Washington Department of Fish and Wildlife (Angie Stefani)

Issuance Date: To be determined
Effective Date: To be determined
Expiration Date: To be determined

DRAFT UPLAND FINFISH HATCHING & REARING GENERAL PERMIT

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit

State of Washington
Department of Ecology
Olympia, WA 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.

Until this Permit expires, is modified, or revoked, Permittees that have properly obtained coverage under this Permit are authorized to discharge to waters of the State in accordance with the special and general conditions which follow.

DRAFT

Jon Kenning, PhD
Water Quality Program Manager
Washington State Department of Ecology

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TABLE OF CONTENTS

LIST OF TABLES

ADA ACCESSIBILITY

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To request an ADA accommodation ecyadacoordinator@ecy.wa.gov call 360-407-6831, or call Ecology through the Washington Telecommunication Relay for services including text telephone (TTY) at 711 or through your preferred relay service provider. Visit Ecology.wa.gov/ADA for more accessibility information.

SUMMARY OF PERMIT SUBMITTALS AND DOCUMENTATION

Refer to the Special and General Conditions sections of this permit for the requirements of each submittal and documents as indicated in tables.

Table 1: Summary of Submittals

Permit Section	Submittal	Frequency	First Submittal Date
S2.B	Notice of Changes and Coverage Modifications	As necessary	Not applicable
S2.C	Notice of Transfer	As necessary	Not applicable
S2.D	Notice of Termination	As necessary	Not applicable
S3.F	Sample and Analysis Plans for Temperature (S3.F.1) and Nutrient (S3.F.2) Monitoring (consult Appendix C and D)	As necessary	6 months after coverage issued
S3.F	Submittals for facilities with TMDL determinations (consult Appendix E)	As necessary	Not applicable
S5.A	Discharge Monitoring Reports (DMRs)	Quarterly	TBD
S5.C.1	Drug and Chemical Use Report a. Summary of Total Use b. Waterborne Drug and Chemical Use Log	Annually	January 30, 2028
S5.C.2	Facility Site Plans	As necessary and with DTR application	Not applicable
S5.G	Reporting Permit Violations 5-day Reports	As necessary	Not applicable
S6.D.1	Paint and Caulk PCB Evaluation and Mitigation: Evaluation Report, Removal Plan, and Removal Documentation	As necessary	2 years after coverage issued
S6.D.2	Feed PCB Source Reduction and BMP Plan	As necessary	1 year after coverage issued
S11.A	Engineering Checklist	As necessary	Not applicable
S11.B	Engineering Report	As necessary	Not applicable
G3	Duty to Reapply (DTR)	Once	TBD
G7	Duty to Provide Information	As necessary	Not Applicable
G10	Changes to authorizing officials and responsible parties	As necessary	Not applicable

Table 2: Summary of Required Onsite Documentation

All documentation can be stored electronically, unless noted otherwise below as a paper record, ensuring it is readily found and retrievable for use by permittee, the public to view, and inspections.

Permit Section	Documents
S3.F	Sample and Analysis Plan (SAP) for additional monitoring of discharges to impaired waterbodies
S4.G	Maintain flow calibration records for at least 5 years
S5.C.2	Facility Site Plans: • Site-Specific Sampling Plan (S7) • Solid Waste Management Plan (S8.D) • Pollution Prevention Plan (S9) • Spill Control Plan (S10)
S5.D and S5. E	DMRs Paper records of original sampling and monitoring records or notes including any Sampling Notes and Records, Lab Bench Sheets, Calibration Records, and Laboratory Reports.
S5.I	Permit and Facility-specific Coverage Letter
S6.B	Operational Logs – Production Log and Drug and Chemical Use Log Chemical and Drug Labels and Safety Data Sheets (SDSs)

SPECIAL CONDITIONS

S1 PERMIT COVERAGE

This statewide general permit pertains to upland aquaculture facilities or operations that discharge fish rearing process water to a surface waterbody or a system that drains to a surface waterbody. Beginning on the effective date of this permit and lasting through its expiration date, Permittees are authorized to discharge hatchery and aquaculture related effluent to waters of the state. All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

The permit requires coverage for private entities, state and local government facilities, and includes both existing and new facilities. The Department of Ecology (Ecology) may also require permit coverage for any facility on a case-by-case basis to protect waters of the state (S1.A.3).

S1.A Facilities Required to Obtain Coverage

Facilities required to obtain coverage under this general permit include every upland finfish hatching or rearing facility within the jurisdiction of Ecology that discharges at least 30 days a year and:

1. Produces more than 20,000 pounds of fish a year, or
2. Feeds more than 5,000 pounds of fish food in any one calendar month, or
3. Ecology determines the facility is a significant contributor of pollution to waters of the state. To determine this, Ecology will consider the following factors.
    a. The location, quantity, and quality of the receiving waters of the state.
    b. The holding, feeding, and production capacities of the facility.
    c. The quantity and nature of the pollutants reaching waters of the state.
    d. Other relevant factors (40 CFR 122.24).

S1.B Eligibility for Coverage of New Discharges to Impaired Waters

Facilities that meet the definition of "*new discharger*" and discharge to a 303(d) listed waterbody (Category 5) or an impaired waterbody with an applicable TMDL (Category 4A) are not eligible for coverage under this permit unless the facility either,

1. Documents that the pollutant(s) for which the waterbody is impaired is not present at the facility, and submits the documentation of this finding to Ecology; or
2. Submits to Ecology data or documentation to support a determination that the discharge is not expected to cause or contribute to an exceedance of a water quality standard. The facility must provide data or other technical information to Ecology that is sufficient to demonstrate either,
    a. for discharges to waters without an U.S. Environmental Protection Agency (EPA) approved or established TMDL, that the discharge of the pollutant for which the

water is impaired will meet instream water quality criteria at the point of discharge to the waterbody; or

b. for discharges to waters with an EPA approved or established TMDL, that there are sufficient remaining wasteload allocations in an EPA approved or established TMDL to allow hatchery discharges.

Facilities are eligible for coverage under this permit if Ecology issues permit coverage based upon an affirmative determination that the discharge will not cause or contribute to the existing impairment.

S1.C Facilities Excluded from Coverage

Ecology will not provide coverage under this general permit in the following situations.

1. Facilities discharging to a waterbody with a Total Maximum Daily Load (TMDL) water clean-up plan or other control plan unless:

    a. This general permit is adequate to provide the level of protection required by the TMDL or control plan.

    b. The Permittee documents that the pollutants for which the waterbody is impaired are not present at the facility and submits supportive documentation to Ecology.

    c. The Permittee provides Ecology with data indicating that the discharge is not expected to cause or contribute to the impairment and an exceedance of the water quality standard.

    d. Ecology issues an order or modification of coverage supporting the Wasteload Allocation (WLA) requirements listed in the TMDL.

2. New facilities or existing facilities with expansions, production increases, or process modifications which will result in new or substantially increased discharges of pollutants or a change in the nature of the discharge of pollutants that discharge to a waterbody listed pursuant to Section 303(d) of the Clean Water Act unless Ecology has determined that the discharge will not cause or contribute to the water quality impairment.

3. Facilities which do not meet the definition for an upland finfish facility. This exclusion includes marine and freshwater net pens located within waters of the state, and facilities used to rear fish in waters of the state, which are not located in an upland setting (Chapter 173-221A WAC).

4. Federally owned or operated fish hatcheries or fish farms and discharges from fish hatcheries and fish farms to surface water on federal land. Specifically, these facilities operated by any department, agency, or instrumentality of the executive, legislative, and judicial branches of the federal government of the United States, or another entity, such as a private contractor, performing the activity for any such department, agency, or instrumentality.

5. Facilities in Indian Country, as defined in 18 U.S.C. 1151, except the portions of the Puyallup Reservation as noted below. Indian Country includes:

a. All land within any Indian Reservation notwithstanding the issuance of any patent and including rights-of-way running through the reservation. This includes all federal, tribal, and Indian and non-Indian privately owned land within the reservation.

b. All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

c. All off-reservation federal trust lands held for Native American Tribes.

Puyallup Exception: Following the Puyallup Tribes of Indians Land Settlement Act of 1898, 25 U.S.C. §1973; the permit does apply to land within the Puyallup Reservation except for discharges to surface water on land held in trust by the federal government.

6. Facilities that do not meet the criteria described in S1.A.

S1.D Discharges to Ground

The terms and conditions of this permit apply to discharges to groundwater from facilities that are otherwise required to obtain coverage under this General Permit (e.g., facilities with activities that discharge water to surface water of the state). Ecology may require facilities that discharge to both surface water and groundwater to report additional information to evaluate compliance with groundwater standards, Chapter 173-200 WAC. Discharges to groundwater through an underground injection control well must comply with any applicable requirements of the Underground Injection Control (UIC) regulations, Chapter 173-218 WAC. Ecology may issue additional conditions for groundwater discharges in permit companion documents.

S2 APPLICATIONS AND CHANGES

S2.A Obtaining Permit Coverage

1. Facilities with Current Permit Coverage

Permittees with current permit coverage under the Upland Finfish Hatching and Rearing General Permit planning for continued permit coverage must submit a complete permit application to Ecology for renewed coverage under the next general permit at least 180 days prior to permit expiration. Existing Permittees must submit their application for renewal of permit coverage by (Date TBD).

Submit a complete Notice of Intent (NOI) application for Renewed Coverage electronically using Ecology's Water Quality Permitting Portal. Unless Ecology responds in writing, coverage of a discharger under this permit will commence on the effective date of the permit. Once expired, the general permit continues in force and effect until Ecology issues the new general permit or until Ecology cancels it. Only those facilities that have timely and sufficiently reapplied for coverage under this general permit remain covered under an expired permit.

2. Unpermitted Facilities

a. **Existing Facilities -** Unpermitted existing facilities are facilities in operation prior to the effective date of this permit. Applicants of an unpermitted existing facility that needs coverage under this permit must:

i. Submit electronically a complete and accurate permit application to Ecology using Ecology's Water Quality Permitting Portal, Notice of Intent application.

ii. With the application, submit the Facility Site Plans in accordance with S5.C.2, S7, S8, S9, and S10.

iii. If determined to discharge to impaired waterbody or with a TMDL determination, further submittals and conditions may be required.

b. **New Facilities -** Unpermitted new facilities are facilities that begin operation on or after the effective date of this permit. All unpermitted new facilities must:

i. Submit a complete and accurate application to Ecology at least 180 days before the planned activity that will result in the discharge to waters of the state. Applicants must submit applications electronically using Ecology's Water Quality Permitting Portal – Permit Coverage Notice of Intent application.

ii. Submit with application, a complete and accurate engineering report, plans, and specifications to Ecology at least 180 days before beginning the planned activity that will result in the discharge to waters of the state. Submittal must be done in accordance with S11 and Chapter 173-240 WAC relating to Industrial Wastewater Facilities.

iii. Submit with permit application, proof and certification that their facility has met all applicable requirements of the State Environmental Policy Act (SEPA) in WAC 173-226-200(3)(f).

iv. Complete the public noticing requirement and submit documentation certifying the requirements have been met (refer to condition S2.A.3).

v. With the application, submit the Facility Site Plans in accordance with S5.C.2, S7, S8, S9, and S10.

vi. If determined to discharge to impaired waterbody or with a TMDL determination, further submittals and conditions may be required.

3. Public Notice

New facility applicants seeking coverage under this permit (defined in S2.A.2.b) and existing Permittees with current coverage that plan a significant change that leads to a modification of coverage as described in S2.B must circulate a public notice within the geographical area of the proposed discharge. Permittees must certify this fact to Ecology with an affidavit. At the end of the 30-day comment period, Ecology will review the application and all comments, determine if application is complete, and decide whether to grant coverage.

The public notice must meet WAC 173-226-130(5) requirements which includes:

a. Be published twice, with at least a 1-week interval between, in the newspaper of greatest general circulation within the county in which the discharge is proposed to occur.

b. Be circulated by any other method as Ecology directs.

c. Contain, at a minimum, the following:

   i. The name, address, and location of the facility requesting coverage under this permit.

   ii. The applicant's activities or operations that result in a discharge.

   iii. The name of the general permit under which coverage is requested.

   iv. The following statement: “Any person desiring to present their views to the Department of Ecology regarding this application may do so in writing within thirty days of the last date of publication of this notice. Comments shall be submitted to the Department of Ecology. Any person interested in the Department's action on this application may notify the Department of their interest within thirty days of the last date of publication of this notice.”

   v. The last day of the 30-day public comment period.

4. Notifying Applicants

Ecology intends to notify applicants by email and/or mail of their status concerning coverage under this general permit. If the applicant does not receive notification of the coverage decision from Ecology, permit coverage automatically commences on whichever of the following dates occurs last:

a. The 30th day following receipt by Ecology of a complete application for coverage.

b. The 30th day following the end of a 30-day public comment period.

c. The effective date of the general permit.

Ecology may need additional time to review the application:

a. If the application is incomplete.

b. If it requires additional site-specific information.

c. If the public requests a public hearing.

d. If members of the public file comments.

e. When more information is necessary to determine whether coverage under the general permit is appropriate.

When Ecology needs additional time to review the application:

a. Ecology will notify the applicant in writing within 30 days and identify the issues that the applicant must resolve before a decision can be reached.

b. Ecology will submit the final decision to the applicant in writing. If Ecology approves the application for coverage, coverage begins on the date specified in the permit coverage letter.

S2.B Modification of Permit Coverage

Any Permittee that intends to change production, practices or processes, and physical structures from those identified on their Notice of Intent and original engineering plans and specifications may be required to apply for a modification of permit coverage. Permittees must notify Ecology of any change that could lead to coverage modification (G11). Categorical changes that require the Permittee to notify Ecology are listed in G11.

The following scenarios meet the requirements of G11 and must be reported to Ecology:

1. Increased fish production, consult S6.E.1 for further requirements.
2. Construction activities, consult S11.A for further requirements.

Each scenario has further requirements listed in other conditions of this permit, as indicated above, and must be followed to meet the notification requirement.

For a modification of permit coverage to be issued, the Permittee must notify Ecology as required by this permit and complete the public notice requirements of WAC 173-226-130(5). Public notice is described in Special Condition S2.A.3 and indicates the steps and conditions necessary to be considered complete. Ecology will follow S2.A.4 when evaluating a modification of permit coverage.

To determine whether coverage modification can be granted, Ecology may require the submittal of a new NOI application or supplemental information to the existing NOI application, such as engineering plans and additional monitoring data, for review and approval.

S2.C Transfer of Permit Coverage

Permit coverage may be transferred to a new Permittee if:

1. The current Permittee (existing discharger) and new Permittee submit to Ecology one complete, signed Notice to Transfer Permit Coverage form found on the permit's webpage[1]. The Permittee must include with the form a written agreement between current and new Permittees with the specific date for transfer of permit responsibility, coverage, and liability.
2. The current Permittee notifies Ecology at least 30 days in advance of the proposed transfer date.
3. The Permittees sign the agreement and form in accordance with the signatory requirements specified in General Condition G10 (Signatory Requirements).
4. The type of activities and practices remain substantially unchanged.

[1] https://ecology.wa.gov/regulations-permits/permits-certifications/upland-finfish-permit#apply

5. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke permit coverage.

6. Ecology does not notify the Permittee of the need to submit a new application for coverage under the general permit or for an individual permit pursuant to Chapters 173-216, 173-220, and 173-226 WAC.

S2.D Termination of Permit Coverage

Ecology may approve a Permittee's request for termination of its coverage under this permit when the Permittee meets one or more of the following conditions:

1. All discharges with the activities that are authorized by this permit have ceased because the activity has ceased, and no potential source of pollutants remains in the hatching or rearing facility to result in a discharge to waters of the state.

2. The Permittee sells or otherwise legally transfers responsibility for the activity at the hatching or rearing facility.

3. All discharges associated with hatching or rearing activities have been eliminated because that discharge has been redirected to a sanitary sewer system operated by a municipality with a delegated pretreatment program, provided the Permittee has received a discharge authorization from the delegated municipality and authorization from all other applicable local sewerage authorities.

Termination due to production levels dropping below the thresholds stated in S1.A will be considered on a case-by-case basis.

The Permittee must submit a complete a Notice of Termination request form to Ecology, available from the permit's webpage[2]. The Permittee must sign the form in accordance with the signatory requirements specified in General Condition G10 (Signatory Requirements).

S2.E Inactive Status

A Permittee may request inactive status if there are no fish on station for at least one fiscal year (July 1-June 30). The Permittee must submit a written request to Ecology, and be approved, to be considered "Inactive".

In addition to the condition above, there can be no discharge of waste from a pollution abatement or offline settling pond at any time during the "inactive" status. If the pollution abatement pond or offline settling pond have been emptied and discharge only clean, flow through water, sampling may be suspended, and inactive status can be considered.

The permittee must submit a written request 60 days before and receive approval for Active Status reinstatement prior to discharges commencing. The Permittee does not need to submit DMRs during the inactive period.

[2] https://ecology.wa.gov/regulations-permits/permits-certifications/upland-finfish-permit#apply

S3 DISCHARGE LIMITS

All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit. Beginning on the effective date of this permit and lasting through the termination of permit coverage, the Permittee is authorized to discharge the following process water and wastestreams at the permitted locations subject to complying with the following numeric and narrative limits. The discharge of any of the following pollutants more frequently than or at a level in excess of what is identified and authorized by this permit constitutes a violation of the terms and conditions of this permit.

