

INDUSTRIAL USER PERMIT
(Tank Removal/Groundwater Remediation)

In accordance with the provisions of the Napa Sanitation District Sewer Use Ordinance:

Permit Holder Name:
Site Owner Name:
Site Facility Name:
Site Address:
Site Consultant Firm:
Project Contact:
Project Number:
Permit Number:

SIC - Standard Industrial Classification (SIC) for this activity described in the IU waste discharge permit application.

SIC Number:	Business Category
4959	Groundwater Remediation/Tank Removal

This facility is hereby authorized to discharge industrial wastewater from the above-identified facility and through the outfalls identified herein into the Napa Sanitation District sewer system in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under local, State, and Federal laws, including any such regulations, standards, requirements, or laws that may become effective during the terms of this permit.

Noncompliance with any term or condition of this permit shall constitute a violation of the Napa Sanitation District Sewer Use Ordinance.

This permit shall become effective on _____ and shall expire at midnight on _____.

Authorized Discharge

This project is a short-term site remediation project

Maximum Flow: _____ Batch Discharge: _____
Time of Discharge(s): _____ Location of Discharge: _____

The analysis has been submitted and reviewed by Napa Sanitation District personnel. This permit is approved for discharge to the sanitary sewer under the condition that all the wastewater from this project must be discharged through sufficient carbon to further reduce the levels of pollutants detected in the "storm water". Additional analysis will not be required for this project.

Effective rate for Fiscal Year 2003-2004 service unit = \$274.00
Connection Fee (Plant Expansion Fee) = _____

By: _____
Pollution Prevention & Source Control Officer

Issued this _____ day of _____, _____

SECTION A: SEWER SERVICE CHARGE DETERMINATION

Sewer service charges are calculated in accordance with provisions of the NAPA SANITATION DISTRICT SEWER USE ORDINANCE and any current revisions. These charges are based on the volume and strength of wastewater discharged. Sewer service charges for Significant Industrial Users (SIU) are normally calculated and billed monthly, however all or part of these charges may be calculated annually and appear as a NSD (Napa Sanitation District) sewer service charge and bond.

SECTION B: PERMIT REQUIRED

Every Significant Industrial User (SIU) and any other Industrial User (IU) deemed necessary by the District including this facility must possess an Industrial User Permit. The permittee must keep this permit and other required materials and documents posted at all times in a conspicuous place. This information must be made available to all employees and other environmental departments. Other environmental permits must be made available to the appropriate District personnel upon request.

If the permittee wishes to continue to discharge after the expiration date of this permit, an application must be filed for a renewal permit in accordance with the requirements in Napa Sanitation District Sewer Use Ordinance, a minimum of 90 days prior to the expiration date.

SECTION C: PROHIBITIONS

GENERAL PROHIBITIONS

User may not introduce into the POTW any pollutant(s), which may cause Pass Through or Interference

1. SPECIFIC PROHIBITIONS

The permittee is prohibited from discharging wastes with the following characteristics [as designated in 40 CFR 403.5(b)];

1. Pollutants that will create a fire or explosion hazard
2. Pollutants that will cause corrosive structural damage, but in no case discharges with a pH lower than 5.0
3. Solid or viscous pollutants in amounts that will cause obstruction to the flow in the POTW resulting in Interference.
4. Oxygen demanding pollutants discharged at a concentration or volume that will cause interference with the POTW
5. Heat in amounts that will inhibit biological activity; in no case shall discharges cause the POTW influent to exceed 40°C (104°F)
6. Petroleum oil, non-biodegradable cutting oil, products of mineral oil origin in amounts that cause Interference or Pass through
7. Noxious and Malodorous Substances that may by themselves or interaction with other wastes may result in toxic gases, fumes, or vapors in a quantity capable of causing a public nuisance or worker health and safety problems

Any trucked or hauled pollutants, except at discharge points designated by the POTW

2. Toxic Substances Any waters or wastes containing a toxic or poisonous substance in sufficient quantities to injure or interfere with or create any hazard in the sewage process, effluent quality, or receiving water quality requirements to humans, animals or plant life is prohibited.

