

**Permit # 05-24**  
**INDUSTRIAL WASTEWATER DISCHARGE PERMIT**  
**National Laundry Company**  
**700 Crescent Circle**  
**Great Falls, MT 59404**

In compliance with The Official Code of the City of Great Falls Title 13, Chapters 2 and 12, (herein referred to as the City Code) **National Laundry Company** (herein referred to as the Permittee) is hereby authorized by the City of Great Falls (herein referred to as the City or the Control Authority), to discharge wastewater to the sanitary sewer and the City Publicly Owned Treatment Works (herein referred to as the POTW) from the above identified facility, in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this Industrial Wastewater Discharge Permit (herein referred to as the Permit).

It is the Permittee’s duty to comply with all applicable Federal, State and local laws whether or not they are specifically incorporated in the permit. A violation in any of the terms of the permit constitutes a violation of the Official Code of the City of Great Falls (herein identified as the City Code) and will subject the Permittee to enforcement action.

It is the Permittee’s duty to reapply for renewal of this permit as required in Part IV H of this permit.

This permit shall become effective on **[DRAFT]** and shall expire at midnight on **[DRAFT]**.

Issued by the City of Great Falls

**DRAFT**  
 \_\_\_\_\_  
 Christoff Gaub, Director of Public Works Date

The contact information for the Control Authority is:

Industrial Pretreatment Program  
 City of Great Falls Public Works Department  
 P.O. Box 5021  
 Great Falls, MT 59403  
 406-727-8390

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**Part I Facility Information**

**A. General Facility Information**

**Industry Name:** National Laundry Company

**Industry Address:** 700 Crescent Circle, Great Falls, MT 59404

**Industry Contact:** Jim Simmons, President/General Manager

**Industrial Category:** SIC Code: 3582 – Commercial Laundry, Dry Cleaning, Pressing Machines  
NAICS Code: 812320 – Dry Cleaning and Laundry Services

**Wastewaters to be Discharged:** A. Domestic wastewater.

B. Process wastewater that meets the limits and conditions of this permit with adequate treatment to achieve compliance with a Pretreatment Standard or requirement.

**Wastewaters not to be Discharged:** Any process wastewater that exceeds the limits of this permit, does not meet the conditions of this permit or City Code, or does not conform to any applicable Federal, State or Local Regulation.

**B. Outfalls**

**Description and Location**

- **Outfall 001** is the connection of **permittee’s** private line and lift station to City manhole #2173.

**C. Monitoring Points**

**Final Monitoring Point**

Monitoring Point 001 (MP001) captures industrial wastewater from equipment drains and water re-use systems associated with laundry processing. Industrial wastewater is defined in Section 13.12.020 of the Official City Code of Great Falls.

- **Monitoring Point 001 (MP001)** MP001 is located in the overflow tank. A representative sample is collected via automatic sampler and grab samples.

**Part II Effluent Limitations**

**A. Special Effluent Limitations**

It shall be unlawful for the Permittee to discharge, deposit, cause, or allow to be discharged any waste or wastewater which fails to comply with the limitations imposed by this Permit.

**B. Dilution Prohibition**

Dilution is prohibited as a substitute for treatment and shall be a violation of this Permit. Except where expressly authorized to do so by an applicable Pretreatment Standard or requirement, Permittee shall not increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or requirement.

**C. Specific Effluent Limitations**

The wastewater discharged from the Permittee that is regulated by this Permit is subject to all local limitations outlined in the City Code, whether or not the constituent is listed in this Permit, and all applicable categorical standards. Effective upon permit issuance, the Permittee shall not discharge wastewater containing any of the parameters in excess of the listed maximums:

**Limits for Outfall 001**

Parameter	Limits <sup>1</sup>	Reference
Flow	0.088 MGD	Permit Rationale & Section 13.12.040.J OCCGF
BOD <sub>5</sub>	None <sup>2</sup>	Permit Rationale & Section 13.18.060 OCCGF
TSS	None <sup>2</sup>	Permit Rationale & Section 13.18.060 OCCGF
pH <sup>3</sup>	Greater than or equal to 5.5 S.U. Less than 12.5 S.U.	Section 13.12.030.B.2 OCCGF 40 CFR 403.13(p) and 40 CFR 261
Arsenic, Total	0.00413 lbs per day	Section 13.12.030.C.2 OCCGF & allocation calculations
Copper, Total	0.12273 lbs per day	Section 13.12.030.C.2 OCCGF & allocation calculations
Selenium, Total	0.00235 lbs per day	Section 13.12.030.C.2 OCCGF & allocation calculations
Cadmium, Total	0.052 mg/L	Section 13.12.030.C.2 OCCGF
Chromium, Total	1.621 mg/L	Section 13.12.030.C.2 OCCGF
Lead, Total	1.087 mg/L	Section 13.12.030.C.2 OCCGF
Mercury, Total	0.02 mg/L	Section 13.12.030.C.2 OCCGF
Nickel, Total	0.612 mg/L	Section 13.12.030.C.2 OCCGF
Silver, Total	0.314 mg/L	Section 13.12.030.C.2 OCCGF
Zinc, Total	2.183 mg/L	Section 13.12.030.C.2 OCCGF
Sulfide, Total	61.3 mg/L	Section 13.12.030.C.2 OCCGF

<sup>1</sup> All limits are daily maximum values unless specified otherwise.

<sup>2</sup> Surcharges are assessed for BOD<sub>5</sub> exceeding 200 mg/L and TSS exceeding 250 mg/L.

<sup>3</sup>No discharge shall occur with a pH lower than 5.5 s.u. Any pH discharge greater than or equal to 12.5 is subject to the hazardous waste reporting criteria required by 40 CFR 403.12(p) (1-4), section VI.B – Hazardous Waste Notification. This is an instantaneous limit.

**D. Surcharge Thresholds**

Parameter	Surcharge Thresholds (mg/L)
Biochemical Oxygen Demand (BOD)	200
Total Suspended Solids (TSS)	250

Sewer Extra Strength Charges shall be levied in accordance with the approved Utility Rate Schedule in effect at the time of the discharge. Billing will be based on monthly average concentration of each parameter and the total monthly discharge reported by the Permittee unless the Permittee has entered into an alternate agreement with the City for determining the monthly billing.

Permittee may choose to pay under the pretreatment sewer charges in accordance with the approved Utility Rate Schedule in effect at the time of the discharge.

**E. General Prohibitions**

The Permittee may not introduce into the POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in paragraph F of this section apply to every Industrial User introducing pollutants into the POTW whether or not the Industrial User is subject to other Pretreatment Standards or Requirements.

**F. Specific Prohibitions**

It shall be unlawful for the Permittee to discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system of the City any wastewater which contains the following:

1. Pollutants which create a fire or explosion hazard in the POTW. More specifically, the Permittee shall not discharge any wastestream with a closed cup flashpoint of less than sixty (60) degrees Celsius (140 degrees Fahrenheit) using the test methods specified in 40 CFR Section 261.21. The Director may require Industrial Users with the potential to discharge flammable, combustible or explosive substances to install and maintain an approved combustible gas detection meter or explosion hazard meter. No two successive readings on an explosion hazard meter at the point of discharge shall be more than five percent (5%), nor any one reading more than ten percent (10%), of the Lower Explosive Limit (LEL) of the meter.
2. Pollutants which will cause corrosive structural damage to the POTW but in no case discharges with pH lower than pH 5.5.
3. Solid or viscous substances which may cause obstruction in the sewage system or otherwise cause Interference to the POTW.
4. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause Pass Through or Interference with the POTW.
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 Treatment Plant exceeds forty (40)°C (one hundred four (104) °F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.
6. Stormwater drainage from ground resulting in Infiltration and Inflow (I&I) through the Permittee's service line(s), surface, roof drains, catch basins, unroofed area drains (e.g. commercial car washing facilities) or any other source unless otherwise approved by the Director. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No person shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.
7. A Slug Discharge as defined in Section 13.12.020.A of City Code.
8. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Pass Through or Interference.
9. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute health and safety hazards for employees of the City employed at the POTW.
10. Trucked or hauled pollutants except as authorized by the Director and only at discharge points designated by the Director.
11. Any water or waste which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two (32) degrees Fahrenheit (32° F. or 0° Celsius) and one hundred fifty (150) degrees Fahrenheit (150° F or 65.5° Celsius) and cause or contribute to Interference or Pass Through.
12. Any pollutant directly into a manhole or other opening in the POTW unless specifically authorized by the City or as otherwise permitted under Title 13, Chapter 12 of the Official Code

of the City of Great Falls. Prohibited is the opening of a manhole or discharging into any opening in violation of Title 13, Chapter 12 of City Code.

13. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City in compliance with applicable state or federal regulations.
14. Liquid wastes from chemical toilets, and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.

### **Part III Monitoring and Reporting Requirements**

#### **A. Sample Collection**

Compliance determinations with respect to prohibitions and limitations in Title 13, Chapter 12 of City Code may be made on the basis of either grab or composite samples of wastewater as specified by the City. Such samples shall be taken at a point or points which the City determines to be suitable for obtaining a representative sample of the discharge. Composite samples may be taken over a twenty-four (24) hour period, or over a longer or shorter time span, as determined by the City to meet specific circumstances.

#### **B. Sample Type**

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, and based on data that is representative of conditions occurring during the reporting period.

1. Except as indicated in subparagraphs 2 and 3 below, the Permittee must collect representative wastewater samples using 24-hour flow proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is required by the City. All samples must be representative of the permitted discharge.
2. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Compositing samples for other parameters unaffected by the compositing procedures as documented in 40 CFR Part 136 may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with instantaneous local limits, including pH.
3. For sampling required in support of Baseline Monitoring Reports and 90-Day Compliance Reports required in Section 13.12.080 of City Code, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities for which historical representative sampling data do not exist. Where historical data are available, the City may authorize a lower minimum. For the reports required by Section 13.12.080 of City Code and by this permit, the Permittee is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

#### **C. Analytical Requirements**

All pollutant analysis, including sampling techniques, to be submitted as part of a Permit requirements shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other

applicable sampling and analytical procedures, including procedures suggested by the City or other parties approved by the EPA.

**Final Self-Monitoring for Monitoring Point 001 (MP001)**

<b>Parameter</b>	<b>Unit of Measurement</b>	<b>Frequency</b>	<b>Sample Type</b>
Flow Rate	gpd	Continuous	Metered
pH	S.U.	Continuous	Metered
Biochemical Oxygen Demand(BOD <sub>5</sub> )	mg/L lbs/day	2/month	Composite
Total Suspended Solids (TSS)	mg/L lbs/day	2/month	Composite
Oil & Grease, Total Recoverable	mg/L	2/month	Grab
Arsenic, Total	mg/L	2/year	Composite
	lbs/day	2/year	Composite
Copper, Total	mg/L	2/year	Composite
	lbs/day	2/year	Composite
Selenium, Total	mg/L	2/year	Composite
	lbs/day	2/year	Composite
Cadmium, Total	mg/L	2/year	Composite
Chromium, Total	mg/L	2/year	Composite
Lead, Total	mg/L	2/year	Composite
Mercury, Total	mg/L	2/year	Composite
Nickel, Total	mg/L	2/year	Composite
Silver, Total	mg/L	2/year	Composite
Zinc, Total	mg/L	2/year	Composite
Sulfide, Total	mg/L	2/year	Grab
Ammonia, as N	mg/L	2/year	Composite
Nitrogen, Total	mg/L	2/year	Composite
Nitrogen, Nitrate+Nitrite as N	mg/L	2/year	Composite
Nitrogen, Kjeldahl, Total as N	mg/L	2/year	Composite
Phosphorus, Total as P	mg/L	2/year	Composite
Cyanide, Total	mg/L	Annually	Composite
Total Phenols	mg/L	Annually	Grab

1. Submit proof of wastewater meter annual calibration.
2. Continuously monitor pH using meter. Report daily minimum, maximum, and average results in tabular format as part of monthly DMRs. Submit proof of pH meter annual calibration.
3. Twice per year sampling for metals shall be completed during the first and third quarters or the second and fourth quarters.
4. See Special Condition C. for additional monitoring requirements for the laundering of shop towels and printer towels.

**D. Sampling Performed in Excess of Minimum Frequencies**

If the Permittee monitors any regulated pollutant at the appropriate sampling location more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the parameters. Such increased frequency shall also be indicated.

**E. Recordkeeping**

1. The Permittee shall retain, and make available for inspection and copying, all records, reports, monitoring or other data, applications, permits and all other information and documentation required by Title 13, Chapter 12 of City Code including documentation associated with Best Management Practices.
2. Such records shall include for all samples:
  - a. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
  - b. The dates analyses were performed;
  - c. Who performed the analyses;
  - d. The analytical techniques/methods use; and
  - e. The results of such analyses.

**F. Records Retention**

The Permittee shall retain such records and shall keep such records available for inspection for at least three (3) years. This recordkeeping period shall be extended automatically for the duration of any litigation concerning the Permittee's compliance with any provision of Title 13, Chapter 12 of City Code, or when the Permittee has been specifically and expressly notified of a longer records retention period by the Director.

**G. Signatory Certification**

All reports and other submittals required to be submitted to the City shall include the following statement and signatory requirements.

1. The Authorized Representative of the Industrial User signing any application, questionnaire, report or other information required to be submitted to the City must sign and attach the following certification statement:

"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 ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or the 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 a fine and imprisonment for knowing violations."
2. If the Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements provided in the definition of Authorized Representative of the Industrial User (Section 13.12.020 of City Code) must be submitted to the City prior to or together with any reports to be signed by an authorized representative.
3. Reports, if mailed, shall be addressed to the Control Authority at the following address:

Industrial Pretreatment Program  
City of Great Falls Public Works Department  
P.O. Box 5021  
Great Falls, MT 59403



4. Reports may be hand delivered to the Control Authority at the following address:  
City of Great Falls Public Works Department  
Administration Building  
1005 25th Avenue Northeast  
Great Falls MT 59404

## H. Reporting Requirements

Compliance reports containing the following information shall be submitted monthly unless otherwise specified in Part III of this permit. The reports are due on or before the 28th day of the month following the reporting period. The report must be postmarked or received (if hand delivered) by the City on or before the due date.

1. Concentrations and measurements of all parameters for which there are self-monitoring requirements shall be submitted. Legible copies of completed chain-of-custody (COC) forms, and laboratory analytical reports for all samples analyzed by a contract laboratory shall be included.
2. Daily average (average gallons per discharge day) and total monthly flows (gallons) reported for each month in the reporting period from Outfall 001 shall be submitted. The City may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
3. pH during the reporting period shall be submitted per Part III Monitoring and Reporting Requirements and Part V Special Conditions, if applicable. Each pH violation must be reported separately with an explanation for the violation.
4. If no discharge occurs during the reporting period, "no discharge" shall be reported in lieu of the requirements listed above for each calendar month during which no discharge occurred.
5. All reports and other documents required by this permit shall follow the signatory requirement outlined in Part III. G of this permit.
6. All wastewater samples must be representative of the Permittee's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an Industrial User to keep its monitoring facility in good working order shall not be grounds for the Industrial User to claim that the sample results are unrepresentative of its discharge.
7. The sampling and analyses required for the reporting outlined above may be performed by the City in lieu of the Permittee. Where the City itself makes arrangements with the Permittee to collect all the information required for the report, the Permittee will not be required to submit the report.
  - a. If the Permittee monitors any regulated pollutant at the permitted sampling location more frequently than required by this permit, the Permittee shall use approved analytical methods and the results of such monitoring shall be reported on the monthly DMR.
8. Within 90 days following the date for final compliance with applicable Categorical Pretreatment Standards or in the case of a New Source following commencement of the introduction of wastewater into the POTW for which the Permittee reports a discharge, new Industrial Users subject to Categorical Pretreatment Standards are required to provide the report as described in 40 CFR 403.12 (d), which are listed below.
  - a. The Industrial User shall submit the measured average daily and maximum daily flow in gallons per day to the POTW from regulated process wastestreams other streams as necessary to allow the use of the combined wastestream formula in 40 CFR 403.6 (e). The Control Authority may allow for verifiable estimates of these flows where justified by cost of feasibility.
  - b. The Industrial User shall identify the pretreatment standards applicable to each regulated process.
  - c. The Industrial User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the standard or Control Authority) of regulated pollutants in the discharge from each regulated process. Both daily

maximum and average concentration (or mass where required) shall be reported. Samples shall be representative of daily operations. In cases where the standard requires compliance with a Best Management Practice or pollution prevention alternative, the Industrial User shall submit the documentation as required by the Control Authority or the applicable Standards to determine compliance with the Standard.

- d. The Industrial User shall take a minimum of one representative sample to compile the data necessary to comply with the requirements of this section.
- e. Samples shall be taken immediately downstream from pretreatment facilities if such exists or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the Industrial User should measure the flows and concentrations necessary to allow the use of the combined wastestream formula in 40 CFR 403.6 (e) this adjusted limit along with supporting data shall be submitted to the control authority.
- f. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto. Where 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question or where the EPA determines that the parts 136 sampling and analytical are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures including procedures suggested by the POTW or other parties approved by the EPA.
- g. The 90-day compliance report shall indicate the time, date and place of sampling and methods of analysis and shall certify that such sampling and analysis is representative or normal work cycles and expected pollutant discharges to the POTW.
- h. A statement reviewed by the Authorized Representative of the Industrial User and certified to by a qualified professional, indicating whether pretreatment standards are being met on consistent basis, and, if not, whether additional operation and maintenance and/or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and requirements.
- i. If additional pretreatment and/or operation and maintenance is required to meet the Pretreatment Standards, the completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.
- j. Where the Industrial User's categorical Pretreatment Standard has been modified by a removal allowance (§403.7), the combined wastestream formula (§403.6 (e)) and/or a fundamentally different factors variance (§403.13) and after the Industrial User submits the report required by this section, the information required by paragraphs i and j of this section, shall be submitted by the user to the control authority within 60 days after the modified limit is approved.
- k. For CIUs subject to equivalent mass or concentration limits established by the POTW [40 CFR 403.6(c)], the report must contain a reasonable measure of the IU's long-term production rate. For CIU subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or another measure of operation), the report must include the IU's actual production during the appropriate sampling period.

#### **I. 24 Hour Notice and 30 Day Re-sampling**

If sampling performed by the Permittee indicates a violation of Title 13, Chapter 12 of City Code, the Permittee shall notify the City within 24 hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the City within thirty (30) days after becoming aware of the violations. The certification statement in section III G 1 shall be

submitted with the results of the repeat analysis The Permittee is not required to resample if the following occurs:

1. The City performs sampling at the Permittee's facility at a frequency of at least once per month.
2. The City performs sampling at the Permittee's facility between the time when the Permittee performs its initial sampling and the time when the Permittee receives the results of this sampling. It is the sole responsibility of the Permittee to verify if the City has performed this sampling.

