



STATE OF ARIZONA
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
PHOENIX, ARIZONA 85007

ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM
GENERAL PERMIT FOR TREATMENT WORKS TREATING DOMESTIC SEWAGE AS
BIOSOLIDS FOR LAND APPLICATION (BIOSOLIDS GENERAL PERMIT)

Legal authority: This permit provides Authorization for the treatment of domestic sewage and preparation of biosolids under the Arizona Pollutant Discharge Elimination System program, in compliance with the provisions of the Arizona Revised Statutes, Title 49, Chapter 2, Article 3.1 and Arizona Administrative Code, Title 18, Chapter 9, Articles 9 and 10, and the Clean Water Act as amended (33 U.S.C. 1251 et seq.)

Activity Authorized: The preparation for biosolids for land application

Area of Coverage: The State of Arizona, excluding Indian Country

Permit Contents: This permit consists of this Cover Sheet, Table of Contents, Parts I through VI, and Appendices A through D.

This general permit becomes effective on December 24, 2013.

This general permit and the authorization to prepare biosolids expire at midnight, December 23, 2018.

Signed this 24th day of December, 2013.

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

A handwritten signature in black ink, appearing to read "M. Fulton", is written over a horizontal line.

Michael A Fulton, Director
Water Quality Division

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PART I. COVERAGE UNDER THIS GENERAL PERMIT

Permit Area and Applicability.

This general permit is applicable to the following treatment works treating domestic sewage (TWTDSs):

1. privately and publicly owned wastewater treatment plants (WWTPs) which prepare biosolids for land application and which do not have coverage under a Arizona Pollutant Discharge Elimination System (AZPDES) individual or general permit containing provisions for the treatment of biosolids, and
2. TWTDS which are not WWTPs and prepare biosolids for land application.

This general permit is not applicable to the following:

1. TWTDSs located in Indian Country¹;
2. WWTPs which send untreated sewage sludge to another WWTP for treatment; or
3. WWTPs which send sewage sludge to a landfill or to a surface disposal site.

PART II. AUTHORIZATION UNDER THIS GENERAL PERMIT

A. Application for Coverage under this Permit.

1. A Notice of Intent (NOI) for authorization to prepare biosolids for land application under this general permit is required for each person or facility seeking coverage under this general permit and meeting the requirements under Part I. A facility meeting the requirements under Part I has the option to request an individual AZPDES permit in lieu of a general permit. The general permit may cover all applicable biosolids treatment, preparation, and use practices as described in Part I.
2. The applicant submitting an NOI must be a person having control of those activities necessary to ensure compliance with the conditions of this permit and who takes responsibility for such compliance. Signatory requirements are specified in Appendix C of this permit. NOTE: the applicant, as the person in control of said activities, is liable for adherence to the conditions of the permit, which include potential civil and criminal penalties for noncompliance (see Appendix C of this permit).

B. Authorization to Prepare Biosolids for Land Application and Timeframes.

1. A person who submits a complete and accurate NOI for authorization under this general permit as required by A.A.C. R18-9-C901(B) is authorized to treat sewage sludge for the preparation of biosolids for beneficial use after receiving written approval from the Arizona Department of Environmental Quality (ADEQ) in the form of a certificate of authorization. The certificate of authorization will specify the effective date of coverage.
2. If the Director notifies an applicant that an activity is ineligible for coverage under this general permit, the person may apply for an individual AZPDES permit or alternative general permit, if available.

¹ The State of Arizona, Department of Environmental Quality, Water Quality Division, does not have permitting authority for Indian Country. Authorization for the preparation of biosolids in Indian Country must be obtained through EPA Region IX or other appropriate authority.

C. Modification of Coverage.

The NOI and certificate of authorization may not be modified except for minor modifications such as typographical errors or clarifications. In requesting an amendment, a revised NOI form clearly identified as "AMENDED" must be submitted to ADEQ with a cover letter referencing the original authorization number, describing the changes and the reasons they are needed. ADEQ will evaluate modifications requested and determine whether a new certificate of authorization will be issued.

D. Terminating Coverage.

1. A permittee shall end coverage under this general permit by providing a Notice of Termination (NOT) of the existing certificate of authorization to ADEQ. Authorization to prepare biosolids terminates at midnight on the day the NOT is received by the ADEQ by postal mail, hand-delivery, or fax. The NOT shall be submitted to the address given in Part III.D below or faxed to the Surface Water Section at (602) 771-4628.
2. A permittee shall submit an NOT to ADEQ within 30 days after the permittee transfers ownership of, or responsibility for, the facilities or activities addressed in the certificate of authorization.
3. The permittee shall continue to submit the results of monitoring required by this permit until the submittal date of the NOT.

E. Transfer of Permit Coverage

Authorization to prepare biosolids under this general permit is not transferable to any person (see definition of person in Appendix B). When there is a change in the party responsible for compliance with this permit (the original signer of the NOI), the new responsible party shall submit a new NOI. The original permittee shall also submit an NOT (see Part II.D.2).

F. Continuation of this Permit

If this permit is not reissued or replaced prior to the expiration date, it is administratively continued in accordance with A.A.C. R18-9-C903(A)(2) and remains in force and effect. Any activity authorized under this permit will automatically remain covered by this permit until the earliest of the following:

1. The permittee submits a timely, complete, and accurate NOI requesting authorization to prepare biosolids under a renewal or revision of this permit and ADEQ issues a certificate of authorization; or
2. The permittee submits an NOT; or
3. ADEQ denies coverage under this general permit or denies or issues coverage under an individual permit or other alternative permit for the facility's activities; or
4. A formal permit decision is made by ADEQ not to reissue this general permit, at which time ADEQ will identify a reasonable time period for covered TWTDSs to seek coverage under an alternative general permit or an individual permit. Coverage under this permit will cease at the end of this time period.

G. Alternative Permits

1. ADEQ may require a TWTDS to obtain authorization to prepare biosolids under either an individual AZPDES permit or an alternative AZPDES general permit in accordance with A.A.C. R18-9-C902(A). If ADEQ requires a TWTDS to apply for an individual permit, any applications shall be submitted within 90 calendar days unless ADEQ provides an extended deadline. For TWTDS already covered under this permit, coverage will continue until the individual permit is issued unless the permittee fails to submit the individual AZPDES

permit application by the specified deadline. ADEQ may take appropriate enforcement action for any unpermitted activity.

2. An applicant may elect to forego coverage under this general permit by applying for an individual permit. In such a case, the applicant must submit an individual permit application in accordance with the requirements of A.A.C. R18-9-B901(B)(2) to the Department at the address listed in Part III.C and include reasons supporting the request. The request may be granted by issuance of an individual permit or authorization of coverage under an alternative general permit if the Department finds that the reasons are adequate to support the request.

When an individual AZPDES permit is issued to the applicant or the applicant is authorized, to prepare biosolids under an alternative AZPDES general permit, the authorization to prepare biosolids under this permit is terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit. However, an NOI must still be submitted per Part II.D.2.

PART III. NOI REQUIREMENTS

A. Deadlines for Notification.

New facilities are not authorized to prepare biosolids for land application until written authorization is received from ADEQ, and no biosolids preparation activities shall be conducted until such authorization is received unless the activities are currently authorized by another permit. Therefore, for new facilities, the NOI should be submitted at least 120 calendar days prior to beginning biosolids preparation activities. Facilities that are in operation prior to the effective date of this permit and do not have coverage under another permit shall submit a complete and accurate NOI within 120 days of the effective date of this permit.

B. Contents of an AZPDES General Permit NOI.

Persons seeking authorization to prepare biosolids for land application under this general permit must submit a complete and accurate NOI to ADEQ (see Part II.B) on a form provided by the Department. A complete NOI must contain the following information:

1. name, address, and telephone number of the owner of the biosolids preparation facility;
2. name, address, and telephone number of the operator of the biosolids preparation facility, if different from the owner;
3. name, address, and telephone number of an agent or contact person, if different from III.B.1 and 2 above;
4. name and address of the owner of land where the biosolids preparation facility is located, if different from III.B.1 above.
5. latitude and longitude of the facility.
6. a topographic map of the biosolids preparation facility which shows the location of all areas of the property where the treatment, preparation, and storage of biosolids and process materials occurs and identifies all surface water bodies.
7. Permit or issuance number for all individual or general environmental permits currently held by the applicant which are directly associated with the facility;
8. If the facility is a WWTP, provide the design capacity and information on municipalities and areas served by the facility, type of collection system (combined vs. separate), and ownership (municipal, private, etc.). If the WWTP accepts process wastewater from any significant industrial user (SIU), has or is required to have a pretreatment program, or receives RCRA, CERCLA, or other remediation wastes (including WQARF or UST

remediations), provide all applicable details (e.g., number, names, SIU codes, processes, flow rate, treatment, pretreatment standards, pollutants).