3. Hazardous Wastes cannot be discharged to the sanitary sewer!

SECTION D: FACILITY WASTEWATER DISCHARGE LIMITATIONS

The following is a partial list of toxic substances and the maximum allowable industrial user discharge concentration as set forth in the current Napa Sanitation District Sewer Use Ordinance 67 with revisions. Revised July 10, 1996 by Ordinance 75. Discharge shall not exceed the following limits:

LOCAL LIMITS: All units are in mg/L unless otherwise specified

Aluminum (Al)	5.00	Nickel (Ni)	0.08
Ammonia (NH ₃ -N)	58.57	O&G (petroleum)	50.00
Arsenic (As)	0.16	O&G (vegetable & animal)	75.00
Beryllium (Be)	0.10	PAH	0.72
Boron (B)	0.65	pH	6.0-9.0
Cadmium (Cd)	0.02	Phenol	0.09
Chloride (Cl ⁻)	599.00	Salinity (EC)	1.50 dS/m
Chrome(Total Cr)	1.13	(mmhos/cm)	
Cobalt (Co)	0.05	Selenium (Se)	0.51
Copper (Cu)	0.21	Silver (Ag)	0.33
Cyanide (CN)	0.27	Sodium (Na)	90.00
Fluoride (F)	1.00	Sulfide, Dissolved	0.10
Iron (Fe)	5.00	TDS	1000.00
Lead (Pb)	0.14	Vanadium (V)	0.10
Lithium (Li)	2.50	VOC's (EPA 608)	1.0% LEL
Mercury (Hg)	0.00606	Zinc (Zn)	2.99
Molybdenum (Mo)	0.10		

Any waters or wastes containing a toxic or poisonous substance in sufficient quantities to injure or interfere with or create any hazard in the sewage process, biosolids quality, effluent quality, or receiving water quality requirements to humans, animals or plant life is prohibited.

SECTION E: SPECIAL CONDITIONS

1. Long Term site remediation is defined as any remediation project that exceeds twelve (12) months. If a project has ceased operation, all monitoring facilities have been removed, and a six (6) month consecutive period has lapsed since the end of the project at that location, additional work at the same site will be deemed a new project.

2. Short Term site remediation is defined as any remediation project that does not exceed twelve (12) months and involves the removing of underground tanks and/or remediation of the adjacent soil and/or ground water. If a project has ceased operation, all monitoring facilities have been removed, and a six (6) month consecutive period has lapsed since the end of the project at that location, additional work at the same site will be deemed a new project. If the discharge period continues beyond the expiration date of this permit, the IU will be assessed a plant expansion fee and the project will be reclassified as "SITE REMEDIATION "LONG TERM".

3. Site Characterization A site characterization is required which includes a narrative on the history of the site in order to determine the nature of hazardous substances that might be suspected to be present. If present operations at a site include the use or storage of hazardous materials from either present or past operations, the materials must be documented, profiled according to Federal, State and local criteria, and evaluated as to proper storage, treatment, disposal, or recycling techniques.

The responsible parties must be thoroughly familiar with the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and state and local regulations governing the storage and handling of hazardous materials.

Once the general nature of suspected hazardous materials, or soil or groundwater contamination has been established, the remediation team is required to devise a sampling and analysis plan that will meet the requirements of the District. The subsequent site evaluation would involve the sampling and analysis of soils and / or groundwater according to the nature of the suspected contamination and requirements of the District.

4. Remediation All remediation must comply with Federal, State and local regulations including the District's Ordinance and the contents of this permit. A screening device w/1/8" mesh or other mechanism on the discharge end of the pumpage must be installed to ensure that sand, gravel or other deleterious material cannot be discharged into the sewer. The manhole or approved discharge site must be monitored continuously for an explosive condition unless otherwise stated in the permit. Pretreatment may be necessary to insure compliance of the Sewer Use Ordinance and these conditions. The permit application and analysis report must be submitted to the NSD (Napa Sanitation District) prior to wastewater discharge to the sewer system.

5. Sludge Disposal All sludge produced as a result of treatment must be disposed of in accordance with any applicable Federal, State, and local regulations. This includes RCRA, (Resource Conservation and Recovery Act). All hauled wastes, (aqueous or solid) must be accompanied by the appropriate waste hauler manifest. A copy of the manifests must be available to the Napa Sanitation District upon request.