**J. Notification of the Discharge of Hazardous Waste**

1. The Permittee shall notify the City, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261. Such notification to the City shall be made within the appropriate time frames specified in Section 13.12.080 paragraphs F, H, and L of City Code.

Such notification must include:

- a. The name of the hazardous waste as set forth 40 CFR Part 261;
  - b. The EPA hazardous waste number;
  - c. The type of discharge (continuous, batch, or other);
  - d. An identification of the hazardous constituents contained in the wastes;
  - e. An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month;
  - f. An estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months;
  - g. Certification that the Permittee has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical; and
  - h. Signatory certification as required by Part III. G of this permit.
2. The Permittee shall notify the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of the discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261 and meets the reporting criteria specified at 40 CFR 403.12(p). Notification to the State and EPA is the responsibility of the Permittee and shall be made as required under 40 CFR §403.12(p). The Permittee shall copy the City on all notifications made to the State and EPA.
  3. This provision does not create a right to discharge any substance not otherwise allowed to be discharged by Title 13, Chapter 12 of City Code, a permit issued hereunder, or any applicable federal or state law.

**K. Change in Discharge or Operations**

1. The Permittee shall file a notification to the City a minimum of fourteen (14) days prior to any planned significant change in operations or wastewater characteristics. A significant change shall be a change equal to or greater than twenty (20) percent in the mass of a pollutant or volume of flow discharged to the POTW. In addition, this notification shall include:
  - a. Adding or removing processing, manufacturing or other production operations.
  - b. New substances used which may be discharged.
  - c. Changes in the listed or characteristic hazardous waste for which the Permittee has submitted or is required to submit information to the City as required by paragraph J above, Title 13, Chapter 12 of City Code and 40 CFR Section 403.12(p) as amended.
  - d. The certification statement in section III G 1.

**L. Accidental Discharge Report**

1. In the case of any discharge, including, but not limited to, spills, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a slug discharge or a discharge

that may cause potential problems of the POTW, the Permittee shall notify the City of the incident immediately. The Control Authority must be notified by telephone at 727-8390. The notification shall include:

- a. Name of the facility.
  - b. Location of the facility.
  - c. Name of the caller.
  - d. Date and time of the discharge.
  - e. Date and time discharge was halted.
  - f. Location of discharge.
  - g. Estimated volume of the discharge.
  - h. Estimated concentration of pollutants in the discharge.
  - i. Corrective actions taken to halt the discharge.
  - j. Method of disposal, if applicable.
2. All instances of accidental discharge shall be followed up with a written report. This report shall be mailed within five (5) days of the discharge. The report shall contain the following as found in 40 CFR 403.16 (c) (3) and City Code:
    - a. A description of the accidental discharge, upset, slug; the cause; and the impact on the Permittee's compliance status. The description should also include the location of the discharge, type, concentration, and volume of waste.
    - b. Duration of noncompliance, including exact dates and times of noncompliance. If the noncompliance continues, the time by which compliance is reasonably expected to occur.
    - c. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of noncompliance.
    - d. The reporting certification statement signed by an authorized representative:
  3. Notification shall not relieve the Permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the Permittee of any fines, penalties, or other liability which may be imposed by the City Code, or other applicable law.

## **Part IV General Conditions**

### **A. Right of Entry**

1. Whenever it shall be necessary for the purposes of Title 13, Chapter 12 of City Code, the City may enter upon any Industrial User's facility, property, or premises subject to Title 13, Chapter 12 of City Code that is located or conducted or where records are required to be kept for the purposes of:
  - a. Performing all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users, compliance or noncompliance with applicable Pretreatment Standards and Requirements by an Industrial User including the taking of photographs. Compliance monitoring and inspection shall be conducted at a frequency as determined by the City and may be announced or unannounced;
  - b. Examining and copying any records required to be kept under the provisions of Title 13, Chapter 12 of City Code;
  - c. Inspecting any monitoring equipment or method, pretreatment system equipment and/or operation;
  - d. Sampling any discharge of wastewater into POTW; and/or

- e. Inspecting any production, manufacturing, fabricating or storage area where pollutants, regulated under Title 13, Chapter 12 of City Code, could originate, be stored, used, or be discharged to the POTW.
2. The occupant of such property or premises shall render all proper assistance in such activities. Where an Industrial User has security measures in place which require proper identification and clearance before entry into its premises, the Industrial User shall make necessary arrangements with its security personnel so that authorized representatives of the City will be permitted to enter without delay to perform their specified functions.
3. The Director and other duly authorized agents and employees of the City are entitled to enter all private properties through which the City holds an easement.

#### **B. Compliance with Permit**

Compliance with this Permit does not relieve the Permittee of its obligation to comply with any and all applicable pretreatment regulations, standards, or requirements under local, State, and Federal laws whether or not they are specifically incorporated in this Permit, including any such regulations, standards, requirements, or laws that may become effective during the term of this Permit. The POTW is a domestic sewage treatment facility; industrial waste is accepted only when such waste is deemed acceptable to the POTW. This Permit is issued to the Permittee for specific activities at the above permitted address.

#### **C. State and Federal Requirements**

Nothing in the permit shall relieve the Permittee of the responsibility to meet the requirements of any applicable State or Federal regulations.

#### **D. Confidential Information-Disclosure of Information and Availability to the Public**

1. All records, reports, data or other information supplied by any person or Industrial User as a result of any disclosure required by Title 13, Chapter 12 of City Code, or information and data from inspections shall be available for public inspection, except as otherwise provided in this Section, 40 CFR Section 403.14 and the Montana Open Records Law (Mont. Code Ann. Section 2-6-401 et. seq.)
2. These provisions shall not be applicable to any information designated as a trade secret by the person supplying such information. Materials designated as a trade secret may include, but shall not be limited to processes, operations, style of work or apparatus, or confidential commercial or statistical data. Any information and data submitted by the Permittee which is desired to be considered a trade secret shall have the words, "Confidential Business Information," stamped on each page containing such information. The Permittee must demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the Permittee.
3. Information designated as a trade secret pursuant to this Section shall remain confidential and shall not be subject to public inspection. Such information shall be available only to officers, employees or authorized representatives of the City charged with implementing and enforcing the provisions of Title 13, Chapter 12 of City Code and properly identified representatives of the U.S. Environmental Protection Agency and the Montana Department of Environmental Quality.
4. Effluent data from any Industrial User whether obtained by self-monitoring, monitoring by the City or monitoring by any State or Federal agency, shall not be considered a trade secret or otherwise confidential. All such effluent data shall be available for public inspection.

