IOWA DEPARTMENT OF NATURAL RESOURCES

National Pollutant Discharge Elimination System (NPDES) Permit

OWNER NAME & ADDRESS

CAMBREX CHARLES CITY, INC.
1205 11TH ST
CHARLES CITY, IA 50616-3466

FACILITY NAME & ADDRESS

CAMBREX CHARLES CITY, INC.
1205 11TH ST
CHARLES CITY, IA 50616-

Section 11, T95N, R16W
Floyd County

IOWA NPDES PERMIT NUMBER: 3405100
DATE OF ISSUANCE:
DATE OF EXPIRATION:

YOU ARE REQUIRED TO FILE FOR RENEWAL OF THIS PERMIT BY:
EPA NUMBER: IA0003557

This permit is issued pursuant to the authority of section 402(b) of the Clean Water Act (33 U.S.C. 1342(b)), Iowa Code section 455B.174, and rule 567-64.3, Iowa Administrative Code. You are authorized to operate the disposal system and to discharge the pollutants specified in this permit in accordance with the effluent limitations, monitoring requirements and other terms set forth in this permit.

Pursuant to rule 561-7.4, Iowa Administrative Code, you may appeal any condition of this permit by filing a written notice of appeal and request for administrative hearing with the director of the department within 60 days of permit issuance.

Any existing, unexpired Iowa operation permit or Iowa NPDES permit previously issued by the department for the facility identified above is revoked by the issuance of this permit. This provision does not apply to any authorization to discharge under the terms and conditions of a general permit issued by the department or to any permit issued exclusively for the discharge of stormwater.

FOR THE DEPARTMENT OF NATURAL RESOURCES

By _____

Melinda McCoy
NPDES Section, Environmental Services Division

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Outfall No.: 002 PROCESS WASTE FROM PHARMACEUTICAL AND ORGANIC CHEMICAL MANUFACTURING, COOLING TOWER BLOWDOWN, BOILER BLOWDOWN, ONCE-THROUGH WATER SCRUBBERS AND CONTAINED PRECIPITATION ARE ALL TREATED PRIOR TO DISCHARGE THROUGH A DIFFUSER.

Receiving Stream: CEDAR RIVER

Route of Flow: PIPELINE TO CEDAR RIVER WITH DIFFUSER

Class A1 waters are primary contact recreational use waters in which recreational or other uses may result in prolonged and direct contact with the water, involving considerable risks of ingesting water in quantities sufficient to pose a health hazard. Such activities would include, but not be limited to, swimming, diving, water skiing, and water contact recreational canoeing.

Waters designated Class B(WW1) are those in which temperature, flow and other habitat characteristics are suitable to maintain warm water game fish populations along with a resident aquatic community that includes a variety of native nongame fish and invertebrate species. These waters generally include border rivers, large interior rivers, and the lower segments of medium-size tributary streams.

Waters designated Class HH are those in which fish are routinely harvested for human consumption or waters both designated as a drinking water supply and in which fish are routinely harvested for human consumption.

Bypasses from any portion of a treatment facility or from a sanitary sewer collection system designed to carry only sewage are prohibited.

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Effluent Limitations:

You are prohibited from discharging pollutants except in compliance with the following effluent limitations:

The following dates are approximate while Permit is in Draft

002 PROCESS WASTE FROM PHARMACEUTICAL AND ORGANIC CHEMICAL MANUFACTURING, COOLING TOWER BLOWDOWN, BOILER BLOWDOWN, ONCE-THROUGH WATER SCRUBBERS AND CONTAINED PRECIPITATION ARE ALL TREATED PRIOR TO DISCHARGE THROUGH A DIFFUSER.

Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
BIOCHEMICAL OXYGEN DEMAND (BOD5)			
	Yearly	30 Day Average	588.6 LBS/DAY
	Yearly	Daily Maximum	1182.1 LBS/DAY
TOTAL SUSPENDED SOLIDS			
	Yearly	30 Day Average	998.59 LBS/DAY
	Yearly	Daily Maximum	2009.2 LBS/DAY
AMMONIA NITROGEN (N)			
	JAN	30 Day Average	47.3 LBS/DAY
	JAN	Daily Maximum	135.4 LBS/DAY
	FEB	30 Day Average	47.3 LBS/DAY
	FEB	Daily Maximum	135.4 LBS/DAY
	MAR	30 Day Average	47.3 LBS/DAY
	MAR	Daily Maximum	135.4 LBS/DAY
	APR	30 Day Average	47.3 LBS/DAY
	APR	Daily Maximum	135.4 LBS/DAY
	MAY	30 Day Average	47.3 LBS/DAY
	MAY	Daily Maximum	135.4 LBS/DAY
	JUN	30 Day Average	32.67 LBS/DAY

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
AMMONIA NITROGEN (N)			
	JUN	Daily Maximum	135.4 LBS/DAY
	JUL	30 Day Average	39.63 LBS/DAY
	JUL	Daily Maximum	135.4 LBS/DAY
	AUG	30 Day Average	36.14 LBS/DAY
	AUG	Daily Maximum	135.4 LBS/DAY
	SEP	30 Day Average	37.7 LBS/DAY
	SEP	Daily Maximum	135.4 LBS/DAY
	OCT	30 Day Average	47.3 LBS/DAY
	OCT	Daily Maximum	135.4 LBS/DAY
	NOV	30 Day Average	47.3 LBS/DAY
	NOV	Daily Maximum	135.4 LBS/DAY
	DEC	30 Day Average	47.3 LBS/DAY
	DEC	Daily Maximum	135.4 LBS/DAY
CYANIDE, TOTAL (AS CN)			
	Yearly	30 Day Average	0.07593 MG/L 0.1081 LBS/DAY
	Yearly	Daily Maximum	0.2858 MG/L 0.4088 LBS/DAY

Facility Name: CAMBREX CHARLES CITY, INC.