9. A complete description of the proposed on-site management practices, including:
 - a. a description of the type and size of the facility generating and/or receiving and treating/preparing the biosolids;
 - b. a description of the biosolids treatment and preparation processes including the estimated volume of biosolids generated in dry metric tons per year;
 - c. a description of the pathogen reduction method used to comply with A.A.C. R18-9-1006;
 - d. a description of the vector attraction reduction method used to comply with A.A.C. R18-9-1010;
 - e. a description of the materials used for composting, if applicable;
 - f. sampling and testing procedures, including monitoring frequencies and analytical methods, and a summary of available monitoring data indicating the detected concentrations of metals and pathogens in the prepared biosolids.
 - g. a list of all off-site generators, if any, with the amounts received annually in dry metric tons, and a description of all testing requirements and the method used to track the materials coming into the facility.
 - h. location and volume of on-site and off-site biosolids storage, if applicable;
 - i. transportation methods and spill prevention plan, if applicable;
 - j. Except for facility producing Exceptional Quality (EQ) biosolids, a list of current land application sites.
10. Applicant certification: The name, title, and signature of the applicant or the official certifying the NOI information and compliance with this permit (see Appendix C, Section 2, Signatory Requirements).

C. Initial Fees

The initial fee shall be submitted with the NOI. The initial and annual fees for AZPDES General Permits are based on the fee levels specified in A.A.C. R18-14-109, Table 6, AZPDES Water Quality Protection Services Flat Fees. The fee levels assigned to this permit depend on the type of facility as follows:

- Level 2 (WWTPs with a design capacity less than 5 mgd) = \$1,250
- Level 3 (WWTPs with a design capacity equal to or greater 5 mgd) = \$1,500
- Level 4a (TWTDS that are not WWTPs) = \$2,000

D. Where to Submit

The person shall submit the NOI, initial fee, and any associated documents by mail, delivery service, or hand-delivery to:

**Arizona Department of Environmental Quality
Surface Water Section - AZPDES General Permits
1110 West Washington Street, 5415A-1
Phoenix, Arizona 85007**

PART IV. BIOSOLIDS TREATMENT AND PREPARATION REQUIREMENTS

Note: "Biosolids" refers to non-hazardous sewage sludge as defined in 40 CFR 503.9 and Arizona Administrative Code (A.A.C.) R18-9-1001.7 that are prepared for the purpose of beneficial use. Sewage sludge that is hazardous as defined in 40 CFR 261 must be disposed of in accordance with the Resource Conservation and Recovery Act (RCRA). Sludge with PCB (polychlorinated biphenyls) levels greater than 50 mg/kg must be disposed of in accordance with 40 CFR 761. For purposes of this permit, the term "biosolids" may be used interchangeably with "sewage sludge".

A. General Use or Disposal Requirements

1. All biosolids generated and/or prepared at the facility shall be used or disposed of in compliance with the applicable portions of 18 A.A.C. Chapter 9, Article 10 and
 - a. 40 CFR 503 Subpart C: for biosolids that are placed on the land for the purpose of disposal (surface disposal).
 - b. 40 CFR 258: for biosolids disposed of in municipal solid waste landfills; and
 - c. 40 CFR 257: for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.
2. The permittee shall ensure that:
 - a. biosolids treatment, preparation, and storage for land application do not contribute to a violation of water quality standards;
 - b. biosolids treatment, storage, and use or disposal does not create a nuisance such as malodorous smell or attraction of flies or other disease carrying vectors;
 - c. biosolids generated and/or prepared at the facility are not applied to the land if the biosolids are likely to adversely affect a threatened or endangered species as listed under section 4 of the Endangered Species Act (16 U.S.C 1533), or its designated critical habitat as defined in 16 U.S.C. 1532;
 - d. land application sites receiving bulk biosolids generated and/or prepared at this facility are registered with ADEQ in accordance with A.A.C. R18-9-1004; and
 - b. no biosolids generated and/or prepared at the facility are incinerated in the state of Arizona.

B. Biosolids Preparer's Responsibility

The permittee is responsible for ensuring that all biosolids produced or accepted at the facility are used or disposed of in accordance with 40 CFR 503 Subpart C, 257, 258 and 18 A.A.C. Chapter 9, Article 10, as applicable, whether the permittee uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The permittee is responsible for informing any subsequent transporters, preparers, applicators, and disposers of the requirements that they must meet under 18 A.A.C. Chapter 9, Article 10.

C. Duty to Mitigate

The permittee shall take all reasonable steps to prevent or minimize of any biosolids use or disposal which has a likelihood of adversely affecting human health or the environment.

D. Surface Water Protection

1. No biosolids generated and/or prepared at this facility (1008A.9) enter wetlands or other waters of the United States;

2. The permittee must design and operate all on-site treatment, preparation, or storage areas for biosolids to:
 - divert surface run-on from adjacent areas to prevent contact with biosolids;
 - protect the site boundaries from erosion; and
 - prevent any drainage that has contacted biosolids from escaping the site.

These features shall be designed to be protective for at least a 25-year 24-hour storm event. If the permittee sends biosolids off-site that are not EQB, the permittee shall ensure all treatment, preparation, or storage areas that receive those biosolids have the same level of protection.

E. Inspection and Entry

The permittee shall allow, directly or through contractual arrangements with their biosolids management contractors, authorized representatives of ADEQ and EPA to:

1. Enter upon all premises where biosolids are treated, used, or disposed, either by the permittee or by another party to whom the permittee transfers the biosolids for treatment, storage, use, or disposal;
2. Have access to and copy any records that must be kept under the conditions of this permit and per 18 A.A.C. Chapter 9 Article 10 (including those in 40 CFR 503 Subpart C) by the permittee or by another party to whom the permittee transfers the biosolids for further treatment, storage, use, or disposal; and
3. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in biosolids treatment, storage, use, or disposal by the permittee or by another party to whom the permittee transfers the biosolids for treatment, use, or disposal.

F. General Biosolids Monitoring Requirements

1. Biosolids Self-monitoring Frequency

Unless otherwise specified in this permit, the permittee shall conduct self-monitoring events at least at the frequency listed in the table that follows for any sampling required in this permit.

Biosolids Monitoring Frequency

Amount of Biosolids Prepared per Calendar Year (dry metric tons)	Minimum Monitoring Frequency
> 0 to < 290	One sampling event per year
≥ 290 to < 1500	One sampling event per quarter
≥ 1500 to < 15,000	One sampling event per 60 days
≥ 15,000	One sampling event per month

2. Sampling and Analysis Methods

The permittee shall ensure biosolids are tested using the methods specified in 40 CFR 503.8, as required in A.A.C. R18-9-1012(G) or by the wastewater sample methods and solid, liquid, and hazardous waste sample methods established in A.A.C. R19-14-612 and R9-14-613 as applicable. Testing shall be performed at a laboratory operating in compliance with A.R.S. 36-495. Because of the potential for re-growth of pathogens, for Class A or EQ biosolids, samples demonstrating pathogen reduction shall be taken within 30 days before biosolids are shipped off-site, so verification that requirements are met is obtained before the biosolids leave the site.

3. Representative Sampling

The permittee shall ensure that sampling conducted during a monitoring period adequately represents the quality of all biosolids used/treated/disposed over the monitoring period. This may entail taking several samples per sampling event and/or sampling more frequently than the minimum specified.

4. Testing Stockpiled/Accumulated Biosolids Prior to Distribution or Use

If, after treatment, biosolids classified as EQ or Class A, or as Class B demonstrated through A.A.C. R18-9-1006.E.1 (Alternative 1), are stockpiled or accumulated on-site prior to reuse/disposal, the permittee shall develop a sampling plan that ensures samples representative of the entire stockpile are collected and analyzed for pathogens within 30 days before distribution or use. The plan shall detail the number and location of samples to be taken from a cross section of **each** pile or area. The plan must include at least 1 sample for each 0 - 290 metric dry ton increments. More sampling is appropriate when the biosolids are inconsistent in nature or non-uniformly treated.

The permittee must collect and analyze representative samples per the sampling plan. Distribution or use shall not occur until the permittee verifies that the biosolids sampled meet all applicable requirements for its use.

5. Testing for Hazardous Waste Determination

The permittee shall test the biosolids for purposes of hazardous waste determination at least annually as described in Appendix C.

6. Testing Requirements for WWTPs with Pretreatment Programs

A POTW or other WWTP that is required to implement a pretreatment program under 40 CFR Part 403 or R 18-9-A906 shall:

a. sample and analyze biosolids for all the priority pollutants listed under Section 307.a.1 of the Clean Water Act except asbestos. This shall consist of an annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants detected in the full scan.

b. sample and analyze biosolids quarterly for the following Pollutants of Concern:

Arsenic	Copper	Mercury	Selenium
Cadmium	Cyanide	Molybdenum	Silver
Chromium	Lead	Nickel	Zinc

and

c. design local limits to achieve the ceiling and monthly average pollutant concentration levels for pollutants given in Table 1 of Section G.1.a below. If pollutants in the biosolids exceed any of these monthly average pollutant concentration levels, the permittee shall revise its local limits as necessary in order to meet these levels.