6. Sampling, Analysis, Reporting This permittee will self monitor the effluent discharge from this project's wastestream and submit the results to the District by the 30th of the following month. The report shall also include a record of the total, average, and maximum daily flows for the reporting period. The final report after completion of this project shall include the total volume of wastewater discharged to the sanitary sewer. The IU is responsible for all costs associated with the monitoring program including independent sampling done by or for the District. In addition, the IU will reimburse the District for the cost of on site inspections. All appropriate chain of custody procedures must be adhered to for all samples.

The minimum groundwater analysis required for the Effluent discharged to the sanitary sewer is the following:

- Total petroleum hydrocarbons (TPH) as gasoline and diesel
- Benzene, toluene, xylenes, and ethylbenzene (BTXE). Note: The effluent must not exceed 1% of the lower explosion limit (LEL) or 1.00 mg/L Total Toxic Organics (TTO). (e.g. The total result from analysis using a detection limit of 0.01 mg/L for Benzene, Toluene Ethylbenzene, and Xylene (BTEX) shall not exceed 1.00 mg/L). The methods analytical employed must include EPA Test Method 5030/8015 and modified Test Method 8020 or equivalent.
- Total lead by EPA Test method 7421 or equivalent MTBE by EPA Test method 8260B or equivalent
- Any other pollutant suspected to exceed the District's Sewer Use Ordinance Industrial User discharge limits, must be monitored.
- Analysis on final discharge must be performed initially at least once prior to the projects' discharge and then once a month until the project is complete. The results shall be submitted to the Napa Sanitation District within 15 days of receipt of the analysis results. The monitoring frequency may be increased or lowered depending on the results of the analysis.

7. Flow Metering A flow meter is available from NSD with a \$700⁰⁰ deposit. The check will be returned when the meter is returned undamaged. Dates and duration of discharge, and total flows

must be submitted in the monthly monitoring report. Flows shall be reported in gals/day for each day of discharge, and the total monthly flows.

8. Fees: All fees are subject to change annually or as determined by the Board

8.a. Sewer Service Charge Determination Sewer service charges are calculated in accordance with provisions of the Napa Sanitation District Sewer Use Ordinance. These charges are based on the volume and strength of wastewater discharged. Sewer service charges for SIU'S (Significant Industrial Users) are normally calculated and billed monthly, however all or part of these charges may be calculated annually and appear as a NSD (Napa Sanitation District) sewer service charge.

8.b. Service Unit Fee

□ The Napa Sanitation District's sewer use fees are based upon Equivalent Dwelling Units (EDUs). One Equivalent Dwelling Unit (EDU) is equal to 76,650 gallons. This figure is based upon the average household discharge of approximately 210 gallons of wastewater to the sewer system each day. This number (210 gallons per day) multiplied by 365 days per year equals 76,650 gallons. One EDU is the same as one Service Unit (SU). The two are synonymous.

□ For every 76,650 gallons (Service Unit) of wastewater, the user is assessed a fee of the current rate/service unit. Therefore, for every additional Service Unit, or portion thereof, another current rate/service unit will be assessed. The fee of current rate/service unit for the initial Service Unit (76,650 gallons) is due prior to any discharge to the sewer system. An additional current rate/service unit is due whenever a user exceeds the initial 76,650 gallons and for each multiple of 76,650 gallons.

$$1 \text{ SU (Service Unit)} = 1 \text{ EDU (Equivalent Dwelling Unit)}$$
$$76,650 \text{ gals/year} = 210 \text{ gal/day} = 1 \text{ service unit}$$

- Each cleanup site address requires a separate permit unless otherwise approved by the District and is considered a separate project. Each project is assessed separately and will be charged all fees individually.
- Do not submit any checks until permit to discharge to the sanitary sewer system is approved by NSD. Send a copy of the signed cover of the permit with any check.

