



# STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

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DIVISION OF ENVIRONMENT

July 21, 1977

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MEMORANDUM

TO: Jerry Yoder, Ian von Lindern, Gerald Hurst and Mike Smith  
FROM: Larry L. Koenig  
SUBJECT: Determination to Issue - Amalgamated Sugar Company, ID-000023-0

We are enclosing a copy of the NPDES permit as issued by EPA for the Amalgamated Sugar Company.

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Enclosure

U.S. ENVIRONMENTAL PROTECTION AGENCY

REGION X

1200 SIXTH AVENUE  
SEATTLE, WASHINGTON 98101



REPLY TO  
ATTN OF:

Mail Stop #521

July 19, 1977

Director  
Department of Health  
and Welfare  
State of Idaho  
Statehouse  
Boise, Idaho 83720

Dear Sir:

This is to inform you that we have made a determination to issue a National Pollutant Discharge Elimination System (NPDES) permit to the facilities listed below. Attached for your files are copies of the proposed permits, which will be deemed issued and effective on the date indicated in the permit, unless a request for adjudicatory hearing is submitted within 10 days.

Re: Amalgamated Sugar Company ID-000023-0  
FMC Corporation (Pocatello) ID-000022-1

Sincerely,

Lloyd A. Reed, Director  
Enforcement Division

Attachments

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JUL 21 1977

DHW - Environmental Services

NOTICE OF DETERMINATIONS ON PROPOSED NPDES PERMIT

United States Environmental Protection Agency  
Region X  
1200 Sixth Avenue  
Seattle, Washington 98101  
(206) 442-1270

Date: July 21, 1977

Re: Amalgamated Sugar Company  
Twin Falls, Idaho

Application No.: ID-000023-0

On May 23, 1977, the United States Environmental Protection Agency (EPA) published a public notice of proposed issuance of a waste discharge permit under the Federal Water Pollution Control Act, as amended (the Act).

Permit Issuance:

Today, Region X of the EPA is making determinations on the terms of a permit to control the discharges described in the above application. The terms and conditions of the permit represent the application of the best practicable control technology currently available.

Copies of the permit may be obtained from EPA's Region X office, located at 1200 Sixth Avenue, Seattle, Washington 98101.

Changes from Draft Permit:

The tentative determinations contained in the draft permit have been modified based on comments received as a result of the public notice and the analysis of the staff of EPA, Region X. The significant changes are as follows:

The temperature limitation on non-contact cooling water has been reduced from 97°F to 80°F for the period of April 1, 1981, until the expiration date of the permit. The lower temperature level is technically achievable and as indicated in comment letters from the Idaho Fish & Game Department and U.S. Fish & