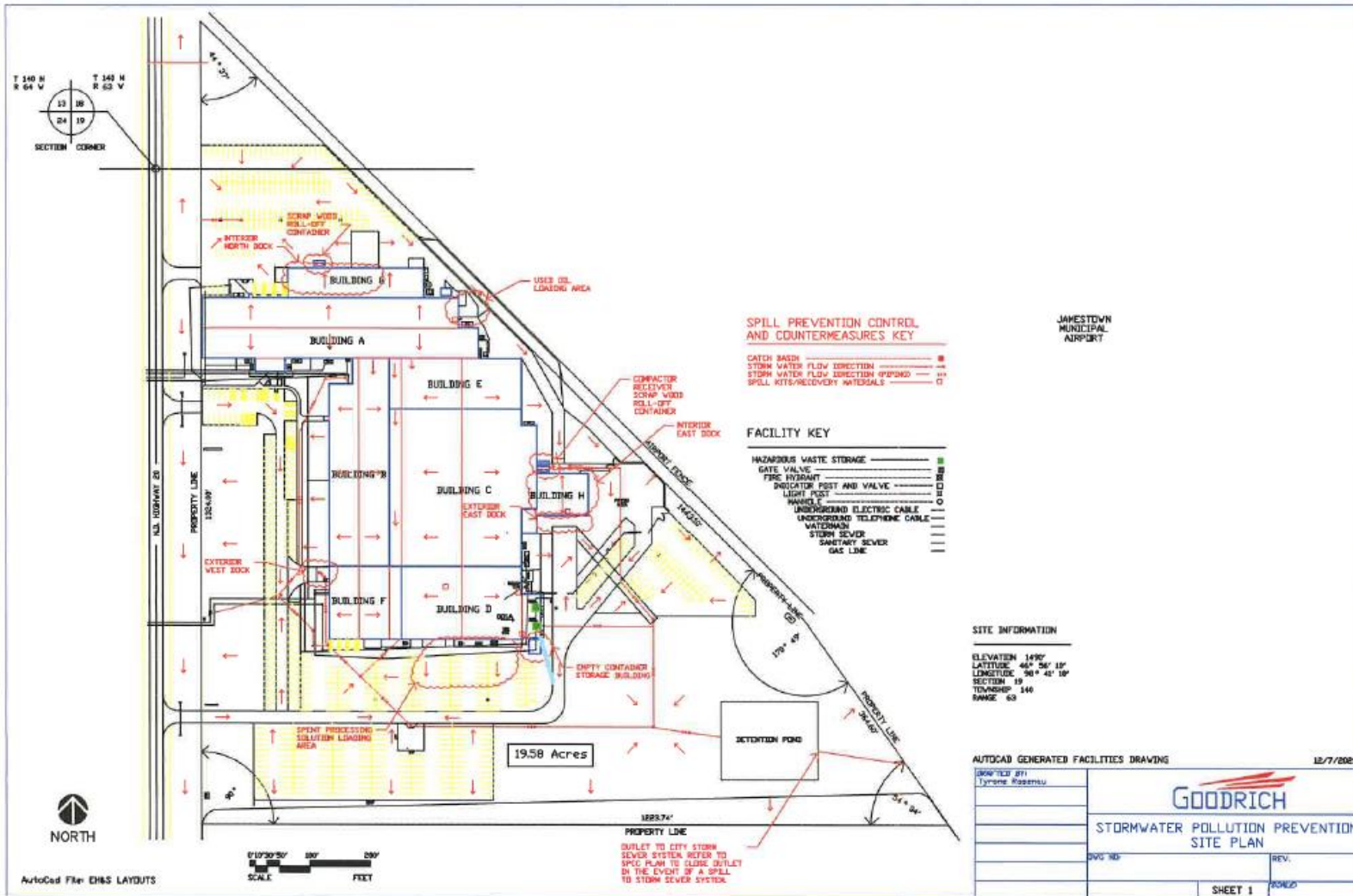
Hazardous Waste Storage Location Plant 2



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APPENDIX F – FACILITY MAP



APPENDIX G – TOTAL TOXIC ORGANICS CERTIFICATION STATEMENT

“Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for total toxic organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the permitting [or control] authority.”

