Issuance Date: March 3, 2004
Effective Date: April 3, 2004
Expiration Date: April 3, 2009

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM WASTE DISCHARGE PERMIT No. WA-0039039

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Washington State Department of Transportation
310 Maple Park Ave SE
PO Box 47331
Olympia, WA 98501

Facility Location: NA Water Body I.D. No.: NA Industry Type: Washing and Pressure Washing of Bridges and Ferry Terminals	Receiving Water: Statewide Fresh and Marine Waters Discharge Location: NA

is authorized to discharge in accordance with the special and general conditions which follow.

Melodie Selby, P.E.
Program Development Section Manager
Washington State Department of Ecology

TABLE OF CONTENTS

SUMMARY OF PERMIT REPORT SUBMITTALS 5

SPECIAL CONDITIONS

S1. DISCHARGE LIMITATIONS 6
- A. Bridge Maintenance Cleaning and Washing
- B. Ferry Terminal/Transfer Span Maintenance Cleaning and Washing and Marine Growth Removal
- C. Bridge Preparatory Washing (Pre-painting)
- D. Ferry Transfer Span Preparatory Washing
- E. Mixing Zone Descriptions for C. and D. above

S2. MONITORING REQUIREMENTS 14
- A. Wash Water and Pressure Wash Water Monitoring:
- B. Sampling and Analytical Procedures
- C. Laboratory Accreditation

S3. NOTIFICATION, REPORTING, AND RECORDKEEPING REQUIREMENTS 15
- A. Notification
- B. Reporting
- C. Records Retention
- D. Recording of Results
- E. Additional Monitoring by the Permittee
- F. Maintaining a Copy of This Permit

S4. OPERATION AND MAINTENANCE 18

S5. SOLID WASTE DISPOSAL 18
- A. Solid Waste Handling
- B. Leachate

S6. COMPLIANCE SCHEDULE 19
- A. Waste-Specific Translator.
- B. Ground Discharge Study.
- C. Water Effect Ratio.
- D. Mixing Zone Study.

S7. HAZARDOUS SPILL PREVENTION AND CONTROL 20

GENERAL CONDITIONS 21
G1. SIGNATORY REQUIREMENTS 21
G2. RIGHT OF INSPECTION AND ENTRY 21
G3. PERMIT ACTIONS 22
G4. REPORTING PLANNED CHANGES 23
G5. PLAN REVIEW REQUIRED 23

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES 23
G7. DUTY TO REAPPLY 23
G8. TRANSFER OF THIS PERMIT 23
G9. REDUCED PRODUCTION FOR COMPLIANCE 24
G10. REMOVED SUBSTANCES 24
G11. DUTY TO PROVIDE INFORMATION 24
G12. OTHER REQUIREMENTS OF 40 CFR 24
G13. ADDITIONAL MONITORING 25
G14. PAYMENT OF FEES 25
G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS 25
G16. UPSET 25
G17. PROPERTY RIGHTS 26
G18. DUTY TO COMPLY 26
G19. TOXIC POLLUTANTS 26
G20. PENALTIES FOR TAMPERING 26
G21. REPORTING ANTICIPATED NON-COMPLIANCE 26
G22. REPORTING OTHER INFORMATION 26
G23. COMPLIANCE SCHEDULES 27

SUMMARY OF PERMIT REPORT SUBMITTALS

Permit Section	Submittal	Frequency	First Submittal Date
S3.B	Annual Project Completion Report	Annually	Winter 2004/2005
S3.B	Annual Proposed Project List	Annually	Spring 2004
S3.E	Noncompliance Notification	As necessary	
G1.	Notice of Change in Authorization	As necessary	
G4.	Permit Application for Substantive Changes to the Discharge	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	March 1, 2008
G8	Notice of Permit Transfer	As necessary	
G21	Reporting Anticipated Non-compliance	As necessary	
G22.	Reporting Other Information	As necessary	

SPECIAL CONDITIONS

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit.

In the event that the permittee cannot adhere to the conditions of this permit on a specific site or project due to human health or safety reasons, the permittee may apply for a separate permit for that project from the appropriate regional office of the Department of Ecology.

The discharge of pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

S1. DISCHARGE LIMITATIONS

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge high pressure wash water or low pressure wash water from bridges, ferry terminals and ferry transfer spans in Washington State subject to the following limitations:

A. Bridge Maintenance Cleaning and Washing (This section applicable to operations described in the fact sheet and is not applicable to operations such as street sweepers which are covered by the Water Quality Implementing Agreement).