#### **E. Permit Modification**

The City may modify an Industrial Discharge Permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised federal, state, or local Pretreatment Standards or Requirements;
2. To address significant alterations or additions to the Permittee's operation, processes, or wastewater volume or character since the time of the Industrial Discharge Permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the POTW, City personnel, or the receiving waters;
5. Violation of any terms or conditions of the Industrial Discharge Permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the Industrial Discharge Permit application or in any required reporting; or
7. To correct typographical or other errors in the Industrial Discharge Permit.

#### **F. Permit Revocation**

A violation of the conditions of a permit or of Title 13, Chapter 12 of City Code or of applicable state and federal regulations shall be reason for revocation of such permit by the City. Upon revocation of the permit, any wastewater discharge from the affected Industrial User shall be considered prohibited and in violation of Title 13, Chapter 12 of City Code. Grounds for revocation of a permit include, but are not limited to, the following:

1. Failure of an Industrial User to accurately disclose or report the wastewater constituents and characteristics of their discharge;
2. Failure of the Industrial User to report significant changes in operations or wastewater constituents and characteristics;
3. Refusal of access to the Industrial User's premises for the purpose of inspection or monitoring;
4. Falsification of records, reports or monitoring results;
5. Tampering with monitoring equipment;
6. Violation of conditions of the permit;
7. Misrepresentation or failure to fully disclose all relevant facts in the Industrial Discharge Permit application;
8. Failure to pay fines or penalties;
9. Failure to pay sewer charges;
10. Failure to pay permit and sampling fees; or
11. Failure to meet compliance schedules.

#### **G. Transfer Prohibited**

Industrial Discharge Permits are issued to a specific Industrial User for a specific operation. An Industrial Discharge Permit shall not be reassigned or transferred or sold to a new owner, new Industrial User, different premises, or a new or changed operation without the prior written approval of the City. Any succeeding owner or Industrial User shall also comply with the terms and conditions of the existing permit until a new permit is issued.

#### **H. Application for Permit Renewal**

A Permittee with an expiring Industrial Discharge Permit shall apply for a new permit by submitting a complete permit application at least ninety (90) days prior to the expiration of the Permittee's existing discharge permit. The Permittee shall file a permit application on forms provided by the City containing the information specified in the application. A Permittee with an existing permit that has filed a complete and timely application may continue to discharge as approved by the City through an administrative extension of the existing permit.

**I. Pretreatment and Monitoring Facilities**

An industrial user shall provide necessary wastewater treatment, monitoring and/or equalization facilities as required to comply with Title 13, Chapter 12 of City Code and shall achieve compliance with all Pretreatment Standards and Requirements within the time limitations specified by EPA, the state, or the City, whichever is more stringent. Any facilities required to pretreat or monitor wastewater to a level acceptable to the Director shall be provided, operated and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Director for review and shall be acceptable to the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of Title 13, Chapter 12 of City Code. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Director prior to the industrial user's initiation of the changes.

**J. Prohibition of Bypass**

1. For the purposes of this section:
  - a. Bypass means the intentional diversion of wastestreams from any portion of the Permittee's treatment facility.
  - b. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes 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.
2. Bypass not violating applicable Pretreatment Standards or Requirements. The Permittee may allow any bypass to occur which does not cause Pretreatment Standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs 3. and 4. of this section but are reportable under Section 13.12.080.L.
3. Notice
  - a. If the Permittee knows in advance of the need for a bypass, it shall submit prior notice to the Director, if possible, at least ten (10) days before the date of the bypass.
  - b. The Permittee shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Director within twenty four (24) hours from the time the Permittee becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the Permittee becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Director may waive the written report on a case-by-case basis if the oral report has been received within twenty four (24) hours.
4. Prohibition of Bypass
  - a. Bypass is prohibited, and the Director may take enforcement action against the Permittee for a bypass, unless;
    - i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - ii. 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 preventative maintenance; and  
 iii. The Permittee submitted notices as required under paragraph 3 of this Section.

- b. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three (3) conditions listed in paragraph 4.a. of this Section.

## **K. Upset Provisions**

1. For the purposes of this Section, 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 Permittee. Upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. Effect of an upset  
 An Upset shall constitute an affirmative defense to an action brought for noncompliance with categorical Pretreatment Standards if the requirements of paragraph 3 are met.
3. Conditions necessary for a demonstration of upset A Permittee who wishes to establish the affirmative defense of Upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and the Permittee can identify the cause(s) of the upset;
  - b. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures;
  - c. The Permittee has submitted the following information to the Director within twenty-four (24) hours of becoming aware of the Upset (if this information is provided orally, a written submission must be provided within five (5) days):
    - i. A description of the Indirect Discharge and cause of noncompliance;
    - ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
    - iii. Steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.
4. Burden of proof  
 In any enforcement proceeding the Permittee seeking to establish the occurrence of an Upset shall have the burden of proof.
5. User responsibility in case of Upset  
 The Permittee shall control production of all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

## **L. Compliance and Enforcement**

1. Enforcement Response Plan  
 The City may adopt policies and procedures as set forth in the City's Enforcement Response Plan for carrying out the provisions of this permit, provided that such policies and procedures are not in conflict with this permit or any applicable state or federal law or regulation.
2. Publication of Industrial Users in Significant Noncompliance  
 The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Significant Industrial Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance as defined in Section 13.12.020 of City Code with applicable Pretreatment



Standards and Requirements. In addition, any Industrial User found to be in Significant Noncompliance with paragraphs 3, 4, or 8 as shown in the definition of Significant Non-Compliance shall also be published in the newspaper.

