

FINAL

Expiration Date: 7/31/2008
Permit Number: 101331
File Number: 28476
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**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT**
Department of Environmental Quality
Western Region - Salem Office
750 Front St. NE, Suite 120, Salem, OR 97301-1039
Telephone: (503) 378-8240

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act

TRANSFERRED TO:
File Number: 28476
Hollingsworth & Vose Fiber Company
1115 SE Crystal Lake Dr
Corvallis, OR 97333-1209
Site Location: H&V - Corvallis, 1185 SE Crystal Lake Dr, Corvallis
Transferred from: Eyanite Fiber Corporation

Transferred: 12/17/12
Benton County
EPA No. OR000029-9
LLID: 1227618456580
River Mile: 132.1999

SOURCES COVERED BY THIS PERMIT:

Type of Wastewater	Outfall Number	Outfall Location
Effluent from hardboard and glass fiber production and effluent from submicro groundwater cleanup	001	Willamette River RM 132.5

FACILITY TYPE:

Wet process hardboard and glass fiber

RECEIVING STREAM INFORMATION:

Basin: Willamette
Sub-Basin: Upper Willamette
Stream: Willamette River
LLID: 1227618456580-132.5-D
County: Benton

EPA REFERENCE NO: OR000029-9

Issued in response to Application No. 989783 received November 22, 1999.
This permit is issued based on the land use findings in the permit record.

Michael H. Kortenhef, Water Quality Manager
Western Region

August 18, 2003
Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system and discharge to public waters adequately treated wastewaters only from the authorized discharge point or points established in Schedule A and only in conformance with all the requirements, limitations, and conditions set forth in the attached schedules as follows:

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

SCHEDULE A

1. **Waste Discharge Limitations not to be exceeded after permit issuance.**

a. Outfall 001

May 1 – October 31

Parameter	Effluent Loadings	
	Monthly Average lbs/day	Daily Maximum lbs/day
BOD ₅	850	1300
TSS	1200	1800

Other Parameters	
Excess Thermal Load	Shall not exceed a weekly average of 23 Million Kcals/day

November 1 – April 30

Parameter	Effluent Loadings	
	Monthly Average lb/day	Daily Maximum lbs/day
BOD ₅	1400	2100
TSS	2500	3500

Other Parameters (Year Round)	
pH	Shall not be outside the range of 6.0 – 9.0
Floating Solids	None visible

2. Except as provided for in OAR 340-045-0080, no wastes shall be discharged and no activities shall be conducted which violate Water Quality Standards as adopted in OAR 340-041-0445 except in the following defined mixing zone and zone of initial dilution:

The mixing zone shall consist of that portion of the Willamette River 250 feet downstream from Outfall 001 and no closer than 50 feet from the east bank. The zone of initial dilution is defined as that portion of the Willamette River 25 feet downstream from Outfall 001.

SCHEDULE B

1. **Minimum Monitoring and Reporting Requirements to be met after permit issuance** (unless otherwise approved in writing by the Department).

The permittee shall monitor the parameters as specified below at the locations indicated. The laboratory used by the permittee to analyze samples shall have a quality assurance/quality control (QA/QC) program to verify the accuracy of sample analysis. If QA/QC requirements are not met for any analysis and cannot be re-analyzed, then the results shall be included in the report, but not used in calculations required by this permit. When the permittee cannot re-analyze the existing sample, then they shall re-sample in a timely manner for parameters failing the QA/QC requirements, analyze the samples, and report the results.

a. **Treated Effluent Outfall 001**

Item or Parameter	Minimum Frequency	Type of Sample
Flow	Daily	Continuous
BOD ₅	2/Week	24-hour composite
TSS	2/Week	24-hour composite
pH	2/Week	Grab
E. Coli	2/month	Grab (See Note 1)
Color (See Note 2)	2/week	24-hour composite
Total Copper, Lead, Zinc (See Note 2)	1/month	24-hour composite
Total Mercury (See Note 2)	1/month	24-hour composite
Total Arsenic (See Note 2)	1/month	24-hour composite
WET Testing (See Note 3)	Quarterly	24-hour composite

b. **Temperature Monitoring**

Item or Parameter	Minimum Frequency	Type of Sample
Effluent Temperature, Daily Max	Daily	Continuous (See Note 4)
Excess Thermal Load	Daily	Calculation (See Note 5)