7. Testing Requirements for Incoming Biosolids Received from Off-site Generators

a. The permittee shall monitor or obtain monitoring results from each generator for all biosolids accepted for processing at the facility from that generator as specified in Table 1 of Section G.1.a below. The permittee shall not accept biosolids for processing that exceed any of the metals ceiling concentrations given in the table. The minimum monitoring frequency for metals ceiling concentrations required is

based upon the amount of biosolids accepted from each generator in a calendar year as specified in the table.

- b. The permittee shall test or obtain monitoring results from each generator for the incoming biosolids received from that generator at least annually to determine if the biosolids received are hazardous as described in Appendix C.

G. Biosolids Limitations and Monitoring Requirements for Land Application

The permittee shall monitor biosolids generated and/or prepared at this facility for land application and limit their use as follows:

1. Metals Concentrations

- a. Biosolids shall be sampled for the metals listed in Table 1 below at a frequency not less than the minimum indicated for the amount of biosolids prepared annually. Samples shall be taken after all treatment and blending processes, but prior to land application.

Table 1. Metals Ceiling Concentrations and Monthly Average Pollutant Concentrations

Pollutant	Ceiling Concentrations (mg/kg, dry weight basis)	Monthly Average Pollutant Concentrations (mg/kg, dry weight basis)	Minimum Monitoring Frequency per Volume Prepared Annually
Arsenic	75.0	41.0	0 to < 290 dry metric tons: One sampling event per year
Cadmium	85.0	39.0	
Chromium	3000.0	Not Applicable	≥ 290 to < 1500 dry metric tons: One sampling event per quarter
Copper	4300.0	1500.0	
Lead	840.0	300.0	≥ 1500 to < 15,000 dry metric tons: One sampling event per 60 days
Mercury	57.0	17.0	
Molybdenum	75.0	Not Applicable	≥ 15,000 dry metric tons: One sampling event per month
Nickel	420.0	420.0	
Selenium	100.0	100.0	
Zinc	7500.0	2800.0	

- b. The permittee shall not land apply biosolids with pollutant concentrations that exceed any of the ceiling concentrations in the preceding table. The permittee shall not sell or give away biosolids for land application if pollutant concentrations exceed any of the ceiling concentrations in the preceding table.
- c. If biosolids exceed any Ceiling Concentration in the preceding table, the permittee must:
 - Notify the ADEQ Biosolids Coordinator;
 - Find alternative disposal methods other than land application for the biosolids represented by that sampling event; and
 - Identify the source of the pollutants and take appropriate source control measures to reduce the presence of the pollutant(s) of concern.

- d. If biosolids exceed a Monthly Average Pollutant Concentration listed in the table in Section 7.a.i above:
- The biosolids shall not be applied as bulk biosolids to a lawn or garden.
 - The biosolids shall not be sold or given away if any annual pollutant loading rate listed in Table 3 of A.A.C. R18-9-1005(D) will be exceeded. The annual pollutant loading rate shall be determined using the methodology in 18 A.A.C. Chapter 9, Article 10, Appendix A.
 - The biosolids shall not be applied to a site if any cumulative pollutant loading rate in Table 4 of A.A.C. R18-9-1005(D) will be exceeded. The cumulative pollutant loading rate shall be determined using the methodology in A.A.C. R18-9-1005(D).
- e. The permittee shall not apply, sell, or give away biosolids for application to a lawn or garden unless they are Exceptional Quality (EQ) biosolids.
- f. The permittee shall be able to demonstrate that all biosolids meet the definition of EQ biosolids in order to claim exemption from the management practices in A.A.C. R18-9-1007 and R18-9-1008. If claiming biosolids are EQ, during the first two years of EQ biosolids preparation, the permittee shall submit the results of all biosolids testing and details about the pathogen and vector control treatment processes to the ADEQ Biosolids Coordinator. The permittee shall receive written confirmation from ADEQ that the results demonstrate the biosolids meet EQ requirements prior to selling or giving away or land applying any biosolids for uses requiring an EQ biosolids classification.

2. Pathogen Reduction Requirements

- a. Biosolids must meet Class A or Class B pathogen reduction requirements established in A.A.C. R18-9-1006 at the time the biosolids are land applied and, if stored uncovered prior to land application, at the time the biosolids are stored. The permittee shall also verify that the reduction is met within 30 days prior to distribution (see Section F.4). The permittee shall document and retain records of the treatment used to achieve Class A or Class B pathogen reduction levels and, if demonstrating treatment to Class A, the fecal coliform or *Salmonella sp.* density. Retesting is required within 30 days of distribution for EQ and Class A biosolids and for Class B biosolids if pathogen reduction was demonstrated through Alternative 1.
- b. Biosolids sold or given away in a bag or other container for land application, or applied on a lawn or home garden, shall meet the Class A pathogen reduction requirements established in A.A.C. R18-9-1006(D).
- c. The permittee shall maintain daily records of the operating parameters for the pathogen reduction treatment alternative used as necessary to demonstrate the treatment requirements have been met. If using A.A.C. R18-9-1006(D) Alternative 4, the permittee shall demonstrate acceptable levels of enteric virus and viable helminth ova through monitoring.
- d. Microbiological monitoring for fecal coliforms or *Salmonella sp.* to demonstrate pathogen reduction during a given monitoring period shall be conducted as close to the actual distribution or disposal of the biosolids as feasible. The analytical results must demonstrate effective pathogen reduction is achieved prior to distributing or disposing of the biosolids. If the permittee stores biosolids before they are distributed for use or disposal, microbiological testing must take place within 30 days prior to distribution or disposal.

e. In order to demonstrate Class B pathogen reduction using A.A.C. R18-9-1006(E) Alternative 1;

- At least seven individual grab samples must be taken and analyzed for fecal coliform during each monitoring event (unless an alternate sampling plan has been approved by ADEQ).
- The geometric mean of the results must be <2,000,000 MPN/gram or CFU/gram of total solids (dry-weight basis).
- Samples are to be taken over a 14-day period to adequately represent sludge variability.

(Note: A 'monitoring event' includes the period of time that samples are collected, analyzed, and the sample results provided to the permittee.)

vi. In order to demonstrate Class A pathogen reduction, in addition to meeting one of the alternative pathogen treatment options in A.A.C. R18-9-1006(D);

- At least seven (7) individual grab samples must be collected and analyzed for fecal coliform during each monitoring event (unless an alternate sampling plan has been approved by ADEQ) and all seven samples must be < 1,000 MPN/gram.; or
- At least seven (7) individual grab samples must be collected and analyzed for *Salmonella sp.* during each monitoring event (unless an alternate sampling plan has been approved by ADEQ) and each must be <3 MPN/4 grams total solids (dry-weight basis).
- Samples are to be taken over a 14-day period to adequately represent sludge variability.

vii. If demonstrating Class A pathogen reduction using A.A.C. R18-9-1006(D) Alternative 4;

- One composite sample consisting of at least seven (7) grab samples must be collected and analyzed for enteric virus during each monitoring event and the arithmetic mean of four (4) duplicate analyses of that composite must be < 1 PFU/ 4 grams total solids (dry-weight basis). Grab samples are to be taken over a 14-day period prior to compositing them to adequately represent sludge variability, and the maximum holding time is two (2) weeks.
- One composite sample consisting of at least seven (7) grab samples must be collected and analyzed for viable helminth ova during each monitoring event and the arithmetic mean of 4 duplicate analyses of that composite must be < 1 viable ova/ 4 grams total solids (dry-weight basis). Grab samples are to be taken over a 14-day period prior to compositing them to adequately represent sludge variability.

3. Vector Attraction Reduction Requirements

- a. The permittee shall ensure that all biosolids generated and/or prepared at this facility meet the vector attraction reduction requirements established in A.A.C. R18-9-1010 when the biosolids are land-applied. If biosolids are stored uncovered prior to land application, one of the vector attraction reduction alternatives established in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8) must be met prior to storage. The permittee shall document and retain records of the operational parameters or application methods used to achieve the vector attraction reduction requirements.
- b. The permittee shall ensure that all biosolids generated and/or prepared at this facility that are sold or given away in a bag or other container, or applied to a lawn or home garden, meet one of the vector attraction reduction alternatives established in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8). The permittee shall document and

retain records of the operational parameters or application methods used to achieve the vector attraction reduction requirements.

4. Nitrogen Testing

The permittee shall ensure that biosolids generated and/or prepared at this facility for land application are tested for organic-N, ammonium-N, and nitrate-N at least at the applicable minimum frequency in Appendix H, part 6.a and that the most recent test results are provided to any subsequent preparer, user, or disposer.