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Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
CHEMICAL OXYGEN DEMAND			
	Yearly	30 Day Average	1377.8 LBS/DAY
	Yearly	Daily Maximum	2696.1 LBS/DAY
NITROGEN, TOTAL (AS N)			
	Yearly	30 Day Average	114 LBS/DAY
	Yearly	Daily Maximum	153 LBS/DAY
BENZENE			
	Yearly	30 Day Average	0.03 LBS/DAY
	Yearly	Daily Maximum	0.08 LBS/DAY
CHLOROBENZENE			
	Yearly	30 Day Average	0.10 LBS/DAY
	Yearly	Daily Maximum	0.24 LBS/DAY
METHYLENE CHLORIDE			
	Yearly	30 Day Average	0.48 LBS/DAY
	Yearly	Daily Maximum	1.45 LBS/DAY
CHLOROFORM			
	Yearly	30 Day Average	0.02 LBS/DAY
	Yearly	Daily Maximum	0.03 LBS/DAY
1,2-DICHLOROETHANE			
	Yearly	30 Day Average	0.16 LBS/DAY
	Yearly	Daily Maximum	0.64 LBS/DAY
TOLUENE			
	Yearly	30 Day Average	0.03 LBS/DAY

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
TOLUENE			
	Yearly	Daily Maximum	0.10 LBS/DAY
1,2-DICHLOROBENZENE			
	Yearly	30 Day Average	0.10 LBS/DAY
	Yearly	Daily Maximum	0.24 LBS/DAY
PHENOL			
	Yearly	30 Day Average	0.03 LBS/DAY
	Yearly	Daily Maximum	0.08 LBS/DAY
XYLENE			
	Yearly	30 Day Average	0.02 LBS/DAY
	Yearly	Daily Maximum	0.05 LBS/DAY
ACUTE TOXICITY, CERIODAPHNIA			
	Yearly	Daily Maximum	1 NO TOXICITY
ACUTE TOXICITY, PIMEPHALES			
	Yearly	Daily Maximum	1 NO TOXICITY
METHANOL, TOTAL			
	Yearly	30 Day Average	6.60 LBS/DAY
	Yearly	Daily Maximum	16.10 LBS/DAY
ACETONE			
	Yearly	30 Day Average	0.32 LBS/DAY
	Yearly	Daily Maximum	0.80 LBS/DAY
PH			
	Yearly	Daily Maximum	9.0 STD UNITS
	Yearly	Daily Minimum	6.0 STD UNITS

Facility Name: CAMBREX CHARLES CITY, INC.

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Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
ANNUAL TOTAL NITROGEN DISCHARGED (AS N)			
	Yearly	Annual Average	91 LBS/DAY
DIETHYLAMINE			
	Yearly	30 Day Average	164.18 LBS/DAY
	Yearly	Daily Maximum	402.41 LBS/DAY
4-METHYL-2-PENTANONE (METHYL ISOBUTYL KETONE)			
	Yearly	30 Day Average	0.32 LBS/DAY
	Yearly	Daily Maximum	0.80 LBS/DAY
ETHANOL			
	Yearly	30 Day Average	6.60 LBS/DAY
	Yearly	Daily Maximum	16.10 LBS/DAY
N-HEXANE			
	Yearly	30 Day Average	0.03 LBS/DAY
	Yearly	Daily Maximum	0.05 LBS/DAY
ETHYL ACETATE			
	Yearly	30 Day Average	0.80 LBS/DAY
	Yearly	Daily Maximum	2.09 LBS/DAY
ISOBUTYRALDEHYDE			
	Yearly	30 Day Average	0.80 LBS/DAY
	Yearly	Daily Maximum	1.93 LBS/DAY
N-AMYL ACETATE			
	Yearly	30 Day Average	0.80 LBS/DAY
	Yearly	Daily Maximum	2.09 LBS/DAY

Facility Name: CAMBREX CHARLES CITY, INC.

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Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
N-BUTYL ACETATE			
	Yearly	30 Day Average	0.80 LBS/DAY
	Yearly	Daily Maximum	2.09 LBS/DAY
N-HEPTANE			
	Yearly	30 Day Average	0.03 LBS/DAY
	Yearly	Daily Maximum	0.08 LBS/DAY
TETRAHYDROFURAN			
	Yearly	30 Day Average	4.19 LBS/DAY
	Yearly	Daily Maximum	13.52 LBS/DAY
METHYL CELLOSOLVE			
	Yearly	30 Day Average	65.35 LBS/DAY
	Yearly	Daily Maximum	160.96 LBS/DAY
ISOPROPYL ETHER			
	Yearly	30 Day Average	4.19 LBS/DAY
	Yearly	Daily Maximum	13.52 LBS/DAY
BATHYMETRIC REPORT			
	Yearly	Daily Maximum	1 Yes/ No
DIFFUSER VALIDATION REPORT			
	Yearly	Daily Maximum	1 Yes/ No
METHYL FORMATE			
	Yearly	30 Day Average	0.80 LBS/DAY
	Yearly	Daily Maximum	2.09 LBS/DAY
ISOPROPYL ACETATE			
	Yearly	30 Day Average	0.80 LBS/DAY

Facility Name: CAMBREX CHARLES CITY, INC.

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Outfall: 002 Effective Dates: Permit Issue Date to Permit Expire Date			
Parameter	**Season**	**Limit Type**	**Limits**
ISOPROPYL ACETATE			
	Yearly	Daily Maximum	2.09 LBS/DAY
TRIETHYLAMINE			
	Yearly	30 Day Average	164.18 LBS/DAY
	Yearly	Daily Maximum	402.41 LBS/DAY
AMYL ALCOHOL			
	Yearly	30 Day Average	6.60 LBS/DAY
	Yearly	Daily Maximum	16.10 LBS/DAY
ISOPROPANOL			
	Yearly	30 Day Average	2.58 LBS/DAY
	Yearly	Daily Maximum	6.28 LBS/DAY
DIMETHYL SULFOXIDE			
	Yearly	30 Day Average	60.36 LBS/DAY
	Yearly	Daily Maximum	147.28 LBS/DAY
ACETONITRILE (METHYL CYANIDE)			
	Yearly	30 Day Average	16.42 LBS/DAY
	Yearly	Daily Maximum	40.24 LBS/DAY

Monitoring and Reporting Requirements

(a) Samples and measurements taken shall be representative of the volume and nature of the monitored wastewater.

