

**GENERAL WATER POLLUTION CONTROL FACILITIES PERMIT**

Department of Environmental Quality  
700 NE Multnomah St Suite 600  
Portland, OR 97232

**Issued pursuant to ORS 468B.050**

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**ISSUED TO:**

WQ File No:

County/Region:

Registered date:

Legal Name:

Mailing Address :

Site Location:

Email:

**SOURCES COVERED BY THIS PERMIT:**

This permit covers wineries, seasonal fresh pack operations, food processors and other operators washing fruits, vegetables or nuts, whose process wastewater flow does not exceed 82,000 gallons per day and is beneficially land applied or discharged to an evaporative pond. Operations covered under this permit must not significantly alter its product from its original state by cooking, pickling, slaughtering, or other mechanical, chemical, or thermal processes

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Lydia Emer  
Operations Division Administrator

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May 21, 2018  
Effective Date

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**PERMITTED ACTIVITIES**

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a process wastewater collection, treatment, control and disposal system in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

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Unless specifically authorized by this permit, by another permit, or by Oregon Administrative Rule (OAR), any other direct or indirect discharge to waters of the state is prohibited, including discharge to an underground injection control system.

## **COVERAGE AND ELIGIBILITY**

1. This permit covers wineries, fresh pack operators, and food processors where the product is not significantly altered from its original state by cooking, pickling, slaughtering, or other mechanical, chemical, or thermal processes.
2. Facilities covered by this permit must not produce more than 82,000 gallons of process wastewater on any given day.
3. Facilities must not allow direct discharge of process wastewater to waters of the state which include surface water or groundwater.
4. Process wastewater may be discharged to an evaporative pond that is hydrologically separated from waters of the state and managed to prevent development of nuisance conditions.
5. Process wastewater that is not placed in an evaporative pond must be beneficially used in sound irrigation practices to prevent: surface runoff, nuisance conditions and overloading of nutrients or organics. This may include surface or subsurface irrigation.
6. Organic waste solids from the facility may be land applied as a fertilizer or soil amendment provided the rate of application does not exceed the agronomic rate or create nuisance conditions.
7. Sanitary wastes must be kept separate from the process wastewater and discharged to a municipal sanitary sewer or a permitted on-site septic system. Small volumes of graywater associated with the process may be mixed and beneficially reused with the process wastewater.
8. Any person not wishing to be covered or limited by this permit may apply for an individual permit in accordance with the procedures in OAR 340-045-0030.

## **DEMINIMIS ACTIVITIES**

The following activities are considered de minimis and unlikely to have an adverse effect on the environment and are allowed without obtaining a permit. However, any facility found to be creating nuisance conditions or adversely affecting the environment will be required to obtain a permit. Such a facility would then be subject to all terms and conditions of this permit.

1. Small facilities that generate less than 100 gallons per day of process wastewater.
2. Wineries that produce less than 6,000 cases of wine per year.

## **HOW TO APPLY FOR COVERAGE UNDER THIS GENERAL PERMIT**

### **New Application Requirements**

1. Winery and fresh pack operators seeking coverage under this 1400-A General Permit for the first time and persons who were registered for coverage under the 1400-A General Permit who did not submit a renewal application prior to the expiration date of the permit must do the following:
  - a. Complete an application. Applicants may obtain an Oregon Department of Environmental Quality (DEQ) application form by:
    - i. Mail or in person from the DEQ regional offices provided below, or
    - ii. Downloading the application from the DEQ website.
  - b. Submit a completed application to the appropriate DEQ office provided below, requesting coverage under this permit at least 30 days prior to the planned activity. DEQ may accept applications filed less than 30 days from the planned activity on a case-by-case basis.
  - c. Submit all applicable fees with the application. These fees are published in OAR 340-045-0075 Table 70G.

- d. Satisfy all local permitting authority requirements, including but not limited to securing all applicable building permits, plumbing permits and inspections.
2. DEQ will review the application information and will take one of the following actions:
- a. Issue written notice of approval.
  - b. Request additional information.
  - c. Deny coverage under this permit. The applicant will be notified if the applicant's operation cannot be approved for coverage under the General Permit, and that the applicant may need to obtain an individual permit.

