City of Yuma Industrial Wastewater Discharge Permit

(Significant Industrial User)

Permit Number 003

In Accordance with the provisions of the Yuma City Code, Title 19, Chapter 191,

Company Name and Mailing Address	Address of Premise
Shaw Diversified Services, Inc. 2500 West 1st Street Yuma, AZ 85364	Location address 2500 West 1st Street Yuma, AZ 85364

Is hereby authorized to discharge industrial wastewater for the above identified facility through the outfalls identified herein into the City of Yuma's Public Owned Treatment Works (POTW) in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standard or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of Yuma City Code. Pursuant to Section 191-11(C)(1) of the Yuma City code, failure to comply may result in fines not to exceed $2,500 per violation, per day.

This permit shall become effective on July 19, 2021 and shall expire at midnight on July 18, 2024.

If the permitte wished to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements of Yuma City Code, Title 19, Chapter 191, a minimum of 180 days before the expiration date.

By:_____

Water Quality Assurance Supervisor

Issued this (date) day of (month), 2021

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PART 1 – EFFLUENT LIMITATIONS

A. During the term of this permit, the discharge from outfall 001 must not exceed the following effluent limitations. Effluent from this outfall consists of wastewater from the yarn fiber process that includes twisting yarn and heat setting with steam from the facility into the City of Yuma wastewater collection system from the outfalls listed below.

Table 1.0 – Description of outfalls:

OUTFALL	DESCRIPTION
001	The sewer service connection from 2500 W. 1st Street that discharges to the City of Yuma collection system. Outfall 001 is an 8-inch lateral that conveys the wastewater from the facility. The effluent monitoring location for Outfall 001 will be from the monitoring manhole located on the south side of the facility as indicated on Attachment A – Site Plan.

B. During the term of this permit, the discharges from Outfall 001 shall be wastewater as defined by (Yuma City Code, Section 191.01(D), and subject to the following effluent limitations.

Table 1.1 – Discharge Limitations for Outfall 001

PARAMETER	DAILY MAXIMUM LIMIT
Flow	Monitor Only, GPD
Ammonia	260 mg/L
Cadmium	0.072 mg/L
Chromium	4.9 mg/L
Copper, (Total)	1.9 mg/L
Dissolved Sulfides	0.5 mg/L
Lead	0.52 mg/L
Mercury	0.0002 mg/L
Nitrogen, (Total)	150 mg/L
pH	5-11.5 Standard Units (SU)
Selenium	0.020/0.011 mg/L (See note 1)
Total Petroleum Hydrocarbons	100
Zinc	1.8 mg/L
Semi-Volatile Organic Compounds	Monitor Only
Note 1: Industry specific selenium local limit of 0.020 mg/L to identify selenium discharging significant industrial users (SIU). To counter balance the higher selenium limit for these discharges a lower limit of 0.011 mg/L for other SIUs is required.	

C. Pursuant to Yuma City Code, Section 19-02(A)(2). Permittee shall not discharge wastewater containing any of the following substances from any of the outfalls.

Specific prohibitions. No User shall introduce into the POTW the following pollutants, substances, or wastewater:

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to waste-streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees using the test methods specified in 40 CFR 261.21);

2. Wastewater having a pH less than 5.0 or more than 11.5, or otherwise causing corrosive structural damage to the POTW or equipment;

3. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one half inch (½") in any dimension;

4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;

5. Wastewater having a temperature greater than 150 degrees F (66 degrees C), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

6. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;

8. Trucked or hauled pollutants, except at discharge points designated by Director of Utilities in accordance with § 191-03(D);

9. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

10. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the city's AZPDES permit;

11. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;

12. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water and unpolluted industrial wastewater, unless specifically authorized by the Director of Utilities;

13. Sludges, screenings, or other residues from the pretreatment of industrial wastes;

14. Medical wastes, except as specifically authorized by Director of Utilities in a wastewater discharge permit;

15. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;

16. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;

17. Fats, oils, or greases of animal or vegetable origin in quantities that cause or contribute to obstructions;

18. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 5% or any single reading over 10% of the lower explosive limit of the meter.

19. Any material that would be identified as hazardous waste according to 40 CFR Part 261 may not be discharged or disposed of in a sewer.