1. Work shall only occur during the following times:

   West of the Cascade Mountain Crest: November 1 to May 31.
   East of the Cascade Mountain Crest: December 1 to June 30.

2. Measures shall be used to prevent damage to the vegetation in the riparian (streamside or shoreline) area located within 200 feet perpendicular to the water and adjacent to the structure. Within the riparian area existing parking lots and open managed fields and lots may be used for staging work.

3. No work or equipment use shall occur below the ordinary high water line (OHWL).

4. The bridge shall first be cleaned using dry methods and equipment (scraping, sweeping, vacuuming) that will prevent debris and substances from entering state waters. Residual grease is to be removed by hand methods and degreaser on absorbent material, provided none of this material shall enter state waters. Examples of debris and substances include, but are not restricted to:
   a. bird nests and fecal material
   b. dirt, moss, sediments, and rust
   c. old paint chips and residue
   d. petroleum products
   e. cement chips

f. construction materials
g. chemicals or any other toxic or deleterious substances

5. During bridge cleaning and low pressure washing, if debris, substances, or wash water could enter state waters through deck drains, the drains shall be temporarily blocked to route water to the landward end(s) of the structure and onto vegetative areas, where practicable.

6. Debris and substances resulting from bridge maintenance cleaning shall be collected, contained, and deposited above the limits of flood water or extreme high tide in a site that has the appropriate regulatory approval. No debris, marine growth, or substances shall be placed in road drainages, wetlands, riparian (streamside or shoreline) areas, or on adjacent land where they may be eroded into state waters.

7. Washing shall be done with clean water. No detergents or other cleaning agents shall be used.

8. Washing shall occur with the minimum water pressure necessary to accomplish the work to prevent existing paint from being removed and entering state waters.

9. After dry cleaning methods have been completed, debris accumulations remaining in the drains may be flushed with clean water.

10. No petroleum products, hydraulic fluids, chemicals, or any other polluting substances shall be allowed to enter state waters.

B. Ferry Terminal/Transfer Span Maintenance Cleaning and Washing and Marine Growth Removal

1. Measures shall be used to prevent damage to the vegetation in the riparian (streamside or shoreline) area located within 200 feet perpendicular to the water and adjacent to the structure. Within the riparian area existing parking lots and open managed fields and lots may be used for staging work.

2. No work or equipment use shall occur below the ordinary high water line (OHWL) except the use of a temporary floating work platform for marine growth removal.

3. No disturbance to the shoreline shall occur when placing or removing a temporary floating work platform.

4. Ferry terminals and spans shall first be cleaned using dry methods and equipment (scraping, sweeping, vacuuming) that will prevent debris and substances from entering state waters. Residual grease may be removed by hand methods and degreaser on absorbent material, provided none of this material shall enter state waters. Examples of debris and substances include, but are not restricted to:
   a. bird nests and associated fecal material

b. dirt, moss, sediments, and rust
c. old paint chips and residue
d. petroleum products
e. cement chips
f. construction materials
g. chemicals or any other toxic or deleterious substances

5. If debris, substances, and/or wash water could enter state waters through drains, the drains shall be temporarily blocked to route water to the landward end of the ferry terminal and onto vegetative areas, where practicable.

6. Marine growth removal from creosote or any other treated wood shall be restricted to the use of methods and tools that will minimize removal of the creosote or treated wood fibers.

7. Debris and substances resulting from this cleaning project shall be contained and deposited above the limits of extreme high tide in a site that has the appropriate regulatory approval. No debris, marine growth, and substances shall be placed in road drainages, wetlands, riparian (shoreline) areas, or on adjacent land where they may be eroded into state waters.

8. Washing shall be done with clean water. No detergents or other cleaning agents shall be used.

9. Washing shall occur with the minimum water pressure in order to prevent paint from being removed and entering state waters.

10. After dry cleaning methods have been completed, debris accumulations remaining in the drains may be flushed with clean water.

11. No petroleum products, hydraulic fluids, chemicals, or any other polluting substances shall be allowed to enter state waters.

C. Bridge Preparatory Washing (Pre-painting)

1. For bridges over lakes and wetlands or over rivers listed on the 303(d) list for copper, zinc or lead - No discharge to surface waters.