2. **Sludge Monitoring (See Note 6)**

Item or Parameter	Minimum Frequency	Type of Sample
Average depth of sludge in pond three	1/year (approximately 12 months apart)	Calculated Estimate
Amount of sludge land applied (dry weight, tons)	Annually (when land applying)	Calculation

Notes:

1. Bacteria monitoring shall be conducted at the specified frequency for four months after permit issuance. Unless otherwise notified in writing by the Department, no additional monitoring will be required during this permit cycle. The Department's determination will be based on the results of the evaluation report as described in Schedule C.1.
2. Mercury monitoring must be conducted in accordance with EPA Method 1631 or according to any test procedure that the Department has authorized and approved in writing. Arsenic monitoring must

be conducted in accordance with EPA Method 1632 or according to any test procedure that the Department has authorized and approved in writing. Color, copper, lead, zinc, mercury and arsenic testing will be required for one year unless otherwise notified in writing by the Department. The Department may reopen this permit at any time to add, delete or change permit limits, monitoring requirements or other conditions concerning these metals. For all metals results, the result, method detection limit, and laboratory method used shall be reported for each test conducted.

3. Permittee shall conduct quarterly whole effluent toxicity (WET) for the first year. Testing shall be conducted in accordance with the requirements outlined in Schedule D. WET testing shall be conducted during the winter (December-February), spring (March-May), summer (June-August) and the fall (September -- November). If the first year of tests show no acute or chronic toxicity, no more testing shall be required until the permit renewal period. At the time of permit renewal, permittee shall submit one WET test with their permit application conducted within one year of permit expiration.
4. By no later than April 1, 2004, permittee shall have equipment in place to measure temperature continuously. Until that time, permittee shall measure the effluent temperature manually twice per week with a traceable thermometer when the other samples are collected.
5. The daily excess thermal load shall be calculated using the following equation:

$$ETL = \Delta T * Q * C_p * SW * 0.252$$

Where: ΔT = Daily Maximum Effluent temperature -- Temperature criterion (64 °F)
Q = Daily Effluent flow rate (mgd)
 C_p = Specific heat of water (1 Btu/lb °F)
SW = Specific weight in lb/gallon (8.34 lb/gallon)
0.252 = conversion from million BTU/day to Kcals/day
ETL = Million Kcals/day

The weekly average excess thermal load shall be calculated based on the weekly average of the daily excess thermal loads.

6. All sludge shall be handled in accordance with their Sludge Management Plan (including the alternate sludge management plant received August 21, 2002). Monitoring and reporting of sludge activities shall be in accordance with the sludge management plan and this schedule.

2. Reporting Procedures

- a. Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to the appropriate Department office by the 15th day of the following month.
- b. For compliance, the analytical results below the level of detection should be reported as Not Detected and the detection limit listed.

SCHEDULE C

Compliance Schedules and Conditions

1. Within 30 days of the final bacteria monitoring results, permittee shall submit a report evaluating the results of the bacteria monitoring. If monitoring results demonstrate compliance with the bacteria standard, no additional monitoring will be required. If monitoring results demonstrate effluent values greater than the E. coli criterion, permittee shall monitor the influent line from the glass fiber plant for E. coli to determine if there is any bacteria contamination entering the ponds. Upon completion of all monitoring, permittee shall submit a report describing the findings of the monitoring. Based on the results, the Department will determine if any further actions need to be taken.
2. The permittee is expected to meet the compliance dates which have been established in this schedule. Either prior to or no later than fourteen days following any lapsed compliance date, the permittee shall submit to the Department a notice of compliance or noncompliance with the established schedule. The Department may revise a schedule of compliance if it determines good and valid cause resulting from events over which the permittee has little or no control.