PART 2 – MONITORING REQUIREMENTS

A. All samples must be collected, preserved and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.

B. During the term of this permit, the permittee shall monitor Outfall 001 For the following parameters, at the indicated frequency:

Table 2.1 – Monitoring Requirements – Outfall 001

PARAMETER	EPA TEST METHOD	LOCATION	REPORTING FREQUENCY	SAMPLE TYPE
Flow	NA	Note 1	Semiannually	Measured
Ammonia	350.1	Outfall 001	Semiannually	Grab
Cadmium	200.7	Outfall 001	Semiannually	Composite
Chromium	200.7	Outfall 001	Semiannually	Composite
Copper (Total)	200.7	Outfall 001	Semiannually	Composite
Dissolved Sulfides	376.2	Outfall 001	Semiannually	Grab
Lead	200.7	Outfall 001	Semiannually	Composite
Mercury	245.1	Outfall 001	Semiannually	Composite
Nitrogen, Total	351.2	Outfall 001	Semiannually	Grab
pH	150.1	Outfall 001	Semiannually	Grab
Selenium	200.8	Outfall 001	Semiannually	Composite
Total Petroleum Hydrocarbons	1664 STG	Outfall 001	Semiannually	Grab
Zinc	200.7	Outfall 001	Semiannually	Composite
Semi-Volatile Organic Compounds	625	Outfall 001	Semiannually	Grab

Note 1: Flow shall be measured continuously with a wastewater flow meter. Wastewater flow meter(s) shall be maintained by the permittee. The flow meter must be capable of annual calibration and verification. The flow must calibrate within +/- 10% of a known volume.

C. All laboratory analyses must be performed by an environmental laboratory currently licensed by Arizona Department of Health Services to perform such analyses.

D. Wastewater flow meters shall be maintained and certified accurate by the permittee. Wastewater flow meters shall be calibrated at least every twelve (12) months and supply documentation of the calibration results to the City of Yuma Pretreatment Section.

PART 3 – REPORTING REQUIREMENTS

A. Monitoring Reports

Monitoring results obtained must be summarized and reported on a Self Monitoring Report Form. **Semiannual**: Semiannual monitoring reports shall be submitted twice per calendar year, and reported at the given frequencies.

- **The first report shall represent operational conditions between January 1 and June 30, and due no later than July 15.**
- **The second report shall represent operational conditions between July 1 to December 31 and be due no later than January 15.**

The results of any and all analyses preformed on the treated and untreated water associated with permitted discharges shall be submitted to the City of Yuma Utilities

Each Monitoring Report Shall :

1. Summarize the laboratory results in an easy to read report, illustrating each parameter tested and results obtained.
2. Contain a completed City of Yuma Self Monitoring Report Form (SMFR) for each regulated outfall.
3. Indicate the nature and concentration of all pollutants in the effluent for which sampling and analyses were performed.
4. Contain laboratory Quality Assurance / Quality Control (QA/QC) data for each parameter reported.
5. Contain the Chain of Custody sampling log.
6. Follow the Signatory Requirements as outlined in Part 6, Section 4, Letter E – Signatory Requirements of this permit.
7. Continuous pH monitoring information shall be submitted on the pH Monitoring Report Form. Any data charts associated with the month's submittal shall be submitted with a completed pH Monitoring Report Form to the City of Yuma.

Compliance reports are due whether or not the facility discharges wastewater to the City of Yuma's POTW. In the event the facility does not discharge wastewater during the compliance period the permittee shall submit a compliance report documenting there was no release of wastewater during the reporting period.

If permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 CFR Part 136 or amendments thereto, or otherwise approved by Environmental Protection Agency (EPA) or as specified in this permit, the included in any calculations of actual daily maximum or monthly pollutant discharge and results shall be reported in the report submitted to the City of Yuma, Utilities Department, Pretreatment Section.

B. Automatic Re-sampling

If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, the permittee must:

1. Inform the City of Yuma Pretreatment Section of the violation within 24 hours. During normal business hours the City of Yuma should be notified by telephone at (928) 373-4502. At all other times, after 4:00 PM Monday through Friday or weekends and holidays, the City of Yuma Pretreatment Section shall be notified by telephone at (928) 503-9172.
2. Repeat sampling and pollutant analysis and submit a report within 30 days of the first violation. The second report shall follow the reporting requirements in Part 3, Section A. Self Monitoring Reports, of this permit and address the following:

    a. Description of the violation including the cause and impact on the permittee's compliance status.
    b. Duration of noncompliance including exact dates and times.
    c. Steps taken or to be taken to reduce, eliminate and prevent reoccurrence of the violation.
    d. Certification statement signed by an authorized representative.

C. Wastewater Flow Meter Certificate of Calibration Form

Wastewater flow meters shall be maintained and certified accurate by the permittee. Wastewater flow meters shall be calibrated at a minimum of every twelve (12) months. The calibration is to be performed by a registered engineer of suitable discipline, or a technician certified for the flow measuring system under the supervision of a registered engineer. The Wastewater Flow Meter Calibration Report is due no later than two (2) weeks after the due date.

The permittee shall submit a Wastewater Flow Meter Certificate of Calibration Form to the Pretreatment Section after installation and at a minimum of every twelve (12) months thereafter.

Calibration reports are good for a maximum of twelve (12) months following the date upon the Wastewater Flow Meter Certificate of Calibration Form.

If a wastewater flow meter has not been certified to be calibrated within a twelve (12) month period the permittee will be considered to be not in compliance with the conditions set forth within this permit.

Each Flow Meter Certificate of Calibration Form shall:

1. Contain a completed City of Yuma Flow Meter Certificate of Calibration Form.
2. Indicate the volume of wastewater discharged to the City of Yuma that occurred during the reporting period.
3. Follow the Signatory Requirements as outlined in Part 6, Section 4, Letter E – Signatory Requirements of this permit.

Calibration reports are due whether or not the site discharges wastewater to the City of Yuma's POTW. In the event the permittee does not discharge wastewater during the compliance period

the permittee shall submit a calibration report documenting that the wastewater flow meter is operational and accurate, and there was no release of wastewater during the reporting period.

D. Accidental Discharge Report

The permittee shall notify the City of Yuma Utilities Department, Pretreatment Section immediately upon the occurrence of spills, including accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch, slug loads or slug discharges that might cause potential problems for the POTW or spills that might enter the public sewer that are of substances prohibited by Yuma City Code, Section 191-02 (A). During normal business hours the City of Yuma Utilities Department, Pretreatment Section shall be notified by telephone at (928) 373-4502. At all other times the City of Yuma shall be notified by telephone at (928) 503-9172 after 4:00 PM Monday through Friday or weekends and holidays. The notification shall include location of discharge, date, and time thereof, type of waste, including concentration and volume, and corrective actions taken. The permittee's notification of accidental releases in accordance with this section does not relieve it of other reporting requirements that arise under local, State of Federal laws.

Within five days following the accidental discharge, the permittee shall submit to the City of Yuma Utilities Department, Pretreatment Section a detailed written report. The report shall specify:

1. Description and cause of the upset, slug load or accidental discharge, the cause thereof, and the impact on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
2. Duration of noncompliance, including exact dates and times of noncompliance and, if noncompliance is continuing, the time by which compliance is reasonable expected to be achieved.
3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.
4. All reports required by this permit shall be submitted to the City of Yuma Utilities Department, Pretreatment Section at the following address:

Water Quality Assurance Supervisor
Pretreatment Section
155 W. 14th Street
Yuma, Arizona 85364

PART 4 – SPECIAL CONDITIONS

A. Re-opener Clause

This permit may be reopened and modified to incorporate any new or revised requirements contained in a National Categorical Pretreatment Standard. This permit may be reopened and modified to incorporate any new or revised requirements resulting from the City of Yuma's reevaluation of its local limits.
This permit may be reopened and modified to incorporate any new or revised requirements developed by the City of Yuma as are necessary to ensure POTW compliance with applicable

sludge management requirements promulgated by EPA including sludge management (40 CFR part 503).

B. Term

The term of this permit shall be from June 16, 2021 and shall expire at midnight on June 15, 2024 except:

Permittee acknowledges and agrees, by acceptance of this permit, there are absolutely no representations by the City of Yuma of any other extensions, renewals or reissuance of any permittee beyond the time frame set forth herein. Further, permittee acknowledges and agrees by acceptance of this permit that at such time as this permit expires, it is the intent and representations of the permittee to either store its wastewater on site or shut down its operations. This provision does not preclude the City of Yuma, in its sole discretion, from issuing another permit on any emergency or non-emergency basis to permittee.

PART 5 – SLUG DISCHARGE CONTROL REQUIREMENTS

The new permittee is required to submit and implement a slug discharge control plan within 30 days of the effective date of this permit. If the permit is being renewed the permitte is required to submit an updated plan with the permit application. The slug discharge control plan must include at the minimum, the following;

a) Description of discharge practices, including non-routine batch discharges.
b) Description of stored chemicals.
c) Procedures for immediately notifying the City of Yuma of any accidental or slug discharges, as required by Yuma City Code Section191-06(F) with procedures for follow-up, written notification within 5 days.
d) Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, and measures and equipment of emergency response.

PART 6 - STANDARD CONDITIONS

Section 1 – General Conditions and Definitions

A. Severability

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

B. Duty to Comply

The Industrial User shall comply with all provisions of this permit. Failure to comply with the requirements of this permit may be grounds for the administrative action, or enforcement

proceedings including civil or criminal penalties, injunctive relief, summary abatements or any other remedies provided by law.

C. Duty to Mitigate

The permittee should take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment 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. Permit Modification

The Director of Utilities may modify an individual wastewater 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 user's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
3. A change in any process or discharge condition in either the Industrial User or 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 city's POTW, city personnel, beneficial disposal of the city's biosolids, or the receiving waters;
5. Violation of any terms or conditions of the individual wastewater discharge permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting.
7. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
8. Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
9. To correct typographical or other errors in the individual wastewater discharge permit;
10. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with § 191-05(E).
11. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

E. Permit Revocation

The permit issued to the Industrial User by the City may be revoked for good cause including but not limited to the following reasons:

1. Failure provide written notification to the Director of Utilities of significant changes to the wastewater prior to the changed discharge;
2. Failure to provide prior notification to the Director of Utilities of changed conditions pursuant to Yuma City Code, Section 191-06(E);
3. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
4. Falsifying self-monitoring reports and certification statements;
5. Tampering with monitoring equipment;
6. Refusing to allow the Director of Utilities timely access to the facility premises and records;
7. Failure to meet effluent limitations;
8. Failure to pay fines;
9. Failure to pay sewer charges;
10. Failure to meet compliance schedules;
11. Failure to complete a wastewater survey or the wastewater discharge permit application;
12. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
13. Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or the general permit of this chapter.

F. Permit Appeals

The Director of Utilities shall provide public notice of the issuance of an individual wastewater discharge permit or a general permit. Any person, including the user, may petition the Director of Utilities to reconsider the terms of an individual wastewater discharge permit or a general permit within 30 days of notice of the permit's issuance.

1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
2. In its petition, the appealing party must indicate the individual wastewater discharge permit or a general permit provisions objected to, the reasons for this objection, and the alternative condition, if any, the appealing party seeks to place in the individual wastewater discharge permit or a general permit.
3. The effectiveness of the individual wastewater discharge permit or general permit shall not be stayed pending the appeal.
4. If the Director of Utilities fails to act within 60 days, a request for reconsideration shall be deemed to be denied. A decision not to reconsider an individual wastewater discharge permit or a general permit, not to issue an individual wastewater discharge permit or a general permit, or not to modify an individual wastewater discharge permit or a general permit shall be considered a final and conclusive administrative action for purposes of judicial review.
5. Aggrieved parties seeking judicial review of the final administrative individual wastewater discharge permit or general permit decision must file a complaint with the Superior Court for Yuma County within 30 days of final administrative action.

G. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any invasion of personal rights, nor any infringement of Federal, State, or Local regulations.

H. Limitation on Permit Transfer

Individual wastewater discharge permits or coverage under general permits may be transferred to a new owner or operator only if the permittee gives at least 30 days advance notice to the Director of Utilities and the Director of Utilities approves the individual wastewater discharge permit or the general permit coverage transfer in writing. The notice to the Director of Utilities must include a written certification by the new owner or operator which:

1. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
2. Identifies the specific date on which the transfer is to occur; and
3. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit or general permit.
4. Failure to provide advance notice of a transfer renders the individual wastewater discharge permit or coverage under the general permit void as of the date of facility transfer.

I. Individual Wastewater Discharge Permit Reissuance.

A user with an expiring individual wastewater discharge permit or general permit shall apply for individual wastewater discharge permit or general permit reissuance by submitting a complete permit application, in accordance with § 191-04(E) of this chapter, a minimum of 90 days prior to the expiration of the user's existing individual wastewater discharge permit or general permit.

J. Continuation of Expired Permits

1. An expired permit may be administratively extended
2. An expired permit which has been administratively extended will continue to be effective and enforceable until the permit is reissued if:
   a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
   b. The failure to reissue the permit; prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee

K. Confidential Information

Except for data determined to be confidential under Yuma City Code, Section 191-08 Confidential Information, copies of the reports required by this permit may be obtained from the office of the City Clerk.

L. Dilution

No user shall ever increase the use of potable or process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Director of Utilities may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate.

M. Definitions

1. Composite Sample- A sample that is collected over time, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a time composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representatives samples irrespective of stream flow; or as a flow proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or increases while maintaining a constant time interval between the aliquots.
2. Daily Maximum- The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
3. Daily Maximum Limit- The maximum allowable discharge limit of pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
4. Grab Sample- A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
5. GPD–Gallons per day.
6. IDLH – Immediately Dangerous to Life and Health
7. Instantaneous Maximum Concentration- The maximum concentration allowed in any single grab sample.
8. Cooling Water-
   a. Uncontaminated: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
   b. Contaminated: Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
9. Monthly Average- The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
10. Weekly Average-The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.
11. Bi-Weekly- Once every other week.
12. Bi-Monthly- Once every other month.
13. Upset- An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee, excluding such factors as operational error,

improperly designed or inadequate treatment facilities, or improper operation and maintenance or lack thereof.

14. Bypass- The intentional diversion of waste streams from any portion of an industrial user's treatment facility.

N. Unacceptable Discharge

The permittee shall comply with all the general prohibitive discharge standards in the Yuma City Code, Section 191-02 (A-B) Prohibited Discharge Standards.

O. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, State and Federal pretreatment standards and requirements including any such standards or requirements that may become effective during the term of this permit.

P. Treatment Charges

The permittee shall pay all applicable treatment charges listed in the Yuma City Code, Section 191-14 Wastewater Cost of Services Charge.

Section 2 – Operation and Maintenance of Pollution Controls

A. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but in not limited to: 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 back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. The permittee shall, at its own expense, construct and at all times properly maintain the outfall specified in this permit.

B. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permitte must, to the extent necessary to maintain compliance with its permit, control its production of discharges (or both) until operation of the treatment facility if restored or an alternative method of treatment is provided. Such requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It will not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit.

C. Bypass of Treatment Facilities

Bypass is prohibited, and the Director of Utilities may take and enforcement action against a user for a bypass, unless:

1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
2. There were no feasible alternatives to the bypass, such as the used of auxiliary treatment facilities, retention of untreated wastewater, 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 judgement to prevent a bypass that occurred during normal periods of equipment downtimes or preventive maintenance; and the user submitted notices as required under this section.

4. Notification of bypass:

   a. If the emergency causing the necessity of the bypass continues for longer than ten (10) days, the permittee shall secure the written authorization of the City of Yuma to continue the bypass. If such permission is not obtained, the permittee shall immediately cease discharge to the bypass.
   b. Anticipated bypass. If the permittee knows in advance of the need for bypass, it submit prior written notice, at least ten days before the date of the bypass, to the City of Yuma Utilities Department, Pretreatment Section, Water Quality Assurance Supervisor at 155. W. 14th Street, Yuma, Arizona, 85364.
   c. A user shall submit oral notice to the Water Quality Assurance Supervisor of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time the user becomes aware of the bypass. A written submission shall also be provided with in five days of the time the user becomes aware of the bypass. The written submission shall contain;
      i. A description of the bypass and its cause;
      ii. The duration of the bypass, including exact dates and times;
      iii. If the bypass has not been corrected, the anticipated time the bypass is expected to continue;
      iv. Steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.
   d. The Director of Utilities may waive the written notice on a case-by-case basis if the oral report has been received within 24 hours.

4. Proper Disposal of Pretreatment Sludges and Spent Chemicals

The disposal of solids, sludges, filter backwash, spent chemicals, and other pollutants removed in the course of treatment or control of wastewater shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act, or their successors.

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Section 3 – Monitoring and Records

A. Representative Sampling

Samples and measurements taken as required herein shall be representatives of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points shall not be changed without notification to and approval of the City of Yuma Pretreatment Section.

B. Flow Measurements

If flow measurement is required by this permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

C. Analytical Methods to Demonstrate Continued Compliance

All sampling and analysis required by this permit shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, otherwise approved by EPA, or as specified in this permit.

D. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than is required by this permit, using test procedures identified in Part 3 B, the results of this monitoring shall be included in the permittee's self-monitoring reports.