5. Composting Requirements

The permit will limit the type of bulking agents to non-hazardous, organic, compostable materials such as animal bedding material (including de minimus amounts of manure), grass clippings, hay, straw, leaves, weeds, wood chips, sawdust, twigs, tree prunings, other vegetative matter from crop residues or clearing activities, and food processing residuals.

H. Management Practices for Land Application

The permittee shall ensure that all non-EQ bulk biosolids generated and/or prepared at this facility are land applied in accordance with the management practices in A.A.C. R18-9-1007, unless the bulk biosolids are land applied for reclamation.

If the permittee generates or prepares non-EQ bulk biosolids that are land applied for reclamation, the permittee shall ensure that the biosolids are land applied in accordance with the management practices in A.A.C. R18-9-1008.

If the permittee generates or prepares EQ biosolids placed in a bag or other container for distribution/land application or reclamation, the permittee shall distribute a label or information sheet to the person receiving the material. This label or information sheet shall contain the information in A.A.C. R18-9-1007(B).

I. Biosolids Storage

1. Biosolids shall not be stored on land for over two years from the time they are generated or prepared for land application unless an individual permit for surface disposal is obtained per 18 A.A.C. Chapter 9, Article 10 and 40 CFR 503 Subpart C, or written notification has been submitted to the ADEQ Biosolids Coordinator with the information in 40 CFR 503.20(b) that sufficiently demonstrates the need for longer temporary storage.
2. For the protection of public health, biosolids shall not be stored uncovered on site or off site unless the permittee can demonstrate that prior to placement in storage:
 - a. the biosolids meet Class A or B pathogen reduction requirements established in A.A.C. R18-9-1006(D) or (E), and
 - b. the biosolids meet one of the vector attraction reduction alternatives in A.A.C. R18-9-1010 subsections (A)(1) through (A)(8).
 - c. For biosolids which are classified as EQ or Class A, or as Class B through pathogen reduction Alternative 1, the permittee must also sample for pathogen reduction following storage and within 30 days prior to reuse/disposal or distribution (see Section 7.b.iv). Sampling before storage shall occur at least at the minimum frequencies given in Part III.I.1, and sampling after storage shall be conducted as specified in Part III.I.4.
3. Prior to storing biosolids at an off-site storage location, the permittee shall notify the ADEQ Biosolids Coordinator in writing where the biosolids will be stored and the expected date of

final use or disposal. Note: this does not apply to biosolids which have been sold or transferred to another person.

J. On-site Management Plan

1. The permittee shall develop and maintain an On-site Management Plan (Plan). The Plan shall be submitted to ADEQ within 120 days of receiving the authorization certificate for coverage under this permit unless previously submitted.
2. This Plan shall:
 - a. detail how biosolids are managed from the time that they are generated at the facility until they are shipped off-site;
 - b. include a professional diagram of facilities/areas used in the operation and the area surrounding the operation;
 - c. give specific protocols to be followed to ensure that the material generated at this facility will consistently meet all applicable requirements in 18 A.A.C. Chapter 9, Article 10 and 40 CFR Part 503 Subpart C and the provisions of this permit;
 - d. shall specify how and when representative samples of biosolids will be taken and contain a contingency plan for managing biosolids that exceed the requirements for the expected end use/disposal; and
 - e. address issues of potential concern such as storage areas; run-on and run-off control; odor and dust control.
3. This Plan shall include Standard Operating Procedures (SOPs) for all routine operations, including (but not limited to) monitoring and recording windrow temperatures, if applicable. SOPs for biosolids sampling and all details regarding sample collection and analysis information shall be included in the QA Manual as specified in Part II.A. The QA Manual shall be referenced in the Plan as appropriate and attached as an appendix to the Plan.

K. Record Keeping Requirements

1. The permittee shall collect and retain all biosolids information required by this permit and A.A.C. R18-9-1013(A)(1) through (A)(6) for at least five years.
2. The permittee shall keep analytical test results and all documentation that supports the biosolids classification on-site and available for review for at least five years.
3. All biosolid records are subject to periodic inspection and copying by ADEQ.

L. Notification Requirements

The permittee, either directly or through contractual arrangements with their biosolids management contractors, shall comply with the following:

1. Notification of Noncompliance
 - a. The permittee shall notify ADEQ of any noncompliance with the biosolids provisions of this permit or with 18 A.A.C. Chapter 9 Article 10, which may endanger health or the environment. The permittee shall provide the information orally within 24 hours from the time the permittee becomes aware of the circumstances (see Section V.C.).
 - b. For other instances of noncompliance with the biosolids provisions, the permittee shall notify the ADEQ Biosolids Coordinator in writing within five working days of becoming aware of the circumstances.

- c. Permittees shall require their biosolids management contractors to notify ADEQ of any noncompliance within the time-frames specified in Sections 11.a.i and ii.

2. Notification of Shipment to another State

Except for EQ Biosolids, if biosolids are shipped to another State or to Indian Lands, the permittee shall send a notice of the shipment to the NPDES permitting authorities in the receiving State or Indian Land (the EPA Regional Office for that area and the State/Indian authorities) with a copy to the Arizona Biosolids Coordinator. The notice shall be sent at least 60 days before the biosolids are planned to be shipped.

3. Notification of Change in Land Application Sites, Applicators, or Disposal Methods

- a. Prior to sending, placing or applying any bulk biosolids generated and/or prepared at this facility to a site that the permittee has not previously utilized for biosolids use/disposal within the last three years, the permittee shall verify that the application site has been registered in accordance with A.A.C. R18-9-1004 and shall notify the ADEQ Biosolids Coordinator of the planned change. The notification shall include a description and topographic map of the proposed site(s), latitude and longitude coordinates at the center of each field/site, slope of land surface, names and addresses of the applicator(s) and site owner(s), a listing of any state or local permits which must be obtained, a description of the crops or vegetation to be grown at each site, proposed loading rates and determination of agronomic rates.

- b. Prior to transferring bulk biosolids for land application to an applicator that the permittee has not transferred biosolids to within the last three years, the permittee shall notify the ADEQ Biosolids Coordinator of the planned change. The notification shall include: the name, address, and telephone number of the applicator and any agent of the applicator; the name and telephone number of a primary contact person who has specific knowledge of the land application activities of the applicator; and whether the applicator holds a NPDES or AZPDES permit, and, if so, the permit number.

- c. Prior to changing the method of biosolids use, treatment or disposal that was identified in the permittee's application for this permit, the permittee shall notify the ADEQ Biosolids Coordinator of the planned change in writing. If ADEQ determines that the newly proposed practice is not covered under this permit, the permittee shall request and receive a permit modification prior to making the change.

- d. The permittee shall keep records of site registration verifications and of all notifications made to ADEQ.

4. Notification of Land Application of Biosolids that Exceed Monthly Average Pollutant Concentrations

The permittee shall notify the ADEQ Biosolids Coordinator and any subsequent biosolids handlers if biosolids generated and/or prepared at this facility do not meet any of the Monthly Average Pollutant Concentration values listed at Appendix H Part 7.a.i above. The permittee shall ensure that bulk biosolids exceeding a monthly average pollutant concentration will not be applied to a site if any cumulative pollutant loading rate (Table 4 in A.A.C. R18-9-1005) will be exceeded per A.A.C. R18-9-1005(D)(2).

5. Notification to Subsequent Land Applicators

The permittee shall notify the applicator of all the applicator's requirements under Title 18 Chapter 9 Article 10 including the requirement that the applicator certify that management practices, site restrictions, and any applicable vector attraction reduction requirements have been met.

M. Annual Report

The permittee shall submit an annual biosolids report to ADEQ by **February 19 of each year** for the period covering the previous calendar year. The report shall be filled out on forms prescribed by ADEQ and shall include:

1. The amount of biosolids prepared during the previous calendar year; the amount stored at the beginning and end of the previous calendar year, in dry tons or dry metric tons (prefer metric tons); and the amount distributed.
2. If biosolids are obtained from off-site generators, the amounts obtained from each generator during the previous calendar year and all testing data received from those generators.
3. The results of all biosolids monitoring conducted during the previous calendar year and copies of the associated laboratory analytical reports. Metals (other than TCLP metals) shall be reported on a 100% dry weight basis. Note: All testing including microbiological testing must meet required holding times.
4. Descriptions of pathogen reduction methods and vector attraction reduction methods used during the previous calendar year. The permittee must submit sludge processing data used to demonstrate how treatment alternative(s) in A.A.C. R18-9-1006 and R18-9-1010 were attained, (such as time, temperature, percent solids, pH etc.) as applicable.
5. Names, mailing addresses, and street addresses of all persons who received biosolids generated and/or prepared at this facility for storage, further treatment, disposal in a municipal waste landfill, or for other use/disposal methods not covered under 40 CFR 258 or 503, and the amount delivered to each.
6. Except for biosolids that are demonstrated to be EQ, the following information shall be submitted by the permittee for land application sites, unless the permittee requires its biosolids management contractors to report this information directly to ADEQ:
 - i. Locations of land application sites (with field names and numbers) used that calendar year, size of each field applied to, applier, and site owner;
 - ii. Volumes applied to each field (in wet tons and dry metric tons), nitrogen applied, calculated plant available nitrogen;
 - iii. Crop(s) planted, date of planting, harvesting;
 - iv. For any biosolids exceeding A.A.C. R18-9-1005 Table 2 metals concentrations, the locations of sites where applied and cumulative metals loading at each of these sites to date;
 - v. Certifications of management practices in A.A.C. R18-9-1007 or A.A.C. R18-9-1008; and
 - vi. Certifications of site restrictions in A.A.C. R18-9-1009.

