

General Permit
Water Pollution Control Facilities Permit
For Class V Stormwater Underground Injection Control Systems
Department of Environmental Quality

700 NE Multnomah Street, Suite 600, Portland, Oregon 97232; (503) 229-5263
Issued pursuant to ORS 468B.195 and OAR 340-044 adopting 40 CFR Parts 144, 145 and 146, implementing the
Federal Safe Drinking Water Act requirements for Underground Injection Control.

REGISTERED TO:

SOURCES COVERED UNDER THIS PERMIT:

This permit covers injection of stormwater and incidental fluids at individual Class V Underground Injection Control (UIC) systems.

SYSTEM TYPE:

Class V Stormwater Underground Injection Control Systems

ELIGIBILITY:

- Permittee owns or operates fewer than 50 stormwater UIC systems within a single tax lot or multiple contiguous tax lots, or, for a municipality or other government agency, fewer than 50 stormwater UIC systems within the jurisdiction.
- At least one Underground Injection Control system does not meet the conditions for authorization by rule in OAR 340-044-0018(3)(a)(D), (E), or (G).

SYSTEM LOCATIONS:

County:

Facility Address:

Waters of the State: Groundwater

Effective Permit Issuance Date: December 14, 2015

Permit Number:

WQ File Number:

UIC Facility Number:

Matthew Kohlbecker
Senior UIC Hydrogeologist

Date

Christine Svetkovich
Water Quality Manager

Date

Lydia Emer
Operations Division Administrator

Date

HOW TO APPLY FOR COVERAGE UNDER THIS GENERAL PERMIT

New Permit Application Requirements

1. UIC owners seeking coverage under this 1200-U General Permit (2015-2025) for the first time must do the following:
 - a. Applicants must complete an application. Applicants may obtain an Oregon Department of Environmental Quality (DEQ) application form by:
 - i. Calling one of the DEQ offices listed below and requesting that a form be sent by mail
 - ii. Obtaining a form in person from the DEQ regional offices listed below, or
 - iii. Downloading the application from the DEQ website at: <http://www.deq.state.or.us/wq/uic/forms.htm>.
 - b. Applicants must submit a completed application to DEQ, requesting coverage under this permit at least 30 days prior to construction of new injection systems.
 - c. Applicants must submit all applicable fees with the application.
 - d. DEQ will review the application information and will take one of the following actions:
 - i. Issue written notice of approval of the registration and coverage.
 - ii. Request additional information.
 - iii. Deny coverage under this permit. The applicant will be notified if the applicant's operation cannot be approved for coverage under this general permit, and that the applicant may need to obtain an individual permit.

Transfer of Permit Registration

1. To transfer permit registration, the new owner or permit registrant must submit a DEQ-approved transfer form and applicable fees prior to permit expiration and within 30 calendar days of the planned transfer.
2. If ownership changes (through sale, foreclosure or other means) the new owner may be required to register for coverage under the permit in accordance with Schedule F, condition 4.d.

Permit Renewal Requirements

1. Permittees registered under this general permit may operate until the expiration date on the cover page (unless terminated or extended under "Other Application Conditions," below). Underground Injection Control (UIC) owners requiring renewal of their registration under this general permit must apply for and have the registration renewed to DEQ no later than October 1, 2025, which is 60 calendar 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 calendar days in advance but no later than the permit expiration date.
2. DEQ will review the application 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 this general permit, and that the applicant may need to obtain an individual permit.

Other Application Conditions

1. Coverage under a general permit will continue for a permittee after the expiration date if the permittee submits a complete renewal application as described above.
2. When your registration is expired you must register to continue operations.
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.

DEQ Regional Office Locations

Northwest Region
700 NE Multnomah Street
Suite 600
Portland, Oregon 97232

Western Region
4026 Fairview Industrial Drive
Salem, Oregon 97302

Eastern Region
800 SE Emigrant
Suite 330
Pendleton, Oregon 97801

DEFINITIONS

1. *Adaptive Management* is a structured, iterative process designed to refine and improve stormwater programs over time by evaluating results and adjusting actions on the basis of what has been learned.
2. *Best Management Practices* or *BMPs* means the schedule of activities, controls, prohibition of practices, maintenance procedures and other management practices designed to prevent or reduce pollution. BMPs also include treatment requirements, operating procedures, and practices to control stormwater runoff.
3. *Corrective action* means measures taken to improve a situation that may adversely affect groundwater quality or supply, endanger groundwater, or violate the prohibition of fluid movement standard.
4. *Endangerment* is defined in 42 United States Code (USC) 300h(d)(2) and occurs when injection may result in the presence of any contaminant in underground water which supplies or can reasonably be expected to supply any public water system, if the presence of such contaminant may result in such system's not complying with any national primary drinking water regulation or may otherwise adversely affect the health of persons.
5. *Groundwater protectiveness* means that a discharge will not endanger groundwater or violate the prohibition of fluid movement standard.
6. *Groundwater protectiveness demonstration* and *demonstrate that groundwater is protected* mean that you have scientifically shown that the discharge will not endanger groundwater or violate the prohibition of fluid movement standard.
7. *Hazardous materials* or *hazardous substances* are hazardous waste, any substance defined as a hazardous substance pursuant to section 101(14) of the federal Comprehensive Environmental Response, Compensation

and Liability Act, oil or petroleum products, or any substance designated by the Environmental Quality Commission under ORS 465.400.

8. *Practicable* means possible to do or put into practice.
9. *Prohibition of Fluid Movement* is defined in 40 Code of Federal Regulations (CFR) 144.12 (öNo owner or operator shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of a fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR part 142 or may otherwise adversely affect the health of persons.ö)
10. *Retrofitting* means physically modifying an existing Underground Injection Control (UIC) system. Example retrofits include backfilling to increase the vertical separation distance between the bottom of the UIC and seasonal high groundwater, or implementing a variety of passive, structural, and/or technological controls to reduce or eliminate pollutants.
11. *Source controls* are methods to decrease the amount of pollutants entering stormwater runoff by preventing the contact of pollutants with rainfall and runoff.
12. *Structural spill control* is a device that is built or constructed to prevent the spread of a spill or release. A concrete containment structure is an example of a structural spill control. Spill response materials (e.g., spill mats) are not a type of structural spill control.
13. *Super-chlorinated* water is water with chlorine concentrations above 4 milligrams per liter.
14. *Visual Inspection* is an evaluation of facility conditions using human senses (e.g., vision) and non-specialized equipment (e.g., a tape measure to measure the depth below the bottom of an outfall pipe in a catch basin).
15. *We* or *us* means the Oregon Department of Environmental Quality (DEQ).
16. *You* means the permittee, person, legal entity, organization, or municipality that is applying for or has received coverage under this permit.

Definitions of 40 CFR part 141.2 and 144.3 and Oregon Administrative Rules (OAR) 340 Divisions 040, 044, and 045 apply to this permit.

PERMITTED ACTIVITIES

You own or operate UICs to manage stormwater. These UICs are individual point sources that discharge stormwater and other incidental fluids below the ground surface.

As provided under federal law, this is an *area permit*, which means it covers all private UICs for stormwater and incidental fluids at a single tax lot or multiple contiguous tax lots, or publically owned UICs within your jurisdiction. Until we revoke this permit or your coverage under this permit or until this permit expires, we authorize you to construct, install, modify, operate, or close (decommission) UICs in accordance with this permit. We also authorize you to discharge stormwater or other fluids specifically identified in this permit into UICs that are under your ownership or operation, or that you will construct, or that will be transferred to your ownership or operation while the permit is in effect, provided you conform to the requirements, limitations, and conditions described in the following schedules:

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Any other direct or indirect discharge of waste to waters of the state or to a UIC is prohibited, unless specifically authorized by this permit; by another DEQ permit, agreement, authorization, or order; or by Oregon state or administrative rule.

**SCHEDULE A
 CONTROL AND LIMITATION CONDITIONS**

- 1. Authorized Discharges.** You may discharge stormwater into your UICs in accordance with the conditions of this permit. You may also discharge the incidental non-stormwater fluids listed below into your UICs.
 - a. Water line flushing (excluding super-chlorinated discharges);
 - b. Landscape irrigation;
 - c. Uncontaminated groundwater infiltration;
 - d. Uncontaminated pumped groundwater;
 - e. Discharges from potable water sources;
 - f. Water from potable groundwater monitoring wells;
 - g. Draining and flushing of municipal potable water storage reservoirs;
 - h. Foundation drains;
 - i. Air conditioning condensate;
 - j. Springs;
 - k. Water from crawl space pumps that has not been contaminated with oils or other chemicals;
 - l. Footing drains;
 - m. Lawn watering;
 - n. Individual residential car washing;
 - o. Charity car washing, provided that chemicals, soaps, detergents, steam or heated water are not used, and washing is restricted to the outside of the vehicle (no engines, transmissions or undercarriages);
 - p. Other vehicle washing, in addition to paragraphs n and o above, provided that chemicals, soaps, detergents, steam or heated water are not used, and washing is restricted to the outside of the vehicle (no engines, transmissions or undercarriages);
 - q. De-chlorinated swimming pool and fountain discharges;
 - r. Street wash water, provided that street wash water is applied using best management practices that minimize debris and sediment entering the UIC. Washing any spill of any substance (including any oil or hazardous material as defined in Oregon Revised Statute 466.605) into any UIC is prohibited;
 - s. Routine external building wash-down and pavement wash waters provided that chemicals, soaps, detergents, steam or heated water are not used;
 - t. Discharges or flows from emergency fire-fighting activities provided you take precautions, to the extent practicable, to protect UICs during emergency fire-fighting activities, and clean the UIC system after the fire-fighting event if fluids from the fire fighting activities reach the UIC system. Wash down of spills of oil or hazardous materials into any UIC is prohibited;
 - u. Start-up flushing of groundwater wells; and
 - v. Other similar temporary discharges of uncontaminated water.

- 2. Action Levels.** The exceedance of a pollutant action level in Table 1 below requires you to take corrective action in accordance with Schedule A, condition 3.

TABLE 1—Pollutant Action Levels	
Pollutant	Action Level (ug/L)
Pentachlorophenol (PCP)	1.0
Total Lead	15

Note:
 ug/L = micrograms per liter

- 3. Action Level Exceedance.** The permittee must take corrective action if pollutant concentrations exceed the action levels in Table 1. Permittee must take the steps listed in paragraphs 3.a and 3.b below, and as many additional steps (3.c through 3.f) as are required to protect groundwater or to demonstrate that groundwater is protected. You must obtain written approval from DEQ that the action(s) you take in conditions 3.c through 3.e, and the schedule for taking the actions, are sufficiently protective of groundwater quality. Corrective actions include:

 - a. Identify the source(s) of the discharge that exceeds the action level(s);
 - b. When source identification efforts are complete, determine the set of UICs that require corrective action, based on the identified source(s) or other factors;
 - c. Assess whether best management practices need adjustment to eliminate or reduce influent concentrations and make appropriate, practicable changes;
 - d. Demonstrate that groundwater is protected through modeling or another approved approach;
 - e. Retrofit or implement singly or in combination a variety of passive, structural, or technological controls to reduce or eliminate pollutants to the UIC to provide protection; or
 - f. Decommission the UIC.

- 4. Spills.** Spills of oil and hazardous materials that impact UICs are subject to the emergency response requirements of ORS 466 and OAR 340-142. Emergency response actions must be taken as soon as practicable. As the UIC owner or operator, you must also:

 - a. Take corrective action in accordance with Schedule A, condition 5;
 - b. Take spill response measures in your Stormwater Management Plan, if a plan is required by Schedule D, condition 5; and
 - c. Clean the UIC system.

- 5. Endangerment and Prohibition of Fluid Movement.** If discharges from one or more UICs endanger human health or the environment or violate the prohibition of fluid movement standard, you must:

 - a. Inform us consistent with Schedule F.4.f; and
 - b. Take corrective action to eliminate any endangerment of health or the environment as defined in 42 USC 300h(d)(2) (see definitions). You must complete all corrective actions as soon as practicable. With the exception of initial spill response activities, DEQ must approve your work scope and schedule before corrective action begins. You must submit updates on your corrective action progress to us at least annually.

- 6. Source Control Measures and Best Management Practices.** With the exception of UICs used to drain roof-only runoff, you must implement and maintain source control measures and operational and structural best management practices to reduce or eliminate pollutants from entering UICs in accordance with OAR 340-040-0020(11). Structural best management practices must include devices that allow for separation of oil and settlement of solids. It is not a permit violation if UICs are not equipped with these devices at the time of permit issuance (as long as the lack of these structural best management practices does not violate another condition of the permit); however, DEQ must approve a schedule for implementation of structural best management practices at the time of permit issuance, and you must comply with this schedule. Stormwater entering the UIC must not be exposed to hazardous substances, toxic materials, or petroleum products. Your UIC designs or practices must allow you to block discharge into the UIC in the event of an accident, spill, or emergency fire-fighting activity. You must document these designs and practices, sample stormwater if necessary to verify that the designs and practices are effective, provide employee education (about spill risks, identification, prevention, and response) as necessary, visually inspect UICs on a regular interval, maintain UICs, and you must provide us with this documentation when we ask for it.

7. **Horizontal Setbacks.** If a UIC is located within the horizontal setbacks in Table 2, you must take the action identified in condition 7.a if it applies to your facility, and any additional actions identified in conditions 7.b through 7.d as required to protect groundwater quality or demonstrate that it is already protected. You must obtain written approval from DEQ that the action(s) you take in conditions 7.b through 7.d are sufficiently protective of groundwater quality. The actions include:

TABLE 2 – Horizontal Setbacks between Water Wells and Stormwater UICs	
Water Well Type	Horizontal Setback
Public Water Supply Well with a delineated Wellhead Protection Area	Two-year time-of-travel designated by the Oregon Health Authority
Public or Private Drinking Water or Irrigation Water Supply Well without a delineated Wellhead Protection Area	500 feet

- a. If hazardous substances, toxic materials as defined in OAR 340-044-0005(45), or petroleum products are handled at your facility and have the potential to drain to the UIC in the case of a spill, you must install structural spill control;
- b. Within one year of being assigned coverage under this permit, demonstrate that the UIC is protective of groundwater;
- c. Retrofit or implement singly or in combination a variety of passive, structural, or technological controls to reduce or eliminate pollutants to the UIC or provide protection; and
- d. Decommission the UIC.

**SCHEDULE B
 MONITORING AND REPORTING CONDITIONS**

1. **Inventory.** You must maintain a current inventory of your UICs that includes:
- a. A table with the following information for each UIC you own or operate:
 - i. DEQ UIC identification number, if the DEQ UIC identification number has been assigned;
 - ii. The name or number that you use to identify your UICs;
 - iii. Environmental Protection Agency well code;
 - iv. Latitude and longitude in decimal degrees using the NAD 83 datum;
 - v. UIC depth and diameter (if known);
 - vi. Best management practices and source controls in use (including structural spill control);
 - vii. An estimate of vehicle trips per day on the street or parking lot drained by the UIC;
 - viii. Whether the UIC discharges directly to groundwater;
 - ix. Whether the UIC is within the setback distances listed in Schedule A, condition 7. If a UIC is within the setback distance listed in Schedule A, condition 7, you must either cite the study that demonstrates your UIC is protective, or indicate the additional action identified in conditions 7.b through 7.d that you will take;
 - x. Whether the UIC is prohibited by OAR 340-044-0015(2), which includes UICs in vehicle maintenance areas, fuel dispensing areas, floor pits, non-vehicle maintenance facilities, floor drains, and fire station bay floor drains. For these prohibited systems, you must decommission the UICs as described in Schedule B, condition 3;
 - xi. Risk category;
 - xii. Interval for visually inspecting UICs (see Schedule A, condition 6); and
 - xiii. Interval for employee education (see Schedule A, condition 6).
 - b. A map showing:
 - i. Property boundary, site features and adjacent streets;
 - ii. Hazardous waste treatment, storage, or disposal facilities;
 - iii. The name or number that you use to identify your UICs;

- iv. Springs and surface water bodies within a quarter mile of the property boundary;
 - v. Two year time of travel zones and water wells with 500-foot buffers, if the time of travel zone or water well is located within a quarter mile of the property; and
 - vi. All industrial facilities and commercial properties that pose a risk of pollutant discharge to UICs that you own or operate that could affect groundwater quality or endanger health or the environment.
- 2. Stormwater Monitoring.** Stormwater monitoring is required if your UIC drains an industrial, commercial, municipal, or residential facility with parking lots and/or traffic areas handling an average of 1,000 or more vehicle trips per day; or your UIC drains an industrial, commercial or municipal facility that handles or stores hazardous substances, toxic materials, or petroleum products that could reach the UIC if a spill occurs:
- a. Stormwater monitoring must be conducted twice in the first full sampling year after the permit is assigned, and annually in subsequent sampling years. A stormwater sampling year is from July 1 to June 30 of the following year;
 - b. A total of one UIC or 5 percent of the UICs that you own or operate (whichever is greater) must be sampled, and sampling must focus on UICs within the Schedule A, Table 2 setbacks to water wells.
 - c. You must submit stormwater monitoring data to DEQ by November 1 of each year and document corrective actions that were taken or that you plan to take in response to any exceedance of Schedule A, Table 1 action levels, using a template provided by DEQ;
 - d. Stormwater sampling procedures (including monitored pollutants, sampling locations, sampling schedule, sample collection methods, and sample collection criteria), quality assurance/quality control (including criteria for selecting a laboratory, duplicates, blanks, and indicators), and reporting must be documented in an appendix to the Stormwater Management Plan, if required by Schedule D, condition 5.
- 3. UIC Decommissioning.** When you plan to close a UIC, you must decommission the UIC in accordance with OAR 340-044-0040, submit an updated inventory in accordance with Schedule B, condition 1, and pay required fees.
- 4. Reporting Installation of New UICs and Discovery of Existing UICs.** You must report new UICs that are constructed and existing UICs that are discovered or later acquired by submitting an updated inventory in accordance with Schedule B, condition 1, and paying required fees. The following timeframes apply to reporting:
- a. Construction of new UICs must be reported to us 30 calendar days before the UIC is constructed;
 - b. Discovery of a new UIC must be reported to us 30 calendar days after the UIC is discovered.
- 5. Best Management Practices.** Refer to Schedule A condition 6 for reporting requirements related to Best Management Practices.

SCHEDULE C SAFE DRINKING WATER ACT COMPLIANCE SCHEDULE

This permit does not require a Safe Drinking Water Act compliance schedule (see 40 CFR 144.53) if you do not own any UICs known to violate the Safe Drinking Water Act, state or federal underground injection control rules or regulations, or state groundwater quality protection rules, as you certified in your application.

SCHEDULE D SPECIAL CONDITIONS

- 1. Legal Authority.** If you are a municipality, you must adopt and maintain, through ordinance or other means, adequate legal authority to implement and enforce the provisions of this permit. At a minimum, the legal authority must enable you to:

 - a. Implement underground injection control system management activities, including construction, repair, maintenance, and decommissioning;
 - b. Prohibit discharge to an underground UIC that may cause a violation of the conditions of this permit from publicly or privately owned properties; and
 - c. Carry out all inspections, surveillance, and monitoring procedures necessary to determine compliance and noncompliance with the conditions of this permit.

- 2. Permittee Personnel Responsible for Permit.** You must notify us in writing of any changes to the key personnel positions and contact information responsible for establishing and maintaining compliance with all conditions of the permit included in your application. Contact information includes the employee's name, phone number, business section where the employee works, and the employee's area of responsibility for the permit.

- 3. Adaptive Management.** You must follow an adaptive management approach to assess annually, and modify as necessary, any or all existing source controls and best management practices to ensure that you minimize the amount of contamination that can affect the stormwater you are injecting. You must routinely assess the need to further improve groundwater quality and protect groundwater beneficial uses, and review available technologies and practices.

- 4. Rule Authorization.** This permit covers all UICs owned or operated by you, including those that have been previously rule authorized as well as those that do not meet the conditions for authorization by rule.

- 5. Stormwater Management Plan.** A written Stormwater Management Plan is required if your UIC drains an industrial, commercial, residential, or municipal facility with parking lots and/or traffic areas handling an average of 1,000 or more vehicle trips per day; or your UIC drains an industrial, commercial or municipal facility where hazardous substances, toxic materials, or petroleum products are used, handled or stored. The stormwater Management Plan must include:

 - a. Best management practices implemented at the facility for source control and treatment;
 - b. Spill prevention and spill response plans;
 - c. Maintenance procedures;
 - d. Employee education; and
 - e. Stormwater sampling procedures, quality assurance / quality control, and reporting.

- 6. Permit Shield.** Compliance with this permit constitutes compliance, for purposes of enforcement, with the UIC provisions of the federal Safe Drinking Water Act and OAR Chapter 340, Division 040 and 044. This provision, however, does not preclude modification, revocation and reissuance, or termination of this permit or coverage under this permit as authorized by applicable federal and state law.

SCHEDULE F GENERAL CONDITIONS

1. Standard Conditions.

- a. **Duty to Comply.** You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Safe Drinking Water Act, a violation of Oregon Revised Statutes (ORS) 468B.025, or is grounds for enforcement action. It is also grounds for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application; except that you need not comply with the provisions of this permit to the extent and for the duration such noncompliance is authorized in an emergency permit under 40 CFR 144.34.
- b. **Penalties for Violations of Permit Conditions.** ORS 468.140 allows us to impose civil penalties up to \$25,000 per day for each violation of a term, condition, or requirement of a permit. ORS 468.943 creates the criminal offense of unlawful water pollution in the second degree, for the criminally negligent violation of ORS chapter 468B or any rule, standard, license, permit or order adopted or issued under ORS chapter 468B. In some situations, violations of a term, condition or requirement of the permit may also be a criminal offense, specifically unlawful water pollution in the first degree (a felony) or unlawful water pollution in the second degree (a misdemeanor). [ORS 468.943 and ORS 468.946].
- c. **Duty to Mitigate.** You must take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit. You must take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. In addition, you must correct any adverse impact on the environment or human health or safety resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge.
- d. **Duty to Reapply.** If you wish to continue an activity regulated by this permit after the expiration date of this permit, you must apply for and have the permit registration renewed. In accordance with OAR 340-045-0040(1), you must submit the application at least 60 calendar days before the expiration date of this permit. We may grant you permission to submit an application less than 60 calendar days in advance of the permit expiration date. We will not grant permission for a renewal application that you submit later than the expiration date of the existing permit.
- e. **Permit Actions.**
 - i. We may modify, revoke and reissue, or terminate your coverage under this permit for cause including, but not limited to, the following:
 - (1) Violation. The violation of any term, condition, or requirement of this permit, or a related state rule or statute, or a federal regulation related to underground injection control for injection wells; or
 - (2) Misrepresentation. Obtaining this permit by misrepresentation or failure to disclose fully all material facts.
 - ii. You may request permit coverage revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, but this request does not stay the effectiveness of any permit condition.
- f. **Property Rights.** The issuance of this permit does not convey any property rights of any sort or any exclusive privileges.
- g. **Permit Reference.** All rules and statutes referred to in this permit are those in effect on the date we issue this permit, or the date we modify the permit to incorporate new provisions as provided in OAR 340-045-0055, whichever occurs later.
- h. **Penalties for False Information.** Under ORS 486.953, any person who supplies false information to us commits a Class C felony. Under OAR 340-012-0053(1)(b), providing us with false information is a Class 1 civil violation. Providing us with false information includes the following:
 - i. Falsifying, tampering with, or knowingly rendering inaccurate, any monitoring device or method required to be maintained under this permit;
 - ii. Making any false material statement, representation or certification knowing it to be false, in any application, notice, plan, record, report or other document required by any provision of ORS chapter 465, 466, 468, 468A or 468B or any rule adopted pursuant to ORS chapter 465, 466, 468, 468A or 468B;
 - iii. Omitting any material or required information, knowing it to be required, from any document described in paragraph (a) of this subsection; or
 - iv. Altering, concealing or failing to file or maintain any document described in paragraph (a) of this

subsection in knowing violation of any provision of ORS chapter 465, 466, 468, 468A or 468B or any rule adopted pursuant to ORS chapter 465, 466, 468, 468A or 468B.

- i. **Duty to Provide Information.** You must furnish to us, within a time specified, any information that we may request to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this permit, or to determine compliance with the permit. You must also furnish to us upon request, copies of records that this permit requires you to keep.
- j. **Need to Halt or Reduce Activity not a Defense.** It is not 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 the permit.

2. Operation and Maintenance.

- a. **Proper Operation and Maintenance.** You must at all times properly operate and maintain all facilities and systems of treatment and control (and related equipment) that you install or use to comply with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of a back-up or auxiliary facilities or similar systems only when necessary to comply with the conditions of the permit.
- b. **Removed Substances.** You must dispose of or otherwise manage any soil, gravel, sludge, liquids, or other materials removed from or adjacent to a UIC in accordance with 40 CFR 144.82(b).

3. Monitoring and Records. You must comply with monitoring requirements of 40 CFR 144.51(j) and this condition:

- a. Samples and measurements taken for monitoring must be representative of the monitored activity.
- b. **Records Contents.** Records of monitoring information that you must retain include:
 - i. The date, exact place, time and methods of sampling or measurements;
 - ii. The name(s) of the individual(s) who performed the sampling or measurements;
 - iii. The date(s) analyses were performed;
 - iv. The name(s) of the individual(s) who performed the analyses;
 - v. The analytical techniques or methods used;
 - vi. The results of such analyses;
 - vii. Calibration and maintenance records and all original strip chart recordings for continuous monitoring instruments, 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 10 years from the date of the sample, measurement, report, or application. We will consider extending this period if you request it;
 - viii. The nature and composition of all injected fluids until three years after completion of any plugging and decommissioning procedures; and
 - ix. We may require the owner or operator to deliver the records to us at the conclusion of the retention period.
- c. **Inspection and Entry.** You must allow us, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
 - i. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - ii. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - iii. Sample or monitor at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by the Safe Drinking Water Act or state law, any substances or parameters at any location.
- d. **Retention of Records.** You must retain records of all monitoring and maintenance information, including all field notes, calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, all analyses of the data generated, all reports required by this permit, and records of all data used to complete the application for this permit. You must keep them for a period of at least 10 years from the date of the sample, measurement, report, or application. You must make the records available to us upon request.

- 4. Reporting and Signatory Requirements.** You must comply with the reporting requirements of 40 CFR 144.51(j) and this condition:
- a. **Planned changes.** You must give us notice as soon as possible of any planned physical alterations or additions to the permitted facility.
 - b. **Anticipated noncompliance.** You must give us advance notice of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
 - c. **Anticipated Violations.** You must give us advance notice of any planned changes in the permitted facilities or activities that may result in violations of permit requirements.
 - d. **Transfers** This permit is not transferrable to any person except after giving us notice and meeting the conditions of OAR 340-045-0045. We may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the federal Safe Drinking Water Act (see 40 CFR 144.38; in some cases, modification or revocation and reissuance is mandatory).
 - e. **Compliance Schedule.** You must make compliance reports on all interim and final requirements contained in any compliance or implementation schedule included in this permit. The reports must explain the cause of any noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.
 - f. **Twenty-Four-Hour and Five-Day Reporting.** Unless a different compliance schedule and reporting requirements are otherwise noted in this permit, you must report any noncompliance that endangers health or the environment in accordance with 40 CFR 144.51(l)(6). You must provide any information of noncompliance that endangers health or the environment orally within 24 hours from the time you become aware of the circumstances. You must submit a written report within 5 days of the time you become aware of the circumstances. The written report must contain:
 - i. A description of the non-compliance and its cause, if known;
 - ii. the period of the noncompliance if known, including exact dates and times, and if the noncompliance has not been corrected,
 - iii. The anticipated time it is expected to continue; and
 - iv. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - g. **Other Noncompliance.** In accordance with 40 CFR 144.51(l)(7), you must report all instances of noncompliance not reported elsewhere in this Schedule at the time you discover them. The reports must contain the information listed in Schedule F.4.f.
 - h. **Other Information.** If you become aware that you failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to us, you must promptly submit such facts or information to us.
 - i. **Signatory Requirements.** All applications, reports or information submitted to us must be signed and certified as provided in of 40 CFR 144.32.