(b) Analytical and sampling methods specified in 40 CFR Part 136 or other methods approved in writing by the department shall be utilized. All effluent samples for which a limit applies must be analyzed using sufficiently sensitive methods (i.e. testing procedures) approved under 567 IAC Chapter 63 and 40 CFR Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 CFR chapter I, subchapter N or O.

For the purposes of this paragraph, an approved method is sufficiently sensitive when:
(1) the method minimum level (ML) is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or
(2) the method has the lowest ML of the approved analytical methods for the measured pollutant or pollutant parameter.

Samples collected for operational testing need not be analyzed by approved analytical methods; however, commonly accepted test methods should be used.

(c) You are required to report all data including calculated results needed to determine compliance with the limitations contained in this permit. The results of any monitoring not specified in this permit performed at the compliance monitoring point and analyzed according to 40 CFR Part 136 shall be included in the calculation and reporting of any data submitted in accordance with this permit. This includes daily maximums and minimums, 30-day averages and 7-day averages for all parameters that have concentration (mg/l) and mass (lbs/day) limits. In addition, flow data shall be reported in million gallons per day (MGD).

(d) Records of monitoring activities and results shall include for all samples: the date, exact place and time of the sampling; the dates the analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

(e) Results of all monitoring shall be recorded on forms provided by, or approved by, the department, and shall be submitted to the appropriate regional field office of the department by the fifteenth day following the close of the reporting period. Your reporting period is on a MONTHLY basis, ending on the last day of each reporting period.

(f) Operational performance monitoring for treatment unit process control shall be conducted to ensure that the facility is properly operated in accordance with its design. The results of any operational performance monitoring need not be reported to the department, but shall be maintained in accordance with rule 567 IAC 63.2 (455B). The results of any operational performance monitoring specified in this permit shall be submitted to the department in accordance with these reporting requirements.

(g) Chapter 63 of the rules provides you with further explanation of your monitoring requirements.

All dates are approximate while Permit is in Draft

Facility Name: CAMBREX CHARLES CITY, INC.
Permit Number: 3405100

Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The following monitoring requirements shall be in effect from Permit Issue Date to Permit Expire Date				
002	BIOCHEMICAL OXYGEN DEMAND (BOD5)	2 TIMES PER WEEK	24 HOUR COMPOSITE	RAW WASTE
002	FLOW	7/WEEK OR DAILY	24 HOUR TOTAL	RAW WASTE
002	NITROGEN, TOTAL (AS N)	1 TIME PER WEEK	24 HOUR COMPOSITE	RAW WASTE
002	NITROGEN, TOTAL KJELDAHL (AS N)	1 EVERY MONTH	24 HOUR COMPOSITE	RAW WASTE
002	PH	2 TIMES PER WEEK	GRAB	RAW WASTE
002	PHOSPHORUS, TOTAL (AS P)	1 TIME PER WEEK	24 HOUR COMPOSITE	RAW WASTE
002	TEMPERATURE	2 TIMES PER WEEK	MEASUREMENT	RAW WASTE
002	TOTAL SUSPENDED SOLIDS	1 TIME PER WEEK	24 HOUR COMPOSITE	RAW WASTE
002	ACUTE TOXICITY, CERIODAPHNIA	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT
002	ACUTE TOXICITY, PIMEPHALES	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT
002	AMMONIA NITROGEN (N)	2 TIMES PER WEEK	24 HOUR COMPOSITE	FINAL EFFLUENT
002	BIOCHEMICAL OXYGEN DEMAND (BOD5)	2 TIMES PER WEEK	24 HOUR COMPOSITE	FINAL EFFLUENT
002	CHEMICAL OXYGEN DEMAND	1 EVERY 3 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT
002	CYANIDE, TOTAL (AS CN)	1 EVERY 3 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT
002	FLOW	7/WEEK OR DAILY	24 HOUR TOTAL	FINAL EFFLUENT
002	NITROGEN, TOTAL (AS N)	1 TIME PER WEEK	24 HOUR COMPOSITE	FINAL EFFLUENT
002	PH	2 TIMES PER WEEK	GRAB	FINAL EFFLUENT
002	PHOSPHORUS, TOTAL (AS P)	1 TIME PER WEEK	24 HOUR COMPOSITE	FINAL EFFLUENT
002	TEMPERATURE	2 TIMES PER WEEK	MEASUREMENT	FINAL EFFLUENT
002	TOTAL SUSPENDED SOLIDS	1 TIME PER WEEK	24 HOUR COMPOSITE	FINAL EFFLUENT
002	ANNUAL TOTAL NITROGEN DISCHARGED (AS N)	1 EVERY 12 MONTHS	CALCULATED	CALCULATION REPORTED ANNUALLY ON DMR
002	BATHYMETRIC REPORT	ONCE PER PERMIT CYCLE	MEASUREMENT	IN-STREAM EFFLUENT DIFFUSER
002	DIFFUSER VALIDATION REPORT	1 EVERY 12 MONTHS	VISUAL	IN-STREAM EFFLUENT DIFFUSER
002	VISUAL OBSERVATION	1 EVERY MONTH	VISUAL	IN-STREAM EFFLUENT DIFFUSER

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The following monitoring requirements shall be in effect from Permit Issue Date to Permit Expire Date				
002	1,2-DICHLOROBENZENE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	1,2-DICHLOROETHANE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	4-METHYL-2-PENTANONE (METHYL ISOBUTYL KETONE)	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ACETONE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ACETONITRILE (METHYL CYANIDE)	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	AMYL ALCOHOL	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	BENZENE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	CHLOROBENZENE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	CHLOROFORM	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	DIETHYLAMINE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	DIMETHYL SULFOXIDE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ETHANOL	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ETHYL ACETATE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ISOBUTYRALDEHYDE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ISOPROPANOL	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ISOPROPYL ACETATE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	ISOPROPYL ETHER	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)

Facility Name: CAMBREX CHARLES CITY, INC.