Responsible Official: _____ Date: _____

APPENDIX H – RESPONSE TO COMMENTS

Comments received during the public comment period will be placed here.

Permit No: NDP000001
Effective Date: July 1, 2021
Expiration Date: June 30, 2026

AUTHORIZATION TO DISCHARGE UNDER THE
NORTH DAKOTA POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with Chapter 33.1-16-01 of the North Dakota Department of Environmental Quality rules as promulgated under Chapter 61-28 (North Dakota Water Pollution Control Act) of the North Dakota Century Code,

Goodrich Corporation
2604 Hwy 20 North
Jamestown, ND 58401

is authorized to discharge from its facility in Jamestown, North Dakota

to the City of Jamestown Publicly Owned Treatment Works

provided all the conditions of this permit are met.

This permit and the authorization to discharge shall expire at midnight,
June 30, 2026

Signed this _____ day of _____, _____.

Karl H. Rockeman, P.E.
Director
Division of Water Quality

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DEFINITIONS Pretreatment Permit - BP 2020.11.12

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- a. Inhibits or disrupts the publicly owned treatment works processes or operations, or its sludge processes, use or disposal; and
- b. Causes a violation of any requirement of the publicly owned treatment works North Dakota pollutant discharge elimination system permit, including an increase in the magnitude or duration of a violation or prevents sewage sludge use or disposal in compliance with federal or state law or statute.

15. "**New source**" means:

- a. Any building, structure, facility, or installation for which construction commenced after the publication of proposed pretreatment standards which will apply to such source after promulgation, from which there is or may be an indirect discharge, provided that:
 - (1) The building, structure, facility or installation is constructed at a site at which no other source is located;
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the indirect discharge at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent factors, such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraphs 2 and 3 of subdivision a, but otherwise alters, replaces or adds to existing process or production equipment.
- c. Construction of a new source as defined under this subsection has commenced if the owner or operator has:
 - (1) Begun, or caused to begin as part of a continuous onsite construction program:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this subsection.

16. "**Passthrough**" means a discharge which exits the publicly owned treatment works 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 publicly owned treatment works North Dakota pollutant discharge elimination system permit, including an increase in the magnitude or duration of a violation.
17. "**Pretreatment**" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a publicly owned treatment works. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes or by other means, except as prohibited by 40 CFR 403.6(d). Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the publicly owned treatment works. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40 CFR 403.6(e).
18. "**Pretreatment requirements**" means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on an industrial user.
19. "**Pretreatment standards**" means any regulation which applies to industrial users that contains pollutant discharge limits promulgated by the environmental protection agency in accordance with the Federal Water Pollution Control Act, including prohibitive discharge limits established pursuant to section 33.1-16-01.1-02.
20. "**Publicly owned treatment works**" or "**POTW**" means a treatment works as defined by section 212 of the Federal Water Pollution Control Act, which is owned by a state or municipality, including any devices or systems used in the storage, treatment, recycling, and reclamation of municipal sewage or liquid industrial wastes, as well as sewers, pipes, and other conveyances that convey wastewater to a publicly owned treatment works treatment plant. This term also means the municipality that has jurisdiction over the indirect discharges to and the discharges from the treatment works.
21. "**Publicly owned treatment works treatment plant**" means that portion of the publicly owned treatment works which is designed to provide treatment of municipal sewage and industrial waste.
22. "**Severe property damage**" means substantial physical damage to property, damage to treatment facilities which renders 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.
23. "**Significant industrial user**" means:
 - a. All industrial users subject to categorical pretreatment standards under sections 33.1-16-01.1-04 and 33.1-16-01-31;
 - b. Any other industrial user that meets at least one of the following criteria:

- (1) Discharges an average of twenty-five thousand gallons [94,635 liters] per day or more of process wastewater to the publicly owned treatment works, excluding sanitary wastewater, noncontact cooling water and boiler blowdown wastewater;
 - (2) Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the publicly owned treatment works treatment plant; or
 - (3) Is designated as a significant industrial user by the control authority on the basis that the user has a reasonable potential for adversely affecting the publicly owned treatment works operation or for violating any pretreatment standard or requirement.
- c. The control authority may determine that an industrial user subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N is a nonsignificant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than one hundred gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
- (1) The industrial user, prior to the control authority's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - (2) The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - (3) The industrial user never discharges any untreated concentrated wastewater.
- d. Upon a finding that an industrial user which meets the criteria of subdivision b has no reasonable potential for adversely affecting the publicly owned treatment works operation or for violating any pretreatment standard or requirement, the control authority may, at any time, determine that the industrial user is not a significant industrial user.
24. "**Upset**" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the industrial user. Upset does not include noncompliance to the extent caused by operational error, inadequate or improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.
25. "**Water management division director**" means the director of the water management division of the regional office of the United States environmental protection agency or this person's delegated representative.

OUTFALL DESCRIPTION

Outfall 001A. Active. Final Pretreatment – Internal			
Latitude: 46.9361	Longitude: -98.6861	County: Stutsman	
Township: 140 N	Range: 63 W	Section: 19	QQ: BB
Description: This internal compliance point collects process wastewater and serves as a sampling point prior to discharge to the City of Jamestown’s sanitary sewer system.			

PERMIT SUBMITTALS SUMMARY

Coverage Point	Submittal	Frequency	First Submittal Date
001A	Discharge Monitoring Report ¹	Semiannually	January 31, 2022
001A	Toxic Organic Management Plan (TOMP) ²	1/permit cycle	June 30, 2022
001A	Spill and Slug Discharge Control Plan ³	1/permit cycle	June 30, 2022
Application Renewal	NDPDES Application Renewal	1/permit cycle	December 31, 2025
<p>¹ The permittee shall submit a Total Toxic Organics (TTO) certification statement with each Discharge Monitoring Report where TTO monitoring is not required.</p> <p>² The department received an updated TOMP on August 20, 2015. If no updates to the submitted plan are needed, the permittee may certify with the department that the plan is up to date.</p> <p>³ The department received an updated spill and slug discharge control plan on October 5, 2020. If no updates to the submitted plan are needed, the permittee may certify with the department that the plan is up to date.</p>			

SPECIAL CONDITIONS

The permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.

The permittee must maintain an up to date spill and slug discharge control plan as detailed in NDAC 33.1-16-01.1 Appendix A, representing best management practices to prevent release of pollutants to the Publicly Owned Treatment Works (POTW) and/or waters of the state and minimizing damages if a slug discharge or spill occurs.

In lieu of monitoring for Total Toxic Organics (TTO) the permittee must maintain an up to date Toxic Organic Management Plan (TOMP) specifying toxic organic compounds used, disposal methods, and procedures preventing spills or leaks into wastewater. The permittee must submit the TOMP, or solvent management plan, to the department, as well as periodic certification

statements as outlined under 40 CFR 433.12.

I. LIMITATIONS AND MONITORING REQUIREMENTS

A. Discharge Authorization

During the effective period of this permit; the permittee is authorized to discharge pollutants from the outfalls as specified to the City of Jamestown POTW.

This permit authorizes the discharge of only those pollutants resulting from facility processes, waste streams, and operations that have been clearly identified in this permit application process.

B. Effluent Limitations and Monitoring

The permittee must limit and monitor all discharges as specified below:

Table 1 – Effluent Limitations and Monitoring Requirements for Outfall 001A.

Parameter	Effluent Limitations		Monitoring Requirements	
	Daily Maximum	Monthly Max Average	Sample Type	Frequency
Cadmium Total (mg/L)	0.11	0.07	Composite ¹	Semiannually
Chromium Total (mg/L)	2.77	1.71	Composite ¹	Semiannually
Copper Total (mg/L)	3.38	2.07	Composite ¹	Semiannually
Lead Total (mg/L)	0.69	0.43	Composite ¹	Semiannually
Nickel Total (mg/L)	3.98	2.38	Composite ¹	Semiannually
Silver Total (mg/L)	0.43	0.24	Composite ¹	Semiannually
Zinc Total (mg/L)	2.61	1.48	Composite ¹	Semiannually
Cyanide Total (mg/L)	1.20	0.65	4 Grabs ^{2,4}	Semiannually
Total Toxic Organics ³ (TTO) (mg/L)	2.13	NA	4 Grabs ⁵	Conditional ⁶
pH ⁷ (S.U.)	Between 5.0 and 12.5 at all times		Instantaneous	Continuous
Drain (Mgal/6 months)	Report Total		Calculated (Meter)	Semiannually
Flow Rate (gal/day)	Report Daily Average		Calculated (Meter)	Daily
Flow Rate (gal/day)	Report Daily Maximum		Calculated (Meter)	Daily

Notes:

¹ Composite samples must be representative of the quality of the discharge. A 24-hour composite sample proportioned according to flow is required where feasible. If unfeasible, the composite shall consist of a minimum of four (4) separate grab samples and proportioned as

to flow.

² Grab samples must be representative of the process waste stream and shall be a single discrete sample collected over a period not exceeding 15 minutes. A minimum of four (4) separate grab samples for each parameter shall be taken and proportioned as to flow.

³ Organic compounds comprising TTO are listed in 40 CFR 433.11(e). The sample results for TTO shall be reported as the summation of all quantifiable values greater than 0.1 mg/L for the listed compounds. The permittee need analyze for only those pollutants which would reasonably be expected to be present. The permittee may be authorized to submit a periodic TTO certification statement in lieu of performing TTO monitoring upon development, implementation, and department approval of a Toxic Organic Management Plan (TOMP).

⁴ Grab samples for cyanide shall be composited in the laboratory or in the field immediately prior to analysis.

⁵ Grab samples for TTO shall be composited in the laboratory.

⁶ The permittee may submit a periodic TTO certification statement in lieu of TTO sampling.

⁷ The pH, an instantaneous limitation, shall be between 5.0 and 12.5 S.U. The permittee is required to report minimum pH, maximum pH, and the number of pH exceedances. Individual pH readings shall be recorded no less than once per 5-minutes during periods of discharge; all excursions measured within this 5-minute period shall be reported as a single exceedance. An additional pH exceedance shall be notes for each 5-minutes period thereafter in which one or more excursions have been measured.

II. MONITORING, RECORDING, AND REPORTING REQUIREMENTS BP 2020.10.19

A. Representative Sampling (Routine and Non-Routine Discharges)

All samples and measurements taken shall be representative of the monitored discharge.

In order to ensure that the effluent limits set forth in this permit are not violated at times other than when routine samples are taken, the permittee must collect additional samples at the appropriate outfall whenever any discharge occurs that may reasonably be expected to cause or contribute to a violation that is unlikely to be detected by a routine sample. The permittee must analyze the additional samples for those parameters limited under **Part I Effluent Limitations and Monitoring** requirements of this permit that are likely to be affected by the discharge.

The permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall. The samples must be analyzed in accordance with **B. Test Procedures**. The permittee must report all additional monitoring in accordance with **D. Additional Monitoring**.

B. Test Procedures

The collection and transportation of all samples shall conform with EPA preservation techniques and holding times found in 40 CFR 136. All laboratory tests shall be performed by a North Dakota certified laboratory in conformance with test procedures pursuant to 40 CFR 136, unless other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5. The method of

determining the total amount of water discharged shall provide results within 10 percent of the actual amount.

C. Recording of Results

Records of monitoring information shall include:

1. the date, exact place and time of sampling or measurements;
2. the name(s) of the individual(s) who performed the sampling or measurements;
3. the name of the laboratory;
4. the date(s) and time(s) analyses were performed;
5. the name(s) of the individual(s) who performed the analyses;
6. the analytical techniques or methods used; and
7. the results of such analyses.

D. Additional Monitoring

If the discharge is monitored more frequently than this permit requires, all additional results, if in compliance with B. Test Procedures, shall be included in the summary on the Discharge Monitoring Report.