S3.A Discharges from Rearing Ponds and Raceways

The following effluent limits apply to rearing pond and raceway discharges of flow through systems with inline and offline solids settling designs (e.g., offline settling basins or pollution abatement ponds) except when discharge is resulting from a drawdown for fish release. The following limits also apply to any drawdown discharges when drawdown occurs for reasons other than fish release.

Parameter	Monthly Average[2]	Instantaneous Maximum[3]
Settleable Solids (net[1] mL/L)	0.1	--
Total Suspended Solids (net[1] mg/L)	5.0	15.0

1 Net value applies when influent and effluent solids are comparable (see Section S4.A). Ecology will accept net values if both influent and effluent values are reported on the DMR.

2 Average monthly effluent limit means the highest allowable average of daily discharges over a calendar month.

3 An Instantaneous Maximum limit is the highest allowable. If more than one sample is taken for this type of discharge, the Permittee must report the highest sample value and must not average the results if multiple samples are taken.

S3.B Discharges from Offline Settling Basins or Pollution Abatement Ponds

The following effluent limits apply to all offline settling basin or pollution abatement pond discharges.

Parameter	Instantaneous Maximum[1]
Settleable Solids (mL/L)	1.0
Total Suspended Solids (mg/L)	100

1 An Instantaneous Maximum limit is the highest allowable. If more than one sample is taken for this type of discharge, the Permittee must report the highest sample value and must not average the results if multiple samples are taken.

S3.C Discharges from Rearing Pond and Raceway for Drawdown for Fish Release

The following effluent limits apply to fish release drawdown discharges from a rearing pond and raceway.

Parameter	Instantaneous Maximum[1]
Settleable Solids (mL/L)	1.0
Total Suspended Solids (mg/L)	100

1 An Instantaneous Maximum limit is the highest allowable. If more than one sample is taken for this type of discharge, the Permittee must report the highest sample value and must not average the results if multiple samples are taken.

S3.D Discharges from Rearing Vessels of Water Containing Disinfection and Disease Control Chemicals

The following effluent limits apply when sodium hypochlorite (i.e., bleach) or Chloramine-T are used for vessel disinfection or disease treatment.

Parameter	Maximum Daily[2] Freshwater	Maximum Daily[2] Marine Water
Total Residual Chlorine (µg/L)[1]	18.0 µg/L	13.0 µg/L

1 Ecology has established a Quantitation Level (QL) of 50 µg/L for Total Residual Chlorine. Any analysis done for Total Residual Chlorine must have a QL that is either equal to or less than 50 µg/L. In cases where the average monthly or maximum daily limit for Total Residual Chlorine is lower than the QL, Ecology will use the lab reported Quantitation Limit as the compliance evaluation level. Analysis must be in accordance with Lab Accreditation requirements (S4.H).

2 Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day.

S3.E Discharges to a Publicly Owned Treatment Works

The Permittee is authorized to discharge cleaning wastewater to a Publicly Owned Treatment Works (POTW, also known as a Municipal Sewage Treatment Plant) subject to the following limits:

1. The Permittee must get signed approval from the POTW to discharge wastewater to the treatment plant.
2. The Permittee must demonstrate authorization to discharge to a POTW every permit coverage term.

S3.F Discharges to Impaired Waters

1. Unpermitted facilities

Unpermitted facilities seeking coverage under this permit that discharge to a 303(d)-listed waterbody, Category 5, or waterbody with an applicable Total Maximum Daily Load determination (TMDL), Category 4A, must evaluate their facility's final effluent discharge for the parameters of concern in accordance with S1.B and S1.C above.

2. Existing facilities not evaluated by a TMDL or another Clean-up Plan

Existing facilities that discharge to an impaired waterbody on the current EPA approved 303(d) list must not cause further impairment of any 303(d)-listed waterbody for any listed parameter. Applicability for current Permittees is based on the most recent EPA approved Water Quality Assessment at the time of permit coverage under this permit. The list of current facilities discharging to impaired waterbodies for the parameters of concern is in Appendix C. Appendix C indicates facilities evaluated during a past permit cycle and those that are new or excluded as a result of the most recently approved Assessment. Permittees not evaluated in a past permit cycle must follow the conditions listed below.

a. Facility discharging to a waterbody with a dissolved oxygen impairment

   i. If not performed in previous permit cycle, Permittees must monitor effluent for nutrient parameters when discharging to dissolved oxygen (DO) impaired waterbodies. Permittee must comply with the applicable monitoring requirements listed in Appendix D and S4.

   ii. A Sampling and Analysis Plan (SAP) must be submitted six months after the permit is effective (Date TBD) for approval.

   iii. Nutrient monitoring for facilities that discharge to a DO impaired waterbody must be done in accordance with Appendix D and the approved SAP. The discharge monitoring requirements include all parameters related to downstream far-field oxygen use referred to as Nutrient Parameters.

   iv. Monitoring must begin 60 days after SAP is approved and must be performed at the frequency indicated in Appendix D during the period when fish are present and being fed during the effective period of this permit.

   v. Reporting must be done in accordance with section S5.

   vi. If the facility does not discharge in the monitoring timeframe, the Permittee must record no discharge in the eDMR.

b. Facility discharging to a waterbody with a temperature impairment

   i. If not performed in previous permit cycle, Permittees must monitor discharges to an impaired waterbody for temperature and comply with the requirements listed in Appendix D and S4.

   ii. A Sampling and Analysis Plan (SAP) must be submitted six months after the permit is effective (Date TBD) for approval.

   iii. Monitoring must begin within 60 days of SAP approval and must be done in accordance with Appendix D and the approved SAP.

   iv. Monitoring is to be conducted annually from April 1 through November 31 during the effective period of this permit.

   v. Reporting must be done in accordance with section S5.

   vi. If the facility does not discharge in the monitoring timeframe, the Permittee must record no discharge in the eDMR.

c. Facility discharging to a waterbody with a polychlorinated biphenyl (PCBs) impairment

   Permittees that discharge to a waterbody on the CWA 303(d) list for PCBs must implement procedures to eliminate, to the maximum extent possible, the release of PCBs from any known sources that come in contact with the water that eventually discharges from the facility. If not completed during past permit cycles, the requirements specified in Operations and

Maintenance (S6.D) under PCB Source Reduction Activities and Best Management Practices must be met.

3. **Facilities discharging to a waterbody evaluated by a TMDL or another Clean-up Plan**

   Permittees must comply with applicable TMDL determinations. Applicable TMDL determinations are those that have been approved or finalized by EPA prior to the issuance date of this permit, or prior to the date that the Permittee's application is received by Ecology, whichever is later. Currently covered facilities with TMDL determinations from approved TMDLs are listed in Appendix E . Contained within Appendix E are each facility's specific TMDL determinations and permit requirements to meet water quality-based effluent limits.

S3.G Discharge Prohibitions

The Permittee is prohibited from discharging to waters of the state:

1. Solids, including sludge and grit that accumulate in raceways or ponds, in offline settling basins, or in other components of the production facility in excess of the applicable limits in this permit.
2. Untreated cleaning wastewater and accumulated solids from the production facility.
3. Visible foam or floating, suspended or submerged matter, including fish mortalities, kill spawning, processing wastes, and leachate from these materials, in amounts causing, or contributing to a nuisance or objectionable condition in the receiving water or that may impair designated beneficial uses in the receiving water. This does not apply to approved nutrient enhancement efforts.
4. Any aquatic animal hatched, reared, produced, or held at a facility including Atlantic salmon (*Salmo salar*) or any other species that is not intended for release.
5. Disease control drugs and chemicals except those approved by the U.S. Food and Drug Administration (FDA) and/or the EPA for hatchery use or approved as an Investigational New Animal Drug (INAD) that is labeled correctly, used in accordance with established protocols, and that does not violate Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
6. Hazardous substances, unless authorized by this permit.
7. Toxic substances, including drugs, pesticides or other chemicals, that have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic toxicity to the most sensitive biota dependent upon those waters, or adversely affect public health. [WAC 173-201A-240(1)].

S4 MONITORING REQUIREMENTS

Permittees must collect and analyze water samples and measure flow according to the following tables for the corresponding activities. Furthermore, these monitoring requirements and site-specific sampling must be described in the Site-Specific Sampling Plan (S7). Appendix B provides illustrations of where samples must be collected in respect to the following activities.

S4.A Rearing Pond and Raceway Discharges

Monitoring must be performed on discharges from flow-through rearing ponds and raceways, and all other rearing structures or vessels in the following manner.

An influent sample represents the source water for the facility, and the effluent sample is the water discharged from the rearing structures. Permittees do not need to collect an influent sample if they assume the influent concentration is zero. Permittees may only use net calculations if the influent and effluent solids are characteristically similar. Permittees can use influent and effluent total volatile suspended solids (TVSS) measurements to demonstrate comparability.

Parameter	Sample Point [a]	Sampling Frequency	Type of Samples
Flow (MGD) [b]	Influent (I) or Effluent (E)	Daily (record at SS, TSS, and nutrient parameters sampling events) and summarize monthly[b]	Daily total, Calculated
Settleable Solids-SS (net[c] mL/L)	I[c] and E	1/week	Grab [d]
Total Suspended Solids-TSS (net[c] mg/L)	I[c] and E	1/month	Composite [e]
Nutrient Parameters (refer to Appendix D) for facilities (refer to Appendix C) discharging to DO impaired waterbodies [b]	E	See Appendix D	Composite [e]
Temperature (refer to Appendix D) for facilities (refer to Appendix C) discharging to temperature impaired waterbodies	E	See Appendix D	Daily Max, Continuous

a Refer to Site-Specific Sampling Plan for appropriate sampling locations.

b Flow values must be calculated using acceptable aquaculture practices. Flow must be recorded on same days that SS, TSS, and nutrient parameters (if required) are sampled. Those individual daily values are required to be recorded on the electronic DMR form on the date sampled and as summarized monthly data.

c For reporting net solids, both SS and TSS, the Permittee must collect influent and effluent grab samples on the same day. Permittees must take effluent samples during rearing pond or raceway cleaning. If the Permittee cleans the rearing pond or raceway less often than twice per week, they must collect sample immediately following fish feeding. If the Permittee did not collect or analyze an influent sample, it must assume an influent sample concentration of zero. Ecology will only accept net values if the Permittee reports both influent and effluent sample values on the DMR.

For reporting net values, the Permittee must report influent and effluent values on the DMR. Ecology may require further characterization of the influent and effluent solids to demonstrate comparability. Permittees can use influent and effluent total volatile suspended solids (TVSS) measurements to demonstrate comparability

d Effluent grab samples must be representative of all outfalls which discharge rearing pond or raceway water to waters of the state.

e Permittees must collect samples TSS and Nutrient Parameter water samples (both effluent and influent) using flow proportional composite method. Permittees must collect and combine at least six representative

grab samples of effluent and influent throughout the normal working day. The Permittee must collect at least one grab sample while feeding fish and another while cleaning rearing ponds and raceways. The Permittee must combine equal volumes of each of six grab samples to constitute a composite sample. The Permittee may use the same total suspended solids composite sample to determine compliance with the monthly average and the instantaneous maximum limits. If necessary, the Permittee may take additional composite sample(s) to reach compliance with the monthly average limit

S4.B Offline Settling Basin Discharges

Permittees must monitor offline settling basin effluent discharges at the sampling frequency specified in the following table during every month that the settling basin discharges. Offline settling basin effluent sample (EW) is taken prior to mixing with any other hatchery or rearing flows or receiving waters.

Parameter	Sample Point [a]	Sampling Frequency [b]	Type of Samples [c]
Volume (Gallons)	EW	Per discharge	Daily Total [d]
Settleable Solids (mL/L)	EW	1/month	Grab
Total Suspended Solids (mg/L)	EW	1/month	Grab

a Refer to Site-Specific Sampling Plan (S7) for sampling locations.

b If the offline settling basin discharges less than 1 time per week, the Permittee must measure volume at the discharge frequency. If the offline settling basin does not discharge during a reporting period, the Permittee must report "No Discharge" on the DMR form. If there is more than one discharge a day, the permittee only needs to sample one discharge but must record the total daily volume.

c Offline settling basin effluent samples must be collected during the last quarter of a rearing pond or raceway cleaning event. (For batch type settling basins, the Permittee must collect a representative sample of the effluent at the time of discharge.)

d Volume must be monitored and recorded on the DMR as a daily total discharge. Offline settling basin discharges must be monitored 12 months out of the year if there is a discharge, regardless of pounds of fish on station.

S4.C Rearing Pond and Raceway Drawdown for Fish Release Discharges

Permittees must collect samples for rearing pond and raceway drawdown for fish release regardless of pounds of fish on hand. The rearing pond and raceway drawdown for fish release effluent limits do not apply to drawdown for purposes other than fish release. Drawdowns for reasons other than fish release are subject to the effluent limits in S4.A of this permit. Permittees must collect grab samples of rearing pond or raceway effluent (E) prior to mixing with receiving waters or any other flow.

Parameter	Sample Point [a]	Sampling Frequency [b]	Type of Samples [b]
Settleable Solids (mL/L)	E	1/drawdown	Grab
Total Suspended Solids (mg/L)	E	1/drawdown	Grab

a Refer to Site-Specific Sampling Plan (S7) for appropriate sampling locations.

b Rearing pond drawdown for fish release sample(s) must be collected during the last quarter of the volume of the rearing pond or raceway drawdown for release event. If releasing multiple raceways or rearing ponds at the same time, Permittees may combine grab samples from individual discharges into a flow proportional composite sample for analysis.

S4.D Cleaning Wastewater Discharges to a Non-delegated Publicly Owned Treatment Works

The Permittee is authorized to discharge cleaning wastewater to a Publicly Owned Treatment Works (POTW, also known as a Municipal Sewage Treatment Plant). When discharging to a non-delegated POTW, permittees must collect samples of hatchery and pond cleaning wastewater effluent (E) per cleaning event that discharges to a POTW prior to mixing with any other flows.

Parameter	Sample Point [a]	Sampling Frequency	Type of Samples
Volume (gallons)	E	Per discharge	Daily total, calculated
Total Suspended Solids-TSS (mg/L)	E	1/month	Grab [b]
Biochemical Oxygen Demand - BOD_5 (mg/L)	E	1/month	Grab [b]

a Refer to Site-Specific Sampling Plan (S7) for appropriate sampling locations.

b All effluent grab samples must be representative samples of all outfalls which discharge rearing pond or raceway cleaning water to a POTW.

S4.E Water from Rearing Vessels Containing Disinfection and Disease Control Chemicals

If discharged to surface water, Permittees must monitor and report effluent concentration of total residual chlorine when discharged water contains the disinfectant hypochlorite (e.g., bleach) and Chloramine-T from external immersion disease control (i.e., waterborne treatment). Permittees must report analytical results for halogen-based disinfectants other than chlorine as the equivalent concentration of chlorine. Permittees must collect grab samples of the effluent (E), the flow-through discharge from rearing ponds and raceways, prior to mixing with receiving waters

The permittee must record the chemical or drug use, including the neutralization step (agent and amount) and holding actions, on the Drug and Chemical Use Log in the manner required in condition S6.2.

Parameter	Sample Point [a]	Sampling Frequency [b]	Type of Samples [b]
Total Residual Chlorine	E	1/Discharge	Grab

a Refer to site-specific Sampling Plan (S5.C) for appropriate sampling locations.

b Sampling must be representative of the highest calculated concentration discharged to surface waters.

S4.F Sampling and Analytical Procedures

The Permittee must collect effluent samples to comply with the monitoring and testing requirements established in this permit from the effluent stream prior to discharge into the receiving waters. The Permittee must collect influent samples at the point where the water enters the facility or settling pond. Facilities must sample at the locations designated in their Site-specific Sampling Plan (S5.D).

Samples and measurements taken to meet the requirements of this permit must represent 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 must conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136. Appendix D further describes recommended analytical methods that meet CWA approved methodology needed for permit compliance.

S4.G Flow Measurement

The Permittee must select appropriate flow measurement devices and methods consistent with accepted aquaculture practice to ensure the accuracy and reliability of measurements of the quantity of monitored flows.

When monitoring devices are used, the Permittee must install, calibrate (if appropriate), and maintain and flow measurement devices so that accuracy of the measurements is consistent with accepted industry standard for that type of device. Frequency of calibration must be in conformance with the manufacturer's recommendation (where applicable) and at a minimum frequency of at least one calibration per year. The Permittee must maintain calibration records for at least five years.

S4.H Laboratory Accreditation

The Permittee must ensure that all monitoring data required by Ecology for permit specified parameters is prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 Washington Administrative Code (WAC), Accreditation of Environmental Laboratories. Flow (volume), temperature, settleable solids, conductivity, pH, turbidity, and internal process control parameters are exempt from this requirement. The Permittee must obtain accreditation for conductivity, pH, and turbidity if it must receive accreditation or registration for other parameters.

S5 REPORTING AND RECORD KEEPING REQUIREMENTS

The Permittee must report monitoring and other information to Ecology in accordance with the following conditions. Falsification of information submitted to Ecology is a violation of the terms and conditions of this permit. The Permittee must sign all forms and reports in accordance with the signatory requirements specified in General Condition G10.