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Outfall	Wastewater Parameter	Sample Frequency	Sample Type	Monitoring Location
The following monitoring requirements shall be in effect from Permit Issue Date to Permit Expire Date				
002	METHANOL, TOTAL	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	METHYL CELLOSOLVE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	METHYL FORMATE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	METHYLENE CHLORIDE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	N-AMYL ACETATE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	N-BUTYL ACETATE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	N-HEPTANE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	N-HEXANE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	PHENOL	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	TETRAHYDROFURAN	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	TOLUENE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	TRIETHYLAMINE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)
002	XYLENE	1 EVERY 12 MONTHS	24 HOUR COMPOSITE	FINAL EFFLUENT (FOR ANNUAL PHARMACEUTICAL MONITORING)

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Special Monitoring Requirements

Outfall # **Description**

002 NITROGEN, TOTAL (AS N)

Total nitrogen shall be determined by testing for Total Kjeldahl Nitrogen (TKN) and nitrate + nitrite nitrogen and reporting the sum of the TKN and nitrate + nitrite results (reported as N). Nitrate + nitrite can be analyzed together or separately.

ANNUAL TOTAL NITROGEN DISCHARGED (AS N)

Annually from March 1, 2020, calculate the average of all total nitrogen mass (lbs/day) sample results from the previous 12 months. Report the annual average in the Discharge Monitoring Report (DMR) due April 15th each year.

Calculation: Sum of all mass measurements (lbs/day) in the last 12 months divided by the total number of measurements in the last 12 months.

XYLENE

"Xylene" means the sum of the three isomers: o-xylene, m-xylene, and p-xylene.

1,2-DICHLOROBENZENE; 1,2-DICHLOROETHANE; 4-METHYL-2-PENTANONE (METHYL ISOBUTYL KETONE); ACETONE; ACETONITRILE (METHYL CYANIDE); AMYL ALCOHOL; BENZENE; CHLOROBENZENE; CHLOROFORM; DIETHYLAMINE; DIMETHYL SULFOXIDE; ETHANOL; ETHYL ACETATE; ISOBUTYRALDEHYDE; ISOPROPANOL; ISOPROPYL ACETATE; ISOPROPYL ETHER; METHANOL, TOTAL; METHYL CELLOSOLVE; METHYL FORMATE; METHYLENE CHLORIDE; N-AMYL ACETATE; N-BUTYL ACETATE; N-HEPTANE; N-HEXANE; PHENOL; TETRAHYDROFURAN; TOLUENE; TRIETHYLAMINE; AND, XYLENE

If the annual monitoring results show that one or more of these 30 pollutants is present in the discharge from outfall 002, then you shall begin monthly monitoring for each pollutant that is detected. The monthly monitoring shall begin in the month immediately following the analysis that showed the pollutant to be present. If the monthly monitoring results are below the method detection level for three consecutive months, then you may resume annual monitoring. Results from both the annual monitoring and any monthly monitoring must be reported on the facility's monthly discharge monitoring report (DMR).

You are required to use an Iowa certified laboratory to perform the annual analysis and any monthly analyses. However, the Department will accept results from a laboratory certified by another state for pollutants that can only be analyzed using EPA Methods that are not yet available in Iowa, until such time as a laboratory is certified in Iowa to perform these methods.

Facility Name: CAMBREX CHARLES CITY, INC.
Permit Number: 3405100

Outfall Number: 002

Ceriodaphnia and Pimephales Toxicity Effluent Testing

1. For facilities that have not been required to conduct toxicity testing by a previous NPDES permit, the initial annual toxicity test shall be conducted within three (3) months of permit issuance. For facilities that have been required to conduct toxicity testing by a previous NPDES permit, the initial annual toxicity test shall be conducted within twelve months (12) of the last toxicity test.

2. The test organisms that shall be used for acute toxicity testing are Ceriodaphnia dubia and Pimephales promelas. The acute toxicity testing procedures used to demonstrate compliance with permit limits shall be those listed in 567 IAC 63.4 and 40 CFR Part 136 and adopted by reference in rule 567 IAC 63.1(1). The method for measuring acute toxicity is specified in the EPA document EPA-821-R-02-012, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th edition, October 2002.

3. The diluted effluent sample must contain a minimum of 0.90 % effluent and no more than 99.10 % of culture water.

4. One valid positive toxicity result will require, at a minimum, quarterly testing for effluent toxicity until three successive tests are determined not to be positive.

5. Two successive valid positive toxicity results or three positive results out of five successive valid effluent toxicity tests will require a toxicity reduction evaluation to be completed to eliminate the toxicity.

6. A non-toxic test result shall be indicated as a "1" on the discharge monitoring report (DMR). A toxic test result shall be indicated as a "2" on the DMR. DNR Form 542-1381 shall also be submitted to the DNR field office along with the DMR.

Ceriodaphnia and Pimephales Toxicity Effluent Limits

The maximum limit of "1" for the parameters Acute Toxicity, Ceriodaphnia and Acute Toxicity, Pimephales means no positive toxicity results.

Definition: "Positive toxicity result" means a statistical difference of mortality rate between the control and the diluted effluent sample. For more information, see the EPA document EPA-821-R-02-012, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, 5th edition, October 2002.

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Design Capacity

Design: 002 Wastewater Treatment Plant

The design capacity for the treatment works is specified in Construction Permit Number 83-52-S, issued March 15, 1983.

The treatment plant is designed to treat:
* An average dry weather (ADW) flow of 0.2500 Million Gallons Per Day (MGD).
* An average wet weather (AWW) flow of 0.2500 Million Gallons Per Day (MGD).
* A design 5-day biochemical oxygen demand (BOD5) load of 2100 lbs/day.