3. Administrative Enforcement Actions

a. Notice of Violation (NOV)

When the City finds that an Industrial User has violated, or continues to violate, any provision of Title 13 Chapter 12 of City Code, an Industrial Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may serve upon the Industrial User a written Notice of Violation. Within five (5) working days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction of prevention thereof, to include specific required actions, shall be submitted by the Industrial User to the City. The Industrial User may also request a meeting with the Director to present further information and explanation. Submission of such a plan in no way relieves the Industrial User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the City to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

b. Suspension of Service

The City, through the Director of Public Works, may suspend water service and/or wastewater treatment service and/or revoke an Industrial Discharge Permit (Section 13.12.050.K of City Code) when such revocation is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes Pass Through or Interference or causes the City to violate any condition of its MPDES Permit.

Any person notified of a suspension of the water service and/or wastewater treatment service and/or the Industrial Discharge Permit shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to individuals or the environment. The City may reinstate the Industrial Discharge Permit, water service and/or the wastewater treatment service upon proof of the elimination of the non-complying discharge.

c. Administrative Compliance Order

When the City finds that an Industrial User has violated, or continues to violate, any provision of Title 13, Chapter 12 of City Code, an Industrial Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may issue an order to the Industrial User responsible for the discharge directing that the Industrial User come into compliance within a specific time. If the Industrial User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the Industrial User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the Industrial User.

d. Consent Orders

The City may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any Industrial User responsible for

noncompliance. Such documents shall include specific actions to be taken by the Industrial User to correct the noncompliance within a time period specified by the document. A consent order may include penalties, supplemental environmental projects, or other conditions and requirements as agreed to by the City and the Industrial User.

- e. Show Cause Hearing
    - i. The City may order any Industrial User who causes or allows an unauthorized discharge to enter the POTW to show cause before an ad hoc committee appointed by the City Manager why the proposed enforcement action should not be taken. A notice shall be served on the Industrial User specifying the time and place of a hearing to be held by the ad hoc committee regarding the violation, the reasons why the proposed action is to be taken, and directing the Industrial User to show cause before the ad hoc committee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or be registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation or other Authorized Representative of the Industrial User.
    - ii. At any hearing held pursuant to Title 13, Chapter 12 of City Code, testimony taken must be under oath and recorded. The transcript of testimony will be made available to any member of the public and any party to the hearing upon payment of charges for the preparation thereof. The hearing may be suspended or continued at the discretion of the presiding officer, provided that all evidence is received and the hearing is closed within sixty (60) days after it is commenced.
    - iii. After the ad hoc committee has reviewed the evidence, it shall issue an order to the Industrial User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate to correct the violation may be issued.
  - f. Administrative Fines
    - i. When the City finds that an Industrial User has violated, or continues to violate, any provision of Title 13, Chapter 12 of City Code, an Industrial Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may fine such Industrial User in an amount not to exceed \$1,000 per day per violation. Such fines shall be assessed on a per-violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
    - ii. A lien against the Industrial User's property shall be sought for unpaid charges, fines, and penalties.
    - iii. A Permittee desiring to appeal such fines must file a written request for the City to reconsider the fine along with full payment of the fine amount within fifteen (15) days of being notified of the fine. Such notice or appeal shall set forth the nature of the order or determination being appealed, the date of such order or determination, the reason for the appeal, and request a hearing pursuant to procedures outlined in Section 13.12.100.C.5 of City Code.
    - iv. Issuance of an administrative fine shall not be a bar against, or prerequisite for, taking any other action against the Industrial User.
4. Judicial Enforcement Remedies
    - a. Injunctive Relief

When the City finds that an Industrial User has violated, or continues to violate, any provision of Title 13, Chapter 12 of City Code, an Industrial Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may

petition the District Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Industrial Discharge Permit, order, or other requirement imposed by Title 13, Chapter 12 of City Code on activities of the Industrial User. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the Industrial User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against an Industrial User.

b. Civil Penalties

- i. An Industrial User who has violated, or continues to violate, any provision of Title 13, Chapter 12 of City Code, an Industrial Discharge Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty not to exceed \$1,000 per day per violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of violation.
- ii. The City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- iii. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the Industrial User's violation, corrective actions by the Industrial User, the compliance history of the Industrial User, and any other factor as justice requires.
- iv. Actions for civil penalties shall be civil actions brought in the name of the City. The City must prove alleged violations by a preponderance of the evidence.
- v. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against an Industrial User.

c. Civil Fine Pass Through

In the event that an Industrial User discharges such pollutants which cause the City to violate any condition of its MPDES permit and the City is fined by EPA or the State for such violation, then such Industrial User shall be fully liable for the total amount of the fine and/or supplemental environmental project that results from such action by EPA and/or the State.

d. Criminal Prosecution

An Industrial User who purposely, knowingly or negligently violates any provision of Title 13, Chapter 12 of City Code or willfully, negligently introduces any substance into the POTW which causes personal injury or property damage or knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed or required to be maintained an Industrial Discharge Permit or order issued hereunder, or any other Pretreatment Standard or Requirement, shall upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$1,000 per day per violation and be subject to imprisonment for not more than six (6) months, or both. In addition, these penalties may be sought for any person who maliciously, willfully, or negligently breaks, destroys, uncovers, defaces, tampers with, or otherwise destroys, or who prevents access to, any structure, appurtenance or equipment, or any part to the POTW.

5. Remedies Nonexclusive

The remedies provided for in Title 13, Chapter 12 of City Code are not exclusive of any other remedies that the City may have under the provisions of Montana law. The City may take any, all, or any combination of these actions against a noncompliant Industrial User. Enforcement of pretreatment violations will generally be in accordance with the Enforcement Response Plan.

However, the City may take other action against any Industrial User when the circumstances warrant and may take more than one enforcement action against any noncompliant Industrial User.

6. **Public Nuisance**

Any violation of Title 13, Chapter 12 of City Code, a wastewater discharge permit, or any order issued pursuant to Title 13, Chapter 12 of City Code, is hereby declared a public nuisance and may be corrected or abated by the Director or his designee. Any person creating such a public nuisance may be subject to the provisions of the Great Falls Municipal Code governing nuisances, including the provisions requiring reimbursement to the City for its costs of abatement. Action taken by the City to abate any nuisance shall not be a bar to criminal or other civil enforcement of City Code. The Director may initiate, on behalf of the City, an action in any court of competent jurisdiction concerning the abatement of any public nuisance created or caused by a violation of Title 13, Chapter 12 of City Code. In any such action, the Director may request any legal or equitable relief, including injunctive relief and civil damages, as provided by applicable law.