SCHEDULE D

Special Conditions

1. The permittee shall implement a contingency plan for prevention and handling of spills and unplanned discharges and the plan shall be in force at all times. A continuing program of employee orientation and education shall be maintained to ensure awareness of the necessity of good in-plant control and quick and proper action in the event of a spill or accident.
2. Upon completion of the Willamette River Total Maximum Daily Load (TMDL), the Department may reopen this permit and incorporate new permit limits or conditions based on the waste load allocations developed in the TMDL. If the permittee is unable to meet these limits immediately, a compliance schedule may be developed to allow time to come into compliance with the new permit limits.
3. Whole Effluent Toxicity Testing
 - a. The permittee shall conduct whole effluent toxicity tests as specified in Schedule B of this permit.
 - b. Bioassay tests may be dual end-point tests, only for the fish tests, in which both acute and chronic end-points can be determined from the results of a single chronic test (the acute end-point shall be based upon a 48-hour time period).
 - c. Acute Toxicity Testing - Organisms and Protocols
 - (1) The permittee shall conduct 48-hour static renewal tests with the *Ceriodaphnia dubia* (water flea) and the *Pimephales promelas* (fathead minnow).
 - (2) The presence of acute toxicity will be determined as specified in **Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms**, Fourth Edition, EPA/600/4-90/027F, August 1993.
 - (3) An acute bioassay test shall be considered to show toxicity if there is a statistically significant difference in survival at a dilution greater than that which is known to occur at the edge of the zone of initial dilution (ZID). If there is no dilution data for the edge of the ZID, any acute bioassay test that shows a statistically significant difference in survival as compared to the control shall be considered to show toxicity.
 - d. Chronic Toxicity Testing - Organisms and Protocols
 - (1) The permittee shall conduct tests with: *Ceriodaphnia dubia* (water flea) for reproduction and survival test endpoint, *Pimephales promelas* (fathead minnow) for growth and survival test endpoint, and *Raphidocelis subcapitata* (green alga formerly known as *Selenastrum capricornutum*) for growth test endpoint.
 - (2) The presence of chronic toxicity shall be estimated as specified in **Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms**, Third Edition, EPA/600/4-91/002, July 1994.
 - (3) A chronic bioassay test shall be considered to show toxicity if a statistically significant difference in survival, growth, or reproduction occurs at dilutions greater than that which is known to occur at the edge of the mixing zone. If there is no dilution data for the edge of the mixing zone, any chronic bioassay test that shows a statistically significant effect in 100 percent effluent as compared to the control shall be considered to show toxicity.

e. Quality Assurance

- (1) Quality assurance criteria, statistical analyses and data reporting for the bioassays shall be in accordance with the EPA documents stated in this condition and the Department's **Whole Effluent Toxicity Testing Guidance Document**, January 1993.

f. Evaluation of Causes and Exceedances

- (1) If toxicity is shown, as defined in sections c.(3) or d.(3) of this permit condition, another toxicity test using the same species and Department approved methodology shall be conducted within two weeks of being notified of the bioassay test results, unless otherwise approved by the Department. If the second test also indicates toxicity, the permittee shall follow the procedure described in section f.(2) of this permit condition.
- (2) If two consecutive bioassay test results indicate acute and/or chronic toxicity, as defined in sections c.(3) or d.(3) of this permit condition, the permittee shall evaluate the source of the toxicity and submit a plan and time schedule for demonstrating compliance with water quality standards. Upon approval by the Department, the permittee shall implement the plan until compliance has been achieved. Evaluations shall be completed and plans submitted to the Department within six months of being notified of the second bioassay test results, unless otherwise approved in writing by the Department.

g. Reporting

- (1) Along with the test results, the permittee shall include: 1. The dates of sample collection and initiation of each toxicity test; and 2. The flow rate at the time of sample collection. Effluent at the time of sampling for bioassay testing should include samples of required parameters stated under Schedule B, condition 1 of this permit.
- (2) The permittee shall make available to the Department, on request, the written standard operating procedures they, or the laboratory performing the bioassays, are using for all toxicity tests required by the Department.

h. Reopener

- (1) If bioassay testing indicates acute and/or chronic toxicity, the Department may reopen and modify this permit to include new limitations and/or conditions as determined by the Department to be appropriate, and in accordance with procedures outlined in Oregon Administrative Rules, Chapter 340, Division 45.