Facility Name: CAMBREX CHARLES CITY, INC.
Permit Number: 3405100

Diffuser Special Monitoring Requirements

Monthly Visual Monitoring:

At a frequency of at least once per month, the permittee shall visually observe the diffuser and record the observations in a log book. The permittee is required to visually observe and record the following items:

- Whether the diffuser and diffuser ports can be seen above or below the surface of the water;
- Whether the effluent dispersion pattern of the ports can be seen, and whether the patterns are uniform;
- Signs of non-uniform bubbling, uneven coloring or actual spraying of effluent above the water surface;
- Debris or materials that have collected on or may be obstructing the diffuser;
- General structural condition of the diffuser, diffuser ports, and protective materials;
- Actions taken, if applicable (i.e. corrective/ maintenance measures, adjustments of ports, removal of debris, etc.)

The log book entries shall be made available to the Department upon request. The permittee will indicate completion of the visual monitoring by entering a "1" in the "VISUAL" column on the day that the visual monitoring was completed on the Discharge Monitoring Report (DMR) spreadsheet.

Annual Diffuser Performance Analysis:

Minimum Requirements: Annually, by **[Insert Month and Day the permit is issued]**, the permittee is required to submit a Diffuser Performance Analysis report to the Department at both of the addresses shown below. The annual diffuser analysis should be performed at a stream flow as close as possible to stream critical low flow conditions.

The annual diffuser performance analysis should identify if all diffuser ports, that were active when the mixing zone percentage used in the current NPDES permit was established, are functioning properly. The annual diffuser performance analysis should also assess if rapid and uniform mixing is occurring within 100 feet downstream of the active diffuser ports with the stream flow as close as possible to critical low flow conditions.

The dye used in the Diffuser Performance Analysis shall meet the following requirements:

1) The Diffuser Performance Analysis shall use one of the following dyes:
   (a) Rhodamine WT dye
   (b) FWT red dye tablets
   (c) FLT Yellow/Green Liquid Concentrate dye
   (d) Green Sewer Tracing Dye
   (e) Fluorescent FLT Yellow/Green Powder
   (f) Bright Dye FWT Red Dye
   (g) FLT Yellow/Green dye tablets
   If a dye other than one listed above is used, you must obtain permission from the Department prior to use of the dye. Please contact Ian Willard, Wasteload Allocation Coordinator, at (515) 954-6450 or ian.willard@dnr.iowa.gov to request approval of dyes other than those listed above.
2) The dye shall be used according to the instructions provided by the manufacturer; and
3) The introduction of the dye into the receiving stream shall be limited to as short a time period as possible and the amount of dye used shall be as little as possible.

Video and/or pictures of the demonstration should be sent along with the diffuser analysis performance report to both addresses shown below.
The Diffuser Performance Analysis report shall describe any proposed location or discharge flow adjustments to the diffuser ports intended to comply with the designed operation of the diffuser. Any video and/or pictures of the demonstration should be included in the report. The permittee will indicate submittal of the Diffuser Performance Analysis report by entering a "1" in the "DIFFVAL" column on the Discharge Monitoring Report (DMR) spreadsheet on the day that the report is submitted. Select the No Discharge Indicator "NOT REQUIRED/MP" on the DMR spreadsheet during the months that the report is not required.

Additional Requirements: The Department will review the Diffuser Performance Analysis report. If the analysis does not show rapid and uniform mixing of the effluent within 100 feet downstream of the active diffuser ports, you shall be notified of the requirement to submit a plan to correct diffuser deficiencies. The plan to correct the deficiencies shall be submitted to the Field Office address within 60 days of Department notification. A subsequent Diffuser Performance Analysis report shall be submitted to both addresses shown below no later than 60 days after implementing the plan to correct the diffuser deficiencies. If the subsequent Diffuser Performance Analysis report does not show rapid and uniform mixing of the effluent within 100 feet downstream of the active diffuser ports, the facility shall comply with updated limits calculated for a shoreline outfall.

Notify DNR Field Office 2 at 641-424-4073 at least 48 hours prior to the use of dye.

Bathymetric Analysis:

Minimum Requirements: The permittee is required to perform a Bathymetric Analysis and submit a Bathymetric Analysis report to the Department with the permit renewal application. The bathymetric features shall be determined by measuring the receiving stream depth at a minimum of twenty (20) equidistant intervals across the entire width of the receiving stream at the location of the diffuser. The Bathymetric Analysis report shall characterize the bathymetric features and include clear documentation of the receiving stream cross section, diffuser location, and stream bottom substrate.

- Hydrologic Events: In addition, a Bathymetric Analysis must be performed if significant changes to the stream channel occur as a result of hydrologic events (such as flooding, stream channelization, reconstruction, etc.) A report of this analysis must be submitted to the Department at both of the addresses below within sixty (60) days of the event occurrence. If the Bathymetric Analysis shows that the changes to the receiving stream may alter the mixing achieved by the diffuser, a Diffuser Performance Analysis must also be performed to demonstrate the actual mixing achieved by the diffuser. Modeling of the mixing zone may be used to perform the Diffuser Performance Analysis, with Department approval, if the receiving stream does not reach low flow conditions within four (4) months of the hydrologic event. The Diffuser Performance Analysis report must be submitted to the Department at both of the addresses below within ninety (90) days of the hydrologic event occurrence. A Diffuser Performance Analysis performed as a result of a hydrologic event will fulfill the annual report requirement for that year.

The permittee will indicate completion of the Bathymetric Analysis report by entering a "1" in the "BATHY" column on the Discharge Monitoring Report (DMR) spreadsheet on the day that the report is submitted. Select the No Discharge Indicator "NOT REQUIRED/MP" on the DMR spreadsheet during the months that the report is not required.

Diffuser Mixing Zone Study Requirements

The effluent limits in this permit are based on the percent mixing capability of your diffuser. The current assumed percent mixing for your facility's diffuser is 50%**.** A mixing zone study shall be submitted with the permit renewal application to confirm the assumed percent mixing. If no such study is completed, effluent limits in the renewal permit will be based on default mixing.