   For rivers with flows of 55 cfs or less in Eastern Washington or 89 cfs or less in Western Washington at the time of washing – No discharge to surface waters.

   These wastewaters may be directed to ground discharge at a location near the bridge if the soils are suitable for infiltration. These wastewaters must be filtered with #100 sieve fabric prior to discharge to ground. This authorization is contingent upon timely completion of ground water evaluation as given in condition S6.

2. For bridges over rivers with flows of 56 cfs to 325 cfs at the time of washing (Eastern Washington) or 90 cfs to 532 cfs (Western Washington) – The permittee will explain in their Annual Proposed Project List (see Monitoring and Reporting) the mitigation measures for meeting water quality standards and must include plans for using less than six pressure washers operating simultaneously. Wash water and debris resulting from pressure washing, including but not restricted to dirt and old paint chips, shall be filtered through a filter tarp of a minimum of # 100 sieve before discharge to surface waters. This authorization is contingent upon timely completion of a effluent specific translator study as given in S6.

3. For bridges over rivers with flows of 326 cfs to 4260 cfs (Eastern Washington) or 533 cfs to 7930 (Western Washington) at the time of washing – The permittee will explain in their Annual Proposed Project List the mitigation measures to meet water quality standards. Wash water and debris resulting from pressure washing, including but not restricted to dirt and old paint chips, shall be filtered through a filter tarp of a minimum of # 100 sieve before discharge to surface waters. A maximum of six pressure washers may be used. This authorization is contingent upon timely completion of a effluent specific translator study as given in S6.

4. For bridges over rivers with flows of 4261 or greater (Eastern Washington) or 7931 or greater cfs (Western Washington) at the time of washing - Wash water and debris resulting from pressure washing, including but not restricted to dirt and old paint chips, shall be filtered through a filter tarp of a minimum of #100 sieve before discharge to surface waters. A maximum of six pressure washers may be used.

5. For bridges over marine waters - The permittee will explain in their Annual Proposed Project List the mitigation measures for meeting water quality standards. Wash water and debris resulting from pressure washing, including but not restricted to dirt and old paint chips, shall be filtered through a filter tarp of a minimum of # 100 sieve before discharge to surface waters.

6. Measures shall be used to prevent damage to the vegetation in the riparian (streamside or shoreline) area located within 200 feet perpendicular to the water and adjacent to the structure. Within the riparian area existing parking lots and open managed fields and lots may be used for staging work..

7. No work or equipment use shall occur below the ordinary high water line (OHWL) except the use of a temporary floating work platform.

8. No disturbance to the stream banks or shoreline shall occur when placing or removing a temporary floating work platform.

9. Bridges shall first be cleaned using dry methods and equipment (scraping, sweeping, vacuuming) that will prevent debris and substances from entering state waters. Residual grease may be removed by hand methods and degreaser on absorbent material, provided none of this material shall enter state waters. Examples of debris and substances include, but are not restricted to:

a. bird nests and fecal material
b. dirt, moss, sediments, and rust
c. old paint chips and residue
d. blasting medium
e. petroleum products
f. cement chips
g. construction materials
h. chemicals or any other toxic or deleterious substances

10. If debris, substances, or wash water could enter state waters through deck drains, the drains shall be temporarily blocked to route water to the landward end(s) of the structure and onto vegetative areas where practicable.

11. Work that would result in debris and substances entering state waters, including but not restricted to dirt, abrasive blasting medium, old paint chips, and new paint, shall include a containment structure capable of collecting all such debris and substances.

12. Debris and substances collected in the containment or filter structure shall be removed from the structure;
    a. daily,
    b. whenever accumulations may place the structure at risk,
    c. and whenever its moved or removed.

13. Work shall not occur when weather conditions would place the containment or filter structure at risk, or result in loss of contained material or the loss of filtering function.

14. Any containment or filter structure shall be routinely inspected and repaired as necessary to ensure its function.

15. Debris and substances from this project shall be collected, contained and then deposited above the limits of flood water or extreme high tide in a site that has the appropriate regulatory approval. No debris and substances shall be placed in road drainages, wetlands, riparian (streamside and shoreline) areas, or on adjacent land where they may be eroded into state waters.

16. Pressure washing and washing shall be done with clean water. No detergents or other cleaning agents shall be used.

17. After dry cleaning methods have been completed, debris accumulations remaining in the drains may be flushed with clean water.