N. Reporting Location

Arizona Department of Environmental Quality
Biosolids Coordinator, Water Quality Compliance Section
1110 W. Washington St.
Phoenix, AZ 85007
602-771-7674

PART V. MONITORING AND REPORTING REQUIREMENTS

A. Sample Collection and Analysis

1. The permittee is responsible for the quality and accuracy of all data required under this permit.
2. Quality Assurance (QA) Manual

The permittee shall keep a QA Manual on site that describes the sample collection and analyses processes. If the permittee collects samples or conducts sample analyses in house, the permittee shall develop a QA Manual that addresses these activities. If a third party collects and/or analyzes samples on behalf of the permittee, the permittee shall obtain a copy of the applicable QA procedures. The QA Manual shall be available for review by ADEQ upon request. The QA Manual shall be updated as necessary to reflect current conditions, and shall describe the following:

- a. Project Management, including:
 - Purpose of sample collection and sample frequency;
 - When and where samples will be collected;
 - How samples will be collected;
 - Who will collect samples and their qualifications;
 - Laboratory(s) that will perform analyses;
 - Any field tests to be conducted (detail methods and specify equipment, including a description of any needed calibrations); and
 - Pollutants or analytes being measured and for each, the permit-specific limits, laboratory reporting levels, or thresholds, (e.g. the associated detection limits needed.).
- b. Sample collection procedures including
 - Equipment to be used;
 - Number and location of samples to be taken from a cross section of **each** stockpile, or area to ensure representative samples are consistently obtained;
 - Type and number of QA/QC samples to be collected (i.e., background samples, duplicates, and equipment or field blanks);
 - Types, sizes, and number of sample containers needed;
 - Preservatives and holding times for the samples (see methods under 40 CFR 136 or 9 A.A.C. 14, Article 6 or any condition within this permit that specifies a particular test method); and
 - Chain of custody procedures.
- c. Specify approved analytical method(s) to be used and include;
 - Limits of Detection (LOD) and Limits of Quantitation (LOQs);
 - Required quality control (QC) results to be reported (e.g., matrix spike recoveries, duplicate relative percent differences, blank contamination, laboratory control sample recoveries, surrogate spike recoveries, etc.) and acceptance criteria; and
 - Corrective actions to be taken by the permittee or the laboratory as a result of problems identified during QC checks.

- d. Calibration requirements and frequency of calibrations for field testing equipment including temperature probes and how these calibrations will be documented.
 - e. How the permittee will perform data review; complete records used to report results to ADEQ; resolve data quality issues; and identify limitations on the use of the data.
3. Sample collection, preservation and handling shall be performed on solids, liquid, and hazardous waste as established in A.A.C. R9-14-612 and R9-14-613. The permittee shall outline the proper procedures in the QA Manual, and samples taken to meet the monitoring requirements in this permit must conform to these procedures whether collection and handling is performed directly by the permittee or contracted to a third-party.
4. Analytical requirements
- a. The permittee shall use a laboratory licensed by the ADHS Office of Laboratory Licensure and Certification that has demonstrated proficiency within the last 12 months under R9-14-609, for each parameter to be sampled under this permit. However, this requirement does not apply to parameters which require analysis at the time of sample collection as long as the testing methods used are approved by ADHS and ADEQ. (These parameters may include temperature.)
 - b. The permittee must utilize analytical methods specified in this permit. If no test procedure is specified, the permittee shall analyze the pollutant using a test procedure listed in 40 CFR 503.8, July 1, 2001 edition, or by the wastewater sample methods and solid, liquid, and hazardous waste sample methods established in A.A.C. R9-14-612 and R9-14-613.
 - c. For results to be considered valid, all analytical work, including those conducted by the permittee at the time of sampling (see Section 4.a above), shall meet quality control standards specified in the approved methods.
 - d. The permittee shall use analytical methods with a Limit of Quantitation (LOQ) that is lower than the pollutant limitations or other monitoring criteria specified in this permit. If all methods have LOQs higher than applicable monitoring criteria, the Permittee shall use the approved analytical method with the lowest LOQ.
 - e. The permittee shall use a standard calibration curve when applicable to the method, where the lowest standard point is equal to or less than the LOQ.

B. Reporting of Monitoring Results

1. The permittee shall report all metals and pathogen monitoring results from the processed biosolids in the annual report as specified in Section C below. The permittee shall submit results of all monitoring required by this permit in a format that will allow direct comparison with the limitations and requirements of this permit.
2. The permittee shall maintain copies of all monitoring records and laboratory reports, incoming biosolids sampling results, and windrow time and temperature logs on site and available for review by ADEQ.
3. For all field testing, or if the information below is not included on the laboratory reports required by Part II.B.2, the permittee shall provide the following with all analytical results obtained during the reporting period:
 - a. the number or title of the approved analytical method, preparation and analytical procedure utilized by the field personnel or laboratory,

- b. the LOD and the LOQ for the analytical method for the pollutant, if applicable, and
- c. any applicable data qualifiers using the most current revision of the Arizona Data Qualifiers (available on line at <http://www.azdhs.gov/lab/license/resources/resources.htm>).

C. Twenty-four Hour Reporting of Noncompliance

The permittee shall orally report any noncompliance which may endanger the environment or human health within 24 hours from the time the permittee becomes aware of the event to:

ADEQ 24-hour Hotline at (602) 771-2330

The permittee shall also notify the appropriate ADEQ office listed below by phone call or voice mail by 9 a.m. on the first business day following the noncompliance:

- For facilities in Cochise, Graham, Greenlee, Pima, Santa Cruz, and Yuma counties, contact the ADEQ Southern Regional Office at (520) 770-3126.
- For facilities in all other counties, contact the ADEQ Water Quality Compliance Section Manager at (602) 771-2209.

The permittee shall also notify the ADEQ Water Quality Compliance Section in writing within 5 days of the noncompliance event. The permittee shall include in the written notification: a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

D. Monitoring Records

The permittee shall retain records of the following monitoring information:

1. Date, exact location and time of sampling or measurements performed, preservatives used;
2. Individual(s) who performed the sampling or measurements;
3. Date(s) the analyses were performed;
4. Laboratory(s) which performed the analyses;
5. Analytical techniques or methods used;
6. Chain of custody forms;
7. Any comments, case narrative or summary of results produced by the laboratory. These comments should identify and discuss QA/QC analyses performed concurrently during sample analyses and should specify whether analyses met project requirements and the method requirements in A.A.C. R9-14-612 and R9-14-613. If results include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, sample receipt condition, or holding times and preservation, these records must also be retained.
8. Summary of data interpretation and any corrective action taken by the permittee.

PART VI. SPECIAL CONDITIONS

A. Operation

If the facility is a WWTP, the permittee shall ensure that it is operated by or under the supervision of an operator currently certified by ADEQ at the level appropriate.

B. Permit Fee Requirements

In accordance with A.A.C R18-14-109, the permittee shall pay the initial fee for coverage under this permit at the time the NOI is submitted, and the permittee shall pay the annual fee when billed unless a notice of termination has been filed. The annual fee is due on the anniversary of the date the certificate of authorization is issued. See A.A.C. R18-14-109, Table 6, AZPDES Water Quality Protection Services Flat Fees and Part III.C of this permit for details

C. Permit Reopener

This permit may be modified per the provisions of A.A.C. R18-9-C905. This permit may be reopened based on newly available information or as needed to incorporate new regulatory requirements.