The permittee is authorized to conduct a mixing zone study under the following conditions:

1) The mixing zone study shall use one of the following dyes:
    a) Rhodamine WT dye
    b) FWT red dye tablets
    c) FLT Yellow/Green Liquid Concentrate dye
    d) Green Sewer Tracing Dye
    e) Fluorescent FLT Yellow/Green Powder
    f) Bright Dye FWT Red Dye
    g) FLT Yellow/Green dye tablets

    If a dye other than one listed above is used, you must obtain permission from the Department prior to use of the dye. Please contact Ian Willard, Wasteload Allocation Coordinator, at (515) 954-6450 or ian.willard@dnr.iowa.gov to request approval of dyes other than those listed above. Other mixing zone study options can be found at: http://www.iowadnr.gov/Environmental-Protection/Water-Quality/Wasteload-Allocations under the subheading Final WLAP.
2) The dye shall be used according to the instructions provided by the manufacturer.

3) The introduction of the dye into the receiving stream shall be limited to as short a time period as possible and the amount of dye used shall be as little as possible.
4) The mixing zone study shall be conducted during low river flow conditions and it shall follow the DNR Mixing Zone Study Guidelines.
5) The mixing zone study report shall include clear documentation of the mixing characteristics and the percentages of the total river flows in the mixing zone.
6) The following restrictions to the maximum allowed mixing zone shall be recorded in the mixing zone study documentation:
    a) The distance to the juncture of two perennial streams.
    b) The distance to a public water supply intake.
    c) The distance to the upstream limits of an established recreational area, such as public beaches, and state, county and local parks.
    d) The distance to the middle of a crossover point in a stream where the main current flows from one bank across to the opposite bank.
7) The distance to another mixing zone. The mixing zone does not exceed a distance of 100 feet.

Notify DNR Field Office 2 at 641-424-4073 at least 48 hours prior to the use of dye.

Addresses for Report Submittal:

Ian Willard, Wasteload Allocation Coordinator
Iowa Department of Natural Resources
502 E 9th St
Des Moines, IA 50319

AND

NPDES.mail@dnr.iowa.gov Subject: Diffuser Report (3405100)

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Nutrient Reduction Requirements for Total Phosphorus

In support of the Iowa Nutrient Reduction Strategy you shall prepare and submit a report that evaluates the feasibility and reasonableness of reducing the amounts of phosphorus discharged into surface water. The report shall be submitted no later than **3/1/2025**, and shall address the following:

- A description of the existing treatment facility with particular emphasis on its capabilities for removing phosphorus. The description shall include monitoring data that define the current amounts of total phosphorus in both the raw wastewater and the final effluent.

- A description and evaluation of operational changes to the existing treatment facility that could be implemented to reduce the amounts of total phosphorus discharged in the final effluent and the feasibility and reasonableness of each. Your evaluation must discuss the projected degree of total phosphorus reduction achievable for each operational change. When evaluating feasibility you must consider what, if any, effect operational changes would have on the removal of other pollutants (e.g. $CBOD_5$, TSS). When evaluating reasonableness you shall include estimates of the additional cost, if any, to implement such changes and for a publicly-owned treatment works the impact on user rates.

- A description and evaluation of new or additional treatment technologies that would achieve significant reductions in the amounts of total phosphorus discharged in the final effluent with a goal of achieving an annual average concentration of 1 mg/L total phosphorus for plants treating typical domestic strength sewage. For purposes of this evaluation typical domestic sewage is considered to contain approximately 4 - 8 mg/L total phosphorus. For plants treating wastewater with total phosphorus concentrations greater than typical domestic strength sewage, the evaluation shall include the projected reductions in the total phosphorus effluent concentrations achievable with the application of feasible and reasonable treatment technology with a goal of achieving at least a 75% reduction in total phosphorus. For each treatment technology the report shall assess its feasibility, reasonableness, practicability, the availability of equipment, capital costs, annual operating costs, impact on user rates and any non-water quality environmental impacts (e.g. additional air pollution, increased sludge production, etc.).

- Based on the evaluations of operational changes and new or additional treatment technologies the report must select the preferred method(s) for reducing total phosphorus in the final effluent, the rationale for the selected method(s) and an estimate of the effluent quality achievable.

- The report must include a schedule for making operational changes and/or installing new or additional treatment technologies to achieve the concentration and/or percentage removal goals listed above. Additional financial justification must be included in the report if no operational changes or treatment technologies are feasible or reasonable.

The schedule will be incorporated into the NPDES permit by amendment. Effluent discharge limits will be based on one full year of operating data after implementation of the operational changes or completion of plant modifications and a six month optimization period.

The report shall be sent to the following address:

NPDES.mail@dnr.iowa.gov Subject: NRS Feasibility Study for Total Phosphorus (3405100)

Facility Name: CAMBREX CHARLES CITY, INC.

Permit Number: 3405100

Chemical Additives Operating Requirement

The Department approved the discharge of several chemical additives from outfall 002 in a letter dated July 25, 2022. The chemical additives are grouped by “product use” category. As stated in the approval letter, discharge is approved provided that only one of the listed chemicals for each “product use” is applied at any given time. This operating requirement does not apply to hydrochloric acid and sodium hydroxide.

CHEMICAL ADDITIVE REQUIREMENTS

At least 45 days prior to the discharge of a new chemical additive (biocide, anti-corrosive, pesticide, passivation chemical, etc.) you should submit the following items to the Department:

- Safety Data Sheet for each proposed product;
- Estimate of the discharge concentration (in ppm) of the each proposed product; and
- Either a temporary and limited degradation request (one-time discharges lasting less than 90 days) or an antidegradation alternatives analysis that has completed 30 days of public notice.

Additional information on temporary and limited degradation and antidegradation alternatives analyses can be found by going to www.iowadnr.gov and searching on the term antidegradation.

Incomplete submissions may require additional time for approval. Be aware that in rare cases chemical changes require NPDES permit amendments. These require additional review and public notice.

STANDARD CONDITIONS

1. **ADMINISTRATIVE RULES -** Rules of the Iowa Department of Natural Resources (department) that govern the operation of a facility in connection with this permit are published in Part 567 of the Iowa Administrative Code (IAC) in Chapters 60-65, 67, and 121. Reference to the term "rule" in this permit means the designated provision of Part 567 of the IAC. Reference to the term "CFR" means the Code of Federal Regulations.