S5.A Discharge Monitoring Reports

The first discharge monitoring period begins on the effective date of the permit. The Permittee must:

1. Summarize, report, and submit monitoring data obtained during each monitoring period on the electronic Discharge Monitoring Report (DMR) form provided by Ecology within the Water Quality Permitting Portal . Include data for each of the parameters tabulated in Special Conditions S3 and S4 and as required by the form. Report a value for each day

sampling occurred (unless specifically exempted in the permit) and for the summary values (when applicable) included on the electronic form.

a. Go to the Ecology website: WQWebPortal guidance[3] to learn how to access and use the Water Quality Web Portal and submit DMRs.

b. To access the Water Quality Web Portal and submit a DMR as required, new Permittees or new staff must set up an Electronic Signature Account. Follow the Portal guidance to get started and to set up this account. As staff change, new delegations and forms must be set up and submitted. See General Condition G10 regarding signatory requirements.

2. Permittees must submit DMRs on a quarterly basis. Quarterly monitoring periods are January through March, April through June, July through September, and October through December. Quarterly DMRs must be electronically submitted, unless otherwise specified by Ecology, by the 30th day of the month following the quarterly monitoring period (April 30, July 30, October 30, and January 30).

3. Report the average pounds of fish on station and the total pounds of food fed during the calendar month on the DMR form in the space provided.

4. If net values are calculated, both influent and effluent values must be reported on the DMR form, in addition to the calculated net value. If the Permittee is reporting net values, enter the M code (monitoring is conditional and not required for this monitoring) into the parameter field on the DMR form for the effluent monitoring point and enter the measured effluent value and the net value in the appropriate column associated with the monitoring point included for the net value data.

5. Enter the "No Discharge" reporting code for an entire DMR, for a specific monitoring point, or a specific parameter as appropriate, if the Permittee did not discharge wastewater or a specific pollutant during a given monitoring period.

6. Report single analytical values below detection as "less than the Detection Level (DL)" by entering the < followed by the numeric value of the detection level (e.g. < 2.0) on the DMR. If the method used did not meet the minimum DL and Quantitation Level (QL) identified in the permit, report the actual QL and DL in the comments or in the location provided.

7. Report single analytical values between the DL and the QL by entering the estimated value, the code for estimated value/below quantitation limit (J) and any additional information in the comments.

8. Submit a copy of the laboratory report as an attachment using WQWebDMR. Laboratory reports must include the chain of custody and QA/QC results.

9. Calculate average values and calculated total values (unless otherwise specified in the permit) using:

[3] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

a. The reported numeric value for all parameters measured between the agency-required detection value and the agency-required quantitation value.

b. One-half the detection value (for values reported below detection) if the lab detected the parameter in another sample from the same monitoring point for the reporting period.

c. Zero (for values reported below detection) if the lab did not detect the parameter in another sample for the reporting period.

S5.B Permit Submittals and Schedules

The Permittee must use the Water Quality Web Portal – Permit Submittals system to submit all other permit-required reports and plans by the date specified in this permit. Table 1 contains a summary of the submittal schedule.

1. Go to the Ecology website: WQWebPortal guidance[4] - Washington State Department of Ecology to learn how to access and use the Water Quality Web Portal.

2. To access the Portal and submit any plan or report as required, new Permittees or new staff must set up an Electronic Signature Account. Follow the Portal guidance to get started and to set up this account. As staff change, new delegations and forms must be set up and submitted. The Permittee must sign forms in accordance with the signatory requirements specified in General Condition G10.

When submittal actions (i.e., notice of transfers and terminations) require wet signatures on an original document or other permit conditions require a hard copy to be submitted, use the address indicated below for the respective location of the upland finfish facility. Include permit coverage number within the correspondence. Send to Ecology at:

Central Region Office
Water Quality Permit Coordinator
Department of Ecology
1250 W. Alder Street
Union Gap, WA 98903-0009
For: Yakima, Benton, Klickitat, Chelan, Douglas, Kittitas, and Okanogan Counties

Eastern Region Office
Water Quality Permit Coordinator
Department of Ecology
4601 North Monroe Street
Spokane, WA 99205-1295
For: Spokane, Grant, Adams, Whitman, Ferry, Franklin, Stevens, Pend Oreille, Garfield, Columbia, Asotin, Lincoln, and Walla Walla Counties

Northwest Region Office
Water Quality Permit Coordinator
Department of Ecology
P.O. Box 330316
Shoreline, WA 98133-9716
For: Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom Counties

Southwest Region Office
Water Quality Permit Coordinator
Department of Ecology
P.O. Box 47775
Olympia, WA 98504-7775
For: Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, and Wahkiakum Counties

[4] https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance

S5.C Submittals: Reports and Plans

1. Annual Disease Control Drug and Chemical Use Report

For each calendar year, the permittee must report the use of all disease control drugs and chemicals to Ecology. Submit the annual Disease Control Drug and Chemical Use Report by January 30th each year.

The annual report due January 30, 2028, must contain a summary of all drugs and chemicals used categorized by type and a tabular report of individual waterborne drug and chemical used from the previous year, unless Ecology requests this information on a more frequent basis. Beginning 2028, the annual report must include the following two items:

a. **Summary Report.** Categorized by type (Waterborne, Medicated Feed, and Other), report the name of the drug or chemical, active ingredient, the total amount used, unit of measure, and any related notes on use.

b. **Waterborne Drug and Chemical Use Log.** Provide a tabular report of each Waterborne type of drug or chemical used at the facility. This tabular report must include:

   i. Name of drug or chemical and the active ingredient

   ii. Date of use. Combine treatments with the same product to multiple vessels occurring in one day unless treatments are conducted in discreet batches throughout day. For example, if treatments are batched so to be staggered throughout day, enter each batch as a separate log entry.

   iii. Total quantity of drug or chemical. Report amount in volume (e.g., gallons or liters) or mass (e.g., pounds or grams) of the drug or chemical used.

   iv. Duration. Report the amount of time (instantaneous, minutes, hours, or days) the drug or chemical is applied, administered, dissolved, or dripped.

   v. For rearing treatments, record number of troughs, raceways, or ponds and the average flow rate (gpm). For incubation treatments, record number of stacks.

   vi. Flow rate (gpm) of outfall where water containing the drug or chemical exits hatchery facility and enters receiving water (e.g., that day's facility flow rate if applicable or that of the specific outfall).

   vii. Where did the water containing the drug or chemical go? Record where the waterborne treated water is discharged or disposed. Indicate one of the following:

   - Outfall, indicate which if there is more than one at hatchery
   - Offline Settling Basin,
   - Other Manner. If "Other Manner" is selected, then must describe where the treated water was discharged or disposed if not either of the above.

2. **Facility Site Plans**

   The Permittee must submit the Facility Site Plans to Ecology, which is the combination of the four plans indicated below. Each plan listed below must be identified as separate sections and each must be completed as required indicated in the special conditions identified.

   a. Site-Specific Sampling Plan (S7)

   b. Solid Waste Management Plan (S8)

   c. Pollution Prevention Plan (S9)

   d. Spill Control Plan (S10)

   Throughout the permit cycle, current permittees must submit the Facility Site Plans within 60 days of any changes. New permittees must submit the Facility Site Plans with their application.

   The Facility Site Plans, meaning all the corresponding plans contained therein, must be present on site for staff to reference and for Ecology or the public to request.

S5.D Records Retention

The Permittee must retain records of all monitoring information for a minimum of five years [40 CFR 122.41(j)(2)] and WAC 173-226-090(2)(c). Such information must 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. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.

S5.E Recording of Results

For each measurement or sample taken, the Permittee must record the following information:

1. The date, time, exact place , and method of sampling or measurement.
2. The individual who collected the sample or measurement.
3. The dates the analyses were performed.
4. The individual who performed the analyses.
5. The analytical techniques or methods used.
6. The results of all analyses.

S5.F Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by Special Condition S4 of this permit, then the Permittee must include the results of such monitoring in the calculation and reporting of the data submitted in the Permittee's DMR unless otherwise specified by Special Condition S3 or S4.

S5.G Reporting Permit Violations

The Permittee must take the following actions when it violates or is unable to comply with any permit condition.

1. **Initial actions**

    a. Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the noncompliance and correct the problem.

    b. The permittee must make reasonable attempts to collect a sample of any unusual discharge or discharge condition including prohibited bypasses, upsets, and maintenance-related conditions affecting effluent quality. The sample must be representative of the volume and nature of the uncharacteristic discharge. The additional monitoring results must be reported on the monthly DMR or follow-up report, along with a note of explanation.

2. **Immediate reporting**

    The Permittee must immediately report noncompliance for all the following events to the Department of Ecology and the Department of Health-Drinking Water Program at the number listed below:

    a. Failures of the disinfection system.

    b. Collection system overflows discharging to a water body used as a source of drinking water.

    c. Plant bypasses discharging to a waterbody used as a source of drinking water.

    Department of Ecology Offices (select region facility is located in):

    - Central Region Office: 509-575-2490
    - Eastern Region Office: 509-329-3400
    - Northwest Region Office: 206-594-0000
    - Southwest Region Office: 360-407-6300

    Department of Health Drinking Water Program:

    - 800-521-0323 (during business hours)
    - 877-481-4901 (after business hours)

3. **Twenty-four-hour reporting**

    For the following events or noncompliance occurrences, the Permittee must report by email to Ecology. Email Ecology at UFFGeneralPermit@ecy.wa.gov and the regional manager (search here Upland finfish permit - Washington State Department of Ecology[5]) within 24 hours from the time the Permittee becomes aware of any of the following:

    a. Any noncompliance occurrence that may endanger health or the environment, unless previously reported under immediate reporting requirements.

[5] https://ecology.wa.gov/regulations-permits/permits-certifications/upland-finfish-permit

b. Any unanticipated bypass that causes an exceedance of any effluent limit in the permit.

c. Any upset that causes an exceedance of an effluent limit in the permit (See G.14, "Upset").

d. Any violation of a maximum daily or instantaneous maximum discharge limit for any of the pollutants in Sections S3 and S4 of this permit.

e. Spills that enter the surface water or can result in a discharge to surface water or groundwater. This includes the spill of drugs, pesticides, feed, and maintenance related products. **Permittee must prioritize reporting in accordance with the Spill Control Plan (S10) first before notifying Ecology under this condition.**

4. Five-day follow-up report

The Permittee must also submit a written report within five days of the time that the Permittee becomes aware of any event listed in S5.G.2 or S5.G.3, and other noncompliance events as Ecology requests. (See definition of "Days (compliance period interval)" in Glossary-Appendix B.)

Submit the written report electronically using the Water Quality Permitting Portal – Permit Submittals system. The report must contain:

a. A description of the noncompliance and its cause.

b. The period of noncompliance, including exact dates and times.

c. The estimated time the Permittee expects the noncompliance to continue if not yet corrected.

d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

e. If the noncompliance involves an overflow prior to the treatment works, an estimate of the quantity (in gallons) of untreated overflow.

f. Include a description of actions taken to stop, contain, and clean up unauthorized discharges and to mitigate any associated environmental impacts.

g. If an Ecology Environmental Report Tracking System (ERTS) number was assigned to the event when it was initially reported, include this number in the five-day follow up report for reference.

h. Identification of other agencies contacted.

If samples were taken to characterize the event, provide any analytical results that are available with the five-day report. If the data was collected at the same monitoring points and for parameters specified on the DMR, the sample results must also be reported on the DMR.

5. **Waiver of written reports**

   Ecology may waive the written report required above, on a case-by -case basis, upon request if the Permittee has submitted a timely oral report.

6. **All other permit violation reporting**

   The Permittee must report all permit violations, which do not require immediate or within 24 hours reporting, when it submits monitoring reports for S5.A and B ("Reporting"). The reports must contain the information listed in subpart c, above. 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.

S5.H Other Reporting

1. **Spills of oil or hazardous materials**

   The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and WAC 173-303-145. You can visit Ecology's website to obtain further instructions on reporting spills[6] and any additional reporting specified in the Spill Control Plan (S10).

2. **Failure to submit relevant or correct facts**

   Where the Permittee becomes aware that it failed to submit any relevant facts, or submitted incorrect information in a permit application, or in any report to Ecology, it must submit such facts or information promptly.

S5.I Maintaining a Copy of Permit and Coverage Letter

The Permittee must keep a copy of this permit and the permit coverage letter at the facility and make them available upon request to Ecology inspectors. Copies can be paper or electronic.

S6 OPERATION AND MAINTENANCE

At all times, the Permittee must properly operate and maintain all facilities, structures, and systems of treatment and control, and related accessories, that are installed or built to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes following best management practices, keeping records and logs, adequate laboratory controls, and appropriate quality assurance procedures. This provision of the permit requires the Permittee to operate backup or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this permit.

[6] https://ecology.wa.gov/footer-pages/report-an-environmental-issue/report-a-spill

S6.A General Operating Requirements

1. **Prohibited Practices - The Permittee must not:**

    a. Discharge untreated cleaning wastes to waters of the state (including groundwater).

    b. Connect a standpipe bottom drain or vacuum system directly to waters of the state.

    c. Sweep, rake or otherwise intentionally discharge accumulated sludge and grit from raceways, ponds, offline or inline settling basins, or from other components of the production facility directly to waters of the state.

    d. Remove dam boards in raceways or ponds that allow accumulated solids to discharge to waters of the state.

    e. Contain, grow, or hold fish within an offline or inline settling basin.

    f. Store, dispose, or accumulate hazardous and deleterious materials adjacent to or in the immediate vicinity of waters of the state, unless adequate measures and controls are provided to ensure that those materials will not enter waters of the state as a result of high water, precipitation run off, wind, storage facility failure, accidents in operation, or unauthorized third-party activities.

2. **Best Management Practices - The Permittee must:**

    a. Properly handle and dispose of sand, silt, mud, solids, sludges, filter backwash, debris, or other pollutants deposited or removed in the course of treatment or control of water supply and wastewaters in a manner to prevent such materials or leachate from entering waters of the state, including groundwater.

    b. Prevent the discharge of floating solids to surface waters.

    c. Settling ponds, raceways, rearing ponds and vessels, and acclimation ponds must be cleaned at such a frequency and in such a manner that minimizes the amount of accumulated solids discharged to waters of the state.

    d. Clean rearing ponds and raceways prior to drawdown for fish release, within one week of drawdown, to minimize solids discharged to waters of the state.

    e. Document the frequency of cleanings, inspections, maintenance, and repairs.

    f. Implement all aspects of the Solid Waste Management Plan, Pollution Prevention Plan, and Spill Control Plan during all phases of operation of the facility.

    g. Fish feeding must be conducted in a manner to minimize the discharge of unconsumed food.

    h. Fish mortalities (i.e., morts) must be removed and disposed of on a regular basis to the greatest extent feasible.

i. Dispose of morts, carcasses, spawning, egg taking, and fish processing wastes in a manner to prevent such materials, including leachate, from entering the waters of the state.

j. Follow approved nutrient enhancement plans and agreements for the placement and provision of fish carcasses. Refer to Solid Waste Management section, S8.C.

k. Dispose of expired and unused fish feed in an approved manner. Refer to Solid Waste Management section, S8.C.

l. Deter and inhibit high densities of birds or mammals from accessing rearing vessels and structures, to the extent possible, to prevent their fecal matter from entering the water.

m. Ensure proper and secure storage, containment, and disposal of drugs, pesticides, feed, and fuel to prevent such materials from entering waters of the state.

n. Dispose of excess and unused disinfectants in a way that does not allow them to enter waters of the state.

o. Treat (neutralized or dechlorinate) any water used in the rearing and holding units or hauling trucks that are disinfected with chlorine or other chemicals before discharged to waters of the state.

p. Conduct phased reductions of the amount of water discharged prior to complete shutdown, if supplied with groundwater and discharging to surface receiving waters.

q. Ensure training in the following manner:

    i. Train all relevant personnel in spill prevention and how to respond in the event of a spill to ensure proper clean up and disposal of spilled materials.

    ii. Train personnel on proper structural inspection and maintenance of rearing and holding units and waste collection and containment systems.

    iii. Train personnel on proper sampling to comply with the monitoring schedule and reporting requirements, and the Site-Specific Sampling Plan.

r. Ensure managers and staff working at the production facility have read and understand the conditions of the permit, and all other relevant documents.

s. Review the Facility Site Plans annually. The Facility Site Plans consist of the Site-Specific Sampling Plan, the Solid Waste Management Plan, the Pollution Prevention Plan, and the Spill Control Plan.

t. Keep a copy of this permit, the Facility Site Plans, and Operational Logs at the facility at all times. Copies can be paper or electronic. All documents must be available and accessible to facility employees throughout training and regular operations.

S6.B Operational Logs and Records

1. Fish Production Log

The Permittee must keep records of the average and maximum loading in pounds of fish and the total amount of food fed in pounds for each calendar month at the facility. The Permittee must provide a copy of loading and feeding records to Ecology upon request.

2. Drug and Chemical Use Log and Other Related Records

The Permittee must keep records, either paper or electronic, on site in a Drug and Chemical Use Log (formally called Chemical Operational Log) for all medicinal, therapeutic, and disease control drugs and other related chemicals used at the facility.

Within this log or maintained elsewhere in the facility's records on site, either paper or electronic, the Permittee must keep a copy of the label, which needs to include the description of the treatment application requirements, and the Safety Data Sheet (SDS) for each drug or chemical used at the facility.

Drug and Chemical Use Log:

The following requirements for drug and chemical use logging are effective starting January 1, 2027. The log must distinguish between three types: Waterborne, Medicated Feed, and Other. Indicate when there are variances from the procedures contained in the Pollution Prevention Plan. The Drug and Chemical Use Log must include the following information per type:

Waterborne–Waterborne are those drugs or chemicals that enter or are placed in a water conveyance or a wastestream that is connected to the hatchery's outfall(s) and eventually the receiving water.

a. Name of drug or chemical and the active ingredient

b. Date of use. Combine treatments with the same product to multiple vessels occurring in one day unless treatments are conducted in discreet batches throughout day. For example, if treatments are batched so to be staggered throughout day, enter each batch as a separate log entry.

c. Total quantity of drug or chemical. Report amount in volume (e.g., gallons or liters) or mass (e.g., pounds or grams) of the drug or chemical used.

d. Duration. Report the amount of time (instantaneous, minutes, hours, or days) the drug or chemical is applied, administered, dissolved, or dripped.

e. For rearing treatments, record number of troughs, raceways, or ponds and the average flow rate (gpm). For incubation treatments, record number of stacks.

f. Flow rate (gpm) of outfall where water containing the drug or chemical exits hatchery facility and enters receiving water (e.g., that day's facility flow rate if applicable or that of the specific outfall).

g. Where did the water containing the drug or chemical go? Record where the waterborne treated water is discharged or disposed. Indicate one of the following:

- Outfall, indicate which if there is more than one at hatchery
- Offline Settling Basin,
- Other Manner. If "Other Manner" is selected, then must describe where the treated water was discharged or disposed if not either of the above.

h. Record how excess or leftovers were disposed.

i. Neutralization: report whether neutralization was performed for a waterborne treatment that contains chlorine, which results from use of hypochlorite (bleach) or Chloramine-T. Neutralized means it is dechlorinated through use of another chemical and held prior to discharge. Record the neutralizing compound used, the amount used, and duration of time water was held before discharged. Discharges of chlorine containing water must meet requirements of S3, S4, and S5.

j. Staff recording data.

Medicated Feed – Fish feed that is coated with a drug or chemical intended for fish to consume to manage fish health.

a. Name of drug or chemical

b. Active ingredient

c. Dosage or strength

d. Date administered and duration

e. Total quantity (lbs)

f. Record how excess or leftovers were disposed

g. Staff recording data

Other –Drugs and chemicals categorized as Other are those that **DO NOT** enter the water or a wastestream that is connected to the hatchery's outfall(s) and the receiving water. These can include injections, dip solutions, gear disinfectants, hauling water, biosecurity baths (e.g., foot baths), surface cleaning agents, and anesthetic solutions if they are **NOT** disposed or placed in hatchery water conveyances that are connected to the receiving water.

a. Name of drug or chemical

b. Active ingredient

c. Date of use

d. Total quantity. Report amount in volume (e.g., gallons or liters) or mass (e.g., pounds or grams) of the drug or chemical used

e. Record how excess or leftovers were disposed.

f. Staff recording data.

S6.C Disease Control Drug and Chemical Use and Reporting Requirements

The following requirements apply to disease control drugs and chemicals that are used in such a way that results in or may result in those substances being discharged to waters of the state. All disease control drug and chemical use must be done in conformance with product label instructions, approved INAD protocols, or be administered by or under the supervision of a licensed veterinarian (WAC 173-221A-100). This clarification of disease control drug and chemical use does not authorize the Permittee to violate or cause an exceedance of applicable water quality standards for toxic substances (Chapter 173-201A WAC).

Reporting Requirements

All disease control drug and chemical use must be recorded in a Drug and Chemical Use Log following the requirements of section S6.B.2. All disease control drug and chemical use must be reported annually in accordance with S5.C.1. Within the Drug and Chemical Use Log, Permittees must document the disposal of all spent chemical bath, drip and dip treatment solutions in the Log accordingly. In the case of using the disinfectant bleach and Chloramine-T, additional documentation in accordance with S6.B.2 must be done for neutralizing treated water, and if discharged, monitoring and reporting must follow the requirements of S3, S4, and S5.

Approved Disease Control Drug and Chemical Use

Unless approved by Ecology, the Permittee may only use disease control drugs and chemicals approved for hatchery use by the United States Food and Drug Administration (FDA) or the United States Environmental Protection Agency (EPA). FDA approved drugs, regulation, and policy on disease control chemicals and drugs are referenced in Appendix F. Furthermore, the following qualifications and restrictions apply:

1. Use of FDA approved Investigational New Animal Drugs (INADs) is allowable provided the chemical or drug is labeled correctly, used in accordance with FDA and United States Fish and Wildlife Service (USFWS) regulations and protocols, and use is consistent with Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) regulations. Additionally, Permittees may use FDA approved INADs if the facility:
    a. is signed up as an INAD study participant through USFWS,
    b. meets the conditions detailed in the facility's INAD permit application, and
    c. uses INADs that are labeled correctly and do not violate FIFRA.
2. Use of FDA Low Regulatory Priority (LRP) compounds is allowable provided use is in accordance with conditions included on the list in FDA policy 1240.4200: Enforcement Priorities for Drug Use in Aquaculture (08/09/2002;4/26/07 minor revisions) p.13--15. (see Appendix F for reference)
3. Use is restricted for compounds found not to be of low regulatory priority but regulatory action is deferred pending further study. Potassium permanganate is allowable. No amount of copper sulfate or chelated copper is authorized to be discharged to waters of the state.

Non-Emergency, Extra-Label Use of Approved Drugs and Chemicals

In a non-emergency scenario, some approved disease control chemicals may be allowed to be used in an extra-label manner and pose little to no reasonable potential to affect waters of the state. Extra-label use of any approved drug or chemical must be administered by or under the direct supervision of a licensed veterinarian. The following may be used by Permittees in an extra-label manner if administered by or under direct supervision of a licensed veterinarian:

1. Drugs and chemicals via injection, drip, dip, or as an additive to feed
2. Drugs and chemicals classified by FDA as a low regulatory priority (LRP) compound.(Appendix F)

Emergency Drug and Chemical Use

Treating an emergency epizootic disease may require the use of a drug or chemical not approved by either the FDA or the EPA, and not in conformance with the Non-Emergency Extra-Label Drug and Chemical Use requirements above. The use of disease control chemicals not otherwise approved by Ecology is approved for the treatment of an emergency epizootic disease provided if:

1. The Permittee notifies Ecology at least 24 hours prior to administering the drug or chemical in writing by email. Send the notification to UFFGeneralPermit@ecy.wa.gov and the regional facility manager (search here Upland finfish permit - Washington State Department of Ecology[7])
2. A licensed veterinarian administers or directly supervises the administration of the drug or disease control chemical.

S6.D PCB Source Reduction Activities and Best Management Practices

All facilities discharging to waterbodies on the CWA 303(d) list for PCBs must implement procedures to eliminate, to the maximum extent possible, the release of polychlorinated biphenyls (PCBs) from any known sources in the facility; including paint, caulk, or feed, that come in contact with water. The list of currently covered facilities that discharge to PCB impaired waterbodies is found in Appendix C.

1. Paint and Caulk Evaluation and Mitigation

If not done in past permit cycles, assess the facility for the presence of paint or caulk manufactured prior to 1980. Evaluate if any of these sources come in contact with water and could contribute to a discharge of PCBs to surface waters. Permittee must provide documentation of removal if warranted. The table in Appendix C indicates whether existing facilities have met the Paint and Caulk Evaluation and Mitigation requirements. Permittees must implement the following requirements no later than two years from receiving coverage (Date TBD).

[7] https://ecology.wa.gov/regulations-permits/permits-certifications/upland-finfish-permit

a. Paint and Caulk Assessment Report: Submit an assessment report to Ecology that includes the following:

   i. Pre-1980 caulk and paint usage and location in the facility.

   ii. Amounts of stored caulk or paint at the facility.

   iii. PCB material removed from hatchery use but still on site.

b. Paint and Caulk Removal Plan: Submit a plan for the proper, EPA approved removal and disposal of all pre-1980 paint and caulk that comes in contact with water or occurs as waste on site.

   i. The paint and caulk removal and disposal must be consistent with EPA guidance on their webpages:

      Managing Remediation Waste from Polychlorinated Biphenyls (PCBs) Cleanups - https://www.epa.gov/pcbs/managing-remediation-waste-polychlorinated-biphenyls-pcbs-cleanups

      Steps to Safe PCB Abatement Activities - https://www.epa.gov/pcbs/steps-safe-pcb-abatement-activities

   ii. The paint and caulk removal plan may contain documentation that paint or caulk on site does not contain PCBs as an alternative to their removal, or has no chance of coming in contact with water and being discharged to surface water.

c. Paint and Caulk Removal Documentation: Submit documentation to Ecology within 30 days of completion of the facility's paint and caulk removal plan. No removal documentation is necessary if the Paint and Caulk Removal Plan indicates that the products do not contain PCBs. If necessary, Permittee may request an extension of the paint and caulk removal, for cause. An extension can only be provided through written Ecology approval.

d. Best management practices for source control of products with PCBs: The Permittee is required to use any available product testing data to preferentially purchase paint, caulk and construction materials with the lowest practicable total PCB concentration. State run facilities must comply with RCW 39.26.280(2) that prohibits a state agency from knowingly purchasing products containing PCBs above quantitation levels unless it is not cost effective or feasible to do so.

2. Fish Feed PCB Evaluation and Mitigation

Feed PCB Source Reduction and BMP Plan - Permittees must develop and implement a plan to reduce PCBs in the facility discharge from fish feed and feeding activities. All affected Permittees must review practices and sources and submit the plan one year after issuance of coverage (Date TBD). Permittees with existing plans must review, revise if necessary, and submit their plans one year after issuance of coverage.

The Plan must contain the following elements at a minimum:

a. Purchasing procedures that give preference for fish food that contains the lowest amount of PCBs that is economically and practically feasible.

b. Permittees must request PCB content information from fish food suppliers and include this in the Best Management Practices Plan.

c. Fish feeding practices that minimize the discharge of unconsumed food.

d. Methods to reduce and remove accumulated fish feed regularly to keep feed out of the discharge.

State run facilities must comply with RCW 39.26.280(2) that prohibits a state agency from knowingly purchasing products containing PCBs above quantitation levels unless it is not cost effective or feasible.

S6.E Fish Production Changes

3. Increases

Reporting Requirement: The Permittee must report to Ecology any fish production increase of 20% or greater from the production reported in the NOI application following the signatory requirements (G10). The increase in fish production may lead to coverage modification and other submittal requirements deemed necessary to protect water quality described in condition S2.B. Complete notice of change and potential coverage modification following requirements of S2.B and directions below. Notification must include the following:

a. Updated production table to proposed levels (see existing NOI production table). Table must be completed with the monthly fish production and corresponding feed fed, both expressed in pounds.

b. Identify what the new fish maximum fish production value will be, which is defined as the maximum pounds of fish on hand in one month.

c. Identify the previous maximum fish production value.

d. Identify the percentage increase of fish production.

Existing facilities that expand production by fifty percent over the production on October 31, 1995, must conduct a receiving water quality study (WAC 173 221A-100(6)). Dilution must be evaluated using total facility effluent at maximum production at the lowest seven-day average receiving stream flow with a 10-year recurrence interval (7Q10).

4. Decreases

If the pounds of fish on hand for a facility drops below 20,000 pounds and the monthly pounds of food fed for a month is less than 5,000 pounds, the Permittee must continue monitoring and submitting DMRs to Ecology.

Exceptions are:

a. Seasonal Decreases: Raceway and rearing pond (S4.A) discharge sampling may be suspended 30 days after all fish are released from those structures. The Permittee

must still submit DMRs with “no fish” noted in the comment section and use the reporting code “M”, (monitoring is conditional and not required for this monitoring period). Sampling must resume when fish are reintroduced to the raceway or pond.

Nothing in this section relieves the Permittees of the testing requirements of S4.B, Offline Settling Basin Discharges, or S4.C, Rearing Pond or Raceway Drawdown for Fish Release Discharges.

b. Other Decreases: If the Permittee anticipates production to fall below the 20,000 pounds of fish for a complete, consecutive 12-month period, the Permittee may contact Ecology and file a request to suspend or reduce sampling. If production falls to no fish, see the conditions in the Inactive Status section in S2.E to request inactive status.

   If suspension of sampling is approved, quarterly DMRs must still be submitted with the comment section filled out to indicate production below 20,000 pounds. The Permittee must use the overall DMR reporting code “M”, (monitoring is conditional and not required for this monitoring period) on the DMR form to cover all outfalls in this situation.

   This condition is available only for facilities that are below the permitting thresholds for the full calendar year. This section may not apply for discharges to waterbodies listed on the 303(d) list for a parameter known to be present in the hatchery discharge. Sampling suspensions do not apply to any discharges from the Offline Settling Basin (see S4.B).

S7 SITE-SPECIFIC SAMPLING PLAN

The Permittee must maintain a copy of the most current version of the Site-Specific Sampling Plan at the facility and ensure that its operations staff for the facility are familiar with the plan and adequately trained in the specific procedures that it requires. The Permittee must comply with the plan and any plan modifications. The Permittee must operate the facility in accordance with this plan along with any subsequent amendments or revisions. The copy onsite can be paper or electronic.

S7.A Review and Submit at Duty to Reapply

Current Permittees must review and submit the Site-Specific Sampling Plan in the Facility Site Plans to Ecology with the NOI at time to reapply for permit coverage (Refer to S2.A for date to meet the Duty to Reapply requirement).

S7.B Changes

Any proposed revision or modification of the Site-Specific Sampling Plan must be submitted to Ecology within 60 days of changes. Update the Site-Specific Sampling Plan as necessary and submit it with the Facility Site Plans within 60 days. If effluent, influent, or monitoring points change, contact Ecology’s facility manager.

S7.C Site-Specific Sampling Plan Requirements

The sampling plan must describe the sampling of discharges specified in S3 and S4. This includes the sampling and locations of the influent, effluent or outfalls, and each sampling or monitoring point.

The plan must include:

1. Map of all discharge points (outfalls) to surface water or land and location of sampling points. This must include a map labelling all discharge and sampling points (i.e., monitoring points) and a list to include each corresponding latitude/longitude.
2. The source(s) of water for the influent and the receiving water(s).
3. How each pond or raceway contributes to the discharge(s).
4. How the Permittee measures or calculates flow at each outfall.
5. A description of how samples are taken. In the case of compositing, describe how they are composited. Specifically, how the Permittee will compound a flow proportional composite sample from the individual grab samples, if it plans to combine grab samples from different outfalls into a composite sample.

S8 SOLID WASTE MANAGEMENT

S8.A Solid Waste Handling

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

S8.B Leachate

The Permittee must 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.

S8.C Nutrient Enhancement Activities and Hatchery Practices

Permitted facilities that participate in nutrient enhancement activities must follow approved Regional Fisheries Enhancement plans and programs along with corresponding state, local or tribal agreements as they pertain to the protection of water quality. Water quality-related actions include supplying the appropriate materials (i.e., carcasses) and the quantity and timing of carcass placement. Fish feed is prohibited from use as a nutrient enhancement material.

Nutrient enhancement using carcass placement activities must be done in accordance with Washington State Department of Fish and Wildlife (WDFW) Salmonid Disease Control Policy of the Fisheries Co-Managers of WA State. This includes that any carcass from fish treated with drugs or chemicals under the direction of a licensed veterinarian must be released by the prescribing veterinarian.

S8.D Solid Waste Management Plan

The Permittee must maintain a copy of the most current version of the Solid Waste Management Plan at the facility and ensure that its operations staff for the facility are familiar with the plan and adequately trained in the specific procedures that it requires. The Permittee must comply with the plan and any plan modifications. The Permittee must operate the facility in accordance with this plan along with any subsequent amendments or revisions. Onsite copy can be paper or electronic.

1. **Review and Submit at Duty to Reapply**

   Current Permittees must review and submit the Solid Waste Management Plan of the Facility Site Plans to Ecology with the NOI at time to reapply for permit coverage (Refer to S2.A for date to meet the Duty to Reapply requirement).

2. **Changes**

   Any proposed revision or modification of the Solid Waste Management Plan must be submitted to Ecology (and if applicable the local Health Department) within 60 days of changes. Update the Solid Waste Management Plan as necessary and submit it with the Facility Site Plans within 60 days.

3. **Plan Requirements**

   This plan must include all solid wastes except for those solid wastes regulated by Chapter 173-303 WAC (Dangerous Waste Regulations). The Permittee must ensure the plan does not conflict with any approved local Solid Waste Management Plan. The plan must describe how the Permittee collects, stores, and disposes of solid and biological wastes. Among the solid wastes of concern are:

   a. Sands, silts, and other debris collected from facility source waters.

   b. Accumulated settled solids in rearing ponds and settling ponds.

   c. Fish mortalities due to a fish kill involving more than five percent of the fish in any raceway or pond, or due to kill spawning operations.

   d. Blood from kill spawning or harvesting operations.

   e. Floating debris removed from ponds and raceways.

   f. Any fish mortalities under normal hatchery operation.

   g. Excess or expired fish feed.

S9 POLLUTION PREVENTION PLAN

The Permittee must maintain a copy of the most current version of the Pollution Prevention Plan at the facility and ensure that its operations staff for the facility are familiar with the plan and adequately trained in the specific procedures that it requires. The Permittee must comply with the plan and any plan modifications. The Permittee must operate the facility in accordance with this plan along with any subsequent amendments or revisions. This plan must address operating, spill prevention, spill response, and stormwater discharge practices

that will prevent or minimize the release of pollutants from the facility to the waters of the state. Onsite copy can be paper or electronic.

S9.A Review and Submit at Duty to Reapply

Current Permittees must review and submit the Pollution Prevention Plan of the Facility Site Plans to Ecology with the NOI at time to reapply for permit coverage (Refer to S2.A for date to meet the Duty to Reapply requirement).

S9.B Changes

Any proposed revision or modification of the Pollution Prevention Plan must be submitted to Ecology within 60 days of changes. Update the Pollution Prevention Plan as necessary and submit it with the Facility Site Plans within 60 days.

S9.C Pollution Prevention Plan Requirements

The Pollution Prevention Plan must address the following:

1. How it will conduct fish feeding to minimize the discharge of unconsumed food.
2. The frequency of pond and raceway cleaning and what procedures it will use to determine when cleaning is necessary to prevent accumulated solids from being discharged.
3. How it will perform pond and raceway cleaning to reduce the disturbance and subsequent discharge of settled solids during cleaning events.
4. How it will carry out fish grading, harvesting, and other activities within ponds or raceways to minimize the disturbance and subsequent discharge of accumulated solids.
5. How it will prevent the discharge of accumulated solids during the fish release if it releases fish for enhancement purposes.
6. How it uses disease control chemicals within the facility to ensure that the amounts and frequency of application are the minimum necessary for effective disease treatment and control. The Permittee must minimize the concentration of disease control drugs and chemicals in the facility's discharge to the maximum extent practicable.
7. Practices for the storage and, if necessary, disposal of disease control chemicals.
8. Procedures to prevent or respond to spills and unplanned discharges of oil and hazardous materials. These procedures must address the following:
    a. A description of the reporting system to alert responsible facility management and appropriate legal authorities. This includes the order in which reporting must occur to clearly identify who and when reporting is to happen, distinguishing between a spill onsite that does and does not enter surface waters.
    b. A description of facilities (including an overall facility site plan) which prevent, control, or treat spills and unplanned discharges and compliance schedule to install any necessary facilities in accordance with the approved plan.

c. A list of all hazardous materials used, processed, or stored at the facility that may spill directly or indirectly into state waters.

9. Procedures to identify and prevent existing and potential sources of stormwater pollution.

10. Best Management Practices to reduce the temperature discharges to the receiving water. This includes consideration of covers or awnings over the Pollution Abatement ponds or settling ponds. The Permittee must evaluate all hatchery related discharges and evaluate methods to reduce the temperature in the discharge.

11. Ongoing PCB reduction activities including requirements of S6.D as it relates to food, construction, operational and equipment purchases.

S10 SPILL CONTROL PLAN

For the prevention, containment, and control of spills or unplanned releases of pollutants the Permittee must maintain a copy of the most current version of the Spill Control Plan at the facility and ensure that its staff for the facility are familiar with the plan and adequately trained in the specific procedures that it requires. The Permittee must comply with the plan and any plan modifications. The Permittee must operate the facility in accordance with this plan along with any subsequent amendments or revisions. Onsite copy can be paper or electronic.

S10.A Review and Submit at Duty to Reapply

Current Permittees must review and submit the Spill Control Plan of the Facility Site Plans to Ecology with the NOI at time to reapply for permit coverage (Refer to S2.A for date to meet the Duty to Reapply requirement).

S10.B Changes

Any proposed revision or modification of the Spill Control Plan must be submitted to Ecology within 60 days of changes. Update the Pollution Prevention Plan as necessary and submit it with the Facility Site Plans within 60 days.

S10.C Spill Control Plan Requirements

The spill control plan must include the following:

1. A list of all oil, petroleum products, and other materials used and/or stored on-site (including formalin and hydrogen peroxide), which when spilled, or otherwise released into the environment, designate as Dangerous Waste (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070. Include other materials used and/or stored on-site which may become pollutants or cause pollution upon reaching state's waters.

2. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.

3. A description of the reporting system the Permittee will use to alert responsible managers and legal authorities in the event of a spill.

4. A description of operator training to implement the plan.
5. The Permittee may submit plans and manuals required by 40 CFR Part 112, contingency plans required by Chapter 173-303 WAC, or other plans required by other agencies, which meet the intent of this section.
6. Facility map indicating storage locations of all such products and materials, spill kits, and personal protection equipment (PPE).

S11 ENGINEERING DOCUMENTS

Ecology may require a Permittee to submit a new application or supplemental information to an existing application/NOI and this may include required engineering plans, specs, and reports for review and approval.

Newly constructed facilities, or existing facilities that expand fish production by fifty percent over production on October 31, 1995, must conduct a receiving water quality study (WAC173 221A-100(6)). Dilution must be evaluated using total facility effluent at maximum production at the lowest seven-day average receiving stream flow with a 10-year recurrence interval (7Q10).

S11.A Notice for Planned Changes - Submittal of an Engineering Checklist

1. Changes include the physical alteration, modification, addition, reconstruction, or removal of structures that affect pollution control. Existing Permittees must give notice to Ecology of planned changes that could result in the following:
    a. The permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b).
    b. A significant change in the nature or an increase in quantity of pollutants discharged.
    c. A significant change in the Permittee's sludge use or disposal practices.
2. Submit an Engineering Checklist to formally notice Ecology of planned changes.

    The Permittee must complete an Engineering Checklist, submit to Ecology, and contact the facility manager. You can find and download the Engineering Checklist from the permit webpage[8].

S11.B Review Required - Submittal of an Engineering Reports

Prior to constructing or modifying any wastewater control facilities (including Pollution Abatement structures), the Permittee must:

1. Submit an engineering report, detailed plans and specifications to Ecology for approval in accordance with Chapter 173-240 WAC.

[8] https://ecology.wa.gov/regulations-permits/permits-certifications/upland-finfish-permit#forms

2. Submit engineering reports, plans, and specifications at least 180 days prior to the planned start of construction unless Ecology approves a shorter time.
3. Construct and operate facilities in accordance with the approved plans.

GENERAL CONDITIONS

G1 DUTY TO COMPLY

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. Any discharge of any pollutant more frequently than, or at a level in excess of that identified and authorized by the general permit, is a violation of the terms and conditions of this permit.

The Permittee must 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 coverage termination, revocation and reissuance, or modification; or denial of a permit coverage renewal.

The Permittee must 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.

G2 PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of intentionally violating the terms and conditions of this permit will be considered guilty of a crime. Upon conviction the violator may receive a fine of up to $10,000 in addition to prosecution costs, or may be subject to imprisonment, at the discretion of the court. Each day upon which a willful violation occurs is considered a separate and additional violation.

Additionally, any person who violates the terms and conditions of this permit will incur a civil penalty in the amount of up to $10,000 for every such violation. Each such violation is considered a separate and distinct offense, and in case of a continuing violation, every day's continuance is considered a separate and distinct violation.

Violations of the Clean Water Act are also subject to criminal and civil enforcement by the EPA. See 40 CFR 122.41(a)(2), (3), and (4). EPA and other federal agencies are required to adjust their maximum and minimum statutory civil penalty amounts through rulemaking each year. See 40 CFR section 19.4 for the most up-to-date civil penalty amounts.

G3 DUTY TO REAPPLY

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must reapply for the permit at least 180 days prior to the expiration date of this permit.

G4 NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE

A permittee may not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

The Permittee, to maintain compliance with its permit, must 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.

G5 GENERAL PERMIT ACTIONS

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of WAC 173-226-230. Grounds for modification, revocation and reissuance, or termination include, but are not limited to, the following:

1. A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;
2. Effluent limitation guidelines or standards are promulgated under the CWA or chapter 90.48 RCW, for the category of dischargers covered under this permit;
3. A water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved;
4. Information is obtained which indicates that cumulative effects on the environment from dischargers covered under this permit are unacceptable; or
5. A toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA for a toxic pollutant which is more stringent than any limitation upon such pollutant in the permit.

The filing of a request for permit modification, revocation and reissuance, or termination, or notification of planned changes or anticipated noncompliance does not stay any permit condition.

G6 PROPERTY RIGHTS

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

G7 DUTY TO PROVIDE INFORMATION

The Permittee must submit to Ecology, within a reasonable time, all information that Ecology 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 must also submit to Ecology, upon request, copies of records required to be kept by this permit.

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

G8 RIGHT OF INSPECTION AND ENTRY

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

1. To enter upon the premises where a discharge is located or where any records are kept under the terms and conditions of this permit.
2. 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.
3. To inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
4. 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.

G9 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 years, or by both.

G10 SIGNATORY REQUIREMENTS

G10.A Applications, Transfers, Terminations, and Coverage Modifications

All the above submittals must be signed and certified:

1. In the case of corporations, by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
    a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    b. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing the other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to

sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. In the case of a partnership, by a general partner.
3. In the case of sole proprietorship, by the proprietor.
4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

G10.B Reports

All reports (e.g., DMRs and Submittals) required by this permit and other information requested by Ecology must 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 in G10.A, and submitted to Ecology.
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.

G10.C Changes to authorization

If an authorization under paragraph G10.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 G10.B.2 must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

G10.D Certification

Any person signing a document under this section must 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."*

G11 REPORTING A CAUSE FOR COVERAGE MODIFICATION

The Permittee must, as soon as possible, give notice to Ecology of planned physical alterations or additions to the permitted facility 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, including but not limited to a 20% or greater increase in production.

3. A change in the location of *industrial activity* that affects the Permittee's monitoring requirements in Conditions S3, S4, S5, and S6.

The permittee must give advance notice to Ecology of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

The Permittee must submit a new application, or a supplement to the previous application, whenever a material change to the permitted facility or activity or in the quantity or type of discharge is anticipated which is not specifically authorized by this permit.

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

G12 OTHER REPORTING REQUIREMENTS

If the permittee monitors any pollutant more frequently than required by the permit the results of such monitoring must be included in the calculation and reporting of the data submitted on the discharge monitoring report.

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 Ecology, it must promptly submit such facts or information.

G13 BYPASS PROHIBITED

A bypass is the intentional diversion of waste streams from any portion of a treatment facility. This permit prohibits all bypass except when the bypass is for essential maintenance, as authorized in General Condition G13.B.1, or is approved by Ecology as an anticipated bypass following the procedures in General Condition G13.B.2.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

   This permit allows bypasses for essential maintenance of the treatment system when necessary to ensure efficient operation of the system. The Permittee may bypass the treatment system for essential maintenance only if doing so does not cause violations of effluent limits. The Permittee is not required to notify Ecology when bypassing for essential maintenance. However, the Permittee must comply with the monitoring requirements specified in Special Condition S4.

2. Anticipated bypass for non-essential maintenance.

   Ecology may approve an anticipated bypass under the conditions listed below. This permit prohibits any anticipated bypass that is not approved through the following process.

a. If a bypass is for non-essential maintenance, the Permittee must notify Ecology, if possible, at least 10 days before the planned date of bypass. The notice must contain:

   i. A description of the bypass and the reason the bypass is necessary.

   ii. An analysis of all known alternatives which would eliminate, reduce, or mitigate the potential impacts from the proposed bypass.

   iii. A cost-effectiveness analysis of alternatives.

   iv. The minimum and maximum duration of bypass under each alternative.

   v. A recommendation as to the preferred alternative for conducting the bypass.

   vi. The projected date of bypass initiation.

   vii. A statement of compliance with State Environmental Policy Act (SEPA).

   viii. A request for modification of Water Quality Standards as provided in WAC 173-201A-410, if an exceedance of any Water Quality Standard is anticipated.

   ix. Details of the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

b. For probable construction bypasses, the Permittee must notify Ecology of the need to bypass as early in the planning process as possible. The Permittee must consider the analysis required above during the project planning and design process. The project-specific engineering report as well as the plans and specifications must include details of probable construction bypasses to the extent practical. In cases where the Permittee determines the probable need to bypass early, the Permittee must continue to analyze conditions up to and including the construction period in an effort to minimize or eliminate the bypass.

c. Ecology will determine if the Permittee has met the conditions of General Condition G12.B.2.a and b, and consider the following prior to issuing a determination letter, an Administrative Order, or a permit modification as appropriate for an anticipated bypass:

   i. If the Permittee planned and scheduled the bypass to minimize adverse effects on the public and the environment.

   ii. If the bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. “Severe property damage” means substantial physical damage to the property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

   iii. If feasible alternatives to the bypass exist, such as:

      - The use of auxiliary treatment facilities

- Retention of untreated wastes
- Stopping production
- Maintenance during normal periods of equipment downtime, but not if the Permittee should have installed adequate backup equipment in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.
- Transport of untreated wastes to another treatment facility.

G14 UPSET

"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 must 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 under Special Condition S5.G.
4. The Permittee complied with any remedial measures required under Special Condition S5.G.

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

G15 COMPLIANCE WITH OTHER LAWS AND STATUTES

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

G16 OTHER REQUIREMENTS OF 40 CFR

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

G17 REVOCATION OF PERMIT COVERAGE

Ecology may terminate coverage for any discharger under this permit for cause in accordance with the provisions of WAC 173-226-240. Cases where coverage may be terminated include, but are not limited to, the following:

1. Violation of any term or condition of this permit;
2. Obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
3. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
5. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), as applicable.
6. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;
7. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and chapter 173-224 WAC;

Ecology may require any discharger under this permit to apply for and obtain coverage under an individual permit or another more specific general permit.

G18 REMOVED SUBSTANCES

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

G19 APPEALS

The terms and conditions of this general permit, as they apply to the appropriate class of dischargers, are subject to appeal by any person within 30 days of issuance of this general permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

The terms and conditions of this general permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that individual discharger.

The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under this general permit. If the terms and conditions of this general permit are found to be inapplicable to any individual discharger(s), the matter can be remanded to Ecology for consideration of issuance of an individual permit or permits.

G20 SEVERABILITY

The terms of this permit are severable. If any specific term or its application to a particular situation is found invalid, this does not affect the validity or enforceability of the rest of the permit or its application to different situations.

G21 PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology and established in Chapter 173-224 WAC. Ecology continues to assess permit fees until the permit is terminated or revoked.

G22 REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER THE PERMIT

Any discharger authorized by this general permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger must submit to Ecology an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The reasons must fully document how an individual permit will apply to the applicant in a way that the general permit cannot. Ecology may either issue an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

APPENDIX A: Definitions

All definitions listed below are for use in the context of this permit only.

In the absence of other definitions set forth herein, the definitions set forth in 40 CFR Part 403.3 or in chapter 90.48 RCW apply.

303(d) List: The current EPA-approved list of surface waterbodies in Washington State that do not meet the water quality standards specified in Chapter 173-201A WAC based on the Washington State Water Quality Assessment. See Water quality standard.

303(d)-Listed waterbody: Waterbody listed as impaired (polluted) through assignment to Category 5 in the current EPA-approved Washington State Water Quality Assessment.

40 CFR: Title 40 of the Code of Federal Regulations. The Code of Federal Regulations is the codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Acute Toxicity: The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

AKART: The acronym for "all known, available, and reasonable methods of prevention, control and treatment". A technology-based approach of engineering and economic decision-making for limiting pollutants from discharges. AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge, which can be reasonably installed or used at a reasonable cost.

Ambient Water Quality: The existing environmental condition of the water in a receiving water body.

Ammonia: Ammonia is produced by the breakdown of nitrogenous materials in waste water. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect waste water.

Antidegradation Policy: Description in WAC 173-201A-300[9].

Applicable TMDL: Any TMDL that has been completed and approved by EPA either before the issuance date of this permit or the date the Permittee obtains coverage under this permit after it becomes active, whichever is later.

Authorized representative:

1. If the represented entity is a corporation: President, secretary, treasurer, or vice-president of the corporation in charge of a principal business function; any other person who performs similar policy- or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

[9] https://app.leg.wa.gov/WAC/default.aspx?cite=173-201A-300

2. If the represented entity is a partnership or sole proprietorship: General partner or proprietor, respectively.
3. If the represented entity is a federal, state, or local governmental facility: Director or the highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee.

The individuals described above may designate another authorized representative if the authorization is written, specifies the individual or position responsible, and is submitted to the Washington State Department of Ecology.

Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control spillage or leaks, sludge or waste disposal, discharge of pollutants.

BOD5: Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD5 is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass: The intentional diversion of waste streams from any portion of a treatment facility.

CAAP: Concentrated aquatic animal production.

CFR: Acronym that means Code of Federal Regulation.

Chlorine: Chlorine is used to disinfect waste waters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic Toxicity: The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction, growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean Water Act (CWA): The Clean Water Act, 33 U.S.C. §1251 et seq. The CWA is the primary Federal law in the United States governing water pollution, with the objective to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands. (Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117, and 100-4; USC 1251, et seq.)

Composite Sample: For the purpose of this permit, a flow-proportional mixture of not less than six discrete aliquots. Each aliquot must be a grab sample of not less than 100 ml and

must be collected and stored in accordance with procedures prescribed in 40 CFR 136, Table II – Required Containers, Preservation Techniques, and Holding Times[10].

Critical Condition: The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low; thus, its ability to dilute effluent is reduced.

Current EPA-approved 303(d) list: The 303(d) list that is in effect on the effective date of this permit or on the date Ecology receives the Permittee's first application for coverage, whichever is later. See 303(d) List.

Daily Discharge: The amount of a pollutant discharged during a calendar day or any 24-hour period that reasonably represents a calendar day. For pollutants with limits expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged during the day. For pollutants with limits expressed in other units of measurement, the daily discharge is calculated as the arithmetic average of all the measurements of the pollutant throughout the day, except for pH.