E. Inspection and Entry

The permitte must allow the City of Yuma Pretreatment Section, or an authorized representative or federal and state personnel, upon the presentation of proper identification, to do the following;

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit;
4. Sample or monitor, for the purposes of assuring permit compliance, any substances or parameters at any location; and
5. Inspect any production, manufacturing, fabricating, or storage area where pollutants, regulated under the permit, could originate, be stored, or be discharged to the sewer system.

F. Retention of Wastewater Discharge Records

1. The permittee must retain records of all monitoring information including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application.

   This period may be extended by request of the City of Yuma at any time.

2. The permittee shall retain and preserve all records, books, documents, memoranda, reports, correspondence and all summaries relating to monitoring, sampling and chemical analyses made by or in behalf of the user in connection with its discharge for a period of time determined by Federal requirements or at least three years from the date of the sample, measurement, report or application.
3. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City of Yuma shall be retained by the permittee until all enforcement activities have concluded and all periods of limitations with respect to any and all appeals have expired.

G. Record Contents

Records of sampling and analyses must include the following:

1. The exact place, date, time, and methods of sampling or measurements, and sample preservation techniques or procedures.
2. Who performed the sampling or measurements.
3. The date(s) the analyses were performed.
4. The person(s) who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all required analyses including the QA/QC reports and sample chain(s) of custody.

H. Falsifying Information

Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanction or civil penalties or both.

Section 4 – Additional Reporting Requirements

A. Planned Changes

The permittee shall give notice to the City of Yuma Pretreatment Section addressed to the Water Quality Assurance Supervisor 90 days prior to any facility expansion, production increase, or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

B. Anticipated Noncompliance

The permittee shall give advance notice to the City of Yuma Pretreatment Section addressed to the Water Quality Assurance Supervisor of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

C. Automatic Resampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the permittee must notify by phone or electronic media, the City of Yuma Water Quality Assurance Supervisor within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation.

D. Duty to Provide Information

The permittee shall furnish to the City of Yuma Pretreatment Section, within 30 days any information which the City of Yuma Pretreatment Section may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the City of Yuma within 30 days copies of any records required to be kept by this permit.

E. Signatory Requirements

All applications, reports, or information submitted to the City of Yuma Pretreatment Section must contain the following certification statement and shall be signed by a principal executive officer of the permittee, or his authorized representative:

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

1. Authorized representative must be designated in writing;

2. Authorization must specify either an individual or a position having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or a well field superintendent, or a position of equivalent responsibility or having overall responsibility for environmental matters for the company.

3. Authorization must be submitted to the City of Yuma Pretreatment Section addressed to the Water Quality Assurance Supervisor.

4. If authorization of the representative becomes inaccurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for the environmental matters for the company, a new authorization must be submitted to the City Pretreatment Section addressed to the Water Quality Assurance Supervisor prior to or together with any reports to be signed by an authorized representative.

F. Operating Upsets

Any permittee who experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Yuma City Code, Section 191-06 (F) must inform the City of Yuma within 24 hours of becoming aware of the upset at 928-373-4502 or 928-503-9172 after 4:00 PM or weekends or holidays,

A written follow-up report of the upset shall be filed by the permittee with the City of Yuma Utilities Department Water Quality Assurance Supervisor within five days. The report shall specify:

1. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
2. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and
3. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

The report must also demonstrate that the treatment facility was being operated in a prudent and workmanlike manner.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought against the permittee for violations attributable to the upset event.

G. Annual Publication

A list of all industrial users that were in significant noncompliance during the 12 previous months must be annually published by the City of Yuma Utilities Department in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by Figueroa Avenue Water Pollution Control Facility and/or Desert Dunes Water Reclamation Facility. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

H. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and/or criminal penalties for noncompliance under Yuma City Code, Chapter 191, Section 191-11 Judicial Enforcement Remedies.

I. Penalties for Violations of Permit Conditions

The Yuma City Code, Section 191-11 (B) provides that any person who violates a permit condition is subject to a civil penalty of up to $2,500.00 per day of such violation. Any person

who will fully or negligently violates permit conditions is subject to criminal penalties of a fine of up to $2,500.00 per day of violation, or by imprisonment for 10 days or both. The permittee may also be subject to sanctions under State and/or Federal law or both.

J. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or the Yuma City Code, Chapter 191 or causing damage to or otherwise inhibiting the City of Yuma wastewater disposal system shall be liable to the City of Yuma for any expense, loss, or damage caused by such violation of discharge. The City of Yuma may also recover the costs for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed cost will constitute a separate violation.

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