APPENDIX A: ACRONYMS

A.A.C.	Arizona Administrative Code
ADEQ	Arizona Department of Environmental Quality
ADHS	Arizona Department of Health Services
EQ	Exceptional Quality (biosolids)
AZPDES	Arizona Pollutant Discharge Elimination System
A.R.S.	Arizona Revised Statutes
CFR	Code of Federal Regulations
CFU	Colony Forming Units
Director	The Director of ADEQ or any authorized representative thereof
EPA	The U.S. Environmental Protection Agency
g/day	grams per day
kg/day	kilograms per day
mgd	Million Gallons per Day
mg/L	milligrams per Liter, also equal to parts per million (ppm)
MPN	Most Probable Number
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
PFU	Plaque-Forming Unit
QA	Quality Assurance
POTW	Publicly Owned Treatment Works
SSU	Sewage Sludge Unit
TWTDS	Treatment Works Treating Domestic Sewage
µg/L	micrograms per Liter, also equal to parts per billion (ppb)
WWTP	Wastewater Treatment Plant

APPENDIX B: DEFINITIONS

ACTIVE SEWAGE SLUDGE UNIT means a sewage sludge unit that has not closed.

AGRONOMIC RATE means the whole biosolids application rate on a dry-weight basis that meets the following conditions: a.) The amount of nitrogen needed by existing vegetation or a planned or actual crop has been provided, and b.) The amount of nitrogen that passes below the root zone of the crop or vegetation is minimized.

ANNUAL POLLUTANT LOADING RATE means the maximum amount of a pollutant that can be applied to an acre or hectare of land during a 365-day period.

APPLICATOR means a person who arranges for and controls the site-specific land application of biosolids in Arizona.

BASE FLOOD means a flood that has a one percent chance of occurring in any given year (or a flood that is likely to occur once in 100 years).

BIOSOLIDS means sewage sludge, including exceptional quality biosolids, that is placed on, or applied to the land to use the beneficial properties of the material as a soil amendment, conditioner, or fertilizer. Biosolids do not include any of the following:

- a. Sludge determined to be hazardous under A.R.S. Title 49, Chapter 5, Article 2 and 40 CFR 261;
- b. Sludge with a concentration of polychlorinated biphenyls (PCBs) equal to or greater than 50 milligrams per kilogram of total solids (dry-weight basis);
- c. Grit (for example, sand, gravel, cinders, or other materials with a high specific gravity) or screenings generated during preliminary treatment of domestic sewage by a treatment works;
- d. Sludge generated during the treatment of either surface water or groundwater used for drinking water;
- e. Sludge generated at an industrial facility during the treatment of industrial wastewater, including industrial wastewater combined with domestic sewage;
- f. Commercial septage, industrial septage, or domestic septage combined with commercial or industrial septage; or
- g. Special wastes as defined and controlled under A.R.S. Title 49, Chapter 4, Article 9.

BULK BIOSOLIDS means biosolids that are transported and land-applied in a manner other than in a bag or other container holding biosolids of 1.102 short tons or 1 metric ton or less.

COMPOSITE SAMPLE [Effluent] means a sample that is formed by combining a series of individual, discrete samples of specific volumes or weights.

CUMULATIVE POLLUTANT LOADING RATE means the maximum amount of a pollutant applied to land application site.

DISCRETE or GRAB SAMPLE means an individual **sample of at least 100 mL** collected from a single location, or over a period of time not exceeding 15 minutes.

DOMESTIC SEWAGE means waste or wastewater from humans or household operations that is discharged to a publicly or privately owned treatment works. Domestic sewage also includes commercial and industrial wastewaters that are discharged into a publicly-owned or privately-owned treatment works if the industrial or commercial wastewater combines with human excreta and other household and nonindustrial wastewaters before treatment.

DRY-WEIGHT BASIS means the weight of biosolids calculated after the material has been dried at 105 °C until reaching a constant mass.

EXCEPTIONAL QUALITY BIOSOLIDS means biosolids certified under R18-9-1013(A)(6) as meeting the pollutant concentrations in R18-9-1005 Table 2, Class A pathogen reduction in R18-9-1006, and one

of the vector attraction reduction requirements in subsections R-18-9-1010(A)(1) through R18-9-1010(A)(8).

INDIAN COUNTRY as defined in U. S. Code Title 18 §1151, includes all land within the limits of any Indian reservation under the jurisdiction of the United States government.

LAND APPLICATION or LAND APPLY means spraying or spreading biosolids on the surface of the land, injecting biosolids below the land's surface, or incorporating biosolids into the soil to amend, condition, or fertilize the soil.

LAND TREATMENT FACILITY means an operation designed to treat and improve the quality of waste, wastewater, or both, by placement wholly or in part on the land surface to perform part or all of the treatment. A land treatment facility includes a facility that performs biosolids drying, processing, or composting, but not land application performed in compliance with 18 A.A.C. 9, Article 10.

LIMIT OF QUANTITATION (LOQ) means the minimum levels, concentrations, or quantities of a target variable such as an analyte that can be reported with a specific degree of confidence. The calibration point shall be at or below the LOQ. The LOQ is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all of the method-specified sample weights, volumes, and processing steps have been followed.

LIMIT OF DETECTION (LOD) means an analyte and matrix-specific estimate of the minimum amount of a substance that the analytical process can reliably detect with a 99% confidence level. This may be laboratory dependent and is developed according to R9014-615(C)(7).

METHOD DETECTION LIMIT (MDL) - See LOD.

NOTICE OF INTENT means a Notice of Intent for coverage of to prepare biosolids for land application under this general permit using the form specified for this purpose by ADEQ.

NOTICE OF TERMINATION means a Notice of Termination for the preparation of biosolids for land application under this general permit using the form specified for this purpose by ADEQ.

PARAMETER for purposes of this permit means a constituent, property, or characteristic that can be measured, quantified, and/or analyzed.

PATHOGEN means a disease-causing organism.

PERSON means an individual, employee, officer, managing body, trust, firm, joint stock company, consortium, public or private corporation, including a government corporation, partnership, association or state, a political subdivision of this state, a commission, the United States government or a federal facility, interstate body or other entity [A.R.S. § 49-201(26)].

RUNOFF means rainwater, leachate, or other liquid that drains over any part of a land surface and runs off of the land surface.

SEWAGE SLUDGE UNIT means land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include navigable waters.

SIGNIFICANT INDUSTRIAL USER (SIU) means an indirect discharger that is the focus of control efforts under the national pretreatment program; includes all indirect dischargers subject to national categorical pretreatment standards, and all other indirect dischargers that contribute 25,000 gpd or more of process wastewater, or which make up five percent or more of the hydraulic or organic loading to the municipal treatment plant, subject to certain exceptions (40 CFR 403).

STORE BIOSOLIDS or STORAGE OF BIOSOLIDS means the temporary holding or placement of biosolids on land before land application.

SURFACE DISPOSAL SITE means an area of land that contains one or more active sewage sludge units.

SUBMIT, as used in this permit, means post-marked, documented by other mailing receipt, or hand-delivered to ADEQ.

TON means a net weight of 2000 pounds and is known as a short ton.

TOTAL SOLIDS means the biosolids material that remains when sewage sludge is dried at 103° C to 105° C.

TREATMENT OF BIOSOLIDS means the thickening, stabilization, dewatering, and other preparation of biosolids for land application. Storage is not a treatment of biosolids.

TREATMENT WORKS TREATING DOMESTIC SEWAGE means a POTW or any other sewage sludge or waste water treatment device or system, regardless of ownership (including federal facilities), used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated for the disposal of sewage sludge. This definition does not include septic tanks or similar devices. For purposes of this definition, "domestic sewage" includes waste and wastewater from humans or household operations that are discharged to or otherwise enter a treatment works.

VECTORS means rodents, flies, mosquitoes, or other organisms capable of transporting pathogens.

APPENDIX C: TESTING FOR HAZARDOUS WASTE DETERMINATION

The permittee shall test biosolids at least annually, and more frequently as necessary, to determine if biosolids are hazardous in accordance with 40 CFR 261. Initial screening of the biosolids may be conducted by analyzing biosolids for the total amount of a pollutant. This screening test is all that is required each monitoring period if the total amount doesn't exceed the 20X TCLP screening value in the table below. If the total amount of a pollutant exceeds the 20X TCLP screening value, then the leachable amount must be determined using the Toxicity Characteristic Leaching Procedure (TCLP). The disposal of biosolids that test hazardous is not covered under this permit, and all such biosolids must be disposed of in accordance with the Resource Conservation and Recovery Act (RCRA).