**NPDES GENERAL CONDITIONS
(SCHEDULE F)**

SECTION A. STANDARD CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Oregon Revised Statutes (ORS) 468B.025 and is grounds for enforcement action; for permit termination, suspension, or modification; or for denial of a permit renewal application.

2. Penalties for Water Pollution and Permit Condition Violations

Oregon Law (ORS 468.140) allows the Director to impose civil penalties up to \$10,000 per day for violation of a term, condition, or requirement of a permit.

In addition, a person who unlawfully pollutes water as specified in ORS 468.943 or ORS 468.946 is subject to criminal prosecution.

3. Duty to Mitigate

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. In addition, upon request of the Department, the permittee shall correct any adverse impact on the environment or human health resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and have the permit renewed. The application shall be submitted at least 180 days before the expiration date of this permit.

The Director may grant permission to submit an application less than 180 days in advance but no later than the permit expiration date.

5. Permit Actions

This permit may be modified, suspended, revoked and reissued, or terminated for cause including, but not limited to, the following:

- a. Violation of any term, condition, or requirement of this permit, a rule, or a statute;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all material facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

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

6. Toxic Pollutants

The permittee shall comply with any applicable effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege.

8. Permit References

Except for effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act, all rules and statutes referred to in this permit are those in effect on the date this permit is issued.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance 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.

2. Duty to Halt or Reduce Activity

For industrial or commercial facilities, upon reduction, loss, or failure of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control production or all discharges or both until the facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced or lost. 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.

3. Bypass of Treatment Facilities

a. Definitions

(1) "Bypass" means intentional diversion of waste streams from any portion of the treatment facility. The term "bypass" does not include nonuse of singular or multiple units or processes of a treatment works when the nonuse is insignificant to the quality and/or quantity of the effluent produced by the treatment works. The term "bypass" does not apply if the diversion does not cause effluent limitations to be exceeded, provided the diversion is to allow essential maintenance to assure efficient operation.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities or treatment processes 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. Prohibition of bypass.

(1) Bypass is prohibited unless:

- (a) Bypass was necessary 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 downtime. This condition is not satisfied if adequate backup 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 preventative maintenance; and
- (c) The permittee submitted notices and requests as required under General Condition B.3.c.

- (2) The Director may approve an anticipated bypass, after considering its adverse effects and any alternatives to bypassing, when the Director determines that it will meet the three conditions listed above in General Condition B.3.b.(1).

c. Notice and request for bypass.

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, if possible at least ten days before the date of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in General Condition D.5.

4. Upset

- 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 operation 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 General Condition B.4.c 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 defense 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 causes(s) of the upset;
- (2) The permitted facility was at the time being properly operated;
- (3) The permittee submitted notice of the upset as required in General Condition D.5, hereof (24-hour notice); and
- (4) The permittee complied with any remedial measures required under General Condition A.3 hereof.

d. Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

5. Treatment of Single Operational Event

For purposes of this permit, A Single Operational Event which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation. A single operational event is an exceptional incident which causes simultaneous, unintentional, unknowing (not the result of a knowing act or omission), temporary noncompliance with more than one Clean Water Act effluent discharge pollutant parameter. A single operational event does not include Clean Water Act violations involving discharge without a NPDES permit or noncompliance to the extent caused by improperly designed or inadequate treatment facilities. Each day of a single operational event is a violation.