**M. Severability**

The provisions of this Permit are severable. 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.

**Part V Special Conditions**

**A. Best Management Practices**

No specific Pretreatment Requirements and Best Management Practices are required at this time.

**B. Sewer Meter Accuracy**

The Permittee shall annually determine the accuracy of the sewer flow meter. Documentation of annual calibration shall be forwarded to the City with the next Discharge Monitoring Report (DMR).

**C. Compliance Schedule**

Submittal of additional documentation and completion of system modifications are required as part of the following compliance schedule:

1. Compliance must be achieved **within 60 days of the effective date of the permit:**
  - a. Submit product information and installation plans to the City for proposed flow meter and pH meter for City's review.
2. Compliance must be achieved within **120 days of the effective date of the permit:**
  - a. Install a flow meter at Outfall 001 in accordance with Section 13.12.040.J of City Code.
  - b. Install a pH meter at Outfall 001 in accordance with Section 13.12.040.I of City Code.

**D. Slug Control Plan:**

A Slug Control Plan is not required at this time. If the City determines that a Slug Control Plan is necessary in the future, the Permit may be modified.

**E. Sampling Requirement for Laundering Shop Towels and or Printer Towels**

If The National Laundry Company starts laundering shop towels and/or printer towels, the following monitoring requirements shall be in effect. Permittee shall sample for the following parameters once per month for the first three months and then once per quarter thereafter. After four sampling events The National Laundry Company may make a written request to the City to decrease the sampling frequency to

twice yearly. The city will determine based on the analytical results, if a reduction in sampling is justified and the City may implement the change in sampling frequency.

Parameters	Units	Sample Type
Arsenic, Total Recoverable	µg/L	Composite
Copper, Total Recoverable	µg/L	Composite
Selenium, Total Recoverable	µg/L	Composite
Thallium, Total Recoverable	µg/L	Composite
Aluminum, Dissolved	µg/L	Composite
Antimony, Total Recoverable	µg/L	Composite
Beryllium, Total Recoverable	µg/L	Composite
Cadmium, Total Recoverable	µg/L	Composite
Chromium, Total Recoverable	µg/L	Composite
Lead, Total Recoverable	µg/L	Composite
Mercury, Total Recoverable	µg/L	Composite
Nickel, Total Recoverable	µg/L	Composite
Silver, Total Recoverable	µg/L	Composite
Zinc, Total Recoverable	µg/L	Composite
Cyanide, Total Recoverable	µg/L	Grab
Total Phenols	µg/L	Grab
Bromodichloromethane	µg/L	Composite
Chloroform	µg/L	Composite
1,2-Dichloroethane	µg/L	Composite
Toluene	µg/L	Composite
Sulfide, Total	mg/L	Composite
Total Dissolved Solids	mg/L	Grab
Ammonia as N	mg/L	Composite
Total Nitrogen as N	mg/L	Composite
Nitrate +Nitrite as N	mg/L	Composite
Total Kjeldahl Nitrogen	mg/L	Composite
Total Phosphorous as P	mg/L	Composite
Volatile Organic Compounds	µg/L	Composite
Semi-Volatile, Acid compounds	µg/L	Composite
Semi-Volatile, Base Neutral	µg/L	Composite
Toxic Pollutants and Hazardous Substances	µg/L	Composite

**Part VI - Definitions and Abbreviations**

**A. Definitions.**

Terms not specifically defined here shall have the meaning set forth in City Code or 40 C.F.R. Part 403.3. Unless the context specifically indicates otherwise, the meaning of terms used in this Permit shall be as follows:

"Act" or "the Act" means The Federal Water Pollution Control Act, also known as the Clean Water Act (33 U.S.C. 1251 et seq.), as amended.

"Approval Authority" means The State Director in an NPDES state with an approved State Pretreatment Program or the Regional Administrator of the EPA in a non-NPDES state or NPDES state without an Approved State Pretreatment Program.

"Authorized Representative of the Industrial User" means

1. If the Industrial User is a corporation:
  - a. The president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
  - b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for Industrial Discharge Permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. If the Industrial User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
3. If the Industrial User is a federal, state, or local governmental facility: a city or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
4. The individuals described in subsections 1 through 3 above, may designate another authorized representative if the authorization is made in writing, the authorization specifies the individual or a position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

“**Best Management Practice**” (BMP) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 13.12.030 of City Code. BMPs are Pretreatment Standards. BMPs may include, but are not limited to, treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

“**Biochemical oxygen demand (BOD)**” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

“**Bypass**” means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility pursuant to Section 13.12.110.C of City Code.

“**Categorical Pretreatment Standard**” or “**Categorical Standard**” means any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) or the Act (33 U.S.C. Section 1317) that apply to a specific category of Industrial Users and that appear in 40 CFR chapter I, subchapter N, Parts 405-471.

“**Composite sample**” means a representative flow-proportioned sample generally collected within a twenty-four (24) hour period and combined according to flow. Time-proportional sampling may be approved or used by the City where time-proportional samples are believed representative of the discharge.

“**Control Authority**” means the City of Great Falls.

“**Cooling water**” means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

“**Daily Maximum**” (Daily Max) is the maximum value allowable in any single sample or instantaneous measurement.

“**Director**” means the Director of Public Works, City of Great Falls or their duly authorized representative.

“**Domestic (sanitary) wastes**” means liquid wastes: 1. from the non-commercial preparation, cooking, and handling of food, or 2. containing only human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

“**Environmental Protection Agency**” or “**EPA**” means the U. S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

“**Existing Source**” means an Industrial User which is in operation at the time of promulgation of Categorical Pretreatment Standards and any Industrial User not included in the definition of "New Source".

“**Fats, Oil and Grease**” or “**FOG**” means non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR Part136.

“**Grab sample**” means a sample which is taken from a wastestream on a one-time basis with no regard to the flow and over a period of time not to exceed fifteen (15) minutes.

“**Hauled wastes**” means any sewage or wastewater contained in a tank or similar apparatus and which is transportable by vehicle, rail car or other mode.

“**Indirect discharge**” means the discharge or the introduction of pollutants into the POTW from a non-domestic source regulated under Section 307(b), (c) or (d) of the Act (including hauled wastes).

“**Industrial**” means of, or pertaining to, industry, manufacturing, commerce, trade, or business as distinguished from domestic or residential.