2. **LIMIT DEFINITIONS -**
   (a) 7 day average means the arithmetic mean (average) of pollutant parameter values for samples collected in a period of seven consecutive days. The first 7-day period shall begin with the first day of the month. ***{567 IAC 60.2}***
   (b) 30 day average means the arithmetic mean of pollutant parameter values for samples collected in a period of 30 consecutive days. ***{567 IAC 60.2}***
   (c) Daily maximum means the total discharge by mass, volume, or concentration during a twenty-four hour period. ***{567 IAC 60.2}***

3. **MONITORING AND RECORDS OF OPERATION -**
   (a) Electronic reporting. Records of operation required by this permit shall be electronically submitted to the department within 15 days following the close of the monthly reporting period, in accordance with the monitoring requirements incorporated in this permit, unless an approval for paper submittal of records of operation has been obtained in accordance with 567 IAC 63.7(2).
   (b) Maintenance of records. You shall retain for a minimum of three years all paper and electronic records of monitoring activities and results including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records. ***{567 IAC 63.2(3)}***
   (c) 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 or by imprisonment for not more than two years, or both. ***{40 CFR 122.41(j)(5)}***

4. **USE OF CERTIFIED LABORATORIES -** Analyses of wastewater, groundwater or sewage sludge that are required to be submitted as a result of this permit must be performed by a laboratory certified by the State of Iowa. Routine, on-site monitoring for pH, temperature, dissolved oxygen, total residual chlorine and other pollutants that must be analyzed immediately upon sample collection, physical measurements, and operational performance monitoring specified in 567 IAC 63.3(4) are excluded from this requirement. ***{567 IAC 63.1}***

5. **DUTY TO PROVIDE INFORMATION -** You must furnish to the director, within a reasonable time, any information the director may request to determine compliance with this permit or determine whether cause exists for amending, revoking and reissuing, or terminating this permit, in accordance with 567 IAC 64.3(11)"*c*". You must also furnish to the director, upon request, copies of any records required to be kept by this permit. If you become aware that you failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, you must promptly submit such facts or information. If you become aware that you failed to submit any relevant facts in any report to the director, including records of operation, you shall promptly submit such facts or information. ***{567 IAC 60.4(2)"a", 567 IAC 63.7(6), 40 CFR 122.41(h)}***

6. **DUTY TO REAPPLY AND PERMIT CONTINUATION -** If you wish to continue to discharge after the expiration date of this permit, you must file a complete application for reissuance at least 180 days prior to the expiration date of this permit. If a timely and sufficient application is submitted, this permit will remain in effect until the department makes a final determination on the permit application. ***{567 IAC 64.8(1), Iowa Code 17A.18}***

7. **DUTY TO COMPLY -** You must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Iowa Code and the Clean Water Act and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Issuance of this permit does not relieve you of the responsibility to comply with all local, state and federal laws, ordinances, regulations or other legal requirements applying to the operation of your facility. ***{567 IAC 64.7(4)"E", 40 CFR 122.41(a)}***

8. **DUTY TO MITIGATE -** You shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. ***{567 IAC 64.7(7)"i", 40 CFR 122.41(d)}***

9. **PROPER OPERATION AND MAINTENANCE -** All facilities and control systems shall be operated as efficiently as possible and maintained in good working order. A sufficient number of staff, adequately trained and knowledgeable in the operation of your facility, shall be retained at all times. Adequate laboratory controls and appropriate quality assurance procedures shall be provided to maintain compliance with the conditions of this permit. ***{567 IAC 64.7(7)"f", 40 CFR 122.41(e)}***

10. **SIGNATORY REQUIREMENTS -** Applications, discharge monitoring reports, or other information submitted to the department in connection with this permit must be signed and certified in accordance with 567 IAC 64.3(8).

11. **TRANSFER OF TITLE OR OWNER ADDRESS CHANGE -** If title to your facility, or any part of it, is transferred, the new owner shall be subject to this permit. You are required to notify the new owner of the requirements of this permit in writing prior to any transfer of title. The department shall be notified in writing within 30 days of the occurrence. No transfer of the authorization to discharge from the facility represented by the permit shall take place prior to notifying the department of the transfer of title. Whenever the address of the owner is changed, the department shall be notified in writing within 30 days of the address change. ***{567 IAC 64.14}***

STANDARD CONDITIONS

12. **PERMIT MODIFICATION, SUSPENSION OR REVOCATION -** This permit may be amended, revoked and reissued, or terminated in whole or in part for cause including, but not limited to, those specified in 567 IAC 64.3(11)*"b"*. This permit may be modified due to conditions or information on which this permit is based, including any new standard the department may adopt that would change the required effluent limits. If a toxic pollutant is present in your discharge and more stringent standards for toxic pollutants are established under Section 307(a) of the Clean Water Act, this permit will be modified in accordance with the new standards. The filing of a request for a permit amendment, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. ***{567 IAC 64.3(11)"d", 64.7(7)"b" and "g", 40 CFR 122.62(a)(6)}***

13. **TWENTY-FOUR HOUR REPORTING -** You shall report any noncompliance that may endanger human health or the environment, including, but not limited to, violations of maximum daily limits for any toxic pollutant (listed as toxic in Section 307(a)(1) of the Clean Water Act) or hazardous substance (as designated in 40 CFR Part 116 pursuant to 311 of the Act). Information shall be provided orally to the appropriate regional field office of the department within 24 hours from the time you become aware of the circumstances. A written submission that includes a description of noncompliance and its cause; the period of noncompliance including exact dates and times; whether the noncompliance has been corrected or the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent a reoccurrence of the noncompliance must be provided to the appropriate field office within 5 days of the occurrence. ***{567 IAC 63.12, 40 CFR 122.41(l)(6)}***

14. **OTHER NONCOMPLIANCE -** You shall report all instances of noncompliance not reported under Condition #13 at the time discharge monitoring reports are submitted. The report shall contain the information listed in Condition #13. You shall give advance notice to the appropriate regional field office of the department of any planned activity which may result in noncompliance with permit requirements. Notice is required only when previous notice has not been given to any other section of the department. ***{567 IAC 63.7(5), 63.14 and 63.15, 40 CFR 122.41(l)(7)}***