Toxicity Characteristic Leaching Procedure Test

Parameter	TCLP Limit (mg/L)	20 X TCLP Screening Value (mg/kg)	Minimal Monitoring Frequency per Generator
Metals			
Arsenic	5	100	Once / year
Barium	100	2000	Once / year
Cadmium	1	20	Once / year
Chromium	5	100	Once / year
Lead	5	100	Once / year
Mercury	0.2	4	Once / year
Selenium	1	20	Once / year
Silver	5	100	Once / year
Volatiles and Semi-Volatiles			
Benzene	0.5	10	Once / year
Carbon Tetrachloride	0.5	10	Once / year
Chlorobenzene	100	2000	Once / year
Chloroform	6	120	Once / year
1,2-Dichloroethane	0.5	10	Once / year
1,1-Dichloroethylene	0.7	14	Once / year
Methyl ethyl ketone	200	4000	Once / year
Tetrachloroethylene	0.7	14	Once / year
Trichloroethylene	0.5	10	Once / year
Vinyl Chloride	0.2	4	Once / year
1,4-Dichlorobenzene	7.5	150	Once / year
o-cresol (1)	200	4000	Once / year
m-cresol (1)	200	4000	Once / year
p-cresol (1)	200	4000	Once / year
Cresol (total) (1)	200	4000	Once / year
2,4-Dinitrotoluene	0.13	2.6	Once / year
Hexachlorobenzene	0.13	2.6	Once / year
Hexachlorobutadiene	0.5	10	Once / year

Hexachloroethane	3	60	Once / year
Nitrobenzene	2	40	Once / year
Pentachlorophenol	100	2000	Once / year
Pyridine	5	100	Once / year
2,4,5-Trichlorophenol	400	8000	Once / year
2,4,6-Trichlorophenol	2	40	Once / year
Herbicides / Pesticides			
2,4-D	10	200	Once / year
2,4,5-TP (Silvex)	1	20	Once / year
Chlordane	0.03	0.6	Once / year
Endrin	0.02	0.4	Once / year
Heptachlor	0.008	0.16	Once / year
Heptachlor epoxide	0.008	0.16	Once / year
Lindane	0.44	8.8	Once / year
Methoxychlor	10	200	Once / year
Toxaphene	0.5	10	Once / year

Footnote:

- (1) If o-, m-, and p-Cresol concentrations cannot be differentiated, the total cresol (D026) concentration is used. The regulatory level of total cresol is 200 mg/L.

APPENDIX D: STANDARD AZPDES PERMIT CONDITIONS & NOTIFICATIONS

1. Duty to Reapply. [A.A.C. R18-9-C903(B)]
 - a. Upon reissuance of the general permit, the permittee shall file an NOI, within the timeframe specified in the new general permit, and shall obtain new written authorization for the covered activities from the Director.
 - b. If the Director does not reissue the general permit before the expiration date, the current general permit will be administratively continued and remain in force and effect until the general permit is reissued.
 - c. Any permittee granted authorization under the general permit automatically remains covered by the continued general permit until the earlier of:
 - 1) Reissuance or replacement of the general permit, at which time the permittee shall comply with the NOI conditions of the new general permit to maintain authorization.
 - 2) The date the permittee has submitted a Notice of Termination; or
 - 3) The date the Director has issued an individual permit for the activities authorized under the continued general permit; or
 - 4) The date the Director has issued a formal permit decision not to reissue the general permit, at which time the permittee shall seek coverage under an alternative general permit or an individual permit, or cease the activities.
2. Signatory Requirements. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(k) and (l); A.A.C. R18-9-A905(A)(1)(c), which incorporates 40 CFR 122.22]
 - a. NOIs and NOTs. All NOIs must be signed and certified as follows:
 - 1) For a corporation: by a responsible corporate officer. For the purpose of this Part, a responsible corporate officer means:
 - a) A 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 initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - 2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - 3) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer is the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA.).

- b. Reports and Other Information. All BMPPs, NOTs, reports, certifications, or information required by this general permit and other information requested by an authorized representative of the Department shall be signed by a person described in paragraph (a) of this section or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- 1) The authorization is made in writing by a person described in paragraph (a) of this section and
 - 2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the permittee. (A "duly authorized representative" may be either a named individual or any individual occupying a named position.)
- c. Changes to Authorization. If the information on the NOI filed for general permit coverage is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new NOI must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under the terms of this permit shall make the following certification:
- "I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering 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. In addition, I certify that the operator will comply with all terms and conditions stipulated in General Permit No. AZG2011-001 issued by the Director."*
3. Duty to Comply. [A.A.C. R18-9-A905(A)(3)(a), which incorporates 40 CFR 122.41(a)(1) and A.R.S. §§ 49-261, 49-262, 49-263.01, and 49-263.02.]
- a. The Permittee shall comply with all conditions of this permit and any standard and prohibition required under A.R.S. Title 49, Chapter 2, Article 3.1 and A.A.C. Title 18, Chapter 9, Articles 9 and 10. Any permit noncompliance constitutes a violation of the Clean Water Act; A.R.S. Title 49, Chapter 2, Article 3.1; and A.A.C. Title 18, Chapter 9, Articles 9 and 10, and is grounds for enforcement action, permit termination, revocation and reissuance, or modification, or denial of a permit renewal application.
 - b. The issuance of this permit does not waive any federal, state, county, or local regulations or permit requirements with which a person covered under this permit is required to comply. This permit also does not authorize any condition related to the covered activities (i.e., odors, vectors, etc.) that may be otherwise determined a nuisance per A.R.S 49-141.
 - c. The Permittee shall comply with the effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with the standards for sewage sludge use or disposal established under section 405(d) of the Clean Water Act within the time provided in the regulation that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

- d. Civil Penalties. A.R.S. § 49-262(C) provides that any person who violates any provision of A.R.S. Title 49, Chapter 2, Article 3.1 or a rule, permit, discharge limitation or order issued or adopted under A.R.S. Title 49, Chapter 2, Article 3.1 is subject to a civil penalty not to exceed \$25,000 per day per violation.
- e. Criminal Penalties. Any a person who violates a condition of this permit, or violates a provision under A.R.S. Title 49, Chapter 2, Article 3.1, or A.A.C. Title 18, Chapter 9, Articles 9 and 10 is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which may include the possibility of fines and/or imprisonment.

4. Need to Halt or Reduce Activity Not a Defense [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(c)]

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

5. Duty to Mitigate [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(d)]

The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(e)]

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 also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

7. Permit Actions [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(f)]

This permit and/or coverage under this permit may be modified, revoked and reissued, or terminated for cause.

8. Property Rights [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(g)]

This permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private property or invasion of personal rights, nor any infringement of federal, state, tribal, or local laws or regulations.

9. Duty to Provide Information [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(h)]

The Permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing the authorization under this permit or to determine compliance with this permit. The Permittee shall also furnish to the Director upon request, copies of records required to be kept by this permit.

10. Inspection and Entry [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(i)]

The Permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and such other documents as may be required by law, to:

- a. 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;
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms of the permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring equipment or control equipment), practices or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by A.R.S. Title 49, Chapter 2, Article 3.1, and A.A.C. Title 18, Chapter 9, Articles 9 and 10, any substances or parameters at any location.

11. Monitoring and Records [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(j)]

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings 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, except for records of monitoring information required by this permit related to the Permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Director at any time
- c. Records of monitoring information shall include:
 - 1) The date, exact place and time of sampling or measurements;
 - 2) The individual(s) who performed the sampling or measurements;
 - 3) The date(s) the analyses were performed;
 - 4) The individual(s) who performed the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.
- d. Monitoring must be conducted according to test procedures specified in this permit. If a test procedure is not specified in the permit, then monitoring must be conducted according to test procedures approved under A.A.C. R18-9-A905(B) including those under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 (for sludge).
- e. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two years per violation, or by both for first conviction. For a second conviction, such a person is subject to a fine of not more than \$20,000 per day of violation, or imprisonment for not more than four years, or both.

Any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained in this permit is subject to the enforcement actions established under A.R.S. Title 49, Chapter 2, Article 4, which includes the possibility of fines and/or imprisonment.

12. Reporting Requirements [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(l)]

- a. Planned changes. The Permittee shall give notice to the Director as soon as possible of any planned physical alterations of additions to the permitted facility. Notice is required only when:
 - 1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b) (incorporated by reference at R18-9-A905(A)(1)(e)); or
 - 2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1) (incorporated by reference at R18-9-A905(A)(3)(b)).
 - 3) The alteration or addition results in a significant change in the Permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Anticipated noncompliance. The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- c. Transfers. (R18-9-B905) Authorizations under this permit are not transferable to any person.
- d. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - 1) Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices.
 - 2) If the Permittee monitors any pollutant more frequently than required by the permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR, or sludge reporting form specified by the Director.
 - 3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Director in the permit.
- e. Twenty-four hour reporting.
 - 1) The Permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the Permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
 - 2) The following shall be included as information which must be reported within 24 hours under this paragraph.