6. Overflows from Wastewater Conveyance Systems and Associated Pump Stations

a. Definitions

- (1) "Overflow" means the diversion and discharge of waste streams from any portion of the wastewater conveyance system including pump stations, through a designed overflow device or structure, other than discharges to the wastewater treatment facility.
- (2) "Severe property damage" means substantial physical damage to property, damage to the conveyance system or pump station 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 an overflow.
- (3) "Uncontrolled overflow" means the diversion of waste streams other than through a designed overflow device or structure, for example to overflowing manholes or overflowing into residences, commercial establishments, or industries that may be connected to a conveyance system.

b. Prohibition of overflows. Overflows are prohibited unless:

- (1) Overflows were unavoidable to prevent an uncontrolled overflow, loss of life, personal injury, or severe property damage;
- (2) There were no feasible alternatives to the overflows, such as the use of auxiliary pumping or conveyance systems, or maximization of conveyance system storage; and

(3) The overflows are the result of an upset as defined in General Condition B.4. and meeting all requirements of this condition.

- c. Uncontrolled overflows are prohibited where wastewater is likely to escape or be carried into the waters of the State by any means.
- d. Reporting required. Unless otherwise specified in writing by the Department, all overflows and uncontrolled overflows must be reported orally to the Department within 24 hours from the time the permittee becomes aware of the overflow. Reporting procedures are described in more detail in General Condition D.5.

7. Public Notification of Effluent Violation or Overflow

If effluent limitations specified in this permit are exceeded or an overflow occurs, upon request by the Department, the permittee shall take such steps as are necessary to alert the public about the extent and nature of the discharge. Such steps may include, but are not limited to, posting of the river at access points and other places, news releases, and paid announcements on radio and television.

8. Removed Substances

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

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Sampling and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and shall be taken, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Director.

2. Flow Measurements

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

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Penalties of Tampering

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 under 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, or by both. If a conviction of a person is for a violation committed after a first conviction of such person, punishment is a fine not more than \$20,000 per day of violation, or by imprisonment of not more than four years or both.

5. Reporting of Monitoring Results

Monitoring results shall be summarized each month on a Discharge Monitoring Report form approved by the Department. The reports shall be submitted monthly and are to be mailed, delivered or otherwise transmitted by the 15th day of the following month unless specifically approved otherwise in Schedule B of this permit.

6. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report. Such increased frequency shall also be indicated. For a pollutant parameter that may be sampled more than once per day (e.g., Total Chlorine Residual), only the average daily value shall be recorded unless otherwise specified in this permit.

7. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean, except for bacteria which shall be averaged as specified in this permit.

8. Retention of Records

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), the permittee shall retain records of all monitoring information, including all calibration and maintenance records of 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. This period may be extended by request of the Director at any time.

9. Records Contents

Records of monitoring information shall include:

- a. The date, exact place, time and methods of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;

- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

10. Inspection and Entry

The permittee shall allow the Director, or an authorized representative upon the presentation of credentials 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 conditions of this permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit, and
- d. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by state law, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

1. Planned Changes

The permittee shall comply with Oregon Administrative Rules (OAR) 340, Division 52, "Review of Plans and Specifications". Except where exempted under OAR 340-52, no construction, installation, or modification involving disposal systems, treatment works, sewerage systems, or common sewers shall be commenced until the plans and specifications are submitted to and approved by the Department. The permittee shall give notice to the Department as soon as possible of any planned physical alternations or additions to the permitted facility.

2. 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.

3. Transfers

This permit may be transferred to a new permittee provided the transferee acquires a property interest in the permitted activity and agrees in writing to fully comply with all the terms and conditions of the permit and the rules of the Commission. No permit shall be transferred to a third party without prior written approval from the Director. The permittee shall notify the Department when a transfer of property interest takes place.

4. Compliance Schedule

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements.

5. Twenty-Four Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally (by telephone) within 24 hours, unless otherwise specified in this permit, from the time the permittee becomes aware of the circumstances. During normal business hours, the Department's Regional office shall be called. Outside of normal business hours, the Department shall be contacted at 1-800-452-0311 (Oregon Emergency Response System).