Oregon DEQ  
 Eastern Region Office  
 800 SE Emigrant Ave, Suite 330  
 Pendleton, OR 97801-2597

Oregon DEQ  
 Northwest Region Office  
 700 NE Multnomah St., Suite 600  
 Portland, OR 97232-4100

Oregon DEQ  
 Western Region Office  
 4026 Fairview Industrial Dr. SE  
 Salem, OR 97302-1142

NORTHWEST REGION COUNTIES					
Clackamas	Clatsop	Columbia	Multnomah	Tillamook	Washington
WESTERN REGION COUNTIES					
Benton	Coos	Curry	Douglas	Jackson	Josephine
Lane	Lincoln	Linn	Marion	Polk	Yamhill
EASTERN REGION COUNTIES					
Baker	Crook	Deschutes	Gilliam	Grant	Harney
Hood River	Jefferson	Klamath	Lake	Malheur	Morrow
Sherman	Umatilla	Union	Wallowa	Wasco	Wheeler

**Permit Renewal Requirements**

- 1. Permittees registered under this General Permit can operate until the expiration date provided on the cover page (unless terminated or extended under Other Applicable Conditions, below). Winery and fresh pack operators requiring renewal of this General Permit must submit a complete renewal application form to DEQ no later than March 22, 2028, 60 days prior to the expiration date of this permit indicated on the cover page. The DEQ Director may grant permission to submit the application less than 60 days in advance but no later than the permit expiration date.

**Other Application Conditions**

- 1. Coverage under this permit will continue for a permittee after the expiration date if the permittee submits a complete renewal application as described above.
- 2. If DEQ does not receive a renewal application as described above, coverage under this General Permit is no longer valid and the operation must cease.
- 3. Any person not wishing to be covered or limited by this General Permit may apply for an individual permit in accordance with the procedures in OAR 340-045-0030.

**Notification of coverage**

DEQ will notify the permittee of coverage under this general permit by sending a notice of coverage and copy of the signed permit to the email address or mailing address provided on the permit application. If the permittee elects to receive email notification of coverage, and DEQ is unable to contact the permittee by email, the DEQ will send coverage notification to the mailing address provide on the permit application.

## DEFINITIONS

**“Agronomic application rate”** [OAR 340-093-0030 (5)] means land application of no more than the optimum quantity per acre of process wastewater, compost, sludge or other materials. In no case may such application adversely impact the waters of the state. Such application must be designed to:

- a. Provide the amount of nutrient, usually nitrogen, needed by crops or other plantings, to prevent controllable loss of nutrients to the environment;
- b. Condition and improve the soil comparable to that attained by commonly used soil amendments; or
- c. Adjust soil pH to desired levels.

**“Beneficial purpose or reuse”** means process wastewater is used for a resource value, such as to provide moisture. Examples include, but are not limited to, the irrigation of landscape vegetation, planters, greenhouses, vegetated roofs, and compost.

**“Evapotranspiration”** means the combined loss of water from a given area, and during a specified period of time, by evaporation from the soil surface and by transpiration from plants.

**“Irrigation”** means the application of water to soil, mulch or compost usually to supplement precipitation and supply moisture for the growth of vegetation or for the production of compost.

**“Month”** means a calendar month.

**“Mulch”** means a protective covering spread or left on the ground to reduce evaporation, maintain even soil temperature, prevent erosion, control weeds or enrich the soil.

**“Nuisance conditions”** means fly or mosquito breeding conditions, objectionable odors, attracting vectors such as rodents, or other degrading conditions.

**“Process Wastewater”** means wastewater contaminated by industrial processes but not including non-contact cooling water or storm runoff.

**“Sewerage system”** means pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal.

**“Stormwater management structure”** means both public and private structural stormwater controls such as swales, infiltration basins, underground injection control (UIC) systems or similar structures intended to infiltrate stormwater into the ground.

**“Subsurface irrigation”** means the slow release of water below the surface of soil, compost or mulch for the purpose of supplying moisture.

**“Waters of the state”** include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the state or within its jurisdiction.

**SCHEDULE A**  
**Land Application Limitations**

The permittee may construct, install, and operate a process wastewater reuse and disposal system in accordance with their process wastewater management plan and the limitations in this permit.