18. No cleaning of any painting or other equipment or mixing or storing of paint and other polluting materials and substances shall be done over the water or in an area where a spill would result in these materials and substances entering state waters.

19. For brush and/or roller paint application methods, painters shall work from pails containing a maximum of two (2) gallons of paint to minimize the impact of accidental spillage.

20. No cleaning solvents or chemicals utilized for tool or equipment cleaning may be discharged to the ground or water. Cleaning of painting and maintenance equipment shall not be done in state waters nor shall resultant cleaning runoff be allowed to enter state waters. No paint cans, lids, brushes, or other debris shall be allowed to enter state waters.

21. All liquid products shall be stored and mixed on impervious surfaces in secure and contained location to eliminate the potential for spills into state waters.

22. Drip pans or other protective devise shall be required for all paint mixing and solvent transfer operations.

23. Drip tarps shall be suspended below paint platforms to prevent spilled paint, buckets, brushes, etc., from being lost to state waters.

24. Paint and solvent spills shall be treated as oil spills and shall be prevented from reaching storm drains and subsequent discharge into the water. Any such spill shall be reported to the appropriate Ecology Regional Office immediately.

25. The project Engineer or Inspector shall be on site or on call, and be readily accessible to the site at all times while cleaning and painting activities are occurring that may affect the quality of surface water of the state.

26. No petroleum products, hydraulic fluids, chemicals, or any other polluting substances shall be allowed to enter state waters.

27. Pressure washing of concrete structures shall be held to the minimum necessary to maintain structural integrity.

D. Ferry Transfer Span Preparatory Washing

1. Washing shall only be done in weeks of maximum tidal exchange (spring tide) and at time of maximum daily tidal flows.

2. Wash water and debris resulting from pressure washing, including but not restricted to dirt and old paint chips, shall be filtered through a filter tarp of a minimum of # 100 sieve before discharge to surface waters.

3. The number of pressure washers at any time shall be four or less.

4. Measures shall be used to prevent damage to the vegetation in the riparian (streamside or shoreline) area located within 200 feet perpendicular to the water and adjacent to the structure. Within the riparian area existing parking lots and open managed fields and lots may be used for staging work.

5. No work or equipment use shall occur below the ordinary high water line (OHWL) except the use of a temporary floating work platform for marine growth removal.

6. No petroleum products, hydraulic fluids, chemicals, or any other polluting substances shall be allowed to enter state waters.

7. No disturbance to the shoreline shall occur when placing or removing a temporary floating work platform.

8. Ferry terminals shall first be cleaned using dry methods and equipment (scraping, sweeping, vacuuming) that will prevent debris and substances from entering state waters, except residual grease may be removed by hand methods and degreaser on absorbent material, provided none of this material shall enter state waters. Examples of debris and substances include, but are not restricted to:
   a. bird nests and associated fecal material
   b. dirt, moss, sediments, and rust
   c. old paint chips and residue
   d. petroleum products
   e. cement chips
   f. construction materials
   g. chemicals or any other toxic or deleterious substances

9. If cleaned debris, substances, and/or wash water could enter state waters through deck drains, the drains shall be temporarily blocked to route water to the landward end of the ferry terminal and onto vegetative areas where practicable.

10. Work that would result in debris and substances entering state waters, including but not restricted to dirt, abrasive blasting medium, old paint chips, and new paint, shall include a containment structure capable of collecting all such debris and substances.

13. Debris and substances collected in the containment or filter structure shall be removed from the structure;
    a. daily,
    b. whenever accumulations may place the structure at risk,
    c. and whenever its moved or removed.

14. Work shall not occur when weather conditions would place the containment or filter structure at risk, result in loss of contained material or loss of filtering function.

15. Any containment or filter structure shall be routinely inspected and repaired as necessary to ensure its function.

16. Marine growth removal from creosote or any other treated wood shall be restricted to the use of hand tools and methods that will minimize removal of the creosote or treated wood fibers.

17. Debris, marine growth, and substances from this project shall be collected and then contained and deposited above the limits of extreme high tide in a site that has the appropriate regulatory approval. No debris, marine growth, and substances shall be placed in road drainages, wetlands, riparian (shoreline) areas, or on adjacent land where they may be eroded into state waters.

18. Washing shall be done with clean water. No detergents or other cleaning agents shall be used.

19. After dry cleaning methods have been completed, debris accumulations remaining in the drains may be flushed with clean water.

20. No cleaning of any painting or other equipment or mixing or storing of paint and other polluting materials and substances shall be done over the water or in an area where a spill would result in these materials and substances entering state waters.

21. For brush and/or roller paint application methods, painters shall work from pails containing a maximum of two (2) gallons of paint to minimize the impact of accidental spillage.

22. No cleaning solvents or chemicals utilized for tool or equipment cleaning may be discharged to the ground or water. Cleaning of painting and maintenance equipment shall not be done in sate waters nor shall resultant cleaning runoff be allowed to enter state waters. No paint cans, lids, brushes, or other debris shall be allowed to enter state waters

23. All liquid products shall be stored and mixed on impervious surfaces in secure and contained location to eliminate the potential for spills into state waters.

24. Drip pans or other protective device shall be required for all paint mixing and solvent transfer operations.

25. Drip Tarps shall be suspended below paint platforms to prevent spilled paint, buckets, brushes, etc., from being lost to state waters.

26. Paint and solvent spills shall be treated as oil spills and shall be prevented from reaching storm drains and subsequent discharge into the water. Any such spill shall be reported to the appropriate Ecology Regional Office immediately.

27. The project Engineer or Inspector shall be on site or on call, and be readily accessible to the site at all times while cleaning and painting activities are occurring that may affect the quality of surface water of the state.

E. Mixing Zone Descriptions for C. and D. above

An acute mixing zone is authorized for Bridge Preparatory Washing over rivers. The maximum allowance for the mixing zone is defined as follows:

Acute – 2.5% of the river flow at the time of washing

The dilution factor from this mixing zone varies with the number of pressure washers and the river flow at the time of washing.

An acute mixing zone is authorized for Ferry Transfer Span Preparatory Washing over marine waters. The maximum boundaries of the mixing zone is as follows:

Acute – Twenty feet around the point of discharge.

The dilution factor resulting from this mixing zone varies with the number of pressure washers and receiving water current velocity.

S2. MONITORING REQUIREMENTS

A. Wash Water and Pressure Wash Water Monitoring:

The permittee shall monitor wash and pressure wash water as follows:

1. Bridge and Ferry Transfer Span Maintenance Washing
   The permittee shall monitor one representative project (bridge or ferry transfer span) per year. The permittee shall collect a composite sample of effluent and analyze for total hardness, dissolved and total recoverable copper, dissolved and total recoverable lead, and dissolved and total recoverable zinc.

2. Bridge and Ferry Transfer Span Preparatory Washing
   The permittee shall sample one representative project (bridge or ferry transfer span) per year. The permittee shall collect a composite sample of effluent after passing through the filter tarp. The sample shall be analyzed for dissolved and total recoverable copper, dissolved and total recoverable lead, dissolved and total recoverable zinc, total hardness, and acute toxicity to *Ceriodaphnia dubia*, *Daphnia pulex*, or *Daphnia magna* (48 hour static test, method: EPA/600/4-90/027F) and to Fathead minnow, *Pimephales promelas* (96 hour static-renewal test, method: EPA/600/4-90/027F). The permittee shall also collect samples of the receiving water "upstream" of the project bridge or transfer span and analyze the water for dissolved and total recoverable copper, dissolved and total recoverable lead, dissolved and total recoverable zinc, and total hardness.

B. Sampling and Analytical Procedures

Samples and measurements collected to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC.

S3. NOTIFICATION, REPORTING, AND RECORDKEEPING REQUIREMENTS

The Permittee shall notify, monitor and report in accordance with the following conditions. Notification, as required under S3 A.1 PROJECT NOTIFICATION (below), applies to all activities covered under this permit except ferry transfer span maintenance cleaning and washing. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Notification

1. PROJECT NOTIFICATION: The Ecology Regional Office Water Quality Program shall be notified (letter or fax) at least three (3) working days prior to start of work. Notification shall include:

    a. Agency name, contact person, and telephone number
    b. Type of activity
    c. Water body name
    d. Bridge location, including road number, milepost
    e. Latitude and longitude (S1.C and S1.D only)
    f. Starting date and estimated ending date for work

2. NOTIFICATION OF FISH KILL, PERMIT VIOLATION, WATER QUALITY PROBLEM: If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, a water quality problem occurs, or a permit violation occurs the Permittee shall:
    a. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the noncompliance, correct the problem and, if applicable, repeat

sampling and analysis of any discharge immediately and submit the results to the Department within thirty (30) days after becoming aware of the violation.

b. Immediately notify the Department of Ecology of the failure to comply.

c. Submit a detailed written report to the Department of Ecology within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by the Department. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

B. Reporting

The first monitoring period begins on the effective date of the permit.

Annual Proposed Project List Report – Each year the permittee shall submit a list of bridges and ferry transfer spans expected to be pressure washed and painted that year. The report shall be submitted at least 90 days prior to the start of activity. The report shall list the expected projects for that year and the river flows (for bridges) expected at time of preparatory washing. The report shall specify the expected monitoring, mitigation measures (condition S1.C), and any special studies which are planned for that year. For discharges to ground, the permittee shall specify the approximate location and the soil suitability for infiltration. The report shall be submitted to Department of Ecology, SEA Program, PO Box 47600, Olympia, WA 98504-7600.

Annual Project Completion Report: The permittee shall submit to the Department of Ecology, SEA Program, PO Box 47600, Olympia, WA 98504-7600, a calendar year annual report of Bridge Cleaning and Washing work by January 31 of the following year. An annual report is also required if no work was conducted. The annual report shall include:

1. General: Reporting agency, contact person, address, telephone number, date of report, time period.

2. Summary: Total number of individual projects by region and statewide.

3. Problem(s) encountered: Provision violation, notification, corrective action, impacts to fish life and water quality from problem. If the Environmental Compliance Assurance Procedure (ECAP) was used, what activity triggered the procedure. *[these may be highlighted and specified in this section or included in the full list of projects completed below]*

4. Recommendations for improvement to BMPs and mitigation *[optional]*

5. List of individual projects completed: By region including water body name, bridge name, road number and milepost, latitude and longitude, and date of work.

6. Water Quality Data: All data and analysis required under S2. and S6. of this permit.

All laboratory reports providing data for organic and metal parameters shall include the following information: sampling date, sample location, date of analysis, parameter name, CAS number, analytical method/ number, method detection limit (MDL), laboratory practical quantitation limit (PQL), reporting units, and concentration detected.

C. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original 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. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

D. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual or laboratory who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

E. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2. of this permit, then the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's Annual Project Completion Report.

F. Maintaining a Copy of This Permit

A copy of this permit or a document containing relevant conditions must be kept at the project site (bridge and ferry transfer span preparatory washing only) and be made available upon request to Ecology inspectors.

S4. OPERATION AND MAINTENANCE

The Permittee shall, at all times, properly operate and maintain all facilities or systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and 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 this permit.

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

S5. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee shall handle and dispose of all solid waste material in such a manner as to prevent its entry into state ground or surface water.

B. Leachate

The Permittee shall not allow leachate from its solid waste material to enter state waters without providing all known, available and reasonable methods of treatment, nor allow such leachate to cause violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Ground Water Quality Standards, Chapter 173-200 WAC. The Permittee shall apply for a permit or permit modification as may be required for such discharges to state ground or surface waters.

S6. COMPLIANCE SCHEDULE

A. Waste-Specific Translator.

The permittee is allowed to discharge filtered waste water resulting from pressure washing to rivers with flows between 55 cfs and 4200 cfs (7900 cfs in Western Washington) only if the permittee is in compliance with the following condition to develop a waste-specific translator or a comparable assessment that further defines the effluent characteristics or mixing zone effects:

By Spring of 2005 the permittee shall submit to Ecology for review and approval, a study plan to develop a waste-specific translator or comparable assessment. The plan shall identify the University contractor, contain the quality assurance plan for the chemical analysis, and the time schedule for completing the study within the period of this permit. The objective of the study is to determine the dynamics of conversion of total recoverable metal in the effluent to dissolved metal in the receiving water.

B. Ground Discharge Study.

An evaluation of the impacts of discharge to ground is required. The evaluation report is due one year after three pressure wash projects using #100 filter tarp have been completed and evaluated. The report shall use the effluent analysis required elsewhere in this permit and evaluate the potential of this discharge for violation of ground water standards (Chapter 173-200).

C. Water Effect Ratio.

The permittee may develop a water effect ratio to demonstrate the mitigating effects of the receiving water on the dissolved metal fraction of the wastewater. The development of a water effect ratio may be a combination of in-stream studies and literature reviews. If the permittee elects to perform a study of the water effect ratio, the permittee shall submit a study plan for review and approval to the Department of Ecology. The study plan must adhere to guidance given in publications EPA -823-B-94-001 and Ecology 92-109.

D. Mixing Zone Study.

A mixing zone study may be performed to determine effective dilution of pressure washing wastewater in marine waters. If the permittee elects to perform a mixing zone study, the permittee shall submit a study plan for review and approval to the Department of Ecology. The study plan must adhere to guidance given in Ecology publication 92-109.

S7. HAZARDOUS SPILL PREVENTION AND CONTROL

A. No petroleum products, wet cement, lime, concrete, chemicals - including emulsifiers, dispersants or cleaning solvents used for tool or equipment cleaning, or other toxic or deleterious materials shall be used in or immediately adjacent to waters of the state, or be discharged into waters of the state.

B. Equipment that enters the state's waters shall be maintained to prevent any visible sheen from petroleum products from appearing on the water. Containment measures for the sheen will be deployed if a visible sheen is observed. If a sheen is observed, work shall cease and all leaking or dirty equipment shall be removed from the water and the source of the sheen shall be fixed prior to reentering the water.

C. All oil, fuel or chemical storage tanks or containers will be stored in a method which provides appropriate containment in the event of a spill thereby reducing impacts to surface water or groundwater of the state.

D. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters. Proper security shall be maintained to prevent vandalism.

E. Concentrated waste or spilled chemicals shall be transported off site for disposal at a facility approved by Ecology or the appropriate County Health Department. These materials shall not be discharged to any sewer without approval of the local sewer authority.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

A. All permit applications shall be signed by either a responsible corporate officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.

B. All reports required by this permit and other information requested by the Department shall be signed by a person described above 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 above and submitted to the Department.
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

1. Certification. Any person signing a document under this section 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 for knowing violations.

G2. RIGHT OF INSPECTION AND ENTRY

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

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G3. PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
   1. Violation of any permit term or condition.
   2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
   3. A material change in quantity or type of waste disposal.
   4. A determination that the permitted activity endangers human health or the environment or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].
   5. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR part 122.64(4)].
   6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
   7. Failure or refusal of the permittee to allow entry as required in RCW 90.48.090.
B. The following are causes for modification but not revocation and reissuance except when the permittee requests or agrees:
   1. A material change in the condition of the waters of the state.
   2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
   3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
   4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
   5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR part 122.62.
   6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
   7. Incorporation of an approved local pretreatment program into a municipality's permit.

The following are causes for modification or alternatively revocation and reissuance:
   1. Cause exists for termination for reasons listed in A1 through A7, of this section, and the Department determines that modification or revocation and reissuance is appropriate.

2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new permittee.

G4. REPORTING PLANNED CHANGES

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in: 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b); 2) a significant change in the nature or an increase in quantity of pollutants discharged; or 3) a significant change in the Permittee's sludge use or disposal practices. Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation.

G5. PLAN REVIEW REQUIRED

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

G6. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

G7. DUTY TO REAPPLY

The Permittee shall apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G8. TRANSFER OF THIS PERMIT

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

A. Transfers by Modification
Except as provided in paragraph B below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR

122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

B. Automatic Transfers

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittee's containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under the subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

G9. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G10. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G11. DUTY TO PROVIDE INFORMATION

The Permittee shall submit to the Department, within a reasonable time, all information which the Department 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 submit to the Department upon request, copies of records required to be kept by this permit.

G12. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G13. ADDITIONAL MONITORING

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G14. PAYMENT OF FEES

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

G16. UPSET

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 preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

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 cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S3 and 4) the Permittee complied with any remedial measures required under S4 of this permit.

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

G17. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G18. DUTY TO COMPLY

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G19. TOXIC POLLUTANTS

The Permittee shall comply with 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 this permit has not yet been modified to incorporate the requirement.

G20. PENALTIES FOR 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 per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

G21. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during non-critical water quality periods and carried out in a manner approved by the Department.

G22. REPORTING 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 Department, it shall promptly submit such facts or information.

G23. COMPLIANCE SCHEDULES

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 fourteen (14) days following each schedule date