- a) Any unanticipated bypass which exceeds any effluent limitation in the permit. (See 40 CFR 122.41(m) which is incorporated by reference at R18-9-A905(A)(3)(a))
 - b) Any upset which exceeds any effluent limitation in the permit.
 - c) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit to be reported within 24 hours. (See 40 CFR 122.44(g) which is incorporated by reference at R18-9-A905(A)(3)(d))
 - f. Other noncompliance. The Permittee shall report all instances of noncompliance not reported under paragraphs (d), (e), and (f) of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this section.
 - g. Other information. Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
13. Bypass [R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(m)]
- a. Definitions
 - 1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
 - 2) "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.
 - b. Bypass not exceeding limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (c) and (d) of this section.
 - c. Notice.
 - 1) Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of bypass.
 - 2) Unanticipated bypass. The Permittee shall submit notice of an unanticipated bypass as required in paragraph (f)(2) of section 12 (24-hour notice).
 - d. Prohibition of bypass.
 - 1) Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:
 - a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment down time. 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 which occurred during normal periods of equipment downtime or preventive maintenance; and

- c) The Permittee submitted notices as required under paragraph (c) of this section.
 - 2) The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph (d)(1) of this section.
14. Upset [A.R.S. § 49-255(8) and 255.01(E), R18-9-A905(A)(3)(a) which incorporates 40 CFR 122.41(n)]
- a. Definition. "Upset" means 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. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
 - b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (c) of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
 - c. Conditions necessary for a demonstration of upset. A Permittee who wishes to establish the affirmative defenses of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1) An upset occurred and that the Permittee can identify the cause(s) of the upset;
 - 2) The permitted facility was at the time being properly operated; and
 - 3) The Permittee submitted notice of the upset as required in paragraph (f)(2) of Section 12 (24-hour notice).
 - 4) The Permittee has taken appropriate measure including all reasonable steps to minimize or prevent any discharge or sewage sludge use or disposal that is in violation of the permit and that has a reasonable likelihood of adversely affecting human health or the environment per A.R.S. §49-255.01(E)(1)(d)
 - d. Burden of proof. In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

15. Publicly Owned Treatment Works [R18-9-A905(A)(3)(b) which incorporates 40 CFR 122.42(b)]

This section applies only to publicly owned treatment works as defined at ARS §49-255(5).

- a. All POTW's must provide adequate notice to the Director of the following:
 - 1) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to section 301 or 306 of the CLEAN WATER ACT if it were directly discharging those pollutants; and
 - 2) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - 3) For the purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharge from the POTW.

- b. Publicly owned treatment works may not receive hazardous waste by truck, rail, or dedicated pipe except as provided under 40 CFR 270. Hazardous wastes are defined at 40 CFR 261 and include any mixture containing any waste listed under 40 CFR 261.31 - 261.33. The Domestic Sewage Exclusion (40 CFR 261.4) applies only to wastes mixed with domestic sewage in a sewer leading to a publicly owned treatment works and not to mixtures of hazardous wastes and sewage or septage delivered to the treatment plant by truck.

16. Privately Owned Treatment Works [R18-9-A905(A)(3)(d) which incorporates 40 CFR 122.44]

This section applies only to privately owned treatment works as defined at 40 CFR 122.2.

- a. Materials authorized to be disposed of into the privately owned treatment works and collection system are typical domestic sewage. Unauthorized material are hazardous waste (as defined at 40 CFR Part 261), motor oil, gasoline, paints, varnishes, solvents, pesticides, fertilizers, industrial wastes, or other materials not generally associated with toilet flushing or personal hygiene, laundry, or food preparation, unless specifically listed under "Authorized Non-domestic Sewer Dischargers" elsewhere in this permit.
- b. It is the Permittee's responsibility to inform users of the privately owned treatment works and collection system of the prohibition against unauthorized materials and to ensure compliance with the prohibition. The Permittee must have the authority and capability to sample all discharges to the collection system, including any from septic haulers or other unsewered dischargers, and shall take and analyze such samples for conventional, toxic, or hazardous pollutants when instructed by the permitting authority. The Permittee must provide adequate security to prevent unauthorized discharges to the collection system.
- c. Should a user of the privately owned treatment works desire authorization to discharge non-domestic wastes, the Permittee shall submit a revised NOI describing the proposed discharge. The Permittee shall then submit an NOT after the new DAC is issued.

17. Reopener Clause. [A.A.C. R18-9-C905]. The Department may elect to modify or revoke and reissue the permit prior to its expiration (rather than waiting for the new permit cycle) to comply with any new statutory or regulatory requirements, such as for effluent limitation guidelines or water quality standards that may be promulgated in the course of the current permit cycle.

18. Termination of Permits [R-9-B906(C)]

The following are causes for terminating authorization or coverage under this permit, or for denying a reauthorization under a renewed permit renewal application:

- a. Noncompliance by the Permittee with any condition of the permit;
- b. The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination; or
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any activity controlled by the permit (for example, a plant closure or termination of discharge by connection to a POTW).

19. Availability of Reports [Pursuant to A.R.S §49-205]

Except for data determined to be confidential under A.R.S. §49-205(A), all reports prepared in accordance with the terms of this permit shall be available for public inspection at ADEQ offices. As required by A.R.S. §49-205(B) and (C), permit applications, permits, and monitoring data shall not be considered confidential.

20. Removed Substances [Pursuant to Clean Water Act Section 301]

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters.

21. Severability [Pursuant to A.R.S §49-324(E)]

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

22. Civil and Criminal Liability [Pursuant to A.R.S §49-262, 263.01, and 263.02]

Except as provided in permit conditions on "Bypass" (Section 13) and "Upset" (Section 14), nothing in this permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance.

23. Oil and Hazardous Substance Liability [Pursuant to Clean Water Act Section 311]

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

24. State or Tribal Law [Pursuant to R18-9-A904(C)]

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the operator from any responsibilities, liabilities, or penalties established pursuant to any applicable State or Tribal law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. Other Environmental Laws. No condition of this general permit releases the permittee from any responsibility or requirements under other environmental statutes or regulations. For example, this permit does not authorize the "take" of endangered or threatened species as prohibited by section 9 of the Endangered Species Act, 16 U.S.C. 1538. Information regarding the location of endangered and threatened species and guidance on what activities constitute a "take" are available from the U.S. Fish and Wildlife Service at www.fws.gov. NOTE: AZPDES regulated activities may be required to have either an individual or general Aquifer Protection Permit [A.R.S. § 49-241(A) unless exempt under A.R.S. § 49-250.

26. Requiring Coverage Under an Individual Permit or an Alternative General Permit. [A.A.C. R18-9-C902(A)]

- a. The Director may require a person authorized by this permit to apply for and/or obtain either an individual AZPDES permit or an alternative AZPDES general permit. Any interested person may petition the Department to take action under this section. The Department may require a

permittee covered under this permit to apply for an individual AZPDES permit in any of the following cases:

- 1) A change occurs in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the covered activities;
 - 2) Effluent limitation guidelines or other standards are promulgated for the activities covered by the general permit;
 - 3) An Arizona Water Quality Management Plan containing requirements applicable to the covered activities is approved;
 - 4) Circumstances change after the time of the request to be covered so that the covered activity is no longer appropriately controlled under the general permit, or either a temporary or permanent reduction or elimination of the authorized activity is necessary; or
 - 5) If the Director determines that the discharge is a significant contributor of pollutants. When making this determination, the Director shall consider:
 - a) The location of the discharge with respect to waters of the United States,
 - b) The size of the discharge,
 - c) The quantity and nature of the pollutants discharged to waters of the U.S., and
 - d) Any other relevant factor.
- b. If an individual permit is required, the Director shall notify the permittee in writing of the decision. The notice shall include:
- 1) A brief statement of the reasons for the decision;
 - 2) An application form or process;
 - 3) A statement setting a deadline to file the application;
 - 4) A statement that on the effective date of issuance or denial of the individual permit, coverage under the general permit will automatically terminate;
 - 5) The applicant's right to appeal the individual permit requirement with the Water Quality Appeals Board under A.R.S. § 49-323, the number of days the applicant has to file a protest challenging the individual permit requirement, and the name and telephone number of the Department contact person who can answer questions regarding the appeals process; and
 - 6) The applicant's right to request an informal settlement conference under A.R.S. §§ 41-1092.03(A) and 41-1092.06.
- c. The permittee shall apply for an individual permit within 90 days of receipt of the notice, unless the Director grants a later date. In no case shall the deadline be more than 180 days after the date of the notice.
- d. If the permittee fails to submit the individual permit application within the time period established in paragraph (c) of this section, the applicability of the general permit to the permittee is automatically terminated at the end of the day specified by the Director for application submittal.
- e. Coverage under the general permit shall continue until an individual permit is issued or denied unless the general permit coverage is terminated under Section 7.

27. Request for an Individual Permit. [A.A.C. R18-9-C902(B)]

- a. An owner or operator authorized under a general permit may chose to obtain coverage under an individual permit or alternate general permit. The owner or operator shall submit an individual permit application under A.A.C. R18-9-B901(B) or an NOI for an alternate general permit and include the reasons supporting the request no later than 90 days after publication of the general permit.
- b. If an individual permit is issued to an owner or operator otherwise subject to a general permit, the applicability of the general permit to the covered activity is automatically terminated on the effective date of the individual permit. However, a Notice of Termination must still be submitted per Part II.D.2 of the general permit.