Days (compliance period interval) - When the compliance period is stated in days: (A) exclude the day of the event that triggers the period; (B) count every day, including intermediate Saturdays, Sundays, and legal holidays; and (C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

Director: The Director of the Washington State Department of Ecology or their authorized representative.

Ecology: Washington State Department of Ecology.

Epizootic: Means the occurrence of a disease event that is a sharp increase in the incidence rate of disease beyond normal background rate. This can be a few cases of a rare disease or many cases of a common disease.

FIFRA: The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is the Federal statute that governs the registration, distribution, sale, and use of pesticides in the United States. Acronym for the Toxics Substances Control Act.

FWPCA: The acronym that stands for the Federal Water Pollution Control Act (The Clean Water Act), Title 33 United States Code, Section 1251 *et seq*.

GPD: Gallons per day

Grab Sample: An individual discrete water sample.

Instantaneous Maximum: The maximum allowable concentration of a pollutant determined from the analysis of any discrete or composite sample collected, independent of the flow rate and the duration of the sampling event.

[10] https://www.ecfr.gov/current/title-40/part-136#p-136.3(e)

Lined Pond: Asphalt, concrete, plastic membrane, or similarly lined ponds. Ponds lined with gravel or soil are considered unlined.

Maximum Daily: The highest allowable sample value from a daily discharge taken during a calendar month.

MDL: The method detection limit (MDL) is defined as the minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte. 40 CFR Part 136, Appendix B to Part 136

MGD: Million gallons per day

mg/L: Milligrams per liter ("Net mg/L" = mg/L in Hatchery Effluent minus mg/L in Hatchery Influent)

mL/L: Milliliters per liter ("Net mL/L" = mL/L in Hatchery Effluent minus mL/L in Hatchery Influent)

Monthly Average: Calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

New Discharge(r): Defined as a facility from which there is a discharge that did not commence discharging at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Facility: Defined as a facility that begins activities that will result in a discharge or potential discharge to waters of the state on or after the effective date of the general permit.

National Pollutant Discharge Elimination System (NPDES): The NPDES (Section 402 of the Clean Water Act) is the federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/state permits issued under both state and federal laws.

Offline Settling Basin: The pond cleaning waste treatment system with hydraulic detention time of 24 hours and a designed removal efficiency of at least 85% for total suspended solids and 90% for settleable solids.

PCBs: The acronym for the chemical suite of 209 congeners called polychlorinated biphenyls.

Production: Production, beginning with the 2010 permit, is defined as net gain of weight at the facility. Furthermore, Ecology has defined net gain (i.e., net pounds) as the maximum pounds of fish on station in any one time (month) of a year's production cycle or period. A facility producing greater than 20,000 pounds in any month of the year must have permit coverage. This is based on WAC 173-221A-100(1)a)(i), which states that facilities that produce more than 20,000 net pounds of finfish on station at any time of the year is required to obtain a permit or permit coverage. Production is the act of harvesting,

processing or releasing fish in a hatchery or the harvest weight of fish contained, grown, or held in a CAAP facility in a year (40 CFR §122 Appx.C).

Publicly Owned Treatment Works (POTW):

1. A sewage treatment plant and its collection system that is owned by a municipality, the State of Washington, or the federal government. A POTW includes the sewers, pipes and other conveyances that convey wastewater to the treatment plant, and any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature.
2. The municipality or other entity that has jurisdiction over the indirect discharges to and the discharges from the treatment works.

Rearing: All the practices involved in raising or culturing aquatic animals from a younger stage to a more mature stage for harvest, stocking, or release. Practices include those used to contain and grow the animals until time at which harvest, stocking, or release occur.

Rearing Ponds or Raceways: Ponds, raceways, circular ponds, or any other method used to keep finfish captive for culture purposes at an upland finfish rearing facility.

Rearing Vessel: Troughs, ponds, raceways, tanks, and fish hauling tanks.

Representative Sample: Defined as a sample representing multiple outfalls/discharges with similar waste streams. Each can be sampled and combined into one sample for one analysis. The sample volume from each outfall must be apportioned according to the volume of flow at the time of sampling. These apportioned samples can then be combined into one representative sample for analysis.

Sampling and Analysis Plan or SAP: The plan that describes how, who, what, when and where samples are collected, analyzed, and reported to assure reproducible and representative data. In this permit, such plan is needed for the monitoring of additional parameters for impaired waterbodies.

Settleable Solids: Defined as the solids in surface waters or waste waters, sometimes called Settleable Residue, which are measured volumetrically in accordance with procedures prescribed in the most recent edition of procedures prescribed in the approved analytical methodologies found in 40 CFR 136.

Section 303(d) List: Part of the federal Clean Water Act that requires states to identify waterbodies that are water quality limited or do not meet the water quality standards specified in Chapter 173-201A WAC based on the Washington State Water Quality Assessment. (i.e., waterbodies that do not meet, or are not expected to meet, applicable water quality standards after sources have undergone technology-based controls). The Washington State Department of Ecology prepares, and the U.S. Environmental Protection Agency approves this list every 2 years.

Severe Property Damage: Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a

bypass. Severe property damage does not mean economic loss caused by delays or losses in production.

Surface Waters: Lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington. For the purposes of this permit, surface waters do not include hatchery ponds, raceways, pollution abatement ponds, and wetlands constructed solely for wastewater treatment.

Total Maximum Daily Load (TMDL): Defined as the sum of all waste load allocations (WLAs) and load allocations (LAs) (non-point source and background) and a safety margin. The TMDL is a mechanism for establishing water quality-based controls on all point and nonpoint sources of pollutants within a water quality-limited basin, sub-basin, or hydrographic segment.

TSCA: Acronym for the Toxics Substances Control Act. This United States law, passed by the US Congress in 1976, is administered by the US EPA and regulates the introduction of new or already existing chemicals. This law provides EPA with the authority to require reporting, record-keeping and testing requirements and restrictions relating to chemical substances and/or mixtures.

TVSS: The total volatile suspended solids in the influent or effluent water, which are measured in accordance with procedures prescribed in the most recent edition of *Standard Methods for the Examination of Water and Wastewater*.

Upset: 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.

Note – 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 must 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 facilities were being properly operated at the time of the upset:
3. the Permittee submitted notice of the upset as required; and
4. the Permittee complied with any remedial measures required under this permit.

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

WDFW: Washington State Department of Fish and Wildlife.

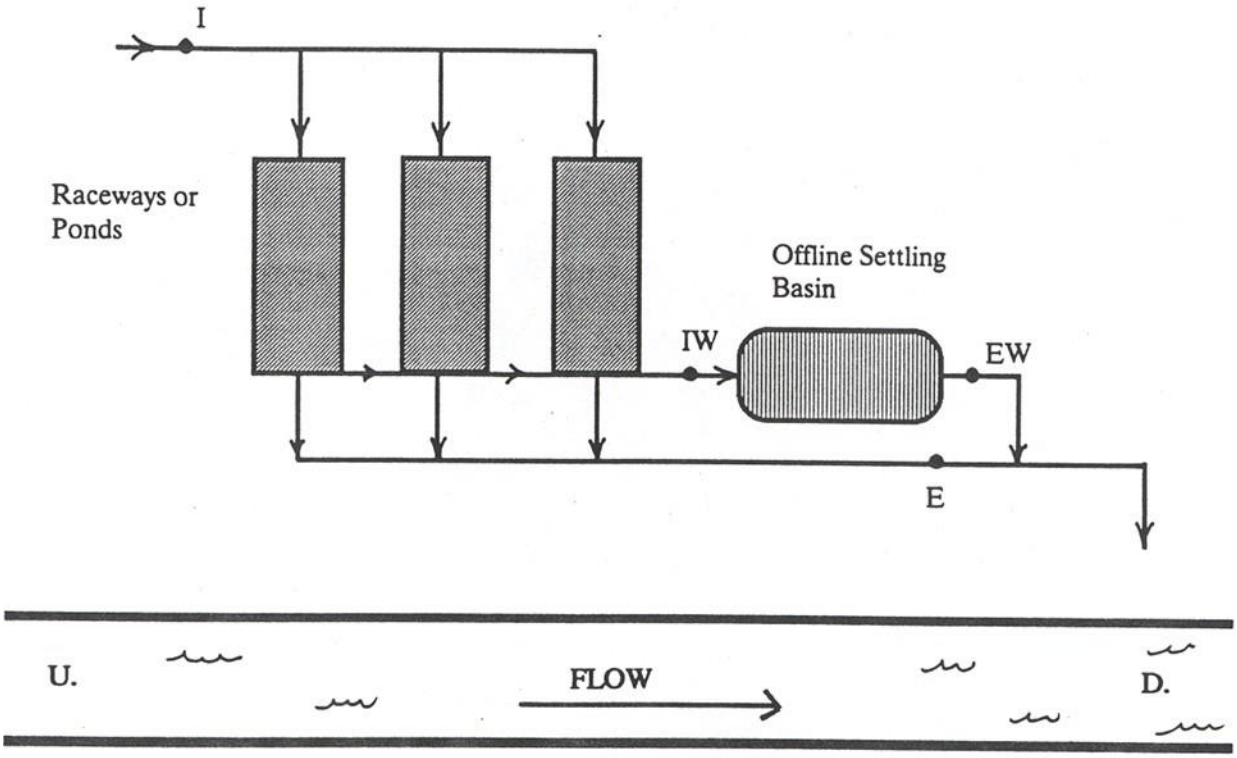
Waters of the State: Defined to include those waters defined as "waters of the United States" in 40 CFR 122.2 within the geographic boundaries of Washington State and "waters

of the state" as defined in Chapter RCW 90.48 RCW which include lakes, rivers, ponds, streams, waters, underground waters, salt waters, and all other surface water and water courses including wetlands within the jurisdiction of the state of Washington.

Water Quality Standards: Defined as the water quality standards for ground waters of the state of Washington (Chapter 173-200 WAC), the water quality standards for surface waters of the state of Washington (Chapter 173-201A WAC), and the sediment management standards of the state of Washington (Chapter 173-204 WAC)

APPENDIX B: Sampling Locations

Figure 1: Flow-through Scenario with Offline Settling Basin



I = Hatchery or rearing facility influent

IW = Internal pond wastewater that is influent to the offline settling basin. This value is used in determining settling pond efficiency.

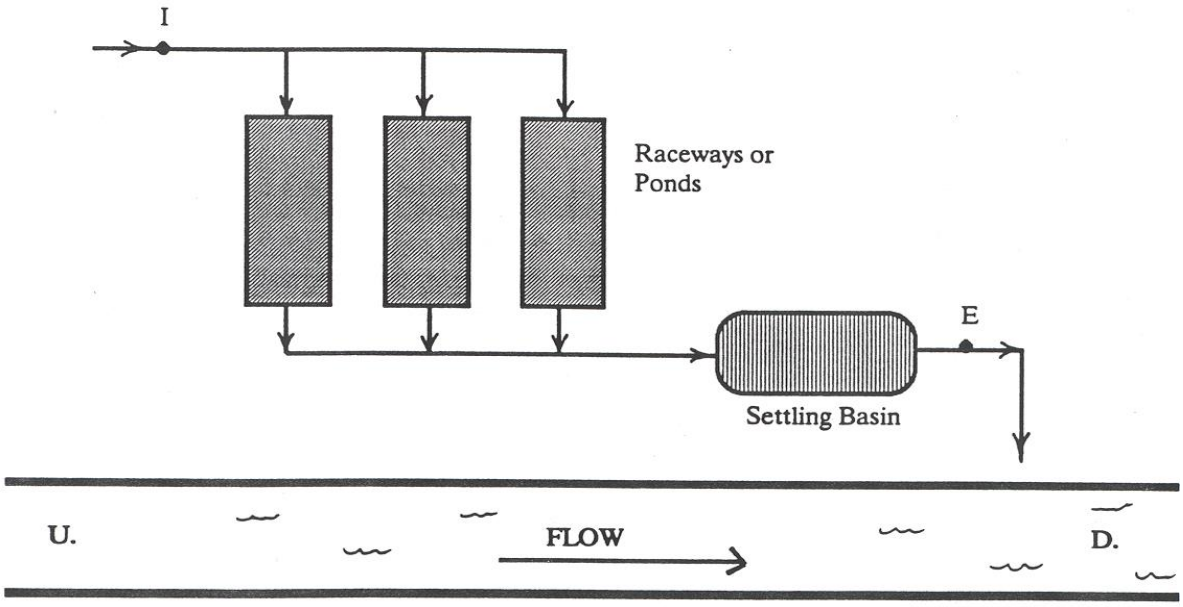
EW = offline settling basin effluent

E = Hatchery or rearing facility effluent, usually flow through water from the ponds or raceways, that does not discharge to the offline settling basin.

U = Upstream

D = Downstream

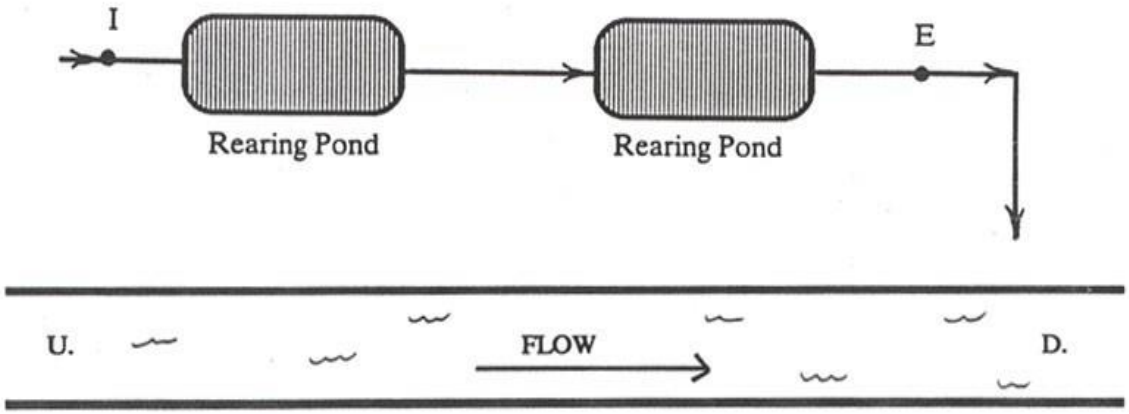
Figure 2: Flow-through Scenario with Inline Settling Basin



E=Effluent I=Influent

U=Upstream D=Downstream

Figure 3: Flow-through Scenarios with Acclimation Ponds or Rearing Ponds



E=Effluent I=Influent

U=Upstream D=Downstream

APPENDIX C:
Facilities Discharging to Impaired Waters

Impaired waterbodies for the parameters of concern (i.e., dissolved oxygen, temperature and PCBs) are those listed in accordance with Section 303(d) of the Clean Water Act as Category 5. Applicability for current Permittees is based on the 2018 Water Quality Assessment, approved by EPA in 2022. Facilities determined to discharge to an impaired waterbody were done so by GIS analysis and identified if the facility was at or within 0.5 miles upstream of an impaired, listed reach. If the facility had previously monitored and reported during the 2021-2026 permit cycle, the facility is not required to evaluate this cycle.

Table 3: Facilities Discharging to Waterbodies Impaired for Dissolved Oxygen and Those Required to Evaluate (refer to condition S3.F.2)

Facility (Permittee)	Permit Number	Listing Waterbody Name and Number	Evaluate this Permit Cycle [a]
Bellingham Hatchery (WDFW) [b]	WAG994275	Whatcom Creek, 39033	Yes, once Active [b]
George Adams Hatchery (WDFW)	WAG131019	Purdy Creek, 14846	No
Goldendale Hatchery (WDFW)	WAG135001	Spring Creek, 77397	Yes
Hoodsport Hatchery (WDFW)	WAG131011	Finch Creek, 10911	Yes
Icy Creek (WDFW)	WAG133013	Green River, 10824	No
Issaquah Hatchery (WDFW)	WAG133010	Issaquah Creek, 9304	No, now Category 2
McKernan State Hatchery (WDFW)	WAG131036	Weaver Creek, 78064 and 78065	No
Nisqually Trout Farm 2 (Nisqually Trout Farm Inc.)	WAG131002	Woodland Creek, 48067	No
Pacific Aquaculture - Shelton, LLC (Pacific Seafood Group)	WAG131062	Skokomish River, 81223	No
Palmer Ponds (WDFW)	WAG133002	Green River, 10824	No
Samish Hatchery (WDFW)	WAG133011	Samish River, 10549 Friday Creek, 10541	No
Soos Creek Hatchery(WDFW)	WAG133014	Big Soos Creek, 10835	No
Suquamish Gorst Creek Rearing Ponds (Suquamish Tribe)	WAG994615	Gorst Creek, 38607 and 78069	No
Troutlodge 1 (Troutlodge - Hendrix Genetics)	WAG137001	Rocky Ford Creek, 15077	No, but will continue to under Order [c]
Troutlodge 2 (Troutlodge - Hendrix Genetics)	WAG137002	Rocky Ford Creek, 8395 and 15077	No, but will continue to under Order [b]

Facility (Permittee)	Permit Number	Listing Waterbody Name and Number	Evaluate this Permit Cycle [a]
Vancouver Hatchery (WDFW)	WAG131032	Columbia River, 49044	No, now Category 1

a All facilities that evaluated in the previous cycle (2021-2026), are not required to monitor and report during the current cycle.
b Hatchery is in Inactive Status and did not discharge the entire last cycle. Cleaning wastes discharge to POTW. Process water discharges still regulated by general permit.
c Troutlodge ELM 1 and 2 require additional monitoring to continue with adaptive management of site-specific improvements based on local water quality concerns in Moses Lake with phosphorus.