8.c. Plant Expansion Fee

- A plant expansion fee will be assessed for long term permits and/or discharges as defined as a Significant Industrial User. This includes discharges exceeding 25,000 gal/day. This fee is calculated by the following formula that assumes negligible BOD's and Total Suspended Solids using flow data supplied by permittee. Example below:

$$\text{FEE} = \frac{(\$5,660 \text{ SFD Single Family Dwelling}) (0.5) \times (\text{SITE'S FLOW, GPD})}{210 \text{ GPD}} / 20 \times \# \text{ years connected}$$

- After significant data has been collected or after the project is completed, the District will recalculate the plant expansion fee based on the actual flows and not the initial projected flows. Additional fees will be assessed on the then current plant expansion fees. If the plant expansion fees were over-calculated, the District will rebate the permittee.

Send all checks and correspondence to:
Napa Sanitation District
935 Hartle Court
Napa, California 94559
Attn: Wm J. Gaffney

SECTION F: GENERAL PROVISIONS

1. Severability

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

2. Duty to comply

The permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Modification

This permit may be modified for good causes including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements
- b. Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit
- c. A change in any condition in either the IU or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge
- d. Information indicating that the permitted discharge poses a threat to the District's collection and treatment systems, POTW personnel or the receiving waters
- e. Violation of any terms or conditions of the permit
- f. Misrepresentation or failure to disclose fully all-relevant facts in the permit application
- g. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13
- h. To correct typographical or other errors in the permit
- i. Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.
- j. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notice of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Permit Termination

This permit may be terminated for the following reasons:

- a. Falsifying reports
- b. Tampering with monitoring equipment
- c. Refusing to allow timely access to the facility premises and records
- d. Failure to meet effluent limitations
- e. Failure to pay fines
- f. Failure to pay sewer charges
- g. Failure to meet compliance schedules

6. Permit Appeals

The permittee may petition to appeal the terms of this permit within thirty 30 days receipt of this permit.

This petition must be in writing; failure to submit a petition for review shall be deemed a waiver of the appeal. In its petition, the permittee must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

The Napa Sanitation District Board (Board) shall not stay the effectiveness of this permit, pending reconsideration. If, after considering the petition and any arguments put forth by the Napa Sanitation District Manager (Manager), the Board determines that reconsideration is proper, it shall remand the permit back to the Manager for reissuance. Those permit provisions reconsidered by the Manager shall be stayed pending reissuance.

A Board of Directors' decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review. The permittee seeking judicial review of the Boards' final action must do so by filing a complaint with the Napa Municipal Court for Napa County within the appropriate statute of limitations.

7. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.

8. Non-transferability of Permits

This permit and its conditions apply only to holder of the permit and cannot be transferred to anyone else.

9. Continuation of Expired Permits

An expired permit will continue to be effective and enforceable until the permit is reissued if:

- a. The permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the user's existing permit.
- b. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.

10. Dilution

The permittee shall not increase the use of potable or process water or, in any way, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

11. Definitions

The terms used in this permit shall have the same meanings as defined in the District's Sewer Use Ordinance and Enforcement Response Plan.

12. Prohibitive Standards

The permittee shall comply with all discharge standards in the Sewer Use Ordinance.

13. Compliance with Applicable Pretreatment Standards and Requirements

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

SECTION G. 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 at the owners expense and to the satisfaction of the District and accessible at all times to District personnel.

2. Duty to Halt or Reduce Activity

Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the permittee shall, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternate method of treatment is provided.

3. Bypass of Treatment Facilities

- a. Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury, or severe property damage or no feasible alternatives exist.
- b. The permittee may allow bypass to occur which does not cause effluent limitations to be exceeded, but only if it is also for essential maintenance to assure efficient operation.
- c. Notification of bypass:
 1. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the District.
 2. Unanticipated bypass. The permittee shall immediately notify the District and submit a written notice to the POTW within 5 days. This report shall specify:
 - i) A description of the bypass, and its cause, including its duration;
 - ii) Whether the bypass has been corrected;
 - iii) The steps being taken or to be taken to reduce, eliminate and prevent a reoccurrence of the bypass.