A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. If the permittee is establishing an affirmative defense of upset or bypass to any offense under ORS 468.922 to 468.946, and in which case if the original reporting notice was oral, delivered written notice must be made to the Department or other agency with regulatory jurisdiction within 4 (four) calendar days. The written submission shall contain:

- a. A description of the noncompliance and its cause;
- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected;
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and
- e. Public notification steps taken, pursuant to General Condition B.7.

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 this permit.
- b. Any upset which exceeds any effluent limitation in this permit.
- c. Violation of maximum daily discharge limitation for any of the pollutants listed by the Director in this permit.

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

6. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under General Condition D.4 or D.5, at the time monitoring reports are submitted. The reports shall contain:

- a. A description of the noncompliance and its cause;

- b. The period of noncompliance, including exact dates and times;
- c. The estimated time noncompliance is expected to continue if it has not been corrected; and
- d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

7. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

Other Information: When 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 any report to the Department, it shall promptly submit such facts or information.

8. Signatory Requirements

All applications, reports or information submitted to the Department shall be signed and certified in accordance with 40 CFR 122.22.

9. Falsification of Information

A person who supplies the Department with false information, or omits material or required information, as specified in ORS 468.953 is subject to criminal prosecution.

10. Changes to Indirect Dischargers - [Applicable to Publicly Owned Treatment Works (POTW) only]

The permittee must provide adequate notice to the Department of the following:

- a. 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;
- b. Any substantial change in the volume or character of pollutants being introduced into the POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- c. 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 discharged from the POTW.

11. Changes to Discharges of Toxic Pollutant - [Applicable to existing manufacturing, commercial, mining, and silvicultural dischargers only]

The permittee must notify the Department as soon as they know or have reason to believe of the following:

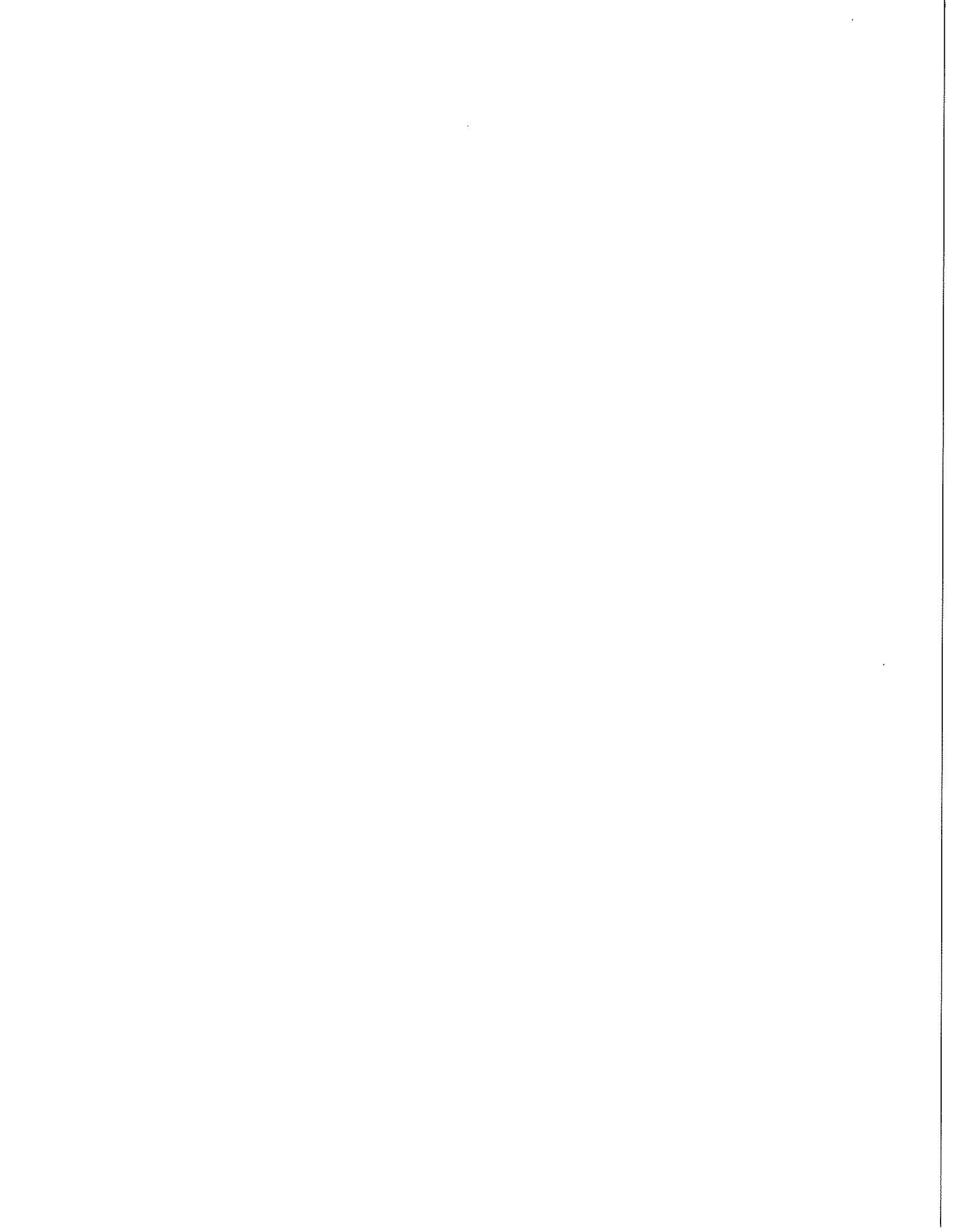
- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:

- (1) One hundred micrograms per liter (100 µg/L);

- (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (4) The level established by the Department in accordance with 40 CFR 122.44(f).
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) Five hundred micrograms per liter (500 µg/L);
 - (2) One milligram per liter (1 mg/L) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or
 - (4) The level established by the Department in accordance with 40 CFR 122.44(f).

SECTION E. DEFINITIONS

1. BOD means five-day biochemical oxygen demand.
2. TSS means total suspended solids.
3. mg/L means milligrams per liter.
4. kg means kilograms.
5. m³/d means cubic meters per day.
6. MGD means million gallons per day.
7. Composite sample means a sample formed by collecting and mixing discrete samples taken periodically and based on time or flow.
8. FC means fecal coliform bacteria.
9. Technology based permit effluent limitations means technology-based treatment requirements as defined in 40 CFR 125.3, and concentration and mass load effluent limitations that are based on minimum design criteria specified in OAR 340-41.
10. CBOD means five day carbonaceous biochemical oxygen demand.
11. Grab sample means an individual discrete sample collected over a period of time not to exceed 15 minutes.
12. Quarter means January through March, April through June, July through September, or October through December.
13. Month means calendar month.
14. Week means a calendar week of Sunday through Saturday.
15. Total residual chlorine means combined chlorine forms plus free residual chlorine.
16. The term "bacteria" includes but is not limited to fecal coliform bacteria, total coliform bacteria, and E. coli bacteria.
17. POTW means a publicly owned treatment works.



Expiration Date: 7/31/2008
Permit Number: 101331
File Number: 28476
Page 1 of 3 Pages

MODIFICATION

This Modification Shall Be Attached To and Made A Part of Permit #101331

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WASTE DISCHARGE PERMIT**

Department of Environmental Quality
Western Region - Salem Office
750 Front St. NE, Suite 120, Salem, OR 97301-1039
Telephone: (503) 378-8240

Issued pursuant to ORS 468B.050 and The Federal Clean Water Act

TRANSFERRED TO:
File Number: 28476

Transferred: 12/17/12
Benton County
EPA No. OR000029-9

Hollingsworth & Vose Fiber Company
1115 SE Crystal Lake Dr
Corvallis, OR 97333-1209

LLID: 1227618456580
River Mile: 132.19999

Site Location: H&V - Corvallis, 1185 SE Crystal Lake Dr, Corvallis
Transferred from: Eyanite Fiber Corporation

SOURCES COVERED BY THIS PERMIT:

<u>Type of Wastewater</u>	<u>Outfall Number</u>	<u>Outfall Location</u>
Effluent from glass fiber production and effluent from submicro groundwater cleanup	001	Willamette River RM 132.5