“**Industrial Discharge Permit**” means the document or documents issued to an Industrial User by the City in accordance with the terms of City Code that allows, limits and/or prohibits the discharge of pollutants or flow to the POTW as set forth in Section 13.12.050 of City Code.

“**Industrial User**” means a source of Indirect Discharge.

“**Industrial wastes**” or “**non-domestic wastes**” mean the liquid or solid wastes from industrial manufacturing processes, trade, or business activities producing non-domestic or non-residential sewage as distinct from domestic wastewater.

“**Instantaneous limit**” means the maximum concentration of a pollutant or measurement of a pollutant property allowed to be discharged at any time. For pollutants, compliance is typically determined by use of a grab sample.

“**Interference**” means a discharge, which alone or in conjunction with a discharge or discharges from other sources, both:

1. Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and
2. Therefore, is a cause of violation of any requirement of the POTW's Montana Pollutant Discharge Elimination System (MPDES) permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued hereunder, or any more stringent state or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

“**Local limit**” means specific discharge limits and BMPs developed, applied, and enforced upon Industrial Users to implement the general and specific discharge prohibitions listed in Section 13.12.030 of City Code. Local limits are Pretreatment Standards.

“**New Source**” means:

1. Any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:
  - a. The building, structure, facility or installation is constructed at a site at which no other source is located; or

- b. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
  - c. The production or wastewater generating processes of the building, structure, facility or installation are 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.
2. 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 1.b. or 1.c. of this section, but otherwise alters, replaces, or adds to existing process or production equipment.
  3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
    - a. Begun, or caused to begin as part of a continuous onsite construction program:
      - i. Any placement, assembly, or installation of facilities or equipment; or
      - ii. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
    - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which is 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 paragraph.

**“Normal domestic strength wastewater”** means wastewater, when analyzed in accordance with procedures established by the EPA pursuant to 40 CFR Part 136, as amended, contains no more than two-hundred (200) mg/L of BOD and/or two-hundred and fifty (250) mg/L of TSS. Discharges that exceed the level of BOD and TSS are subject to charges for extra strength wastewater charges pursuant to Section 13.18.060 of City Code in addition to any Pretreatment Standards and Requirements established in City Code.

**“Non-contact cooling water”** means cooling water that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

**“Non-Significant Industrial User”** means any Industrial User which does not meet the definition of a Significant Industrial User, but is otherwise required by the City through permit, order or notice to comply with specific provisions of City Code and is so notified by the City.

**"Pass Through"** means a discharge which exits the POTW into waters of the United States 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 City’s Montana Pollutant Discharge Elimination System (MPDES) Permit (including an increase in the magnitude or duration of a violation).

**"Person"** means any individual, firm, company, association, society, corporation or group.

**“pH”** means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter of solution and reported as Standard Units (SU).

**"Pollutant"** means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive material, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreated waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor) discharged into or with water.

**“POTW treatment plant”** means that portion of the POTW designed to provide treatment to wastewater.

**"Pretreatment"** or **“treatment”** means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature or properties of pollutants in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or



alteration can be obtained by physical, chemical or biological processes, or process changes other means, except as prohibited by 40 CFR Section 403.6(d).

**“Pretreatment Requirement”** means any substantive or procedural requirement related to Pretreatment, other than a Pretreatment Standard imposed on an Industrial User.

**“Pretreatment Standard”, “National Pretreatment Standard” or “Standard”** means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to Section 13.12.030 and includes the Specific Prohibitions, local limits and Best Management Practices that are or may be established by the City. In cases of differing Standards or regulations, the more stringent shall apply.

**“Publicly Owned Treatment Works” or “POTW”** means a treatment works as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the City. This definition includes any sewers that convey wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. For the purposes of Title 13, Chapter 12 of the Official Code of the City of Great Falls, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are by contract or agreement with the City, users of the City's POTW.

**“Sector control program”** means a program to control specific pollutants from Industrial Users with similar waste generation or treatment through the implementation of Pretreatment Standards and Requirements, including Best Management Practices. These sector control program requirements may be found at Section 13.12.090 of City Code.

**“Significant Industrial User”** is any Industrial User which:

1. Is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; or
2. Discharges an average of twenty-five thousand gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blow down wastewater); or
3. Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
4. Has reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

**“Significant Noncompliance”** applies to a Significant Industrial User (or any Industrial User which violates paragraphs 3, 4, or 8) if its violation meets one or more of the following criteria:

1. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits.
2. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33) percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).
3. Any other violation of a Pretreatment Standard or Requirement (daily maximum, long-term average, instantaneous limit, or narrative Standard) that the POTW determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public).
4. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
5. Failure to meet, within ninety (90) days after the schedule date a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.

6. Failure to provide, within thirty (30) days after the due date, required reports such as baseline monitoring reports, compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
7. Failure to accurately report noncompliance.
8. Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local pretreatment program.

“**Slug discharge**” means a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate Title 13, Chapter 12 of City Code, including a discharge which exceeds the hydraulic or design of an Industrial User’s treatment system or any part of the treatment unit.

“**Total Suspended Solids**” or “**TSS**” means the total suspended matter, expressed in milligrams per liter, that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering in accordance with procedures approved in 40 CFR Part 136.

“**Toxic pollutants**” includes but is not limited to any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of Section 307(a) of the Act (33 U.S.C. §1317(a)) or as otherwise listed at 40 CFR Part 122, Appendix D.

“**Upset**” means an exceptional incident in which a treatment works is unintentionally and temporarily in a state of noncompliance with Categorical Pretreatment Standards pursuant to Section 13.12.110.B.

Any other term not herein defined shall be defined as presented in the "Glossary -- Water and Sewage Control Engineering," A.P.H.A., A.S.C.E. and W.P.C.F., latest edition or 40 CFR Part 403.

## B. Abbreviations

ASTM	American Society Testing Materials
BMP	Best Management Practices
BOD	Biochemical Oxygen Demand
°C	degrees Celsius
CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	Environmental Protection Agency
FOG	Fats, Oils and Grease
mg/L	milligrams per Liter
MPDES	Montana Pollutant Discharge Elimination System
O&M	Operation and Maintenance
POTW	Publicly Owned Treatment Works
SIC	Standard Industrial Classification
SIU	Significant Industrial User
SNC	Significant Noncompliance
USC	United States Code
TSS	Total Suspended Solids
WPCF	Water Pollution Control Federation