SECTION H: ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

In order for the District to deny or condition, the permittee shall give notice to the District 90 days prior to any facility expansion, production increase, or process modifications that result in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The permittee shall give advance notice to the District of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

3. Automatic Resampling

If the results of the permittee's wastewater analysis indicates a violation has occurred, the District must notify the permittee within 24 hours of becoming aware of the violation and repeat the sampling and pollutant analysis for 5 consecutive working days of normal operation. If the analysis results in compliance, scheduled sampling will resume. The results of this repeat analysis will be submitted in writing within 30 days after becoming aware of the violation.

4. Duty to Provide Information

The permittee shall furnish to the District, within 5 days, any information which the District may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also, upon request, furnish to the District, within 10 days, any records required by this permit.

5. Signatory Requirements

All correspondence including but not limited to applications, reports, data, or information submitted to the District must contain the following certification statement:

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

6. Operating Upsets

Any permittee that experiences an upset in operations that places the permittee in a temporary state of noncompliance with the provisions of either this permit or with Ordinance 67 Article VII shall inform the District within 24 hours of becoming aware of the upset. The numbers to call are (707)-258-6000 at extension 502 or (707)-258-6000 after 4:00 p.m. Monday through Friday or weekends or holidays.

A written follow-up report of the upset shall be filed by the permittee with the District within five (5) days. The report shall specify:

- a. Description of the upset, the cause(s) thereof and the upset's impact on the permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of noncompliance, and if not corrected, the anticipated time the noncompliance is expected to continue; and

- c. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset.

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

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

Section I: Enforcement

1. Annual Publication

A list of all industrial users, which were subject to enforcement proceedings during the twelve- (12) previous months, shall be at least annually published by the District in the Napa Register. Accordingly, the permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.

2. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and / or criminal penalties for noncompliance as established in the Sewer Use Ordinance or State or Federal laws or regulations.

3. Penalties for Violations of Permit Conditions

The Sewer User Ordinance and its amendments provides that any person who violates a permit condition is subject to a civil penalty of at least \$1000.00 (one thousand dollars) per day of such violation. Any person who willfully or negligently violates permit conditions is subject to criminal penalties of a fine of up to \$25000.00 (twenty-five thousand dollars) per day of such violation, or imprisonment for 1 (one) year, or both. The permittee may also be subject to sanctions under State and / or Federal law.

4. Recovery of Costs Incurred

In addition to civil and criminal liability, the permittee violating any of the provisions of this permit or Article VII of the Ordinance or causing damage to or otherwise inhibiting the Napa Sanitation District wastewater disposal system shall be liable to the Napa Sanitation District for any expense, loss, or damage caused by such violation of discharge. The Napa Sanitation District shall bill the permittee for the costs incurred by the District for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay constitutes a separate violation of the Ordinance.

5. Enforcement Response Plan

All Users are subject to all the provisions for the District's Enforcement Response Plan. This "plan" details specific violations, circumstances, and enforcement responses (including fines, notices of violations and Administrative Orders).

SECTION J: CERTIFICATION STATEMENT

I, the undersigned, and Engineer / Consultant (where applicable), certify that this firm's operation and its resultant wastewater discharge will achieve consistent compliance with the Napa Sanitation District Sewer Use Ordinance, Permit requirements (as detailed herein), and applicable Federal and State discharge regulations and requirements. If the wastewater discharge does not meet all the applicable regulations, the IU is responsible to modify manufacturing equipment, limit or halt production facility causing noncompliance, install wastewater pretreatment equipment, or perform whatever is necessary to meet the waste discharge requirements. I am aware that there are significant penalties for violation of the regulations, requirements and conditions of this permit, the Napa Sanitation District Ordinance, and the State and Federal Government, including the possibility of fine and imprisonment.

To be signed by an authorized representative of the Industrial User. An authorized representative may be:

- a. A responsible corporate officer (president, vice-president, or secretary-treasurer) in charge of a principal business function...
- b. A general partner or proprietor (if the IU receiving the permit is a partnership or sole proprietorship)...
- b. A duly authorized representative of the individual as described in 40 CFR 403.12 (l) (1)...
- c. A reauthorized individual that satisfies the requirements in 40 CFR 403.12 (l).

Signature: _____ Date: _____

Title: _____