E. Reporting of Monitoring Results

1. Monitoring results shall be summarized and reported to the department using Discharge Monitoring Reports (DMRs). If no discharge occurs during a reporting period, "No Discharge" shall be reported. The permittee must submit DMRs electronically using the electronic information reporting system unless requirements in subsection 3 are met.
2. Prior to December 21, 2025, the permittee may elect to electronically submit the following compliance monitoring data and reports instead of mailing paper forms. Beginning December 21, 2025, the permittee must report the following using the electronic reporting system:
 - i. General permit reports [e.g., notices of intent (NOI); notices of termination (NOT); no exposure certifications (NOE)];
 - ii. Municipal separate storm sewer system program reports;
 - iii. Pretreatment program reports;
 - iv. Sewer overflow/bypass event reports; and
 - v. Clean Water Act 316(b) annual reports
3. The permittee may seek a waiver from electronic reporting. To obtain a waiver, the permittee must complete and submit an Application for Temporary Electronic Reporting Waiver form (SFN 60992) to the department. The department will have

120 days to approve or deny the waiver request. Once the waiver is approved, the permittee may submit paper versions of monitoring data and reports to the department.

- i. One of the following criteria must be met in order to obtain a waiver. The department reserves the right to deny any waiver request, even if they meet one of the criteria below.
 1. No internet access,
 2. No computer access,
 3. Annual DMRs (upon approval of the department),
 4. Employee turnover (3-month periods only), or
 5. Short duration permits (upon approval of the department)

All reports must be postmarked by the last day of the month following the end of each reporting period. All original documents and reports required herein shall be signed and submitted to the department at the following address:

ND Department of Environmental Quality
Division of Water Quality
918 East Divide Ave
Bismarck ND 58501-1947

F. Records Retention

All records and information (including calibration and maintenance) required by this permit shall be kept for at least three years or longer if requested by the department or EPA.

III. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply

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

B. Proper Operation and Maintenance

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. If necessary to achieve compliance with the conditions of this permit, this shall include the operation and maintenance of backup or auxiliary systems.

C. Planned Changes

The department shall be given advance notice of any planned changes at the permitted facility or of an activity which may result in permit noncompliance. Any anticipated facility expansions, production increase, or process modifications which might result in new,

different, or increased discharges of pollutants shall be reported to the department as soon as possible. Changes which may result in a facility being designated a "new source" as determined in 40 CFR 122.29(b) shall also be reported.

D. Duty to Provide Information

The permittee shall furnish to the department, within a reasonable time, any information which the department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit. When a permittee becomes aware that it failed to submit any relevant facts or submitted incorrect information in a permit application or any report, it shall promptly submit such facts or information.

E. Signatory Requirements

All applications, reports, or information submitted to the department shall be signed and certified.

All permit applications shall be signed by a responsible corporate officer, a general partner, or a principal executive officer or ranking elected official.

All reports required by the permit and other information requested by the department shall 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:

The authorization is made in writing by a person described above and submitted to the department; and

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.

If an authorization under E. Signatory Requirements is no longer accurate for any reason, a new authorization satisfying the above requirements must be submitted to the department prior to or together with any reports, information, or applications to be signed by an authorized representative.

Any person signing a document under this section shall make the following certification:

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

F. Twenty-four Hour Notice of Noncompliance Reporting

1. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstances. The following occurrences of noncompliance shall be included in the oral report to the department at 701.328.5210:
 - a. Any lagoon cell overflow or any unanticipated bypass which exceeds any effluent limitation in the permit under G. Bypass of Treatment Facilities;
 - b. Any upset which exceeds any effluent limitation in the permit under H. Upset Conditions; or
 - c. Violation of any daily maximum effluent or instantaneous discharge limitation for any of the pollutants listed in the permit.
2. A written submission shall also be provided within five days of the time that the permittee became aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected; and
 - d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

Reports shall be submitted to the address in **Part II.E. Reporting of Monitoring Results**. The department may waive the written report on a case by case basis if the oral report has been received within 24 hours by the department at 701.328.5210 as identified above.