15. **INSPECTION OF PREMISES, RECORDS, EQUIPMENT, METHODS AND DISCHARGES -** You are required to permit authorized personnel to:
    (a) Enter upon the premises where a regulated facility or activity is located or conducted or where records are kept under conditions of this permit;
    (b) Provide access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
    (c) Inspect, at reasonable times, any facilities, equipment, practices or operations regulated or required under this permit; and
    (d) Sample or monitor, at reasonable times, to assure compliance or as otherwise authorized by the Clean Water Act.
    {567 IAC 64.7(7)"c", 40 CFR 122.41(i)}

16. **NOTICE OF CHANGED CONDITIONS -** You are required to notify the director of any changes in existing conditions or information on which this permit is based, including, but not limited to, the following:
    (a) If your facility is a publicly owned treatment works (POTW) or otherwise accepts waste for treatment from an indirect discharger or industrial contributor, you must notify the director if there is any substantial change in the volume or character of pollutants being introduced to the POTW by an indirect discharger or industrial contributor. See 567 IAC 64.3(5) and 64.7(7)"*d*" for further requirements. ***{40 CFR 122.42(b)}***
    (b) If your facility has a manufacturing, commercial, mining, or silviculture discharge, you must notify the director as soon as you know or have reason to believe that any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in this permit. ***{40 CFR 122.42(a)}***
    (c) You must notify the director if you have begun or will begin to use or manufacture, as an intermediate or final product or byproduct, any toxic pollutant which was not reported in the permit application. *{**40 CFR 122.21(g)(9)}***

17. **PLANNED CHANGES -** You shall give notice to the appropriate regional field office of the department 30 days prior to any planned physical alterations or additions to the permitted facility. Facility expansions, production increases, or process modifications which result in new or increased discharges of pollutants must be reported by submission of a new permit application. If any modification of, addition to, or construction of a disposal system is to be made, you must first obtain a written construction permit from this department. In addition, no construction activity that will result in disturbance of one acre or more shall be initiated without first obtaining coverage under NPDES General Permit No. 2.
    Notice is required only when:
    (a) Notice has not been given to any other section of the department:
    (b) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as defined in 567 IAC 60.2;
    (c) The alteration or addition results in a significant change in sludge use or disposal practices; or
    (d) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in the permit.
    {567 IAC 63.13, 567 IAC 64.2 and 64.7(7)"a"}

18. **FAILURE TO SUBMIT FEES -** This permit may be revoked, in whole or in part, if the appropriate permit fees are not submitted within thirty (30) days of the date of notification that such fees are due. ***{567 IAC 64.16(1)}***

STANDARD CONDITIONS

19. BYPASSES - "Bypass" means the diversion of waste streams from any portion of a treatment facility or collection system. A bypass does not include internal operational waste stream diversions that are part of the design of the treatment facility, maintenance diversions where redundancy is provided, diversions of wastewater from one point in a collection system to another point in a collection system, or wastewater backups into buildings that are caused in the building lateral or private sewer line. ***{567 IAC 60.2)}***

(a) Prohibition. Bypasses from any portion of a treatment facility or from a sanitary sewer collection system designed to carry only sewage are prohibited, in accordance with 567 IAC 63.6(1). The department may not assess a civil penalty against a permittee for a bypass if the permittee has complied with all of the following:

i. The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

ii. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

iii. The permittee submitted notices as required by 567 IAC 63.6.

(b) Anticipated bypass. Except for bypasses that occur as a result of mechanical failure or acts beyond the control of the owner or operator of a waste disposal system (unanticipated bypasses), the owner or operator shall obtain written permission from the department prior to any discharge of sewage or wastes from a waste disposal system not authorized by this permit. The Director may approve an anticipated bypass after considering its adverse effects if the Director determines that it will meet the three conditions listed above and a request for bypass has been submitted to the appropriate regional field office of the department at least ten days prior to the expected event, in accordance with the requirements listed in 567 IAC 63.6(2).

(c) Unanticipated bypass. In the event that a bypass or upset occurs without prior notice having been provided pursuant to 567 IAC 63.6(2) or as a result of mechanical failure or acts beyond the control of the owner or operator, the owner or operator of the treatment facility or collection system shall notify the department by telephone as soon as possible but not later than 24 hours after the onset or discovery in accordance with the requirements in 567 IAC 63.6(3). A written submission describing the bypass shall also be provided within five days of the time the permittee becomes aware of the bypass, in accordance with the requirements in 567 IAC 63.6(3)"*d*".

(d) Reporting. Bypasses shall be reported in accordance with 567 IAC 63.6.

{567 IAC 63.6}

20. UPSETS - "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.

(a) Effect of an upset. An upset constitutes an affirmative defense to the assessment of a civil penalty for noncompliance with technology-based permit effluent limitations if the requirements of paragraph (b) of this condition are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(b) Conditions necessary for demonstration of an upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed operating logs or other relevant evidence, that;

i. An upset occurred and that the permittee can identify the cause(s) of the upset;

ii. The permitted facility was at the time being properly operated;

iii. The permittee submitted notice of the upset to the department in accordance with 567 IAC 63.6(3); and

iv. The permittee complied with any remedial measures required by the department in accordance with 567 IAC 63.6(6)"*b*"(4).

(c) Burden of Proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

{567 IAC 63.6}

21. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. ***{567 IAC 64.7(7)"j", 40 CFR 122.41(c)}***

22. PROPERTY RIGHTS - This permit does not convey any property rights of any sort or any exclusive privilege. ***{567 IAC 64.4(3)"b", 40 CFR 122.41(g)}***

23. EFFECT OF A PERMIT - Compliance with a permit during its term constitutes compliance, for purposes of enforcement, with Sections 301, 302, 306, 307, 318, 403 and 405(a)-(b) of the Clean Water Act, and equivalent limitations and standards set out in 567 IAC Chapters 61 and 62. ***{567 IAC 64.4(3)"a"}***

24. SEVERABILITY - The provisions of this permit are severable. If any provision or application of any provision to any circumstance is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding.