

US EPA ARCHIVE DOCUMENT

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

NPDES PERMIT NO. NN0030346

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. Section 1251 et seq; the "Act"),

Mariano Lake Chapter Water System
P.O. Drawer 678
Fort Defiance, AZ 86504

is authorized to discharge water from pipeline flushing and disinfection from its Mariano Lake Waterline Project located within the Navajo Nation in McKinley County, New Mexico, from two (2) discharge outfalls to receiving waters identified as follows:

<u>Outfall</u>	<u>Latitude/Longitude</u>	<u>Receiving Water(s)</u>
001	35° 33' 56" North 108° 16' 8" West	Old Gulf Mine wash (a tributary to Puerco River, a tributary to the Little Colorado River)
002	35° 33' 40" North 108° 20' 50" West	Red Willow wash (a tributary to Puerco River a tributary to the Little Colorado River)

in accordance with the effluent limitations, monitoring requirements, and in the attached 15 pages of U.S. EPA Region 9 *Standard Federal NPDES Permit Conditions*, dated July 27, 2011.

This permit shall become effective June 1, 2015.

This permit and the authorization to discharge shall expire at midnight, May 31, 2020.

Signed this 26th day of May 2015.

For the Regional Administrator

/s/

Nancy Woo, Acting Director
Water Division
U.S. EPA, Region 9

SECTION A. EFFLUENT LIMITATIONS AND SELF-MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting through the date of the permit expiration, the permittee shall not discharge flush and disinfection water to receiving waters, except from the discharging points identified below, and in accordance with both the effluent limitations contained in Section A.3, and the narrative water quality standards cited in Section B below.
2. The effluent shall be sampled after final treatment prior to entry into the receiving waters.

Outfall	Activity	Coordinates (Longitude/Latitude)	Receiving Water(s)
001	Flush/chlorinate/neutralize	35° 33' 56" North 108° 16' 8" West	Old Gulf Mine wash; Puerco River
002	Flush/chlorinate/neutralize	35° 33'40" North 108° 20' 50" West	Red Willow wash; Puerco River

3. Discharges resulting from the pipeline flushing at Outfalls No. 001 and 002 shall be monitored and limited by the permittee as specified below:

Effluent Parameter	Units	Limit		Monitoring Frequency	Sampling Type
		Daily Max	Daily Avg		
Total Suspended Solids	mg/l	30	10	Per discharge	Discrete
Total Residual Chlorine	µg/l	11	--	Per discharge	Discrete
pH	S.U.	Between 6.5 and 9.0		Per discharge	Discrete
Turbidity	NTU	50	--	Per discharge	Discrete

SECTION B. GENERAL DISCHARGE SPECIFICATIONS

1. All Waters of the Navajo Nation shall be free from pollutants in amounts or combinations that, for any duration:
 - a. Cause injury to, are toxic to, or otherwise adversely affect human health, public safety, or public welfare.
 - b. Cause injury to, are toxic to, or otherwise adversely affect the habitation, growth, or propagation of indigenous aquatic plant and animal communities or any member of these communities; of any desirable non-indigenous member of these communities; of waterfowl accessing the water body; or otherwise adversely affect the physical, chemical, or biological conditions on which these communities and their members depend.
 - c. Settle to form bottom deposits, including sediments, precipitates and organic materials, that cause injury to, are toxic to, or otherwise adversely affect the

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habitation, growth, or propagation of indigenous aquatic plant and animal communities or any member of these communities; of any desirable non-indigenous member of these communities; of waterfowl accessing the water body; or otherwise adversely affect the physical, chemical, or biological conditions on which these communities and their members depend.

- d. Cause physical, chemical, or biological conditions that promote the habitation, growth or propagation of undesirable, non-indigenous species of plant or animal life in the water body.
 - e. Cause solids, oil, grease, foam, scum, or any other form of objectionable floating debris on the surface of the water body; may cause a film or iridescent appearance on the surface of the water body; or that may cause a deposit on a shoreline, on a bank, or on aquatic vegetation.
 - f. Cause objectionable odor in the area of the water body.
 - g. Cause objectionable taste, odor, color, or turbidity in the water body.
 - h. Cause objectionable taste in edible plant and animal life, including waterfowl that reside in, on or adjacent to the water body.
 - i. Cause the growth of algae or aquatic plants that inhibit or prohibit the habitation, growth, or propagation of other aquatic life or that impair recreational uses.
2. All waters of the Navajo Nation shall be free of toxic pollutants from other than natural sources in amounts, concentrations, or combinations which affect the propagation of fish or which of toxic to humans, livestock or other animals, fish or other aquatic organisms, wildlife using aquatic environments for habitation or aquatic organisms for food, or which will or can reasonably be expected to bioaccumulate in tissues of fish, shellfish, or other aquatic organisms to levels which will impair the health of aquatic organisms or wildlife or result in unacceptable tastes, odors or health risks to human consumers.
 3. No person shall place animal carcasses, refuse, rubbish, demolition or construction debris, trash, garbage, motor vehicles, motor vehicle parts, batteries, appliances, tires, or other solid waste into waters of the Navajo Nation or onto their banks.

SECTION C. PERMIT REOPENER

At this time, there is no reasonable potential to establish any other water quality-based limits. Should any monitoring indicate that the discharge cause, has the reasonable potential to cause, or contributes to excursion above a water quality criteria, the permit may be reopened for the imposition of water quality-based limits and/or whole effluent toxicity limits. In accordance with 40 CFR 122 and 124, this permit may be modified to include appropriate conditions or effluent limits, monitoring, or other conditions to implement new regulations, including U.S. EPA-approved new Tribal water quality standards; or to

address new information indicating the presence of effluent toxicity or the reasonable potential for the discharge to cause or contribute to exceedences of water quality standards.

SECTION D. MONITORING AND REPORTING

1. Reporting of Monitoring Results

- a. The results of all monitoring required by this permit shall be submitted in such a format as to allow direct comparison with effluent limitations and permit requirements. Discharge data obtained during each discharge event shall be summarized and reported.

Duplicate, signed copies of these, and all other reports required herein, shall be submitted to the U.S. EPA Director and the Navajo Nation EPA at the following addresses:

NPDES Data Team
U.S. Environmental Protection Agency
Enforcement Division
Information Management Section (ENF 4-1)
75 Hawthorne Street
San Francisco, CA 94105

Navajo Nation EPA
NPDES Program
P.O. Box 339
Window Rock, AZ 86515

- b. For effluent analyses, the permittee shall utilize an EPA-approved analytical method with a Method Detection Limit (“MDL”) that is lower than the effluent limitations (or lower than applicable water quality criteria if monitoring is required but no effluent limitations have been established.) MDL is the minimum concentration of an analyte that can be detected with 99 percent confidence that the analyte concentration is greater than zero (0), as defined by the specific laboratory method listed in 40 CFR Part 136. The procedure for determination of a laboratory MDL is in 40 CFR Part 136, Appendix B.
- c. If all published MDLs are higher than the effluent limitations (or applicable criteria concentrations), the permittee shall utilize the EPA-approved analytical method with lowest published MDL.

2. Monitoring and Records

Records of monitoring information shall include:

- a. Date, exact location, and time of sampling or measurements performed, preservatives used;
- b. Individual(s) who performed the sampling or measurements;
- c. Date(s) analyses were performed;
- d. Laboratory(ies) which performed the analyses;
- e. Analytical techniques or methods used;

- f. Any comments, case narrative or summary of results produced by the laboratory. These should identify and discuss QA/QC analyses performed concurrently during sample analyses and should specify whether they met project and 40 CFE Part 136 requirements. The summary of results must include information on initial and continuing calibration, surrogate analyses, blanks, duplicates, laboratory control samples, matrix spike and matrix spike duplicate results, sample receipt condition, holding times, and preservation.
- g. Summary of data interpretation and any corrective action taken by the permittee.
- h. Effluent limitations for analytes/compounds being analyzed.

3. Twenty Four-Hour Reporting of Noncompliance

In accordance with 40 CFR 122.41(l)(6)(i), (ii) and (iii), the following condition is expressly incorporated into this permit. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances to the following persons or their offices:

Manager
Wastewater Enforcement Office (ENF 3-1)
U.S. EPA Region 9
(415) 972-3577

Patrick Antonio
Navajo Nation EPA
(928) 871-7185

If the permittee is unsuccessful in contacting the person above, the permittee shall report by 9 a.m. on the first business day following the noncompliance. A written submission shall also be provided within five (5) days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including dates and times, and, if the noncompliance has not been corrected, the date and/or time it is expected to be corrected; and, steps and/or plans to reduce, eliminate, and prevent reoccurrence of the noncompliance.

SECTION E. NOTIFICATION

The permittee shall notify U.S. EPA and the Navajo EPA Water Quality/NPDES Program (928/871-7185) twenty-four (24) hours prior to commencing any discharge of hydrostatic test and clean out water.

SECTION F. INSPECTION AND ENTRY

The permittee shall allow the U.S. EPA Director, or an authorized representative, upon the presentation of credentials and such other documents as may be required by law, to perform inspections under authority of Section 10: Inspection and Entry of the U.S. EPA Region 9 “*Standard Federal NPDES Permit Conditions*”, dated July 27, 2011, as attached.

SECTION G. DEFINITIONS

The following definitions shall apply unless otherwise specified in this permit:

1. “Discrete sample” means any individual sample collected in less than 15 minutes.
2. “Daily discharge” means the “discharge of a pollutant” measured during a calendar day or any 24-hour period that reasonably represents the calendar for purposes of sampling. For pollutants with limitations expressed in terms of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the sampling day. “Daily discharge” determination of concentration made using a composite sample shall be the concentration of the composite sample. When the grab sample technique is used, the “daily discharge” determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that sampling day.
3. “Daily average discharge limitation” means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
4. “Daily maximum concentration” means the measurement made on any single discrete sample or composite sample.

SECTION H. EPA REGION IX STANDARD CONDITIONS

See the attached 15 pages of U.S. EPA Region 9 *Standard Federal NPDES Permit Conditions*, dated July 27, 2011.