All other instances of noncompliance shall be reported no later than at the time of the next Discharge Monitoring Report submittal. The report shall include the four items listed in this subsection.

G. Bypass of Treatment Facilities

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to any of the following provisions in this section.
2. Bypass exceeding limitations-notification requirements.
 - a. Anticipated Bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of bypass.
 - b. Unanticipated Bypass. The permittee shall submit notice of an unanticipated bypass as required under F. Twenty-four Hour Notice of Noncompliance

Reporting.

3. Prohibition of Bypass. Bypass is prohibited, and the department may take enforcement action against a permittee for bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The permittee submitted notices as required under the 1. Anticipated Bypass subsection of this section.

The department may approve an anticipated bypass, after considering its adverse effects, if the department determines that it will meet the three (3) conditions listed above.

H. Upset Conditions

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

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

1. An upset occurred and the permittee can identify its cause(s);
2. The permitted facility was, at the time being, properly operated;
3. The permittee submitted notice of the upset as required under F. Twenty-four Hour Notice of Noncompliance Reporting and
4. The permittee complied with any remedial measures required under I. Duty to Mitigate.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

I. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee, at the department's request, shall provide accelerated or additional monitoring as necessary to determine the nature and impact of any discharge.

J. Removed Materials

Collected screenings, grit, solids, sludges, or other pollutants removed in the course of treatment shall be buried or disposed of in such a manner to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge/digester supernatant and filter backwash shall not be directly blended with or enter either the final plant discharge and/or waters of the state. The permit issuing authority shall be contacted prior to the disposal of any sewage sludges. At that time, concentration limitations and/or self-monitoring requirements may be established.

K. Duty to Reapply

Any request to have this permit renewed should be made six months prior to its expiration date.

IV. GENERAL PROVISIONS

A. Inspection and Entry

The permittee shall allow department and EPA representatives, at reasonable times and upon the presentation of credentials if requested, to enter the permittee's premises to inspect the wastewater treatment facilities and monitoring equipment, to sample any discharges, and to have access to and copy any records required to be kept by this permit.

B. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the department and EPA. As required by the Act, permit applications, permits, and effluent data shall not be considered confidential.

C. Transfers

This permit is not transferable except upon the filing of a Statement of Acceptance by the new party and subsequent department approval. The current permit holder should inform the new controller, operator, or owner of the existence of this permit and also notify the department of the possible change.

D. New Limitations or Prohibitions

The permittee shall comply with any effluent standards or prohibitions established under Section 306(a), Section 307(a), or Section 405 of the Act for any pollutant (toxic or conventional) present in the discharge or removed substances within the time identified in the regulations even if the permit has not yet been modified to incorporate the requirements.

E. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. This includes the establishment of limitations or prohibitions based on changes to Water Quality Standards, the development and approval of waste load allocation plans, the development or revision to water quality management plans, changes in sewage sludge practices, or the establishment of prohibitions or more stringent limitations for toxic or conventional pollutants and/or sewage sludges. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

F. Need to Halt or Reduce Activity Not a Defense

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

G. State Laws

Nothing in this permit shall be construed to preclude the institution of legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation preserved under Section 510 of the Act.

H. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

I. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

J. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

V. PROHIBITED DISCHARGES

A. General Prohibition

The permittee shall not introduce into the POTW any pollutant which causes pass through or interference.

B. Specific Prohibitions

The following pollutants may not be introduced into the POTW from any source:

1. Pollutants which create a fire or explosion hazard in the POTW, including waste streams with a closed cup flashpoint of less than sixty (60) degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR 261.21.
2. Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the POTW is specifically designed to accommodate such discharges.
3. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
4. Any pollutant released in a discharge at a flow rate or pollutant concentration which will cause interference.

5. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds forty degrees Celsius (104 degree Fahrenheit), unless the department, upon request of the POTW, approves alternate temperature limits.
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or passthrough.
7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
8. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

C. Dilution Prohibition

The permittee is prohibited from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limitations.