Table 4: Facilities Discharging to Waterbodies Impaired for Temperature and Those Required to Evaluate (refer to condition S3.F.2).

Facility (Permittee)	Permit Number	Listing Waterbody Name and Number	Evaluate this Permit Cycle [a]
Beaver Creek Hatchery (WDFW)	WAG131027	Beaver Creek, 34964 Elochoman River, 34950	No
Bingham Creek Hatchery (WDFW)	WAG131022	Satsop River, E.F., 72704	No
Bogachiel Hatchery (WDFW)	WAG131051	Bogachiel River, 7696	No
Dungeness Hatchery (WDFW)	WAG131037	Dungeness River, 72660	No
Elwha Hatchery (WDFW)	WAG131043	Elwha River, 48265	No
Grays River Hatchery (WDFW) [b]	WAG131015	Grays River, W.F., 3792	No [b]
Kendall Creek Hatchery (WDFW)	WAG133007	Kendall Creek, 42099	No
Ringold Springs Hatchery	WAG137009	Columbia River [c]	No
Samish Hatchery (WDFW)	WAG133011	Samish River, 6563 Friday Creek, 10540	No
Satsop Springs Hatchery (WDFW)	WAG131023	Satsop River, E.F., 72704	No
Soos Creek Hatchery (WDFW)	WAG133014	Big Soos Creek, 7493	No
Troutlodge 2 (Troutlodge Inc.)	WAG137002	Rocky Ford Creek, 8397	No
Vancouver Hatchery (WDFW)	WAG131032	Columbia River [c]	No

a All facilities that evaluated in the previous cycle (2021-2026) are not required to monitor and report during this cycle (2026-2031).
b Permit coverage terminated 6/2024 and did not operate during cycle.
c Facility was within 0.5 miles of recently approved TMDL project area and required evaluation for future implementation.

Table 5: Facilities Discharging to Waterbodies Impaired for PCBs and Those Required to Evaluate for Source Control (refer to conditions S3.F.2 and S6.D).

Facility (Permittee) [a]	Permit Number	Listing Waterbody Name and Number	Evaluate this Permit Cycle [b]
Chelan Hatchery (WDFW)	WAG135006	Columbia River (Lake Entiat), 52656	No
Eastbank Hatchery (WDFW)	WAG135011	Columbia River, 52655	No
Lyons Ferry Hatchery (WDFW)	WAG137006	Snake River, 78962	Yes
Mossyrock Hatchery (WDFW)	WAG131013	Mayfield Lake, 52669	No
Priest Rapids Hatchery (WDFW)	WAG137013	Columbia River, 19393	Yes
Ringold Springs Hatchery (WDFW)	WAG137009	Columbia River, 86603	Yes
Speelyai Hatchery (WDFW)	WAG131041	Merwin Lake, 52671	No
Spokane Hatchery (WDFW)	WAG137007	Little Spokane River, 9051 Spokane Lake, 9021 Spokane River, 9033	No
Wells Fish Hatchery (Douglas County PUD No. 1)	WAG135009	Columbia River (Lake Entiat), 52656	No

a All facilities on this list must submit a Feed PCB Source Reduction and BMP Plan in accordance with S6.D.2.
b Facilities that evaluated in the previous cycle (2021-2026) are not required to evaluate during this cycle (2026-2031). If a facility determines that they must analyze material to confirm PCB presence, it is required to use EPA 8082 by an accredited lab.

APPENDIX D:
Monitoring Requirements for Facilities with Discharges to Impaired Waterbodies

Monitor and Report	Quantitation Level	Methodology	Preservation and Hold Times	Duration, Frequency, and Location
<u>Impairment Parameter: Dissolved Oxygen</u> The following parameters relate to or are indicative of oxygen consumption and are collectively called nutrient parameters.				
Phosphorus, Total (as P)	10 ug/L	SM 4500-P E or F or EPA 365.1 or 365.4	Cool to ≤6 °C, H_2SO_4 (sulfuric acid) to pH <2; Analyze within 28 days	**Duration:** Monitoring must be conducted when fish feeding occurs. If feeding occurs yearlong, monitoring must be conducted in every month. If feeding is seasonal, not yearlong, begin monitoring after fish begin feeding until release. **Frequency:** If operational yearlong, take flow proportional, composite samples **once monthly**. If the facility is a seasonal operation, meaning it operates for less than 12 months in a calendar year, then sampling must be performed **twice every month** when fish are being fed; no less than one week in between sampling events. **Monitoring Location**: Effluent, after leaving rearing and raceways, and prior to discharging to receiving waters.
Orthophosphate (Soluble Reactive Phosphorus as P)	10 ug/L	SM 4500-P E, F, or G or EPA 365.1 or 365.3	Cool to ≤6 °C, Filter within 15 minutes; Analyze within 48 hours	
Nitrate + Nitrite Nitrogen (as N)	100 ug/L	SM 4500-NO_3^- E, F or H or EPA 353.2	Cool to ≤6 °C, H_2SO_4 (sulfuric acid) to pH <2; Analyze within 28 days	
TKN (Total Kjeldahl Nitrogen)	300 ug/L	SM 4500-N_{org} C or D or EPA 351.2	Cool to ≤6 °C, H_2SO_4 (sulfuric acid) to pH <2; Analyze within 28 days	
Ammonia, Total (as N)	20 ug/L	SM 4500-NH_3 G or H or EPA 350.1	Cool to ≤6 °C, H_2SO_4 (sulfuric acid) to pH <2; Analyze within 28 days	
pH	+/- 0.1 SU (Standard Units) as limit of accuracy	SM 4500-H^+ B SU between 5.0 and 9.0	Analyze within 15 minutes	
Dissolved Organic Carbon	0.5 mg/L	SM 5310 B, C or D	Cool to ≤6 °C, acidify to pH <2 in accordance with method specifications; Analyze within 28 days **NOTE:** unpreserved samples must be filtered & then preserved within 48 hours of collection.	
Biochemical Oxygen Demand (BOD) 5 day	2 mg/L	SM 5210 B	Cool to ≤6 °C; Analyze within 48 hours	

Monitor and Report	Quantitation Level	Methodology	Duration, Frequency, and Location
<u>Impairment Parameter: Temperature</u>			
Temperature (Daily Maximum)	0.2º C	Analog recorder or use micro-recording devices known as thermistors	**Duration:** April 1 through November 30 **Frequency:** Continuous (24/7) monitoring and report daily maximum **Monitoring Location:** Effluent at point of discharge(s). A sample point is where the wastewater leaves facility just prior to entering receiving water.

APPENDIX E:
Facilities with TMDLs or Other Clean-up Plan Determinations

The following facilities have a TMDL determination from an associated TMDL plan. These determinations (i.e., wasteload allocations), and the related water quality-based effluent limitations, monitoring, and reporting requirements are prescribed in this appendix and organized by TMDL plan. At present, there are no other clean-up plans with determinations to be placed on a currently covered facility.

Facility Name / Permittee (Permit No.)	TMDL
Bellingham Hatchery / WDFW (WAG994275)	Whatcom Creek Bacteria TMDL, WA Dept. of Ecology
Dryden Pond / WDFW (WAG135014)	Wenatchee River Watershed Dissolved Oxygen and pH Total Maximum Daily Load, WA Dept. of Ecology
Forks Creek Hatchery / WDFW (WAG131049)	Willapa River Watershed Temperature Total Maximum Daily Load, WA Dept. of Ecology
Melvin R. Sampson Coho Facility / Confederated Tribes and Bands of the Yakama Nation (WAG994355)	Upper Yakima River Basin Suspended Sediment, Turbidity and Organochlorine Pesticide Total Maximum Daily Load, WA Dept. of Ecology
Puyallup Hatchery / WDFW (WAG131063)	Puyallup River Dissolved Oxygen Total Maximum Daily Load Study, WA Dept. of Ecology Clarks Creek Dissolved Oxygen and Sediment TMDL Study, WA Dept. of Ecology
Spokane Hatchery / WDFW (WAG137007)	Little Spokane River Dissolved Oxygen and pH Total Maximum Daily Load - Water Quality Improvement Report and Implementation Plan, WA Dept. of Ecology Spokane and Little Spokane Rivers Polychlorinated Biphenyls Total Maximum Daily Loads, U.S. Environmental Protection Agency
Voights Creek Hatchery / WDFW (WAG131064) Troutsprings Hatchery / Troutlodge Inc. (WAG994643) Troutco Clear Creek Hatchery / Troutlodge Inc. (WAG994644)	Puyallup River Dissolved Oxygen Total Maximum Daily Load Study, WA Dept. of Ecology

Facility Name / Permittee (Permit No.)	TMDL
Wells Fish Hatchery / Douglas County PUD No. 1 (WAG135009) Eastbank Hatchery / WDFW (WAG135011) Chelan Hatchery / WDFW (WAG135006) Chelan Falls Rearing Facility Hatchery / WDFW (WAG137019) Lyons Ferry Hatchery / WDFW (WAG137006) Priest Rapids Hatchery / WDFW (WAG137013)	TMDL for Temperature in the Columbia and Lower Snake Rivers, US Environmental Protection Agency

Facility: Bellingham Hatchery

Permittee: WDFW

Permit number: WAG994275

TMDL: Whatcom Creek Bacteria Total Maximum Daily Load[11]

A. Wasteload Allocations and Critical Period

The WLA for the WDFW Bellingham Fish Hatchery is 0.11 billion cfu/day, which totals approximately 0.1% of the TMDL during the dry season, and 0.02% during the wet season. The discharge is expected to be well below the 100 cfu/100mL water quality standard criterion.

B. Water Quality-Based Effluent Limits

Do not allow unusually high densities of birds or mammals to congregate at the facility (i.e., deter and prevent fish predation). Incorporate pollution control and prevention activities in support of the bacteria TMDL

C. Monitoring and Reporting Requirements

E. coli monitoring may be requested to ensure the facility is effectively following BMPs that prevent and control *E. coli* pollution.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect

[11] https://apps.ecology.wa.gov/publications/documents/2310013.pdf

Facility: Dryden Acclimation Pond

Permittee: WDFW

Permit number: WAG135014

TMDL: Addendum to Wenatchee River Watershed Dissolved Oxygen and pH Total Maximum Daily Load, WRIA 45[12] and Wenatchee River Watershed Dissolved Oxygen and pH Total Maximum Daily Load, as Revised August 2009[13]

A. Wasteload Allocations and Critical Period

Limitations and monitoring are in effect only during critical season months March, April, and May. Fish may not be on station during any other critical season month. The WLA of 743 g/day is granted to the Dryden acclimation facility based on facility flow at 33 cubic feet per second (cfs). The WLA decreases when flow decreases.

B. Water Quality-Based Effluent Limits

Flow (cfs) [1]	Daily Maximum Net, Total Phosphorus, (grams/day) [2]
17.0 to 33.0	743
8.0 to ≤17.0	670
4.0 to ≤ 8.0	626
2.0 to ≤ 4.0	610
1.0 to ≤ 2.0	601

1 Flow sampling at rearing facility intake

2 Phosphorus sampling at rearing facility effluent prior to mixing with the receiving waters

C. Monitoring and Reporting Requirements

Parameter	Sample Point	Sampling Frequency	Type of Sample
Flow, cfs	Intake	1/week	Continuous[1]
Total Phosphorus, µg/L	Intake and Effluent	1/week	Composite[2]
NET[3], Total Phosphorus	N/A	1/week	Calculated[4]

1 Facility must record daily flow for any discharge days during critical season months. Daily logs are to be available to Ecology upon request.

2 Composite samples may be a 24-hour automatic composite sample with hourly discreet samples OR may be a composite sample of six samples taken throughout the workday.

3 Calculating NET phosphorus loading limitation compliance requires reporting intake concentrations for total phosphorus. When not reporting intake concentrations, the intake concentration is assumed to be zero.

4 Effluent Total Phosphorus Concentration, µg/L -- Intake Total Phosphorus Concentration, µg/L = NET Total Phosphorus, µg/L. Convert µg/L concentration to loading in grams/day.

[12] https://apps.ecology.wa.gov/publications/documents/0810062addendum1.pdf

[13] https://apps.ecology.wa.gov/publications/documents/0810062.pdf

D. Other Requirements

The limitations, monitoring, and reporting requirements rely on reference to the General Permit. Listed below are some of the specific sections:

1. The facility is allowed to discharge with fish on station during any non-critical season month (January, February, June, November, and December) and during the early critical season months (March, April, and May). Discharge with fish on station during the late critical season months of July, August, September, and October is not allowed without further Ecology review (refer to S1.C.2)
2. Flow Measurement Maintenance Requirements, S4.G
3. Laboratory Accreditation Requirements, S4.H
4. Reporting and Recording Requirements and Discharge Monitoring Reports, S5.
5. Refer to Appendix D of the Upland Finfish Hatching and Rearing General Permit for Pollutant Analytical Methods, Detection Limits, and Quantitation Levels.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

Facility: Forks Creek Hatchery

Permittee: WDFW

Permit number: WAG131049

TMDL: Willapa River Watershed Temperature Total Maximum Daily Load (Water Cleanup Plan), WA Dept. of Ecology[14]

A. Wasteload Allocation and Critical Period

The WLA is 0.3°C above background when Forks Creek is not meeting criteria. Continuous effluent and upstream temperature monitoring is required from April 1 through October 31 to include shoulder months when the supplemental criterion is not being met in Forks Creek.

B. Water Quality-Based Effluent Limitations

Narrative water quality-based effluent limits, the BMPs for source control, have been incorporated since 2005 to reduce passive warming of the water flowing through the hatchery. Specifically, the dual celled pollution abatement pond and the adult holding area were both reconstructed with covers or roofs to provide shading of the water in these areas. In 2023, hatchery intake pumps and pipes were replaced and upgraded to improve flows reducing residence time. Ecology recognizes all the upgrades as BMPs in the effort to meet water quality limits based on the WLA.

C. Monitoring and Reporting Requirements

Monitor temperature. In accordance with the approved SAP[15] developed via Order #22327, continuously monitor temperature in hatchery effluent and Forks Creek adjacent to the Hatchery above the influence of the effluent. Monitoring must occur April 1 through October 31.

Temperature Annual Report. By the January 30th every year, submit Annual Report with temperature monitoring results. The Annual Report must be submitted through the WQWebPortal.

1. Report must include a cover letter describing any data concerns and interpretation.
2. Report must include an Excel file with raw and censored data. The Excel file of temperature data must include all monitoring points and data recorded. Include in the data file location or station identifying information. File must include raw data and censored data. Raw data shall be on separate tab from censored data. Indicate in each cell the censored data and note why it was censored.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

[14] https://apps.ecology.wa.gov/publications/documents/0510073.pdf
[15] https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?id=477539

Facility: Melvin R. Sampson Coho Facility

Permittee: Confederated Tribes and Bands of the Yakama Nation

Permit number: WAG994355

TMDL: Upper Yakima River Basin Suspended Sediment, Turbidity and Organochlorine Pesticide Total Maximum Daily Load and Addendum #1: August 2017[16]

A. Wasteload Allocations and Critical Period

The 2017 Addendum established a reserve capacity for sediment load to this facility with 0.323 tons per day as a WLA in effect yearlong. The related water quality-based effluent limitations, and monitoring and reporting requirements were issued to the permittee in Companion Order #15787[17]. The WLAs and water quality-based effluent limits are now integrated in this general permit as facility specific requirements.

B. Water Quality-Based Effluent Limitations

Do not exceed daily maximum limit for suspend solids as measured by TSS indicated in the table below. The limit is a cumulative daily total from all the hatchery discharges to the Yakima River or its adjacent wetlands that display hydrologic connectivity.

Parameter	Sample Location	Daily Maximum [1]
Total Suspended Solids (TSS)	All discharges [2]	647 lbs/day [3]

1 Calculate the Daily Maximum as TSS in pounds per day (lbs/day) by using discharge monitoring flow, TSS results, and a conversion factor to calculate load. Monitoring requirements for flow and TSS used to calculate pounds discharged are to be consistent with permit requirements.

2 Discharges from all outfalls are to be summed for the total cumulative amount of TSS load from the facility.

3 Discharge Loading Limit (i.e., the Daily Maximum) converts to 0.323 tons of suspended solids /day.

C. Monitoring and Reporting Requirements

Calculated totals for cumulative total suspend solids loading, lbs/day, must be reported on the DMR in accordance with special condition S5, Reporting and Record keeping Requirements. All discharged water must be sampled monthly (or in the case of discharges from drawdown for fish release, once per event) while discharging. The cumulative loading must be calculated once per month and reported quarterly. If the hatchery uses net values for reporting TSS, then net values must be used to calculate the cumulative daily total from all the hatchery discharges and reported as cumulative "net" pounds discharged.

[16] https://apps.ecology.wa.gov/publications/SummaryPages/0210047.html

[17] https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?Id=246505

Parameter	Sample Location	Sample Frequency	Sample Type	Reporting Frequency
TSS, lbs/day, Cumulative - Total of all Discharges	All discharges	Monthly	Calculated (all discharges) [1, 2, 3, 4, 5]	Quarterly

1 Formula to use to calculate loading of suspended solids discharged per day:
(Flow, million gallons per day or MGD*) x (TSS, mg/L) x (8.34 lbs/gallon) = lbs/day suspended solids
*1 cubic feet per second (cfs) is equal to 0.646 MGD

2 TSS in lbs/day from Rearing Pond and Raceway Discharges (monthly calculation using TSS, mg/L)

3 TSS in lbs/day from Offline Settling Basin Discharges (monthly calculation using TSS, mg/L)

4 TSS in lbs/day from episodic Drawdown for Fish Release Discharges using TSS in mg/L

5 TSS in lbs/day, when using NET results, any and all discharges, monthly calculation using NET TSS, mg/L.

D. Other Requirements

Under the Order, the facility must implement a plan to reduce or eliminate dichloro-diphenyl-trichloroethane (DDT), its metabolites, and dieldrin, in the facility discharge from fish feed and feeding activities.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

Facility: Puyallup Hatchery

Permittee: WDFW

Permit number: WAG131063

TMDLs: Puyallup River Dissolved Oxygen Total Maximum Daily Load Study, WA Dept. of Ecology[18] and Clarks Creek Dissolved Oxygen and Sediment TMDL Study, WA Dept. of Ecology[19]

A. Wasteload Allocation and Critical Period

The Clarks Creek TMDL WLA for Dissolved Oxygen Demand is 47.7 kg/day or 105.2 lbs/day using the measurement of total 5-Day Biochemical Oxygen Demand (BOD_5). The critical period is year-round. The same TMDL set a WLA for sediment loading at 10 tons/year based on a 10-year rolling average of the total net annual sediment load. The Puyallup River TMDL set the WLA for total ammonia at 26.0 lbs/day during the critical period of May through October.

B. Water Quality-Based Effluent Limitations

WDFW is authorized to discharge wastewater at Puyallup Hatchery, through Outfalls #001 and #002, at the locations 47.17778° N, 122.31583° W and 47.17861° N, 122.31667° W, respectively, and are subject to complying with the following limits:

Rearing Pond or Raceway Effluent Limitations (Outfalls 001 and 002)		
Parameter	**Maximum Daily [a]**	**Annual Average [b]**
Total 5-Day Biochemical Oxygen Demand (BOD_5) discharged from both outfalls (lbs/day) [c]	105.2	NA
Total Ammonia discharged from both outfalls (lbs/day) [d]	26.0	NA
Total Net Sediment Load, 10-Year Average	NA	10 tons/year

a Maximum daily effluent limit is the highest allowable daily discharge. The daily discharge is the average discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, calculate the daily discharge as the total mass of the pollutant discharged over the day. This does not apply to pH or temperature.

b Average annual effluent limit is calculated as the 10-year rolling average of the total net annual sediment load.

c The BOD_5 maximum daily limit is effective year-round as per the Clarks Creek DO and Sediment TMDL.

d The ammonia maximum daily limit is effective only during May through October as per the Puyallup River DO TMDL.

C. Monitoring and Reporting Requirements

The monitoring identified must be reported on Discharge Monitoring Reports (DMRs) and conform with Special Condition S5, Reporting and Record Keeping Requirements.

[18] https://apps.ecology.wa.gov/publications/documents/9410202.pdf
[19] https://apps.ecology.wa.gov/publications/documents/1410030.pdf

Parameter	Units	Minimum Sampling Frequency	Sample Type
Rearing Pond or Raceway Effluent (Outfalls 001 and 002) [1]			
5-day Biochemical Oxygen Demand (BOD_5) [3, 4]	mg/L	1/month	Grab [2]
	lbs/day		Calculated [3]
Total Ammonia (NH_3) (May through October only) [3, 5]	mg/L	1/month	Grab [2]
	lbs/day		Calculated [3]
Total Suspended Solids (TSS) [6]	mg/L	1/month	Composite [7]
Net TSS	net mg/L	1/month	Calculated [8]
Total Net Sediment Load, 10-year Avg	tons/year	1/year	Calculated [9]
Influent [1]			
Total Suspended Solids (TSS) [6]	mg/L	1/month	Composite [7.]

1 Outfalls 001 and 002's monitoring data must be combined and reported as one value. If discharges occur from both outfalls simultaneously, then the outfalls' data should be combined in a manner that is flow-proportional to the total flow discharged. Influent and effluent grab samples are to be taken on the same day. Effluent samples shall be taken during rearing pond or raceway cleaning, or if the frequency of rearing pond or raceway cleaning is less than twice per week, settleable solids samples must be collected immediately following fish feeding. If the Permittee did not collect or analyze an influent sample, it must assume an influent sample concentration of zero.

2 Grab means an individual sample collected over a fifteen (15) minute, or less, period.

3 The BOD5 and NH3 effluent concentrations (in the units of mg/L) shall be multiplied by the effluent flow (in the units of MGD) and multiplied by 8.341 (conversion factor) to calculate the effluent loading to Clarks Creek (in the units of lbs/day). Both effluent concentrations and loadings of BOD5 and NH3 to Clarks Creek shall be reported on the monthly Discharge Monitoring Report Forms.

4 BOD test methods must conform with Standard Methods 5210-B and must provide a quantitation level of 2 mg/L.

5 Ammonia test methods must conform with Standard Methods 4500-NH3-B and C/D/E/G/H and provide a quantitation level of 20 µg/L.

6 TSS test methods must conform with Standard Methods 2540-D and provide a quantitation level of 5 mg/L.

7 The total suspended solids influent sample shall be a flow proportional composite sample of all influent water sources. Total suspended solids effluent samples shall be a combination of at least six representative grab samples collected throughout the normal working day. At least one sample shall be collected while the fish are being fed and another during rearing pond or raceway cleaning. Equal volumes of each of the six grab samples shall be combined and shall constitute the total suspended solids composite sample. The solids contained in each of the six grab samples must be re-suspended prior to compositing a sample.

8 Net Settleable Solids and net TSS is calculated by subtracting the influent concentration from the effluent concentration.

9 The monthly net sediment load is calculated by taking the net (effluent subtracted by the influent) total suspended solids concentration (in mg/L) multiplied by the effluent flowrate (in MGD), and multiplied by 8.341 (conversion factor). The year's 12 monthly net sediment load is added together to obtain the total annual net sediment load. The Total Annual Net Sediment Load, 10-year average is calculated as the 10-year, rotating average of the total annual net sediment load over the last ten years. Calculations must be submitted, as an attachment to the DMR, showing how the reported value was derived.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

Facility: Spokane Fish Hatchery

Permittee: WDFW

Permit number: WAG137007

TMDL: Little Spokane River Dissolved Oxygen and pH Total Maximum Daily Load - Water Quality Improvement Plan[20] and Spokane River PCB TMDL[21]

The TMDL determined water quality-based effluent limitations, and monitoring and reporting requirements were issued to the permittee in Companion Order #21215[22]. This Order was issued in 2022. PCB requirements were based on the clean-up plan developed by the Spokane River Toxics Task Force while the Spokane River PCB TMDL was being drafted. PCB source control measures were specified in the Order. The Order continues to apply five corrective actions that are necessary to meet both TMDLs and protect water quality. All requirements from the Order remain effective and constitute permit required water quality-based effluent limits. Future orders may be issued to provide updated or adjusted requirements to WDFW as more information is learned during reporting.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

[20] https://apps.ecology.wa.gov/publications/SummaryPages/2010033.html
[21] https://www.epa.gov/tmdl/spokane-river-pcb-tmdls
[22] https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?id=417419

Facilities: Voights Creek, Troutsprings, and Troutco Hatcheries

Voights Creek Hatchery / WDFW (permit no. WAG131064)

Troutsprings Hatchery / Troutlodge Inc. (permit no. WAG994643)

Troutco Clear Creek Hatchery / Troutlodge Inc. (permit no. WAG994644)

TMDL: Puyallup River Dissolved Oxygen Total Maximum Daily Load Study, WA Dept. of Ecology[23]

A. Wasteload Allocations and Critical Period

The 1994 Puyallup River DO TMDL Study sets WLAs for Biochemical Oxygen Demand and Total Ammonia during the critical period of May through October. The WLAs are integrated into permit limits in the following section.

B. Water Quality-Based Effluent Limitations

The permittee is authorized to discharge from Rearing Pond or Raceways Flow-Through operations at the following facilities and outfalls. Each are subject to complying with the following limits during the critical period of May through October:

Facility	Outfall(s)	Parameter	Maximum Daily (lbs/day) [a]
Rearing Pond or Raceway Effluent Outfalls May through October			
Voights Creek Hatchery (WDFW)	001	Total 5-Day Biochemical Oxygen Demand discharged (lbs/day)	364.8
	001	Total Ammonia discharged (lbs/day)	13.0
Troutsprings Hatchery (Troutlodge, Inc.)	001 & 002 [b]	Total 5-Day Biochemical Oxygen Demand Discharged (lbs/day)	389.3
	001 & 002 [b]	Total Ammonia discharged (lbs/day)	74.0
Troutco Clear Creek Hatchery (Troutlodge, Inc.)	001	Total 5-Day Biochemical Oxygen Demand Discharged (lbs/day)	273.4
	001	Total Ammonia discharged (lbs/day)	38.0

a Maximum daily effluent limit is the highest allowable daily discharge for all discharges cumulatively. The daily discharge is the average discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, calculate the daily discharge as the total mass of the pollutant discharged over the day.

b Outfalls #001 and #002's monitoring data must be combined and reported as one value. If discharges occur from both outfalls simultaneously, then the outfalls' data should be combined in a manner that is flow-proportional to the total flow discharged.

[23] https://apps.ecology.wa.gov/publications/documents/9410202.pdf

C. Monitoring and Reporting Requirements

The monitoring identified must be reported on Discharge Monitoring Reports (DMRs) and conform with Special Condition S5, Reporting and Record Keeping Requirements.

Parameter	Units	Minimum Sampling Frequency	Sample Type
Rearing Pond or Raceway Effluent Outfalls[1] May through October			
5-day Biochemical Oxygen Demand (BOD_5) [3, 4]	mg/L [3]	1/month	Grab [2]
	lbs/day		Calculated [3]
Total Ammonia (NH_3) [3, 5]	mg/L [3]	1/month	Grab [2]
	lbs/day		Calculated [3]

1 Outfalls #001 and #002's monitoring data must be combined and reported as one value. If discharges occur from both outfalls simultaneously, then the outfalls' data should be combined in a manner that is flow-proportional to the total flow discharged. Influent and effluent grab samples are to be taken on the same day. Effluent samples shall be taken during rearing pond or raceway cleaning, or if the frequency of rearing pond or raceway cleaning is less than twice per week, settleable solids samples must be collected immediately following fish feeding. If the Permittee did not collect or analyze an influent sample, it must assume an influent sample concentration of zero.

2 Grab means an individual sample collected over a fifteen (15) minute, or less, period.

3 The BOD5 and NH3 effluent concentrations must be reported (in the units of mg/L) and must be multiplied by the effluent flow (in the units of MGD) and multiplied by 8.341 (conversion factor) to calculate the effluent loading to Clarks Creek (in the units of lbs/day). Both effluent concentrations and loadings of BOD5 and NH3 must be reported on the monthly Discharge Monitoring Report Forms.

4 BOD test methods must conform with Standard Methods 5210-B and must provide a quantitation level of 2 mg/L.

5 Ammonia test methods must conform with Standard Methods 4500-NH3-B and C/D/E/G/H and provide a quantitation level of 20 µg/L.

At the time of the writing of this draft permit, the Troutco Clear Creek Hatchery (WAG994644) was undergoing the process to terminate coverage. All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

Facilities: Wells, Eastbank, Chelan Falls, Chelan, Lyons Ferry, and Priest Rapids, Ringold Springs, and Vancouver Fish Hatcheries

Wells Fish Hatchery / Douglas County PUD No. 1 (WAG135009)

Eastbank Hatchery / WDFW (WAG135011)

Chelan Hatchery / WDFW (WAG135006)

Chelan Falls Rearing Facility Hatchery / WDFW (WAG137019)

Lyons Ferry Hatchery / WDFW (WAG137006)

Priest Rapids Hatchery / WDFW (WAG137013)

TMDL: TMDL for Temperature in the Columbia and Lower Snake Rivers | US EPA[24]

A. Wasteload Allocations (WLAs) and Critical Period

The implementation of the heat load WLAs will be assessed as an average monthly limit during the critical period of June 1 through October 31 expressed as million kcal per day. The following are the WLAs of Heat Load for a "Minor" facility:

Facility Name / Permittee [a]	Permit Number	Location (RM)	Flow (MGD)	Temp (°C)	Heat Load (kcal/day)
Wells Fish Hatchery / Douglas County PUD No. 1	WAG135009	--	36.2	17.7	2.42E+09 (2.42×10^9)
Eastbank Hatchery / WDFW	WAG135011	--	29.5	17.5	1.95E+09 (1.95×10^9)
Chelan Hatchery / WDFW	WAG135006	--	17.3	17.5	1.14E+09 ($1.14 \times 10^{9)}$
Lyons Ferry Hatchery / WDFW	WAG137006	59.1	91.9	16.8	5.84E+09 ($5.84 \times 10^{9)}$
Priest Rapids Hatchery / WDFW	WAG137013	397	76.5	19.8	5.72E+09 (5.72×10^9)

a Chelan Falls Rearing Facility Hatchery / WDFW (WAG137019) was not assigned WLA since it operates mid-winter through mid-April during the non-critical period. No heat load WLA was assigned.

B. Water Quality-Based Effluent Limits for Heat Load

Facility Name / Permittee	Permit Number	Average Monthly Heat Load (million kcal/day)[a]
Wells Fish Hatchery / Douglas County PUD No. 1	WAG135009	**2,420**
Eastbank Hatchery / WDFW	WAG135011	**1,950**

[24] https://www.epa.gov/columbiariver/tmdl-temperature-columbia-and-lower-snake-rivers

Facility Name / Permittee	Permit Number	Average Monthly Heat Load (million kcal/day)[a]
Chelan Hatchery / WDFW	WAG135006	**1,140**
Lyons Ferry Hatchery / WDFW	WAG137006	**5,840**
Priest Rapides Hatchery / WDFW	WAG137013	**5,720**

a Applicable only for four months June through October (inclusively)

C. Monitoring and Reporting

All facilities listed in section A must collect and analyze samples and measure flow according to the approved Sampling and Analysis Plan (SAP) submitted February 1, 2022 of the previous permit cycle. Monitoring includes all the flow through rearing pond and raceway discharges (effluent) just prior to entering the receiving waterbody. Report in accordance with condition S5, Reporting and Record Keeping Requirements .

Parameter	Type of Sample	Sampling Frequency	Sample Point
June 1-October 31			
Temperature (°C)	Daily measurement, calculate average	Continuous (24/7) monitoring, record daily and summarize monthly	Point of discharge(s) where the wastewater leaves facility just prior to entering receiving water.
Flow (MGD)	Daily total, Calculated	Daily, (record at SS and TSS sampling events -condition S4) and summarize monthly average[a]	
Heat Load (million kcal/day)	Calculated	Monthly average summary[b]	

a Total flow values shall be calculated using acceptable aquaculture practices on a daily basis. Flow must be recorded on same days that SS and TSS are sampled (condition S4). Those individual daily values are required to be entered on the electronic DMR form on date sampled and summarized as monthly average.

b Calculation of the average monthly heat load in million kcal/day is: [(average monthly temperature in °C) x (average monthly flow in MGD) x (3.776)]. More specifically, the average monthly heat load is calculated as the product of the average monthly temperature (°C) multiplied and the average monthly flow (MGD) with the conversion factor of 3.776. The average monthly temperature is the sum of average daily temperatures divided by the number of daily discharges measured in the month. The average monthly flow is the same value as historically reported as monthly average flow. It is the sum of all flows in the month divided by the number of days in the month.

All other requirements of the Upland Finfish Hatching and Rearing General Permit remain in full force and effect.

APPENDIX F:
Food and Drug Administration Regulation and Policy for Disease Control Drugs and Chemicals

Approved aquaculture drugs

The U.S. Food and Drug Administration's Center for Veterinary Medicine (CVM) lists CVM approved aquaculture drugs[25] at this link and indicates the active ingredient or established name.

Low regulatory priority and deferred regulatory priority aquaculture drugs

Several compounds have undergone review by the U.S. Food and Drug Administration's Center for Veterinary Medicine (CVM) and have been determined to be new animal drugs of low regulatory priority (LRP) that pose a low risk when used in fish intended for human consumption. Consult page 13-15 of the Enforcement Priorities for Drug Use in Aquaculture[26], CVM Program Policy and Procedures Manual. Some compounds may not be listed as an LRP but deferred pending further study (page 15).

Investigational New Animal Drugs (INADS)

Investigational New Animal Drugs (INADS) are drugs that are in the approval pipeline but are not yet approved by U.S. Food and Drug Administration (FDA) for use in the United States. The Aquatic Animal Drug Approval Partnership (AADAP) program is part of the U.S. Fish and Wildlife Service-Fish and Aquatic Conservation fish health network, and closely works with FDA for approval of new aquaculture drugs. Participation in the AADAP National INAD Program requires enrollment and drug use must follow INAD program protocols. Consult the following link, AADAP - National Investigational New Animal Drug Program for Aquaculture[27], to read more and find approved INADS.

[25] https://www.fda.gov/animal-veterinary/aquaculture/approved-aquaculture-drugs
[26] https://www.fda.gov/media/70193/download
[27] https://www.fws.gov/service/investigational-new-animal-drugs-inads