1. **Hauled Waste Limitations.** This permit only authorizes the permittee to reuse process wastewater and solids generated at their facility. Permittee is not allowed to accept process wastewater from any other facility without written authorization from DEQ. Permittee may also dispose of their process wastewater or solids at a DEQ permitted facility that has agreed to accept the material.
2. **Process Wastewater Limitations.** The permittee must divert process wastewater containing high concentrations of cleaners, solvents, or other chemicals to a separate DEQ authorized disposal option. Process wastewater containing residual concentrations of solvents and cleaners used as prescribed by the manufacturer is acceptable for discharge under this permit.
3. **No Direct Discharge to Waters of the State.** Direct discharge to waters of the state or to any location where wastes are likely to escape or directly carried into waters of the state is prohibited.
4. **Prohibition of Groundwater Degradation.** The permittee must apply process wastewater at an appropriate agronomic rate and in a manner that minimizes the movement of contaminants to groundwater and does not adversely affect groundwater quality. Permanent groundwater must be at least four feet below ground surface and temporary groundwater must be at least two feet below ground surface at the time of irrigation.
5. **Process Wastewater Management.** All process wastewater must be collected, adequately screened to remove solids and land applied in accordance with a process wastewater management plan and the conditions of this permit.
6. **Process Wastewater Irrigation Management.** The permittee may irrigate with process wastewater pursuant to the following limitations:
  - a. Irrigation sites must be located on stable geologic formations not subject to flooding or excessive runoff to adjacent land at the time of irrigation.
  - b. Process wastewater must not be applied to areas with slopes exceeding 45 percent.
  - c. Process wastewater must not be discharged to frozen or saturated soil.
  - d. Process wastewater used for irrigation must be applied using sound irrigation practices such that:
    - i. There is no run off of process wastewater,
    - ii. Does not cause erosion,
    - iii. Does not hydraulically overload the soil profile,
    - iv. Does not overload the soil with nutrients or organics.
  - e. The soil and vegetation in the irrigation area must have capacity to accommodate the volume and rate of process wastewater applied so that discharge to surface water or leaching to groundwater does not occur.
  - f. Process wastewater irrigation must not create objectionable odors, fly or mosquito breeding, or other nuisance conditions.
7. **Setbacks.** The process wastewater reuse system must be designed, installed, and operated to meet the following setbacks (in feet):

**Table A1**

Feature requiring setback	Process wastewater storage or surge tank (feet)	Point of process wastewater applied to landscape (feet)
Groundwater supplies and wells	50	100
Springs	50	100
Waters of the state, excluding springs	50	50
Stormwater management structures, collection systems, and catch basins	10	10
Underground injection control systems (UICs)	10	10
Property boundaries	5	2
Building structures	0	0

8. **Property Lines Crossed.** The permittee must reuse process wastewater only on the property on which it was generated, unless all of the following conditions are met:
  - a. Both the person generating process wastewater and the person reusing the process wastewater agree to reuse the process wastewater in accordance with all conditions of this permit.
  - b. A written agreement between the generator and user is in place, is current, and is being honored between the person generating process wastewater and owner of the property where process wastewater reuse occurs.
  - c. The state’s officers, agents, employees and representatives are allowed access to enter and inspect all portions of the process wastewater reuse system, regardless of location.
  
9. **Separation of Sanitary Waste and Process Wastewater.** Sanitary wastes must be kept separate from the process wastewater and discharged to a municipal sanitary sewer facility or a permitted on-site wastewater treatment system which is installed, operated and maintained in accordance with OAR 340-071, and in a manner which will prevent inadequately treated sanitary wastes from entering any waters of the state or from surfacing and becoming a nuisance or health hazard. Small volumes of graywater associated with the facility’s process may be mixed and beneficially reused with the process wastewater.
  
10. **Waste Solids Management.** Waste solids from the processing facility and the process wastewater control system:
  - a. May be land applied on the property where it is generated as fertilizer or soil amendment, if the application rate does not exceed the agronomic rate for the crop being grown or the capacity of the land to assimilate the waste solids and concentrations of any potential contaminants will not adversely affect the intended crop; or
  - b. May be used to feed livestock, if the permittee stores solids in a manner to prevent any associated leachate from entering waters of the state or creating nuisance conditions and concentrations of any potential contaminants will not adversely affect the intended livestock; or
  - c. Must be disposed of either at a DEQ permitted landfill or in another place and in a manner approved by DEQ if they are not used as fertilizer, soil amendment, or as livestock feed.
  
11. **Process Wastewater Storage.** If the process wastewater management plan includes the construction of a lagoon, pond, or open tank, the permittee must operate them to minimize odors (i.e., short residence times, aeration, etc.). An artificial liner may be required in a pond or lagoon to ensure hydrologic separation between the process wastewater and groundwater. This will be based on the plan review as stated below in condition #12 and Schedule F condition D1.
  