FACILITY TYPE:

Glass fiber

RECEIVING STREAM INFORMATION:

Basin: Willamette
Sub-Basin: Upper Willamette
Stream: Willamette River
LLID: 1227618456580-132.5-D
County: Benton

EPA REFERENCE NO: OR000029-9

This permit was originally issued on August 18, 2003 in response to Application No. 989783 received November 22, 1999. This modification is issued in response to modification Application No. 983616 received February 10, 2004. This permit is issued based on the land use findings in the permit record

for Mark E Hamlin
Michael H. Kortenof, Water Quality Manager
Western Region

June 25, 2004
Date

ADDENDUM NO.1

Modification #1 – Permit No. 101331, Schedule B (Minimum Monitoring and Reporting Requirements to be met after permit issuance) is modified as follows:

SCHEDULE B

1. **Minimum Monitoring and Reporting Requirements to be met after permit issuance** (unless otherwise approved in writing by the Department).

The permittee shall monitor the parameters as specified below at the locations indicated. The laboratory used by the permittee to analyze samples shall have a quality assurance/quality control (QA/QC) program to verify the accuracy of sample analysis. If QA/QC requirements are not met for any analysis and cannot be re-analyzed, then the results shall be included in the report, but not used in calculations required by this permit. When the permittee cannot re-analyze the existing sample, then they shall re-sample in a timely manner for parameters failing the QA/QC requirements, analyze the samples, and report the results.

a. **Treated Effluent Outfall 001**

Item or Parameter	Minimum Frequency	Type of Sample
Flow	Daily	Continuous
BOD ₅ (See Note 1)	2/Month	24-hour composite
TSS	2/Month	24-hour composite
pH	1/Week	Grab
Color (See Note 1)	2/Month	24-hour composite
Total Zinc (See Note 1)	1/month	24-hour composite
WET Testing (See Note 2)	1 test within 1 year of permit expiration.	24-hour composite

b. **Temperature Monitoring**

Item or Parameter	Minimum Frequency	Type of Sample
Effluent Temperature, Daily Max	Daily	Continuous (See Note 3)
Excess Thermal Load	Daily	Calculation (See Note 4)

c. **Sludge Monitoring (See Note 5)**

Item or Parameter	Minimum Frequency	Type of Sample
Amount of sludge land applied - dry weight, tons	Annually (when land applying)	Calculation

Notes:

- Monitoring for BOD, color, and total zinc will be required for two months after permit modification. After three months, monitoring of the effluent for BOD, color and total zinc may be eliminated unless otherwise notified in writing by the Department.
- WET testing shall be conducted in accordance with the requirements outlined in Schedule D. At the time of permit renewal, permittee shall submit one WET test with their permit application conducted within one year of permit expiration.
- By no later than April 1, 2004, permittee shall have equipment in place to measure temperature continuously. Until that time, permittee shall measure the effluent temperature manually twice per week with a traceable thermometer when the other samples are collected.

4. The daily excess thermal load shall be calculated using the following equation:

$$ETL = \Delta T * Q * C_p * SW * 0.252$$

Where: ΔT = Daily Maximum Effluent temperature -- Temperature criterion (64 °F)
Q = Daily Effluent flow rate (mgd)
 C_p = Specific heat of water (1 Btu/lb °F)
SW = Specific weight in lb/gallon (8.34 lb/gallon)
0.252 = conversion from million BTU/day to Kcals/day
ETL = Million Kcals/day

The weekly average excess thermal load shall be calculated based on the weekly average of the daily excess thermal loads.

5. All sludge shall be handled in accordance with their Sludge Management Plan (including the alternate sludge management plant received August 21, 2002). Monitoring and reporting of sludge activities shall be in accordance with the sludge management plan and this schedule.

2. Reporting Procedures

- a. Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to the appropriate Department office by the 15th day of the following month.
- b. For compliance, the analytical results below the level of detection should be reported as Not Detected and the detection limit listed.