12. **Plan Review.** Prior to constructing or modifying the process wastewater disposal operation, detailed plans and specifications must be approved in writing by DEQ as required by OAR 340 Division 52.

13. **Stormwater and Process Wastewater.** Stormwater that accumulates at the permitted facility may be mixed with process wastewater. Any stormwater that is mixed with process wastewater must be managed as process wastewater.
14. **Groundwater Monitoring.** DEQ may require the permittee to perform a groundwater investigation or apply for an individual permit if the facility's activities adversely affect groundwater quality

**SCHEDULE B**  
**Minimum Monitoring and Reporting Requirements**

The permittee must monitor the operation and efficiency of all collection and disposal facilities. The permittee must submit an annual report using a DEQ-approved form that describes the facility process wastewater management events for the previous calendar year. This report must be submitted to the appropriate DEQ office by February 15 of each year. The permittee must retain a copy of the report at the facility for at least three years. The report must include, but not be limited to:

1. The days the land application system was in operation;
2. Daily observations of the land application system;
3. A description of any failures of the collection or land application system;
4. Daily volume of process wastewater land applied and application location; and
5. The type and volume of any screenings or solids land applied and application location.

**SCHEDULE C**  
**Compliance Schedule**

1. Facilities filing for renewed permit coverage may have up to but no more than 12 months after obtaining permit coverage to implement the appropriate measures needed to meet the updated conditions presented in this permit. These include the system setback distances in Table A1, an updated process wastewater management plan, and the irrigation site evaluation.
2. DEQ expects the permittee to meet the compliance dates that have been established in this schedule. Either prior to or no later than 14 days following any lapsed compliance date, the permittee must submit to DEQ a notice of compliance or noncompliance with the established schedule. DEQ may revise a schedule of compliance if it is determined there are good and valid cause resulting from events over which the permittee has little or no control.

**SCHEDULE D**  
**Special Conditions**

1. **Process Wastewater Management Plan.** The Process Wastewater Management Plan must include, at a minimum, the following information:
  - a. A flow diagram of all process wastewater collection and disposal systems;
  - b. Process wastewater volumes in gallons per day;
  - c. Process wastewater characterization such as biochemical oxygen demand (BOD), total nitrogen, and pH;
  - d. The months that the land application of process wastewater will occur;
  - e. A map of the facility indicating application areas for liquids and solids, depicting the location of any surface water, wells, ditches, and neighboring structures;
  - f. A description of the soil and acreage of the land application location;
  - g. A description of any waste solids to be generated from the facility's process and the process wastewater control facility and how they will be used or disposed;
  - h. A description of any chemical additives used in the product or process, that could become part of the process wastewater;
  - i. A description of process wastewater discharge holding ponds or lagoons;
  - j. A description of the irrigation system; including season start-up and shut down processes;
  - k. A description of how the system will be decommissioned should the facility ever terminate activities at this site.

The permittee must keep this plan up to date with any changes to the system or process and retain the most current copy of this plan at the facility. The permittee must submit the plan to DEQ upon request. DEQ may require revisions to the plan if the facility is adversely effecting to groundwater quality.

2. **Irrigation Site Evaluation.** The permittee must evaluate and maintain a record on all process wastewater irrigation areas, containing at a minimum the following information:
  - a. A diagram of the property receiving process wastewater showing:
    - i. Area and slope of the process wastewater reuse area;
    - ii. Surface streams, springs or other water bodies;
    - iii. On-site wastewater treatment systems;
    - iv. Stormwater management structures and stormwater collection systems;
    - v. Existing and proposed wells;
    - vi. Escarpments, cuts and fills; and
    - vii. Any unstable landforms.
  - b. Parcel size;
  - c. Soil descriptions, including water infiltration rates;
  - d. Groundwater levels;
  - e. Description of vegetation in the reuse area;
  - f. Any other observations or information relevant to evaluating the process wastewater irrigation site, including offsite features, as appropriate.
3. **Revocation.** As described in OAR 340-045-0033, DEQ may revoke a general permit as it applies to any person and require such person to apply for and obtain an individual permit if:
  - a. The permitted source or activity causes a serious danger to public health, safety, or the environment;
  - b. The permitted source or activity is a significant contributor of pollution or causes environmental problems;
  - c. The permittee does not comply with the terms and conditions of this general permit;
  - d. Conditions or standards have changed so that the source or activity no longer qualifies for a general permit.



**SCHEDULE F**  
**WPCF GENERAL CONDITIONS – INDUSTRIAL FACILITIES**

**SECTION A. STANDARD CONDITIONS**

1. Duty to Comply with Permit

The permittee must comply with all conditions of this permit. Failure to comply with any permit condition is a violation of Oregon Revised Statutes (ORS) 468B.025 and grounds for an enforcement action. Failure to comply is also grounds for DEQ to modify, revoke, or deny renewal of a permit.

2. Property Rights and Other Legal Requirements

Issuance of this permit does not convey any property rights of any sort, or any exclusive privilege, or authorize any injury to persons or property or invasion of any other rights, or any infringement of federal, tribal, state, or local laws or regulations.

3. Liability

DEQ or its officers, agents, representatives, or employees may not sustain any liability on account of the issuance of this permit or on account of the construction or maintenance of facilities or systems because of this permit.

4. Permit Actions

After notice by DEQ, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including but not limited to the following:

- a. Violation of any term or condition of this permit, any applicable rule or statute, or any order of the Environmental Quality Commission;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts.

5. Transfer of Permit

This permit may not be transferred to a third party without prior written approval from DEQ. DEQ may approve transfers where the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of this permit and the rules of the Environmental Quality Commission. A transfer application and filing fee must be submitted to DEQ.

6. Permit Fees

The permittee must pay the fees required by Oregon Administrative Rules.

**SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS**

1. Proper Operation and Maintenance

At all times the permittee must maintain in good working order and properly operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to comply with the terms and conditions of this permit.

2. Standard Operation and Maintenance

All waste collection, control, treatment, and disposal facilities or systems must be operated in a manner consistent with the following:

- a. At all times, all facilities or systems must be operated as efficiently as possible in a manner that will prevent discharges, health hazards, and nuisance conditions.

- b. All screenings, grit, and sludge must be disposed of in a manner approved by DEQ to prevent any pollutant from the materials from reaching waters of the state, creating a public health hazard, or causing a nuisance condition.
- c. Bypassing untreated waste is generally prohibited. Bypassing may not occur without prior written permission from DEQ except where unavoidable to prevent loss of life, personal injury, or severe property damage.

3. Noncompliance and Notification Procedures

If the permittee is unable to comply with conditions of this permit because of surfacing sewage; a breakdown of equipment, facilities or systems; an accident caused by human error or negligence; or any other cause such as an act of nature, the permittee must:

- a. Immediately take action to stop, contain, and clean up the unauthorized discharges and correct the problem.
- b. Immediately notify the appropriate DEQ regional office so that an investigation can be made to evaluate the impact and the corrective actions taken, and to determine any additional action that must be taken.
- c. Within 5 days of the time the permittee becomes aware of the circumstances, the permittee must submit to DEQ a detailed written report describing the breakdown, the actual quantity and quality of waste discharged, corrective action taken, steps taken to prevent a recurrence, and any other pertinent information.

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

4. Wastewater System Personnel

The permittee must provide an adequate operating staff that is duly qualified to carry out the operation, maintenance, and monitoring requirements to assure continuous compliance with the conditions of this permit.

5. Public Notification of Effluent Violation or Overflow

If effluent limitations specified in this permit are exceeded or an overflow occurs that threatens public health, the permittee must take such steps as are necessary to alert the public, health agencies and other affected entities (e.g., public water systems) about the extent and nature of the discharge in accordance with the notification procedures developed in accordance with General Condition B.6. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

6. Emergency Response and Public Notification Plan

The permittee must develop and implement an emergency response and public notification plan that identifies measures to protect public health from bypasses or upsets that may endanger public health. At a minimum the plan must include mechanisms to:

- a. Ensure that the permittee is aware (to the greatest extent possible) of such events;
- b. Ensure notification of appropriate personnel and ensure that they are immediately dispatched for investigation and response;
- c. Ensure immediate notification to the public, health agencies, and other affected entities (including public water systems). The response plan must identify the public health and other officials who will receive immediate notification;
- d. Ensure that appropriate personnel are aware of and follow the plan and are appropriately trained;
- e. Provide emergency operations; and
- f. Ensure that DEQ is notified of the public notification steps taken.

### **SECTION C. MONITORING AND RECORDS**

1. Inspection and Entry

The permittee must at all reasonable times allow authorized representatives of DEQ to:

  - a. Enter upon the permittee's premises where a waste source or disposal system is located or where any records are required to be kept under the terms and conditions of this permit;
  - b. Have access to and copy any records required by this permit;
  - c. Inspect any treatment or disposal system, practices, operations, monitoring equipment, or monitoring method regulated or required by this permit; or
  - d. Sample or monitor any substances or permit parameters at any location at reasonable times for the purpose of assuring permit compliance or as otherwise authorized by state law.
2. Averaging of Measurements

Calculations of averages of measurements required for all parameters except bacteria must use an arithmetic mean; bacteria must be averaged as specified in the permit.
3. Monitoring Procedures

Monitoring must be conducted according to test procedures specified in the most recent edition of **Standard Methods for the Examination of Water and Wastewater**, unless other test procedures have been approved in writing by DEQ and specified in this permit.
4. Retention of Records

The permittee must retain records of all monitoring and maintenance information, including all calibrations, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. DEQ may extend this period at any time.

### **SECTION D. REPORTING REQUIREMENTS**

1. Plan Submittal

Pursuant to Oregon Revised Statute 468B.055, unless specifically exempted by rule, construction, installation, or modification of disposal systems, treatment works, or sewerage systems may not commence until plans and specifications are submitted to and approved in writing by DEQ. All construction, installation, or modification shall be in strict conformance with the DEQ's written approval of the plans.
2. Change in Discharge

Whenever a facility expansion, production increase, or process modification is expected to result in a change in the character of pollutants to be discharged or in a new or increased discharge that will exceed the conditions of this permit, a new application must be submitted together with the necessary reports, plans, and specifications for the proposed changes. A change may not be made until plans have been approved and a new permit or permit modification has been issued.
3. Signatory Requirements

All applications, reports, or information submitted to DEQ must be signed and certified by the official applicant of record (owner) or authorized designee.
4. Twenty-Four Hour Reporting

The permittee must report any noncompliance that may endanger health or the environment. Any information must be provided orally (by telephone) within 24 hours from the time the permittee becomes aware of the circumstances, unless a shorter time is specified in the permit. During normal business

hours, DEQ's regional office must be called. Outside of normal business hours, DEQ must be contacted at 1-800-452-0311 (Oregon Emergency Response System).

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

- a. Any unanticipated bypass that exceeds any effluent limitation in this permit;
- b. Any upset that exceeds any effluent limitation in this permit;
- c. Violation of maximum daily discharge limitation for any of the pollutants listed by DEQ in this permit; and
- d. Any noncompliance that may endanger human health or the environment.

A written submission must also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission must contain:

- a. A description of noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected;
- d. Steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and
- e. Public notification steps taken, pursuant to General Condition B.6.

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

**SECTION E. DEFINITIONS**

1. *BOD* or *BOD<sub>5</sub>* means five-day biochemical oxygen demand.
2. *CBOD* or *CBOD<sub>5</sub>* means five-day carbonaceous biochemical oxygen demand.
3. *TSS* means total suspended solids.
4. *Bacteria* means but is not limited to fecal coliform bacteria, total coliform bacteria, *Escherichia coli* (*E. coli*) bacteria, and *Enterococcus* bacteria.
5. *FC* means fecal coliform bacteria.
6. *Total residual chlorine* means combined chlorine forms plus free residual chlorine
7. *Technology based permit effluent limitations* means technology-based treatment requirements as defined in 40 CFR § 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-041.
8. *mg/l* means milligrams per liter.
9. *µg/l* means microgram per liter.
10. *kg* means kilograms.
11. *m<sup>3</sup>/d* means cubic meters per day.
12. *MGD* means million gallons per day.
13. *Average monthly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.
14. *Average weekly effluent limitation* as defined at 40 CFR § 122.2 means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.
15. *Daily discharge* as defined at 40 CFR § 122.2 means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge must be calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge must be calculated as the average measurement of the pollutant over the day.
16. *24-hour composite sample* means a combination of at least six discrete sample aliquots of at least 100 milliliters, collected at periodic intervals from the same location, during the operating hours of the facility over a 24 hour period. Four (rather than six) aliquots should be collected for volatile organics analyses. The composite must be flow or time proportional, whichever is more appropriate. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.
17. *Grab sample* means an individual discrete sample collected over a period of time not to exceed 15 minutes.
18. *Quarter* means January through March, April through June, July through September, or October through December.
19. *Month* means calendar month.
20. *Week* means a calendar week of Sunday through Saturday.
21. *Commission or Environmental Quality Commission* means the governor appointed panel which serves as the Oregon Department of Environmental Quality's policy and rulemaking board.
22. *Department* means the Oregon Department of Environmental Quality.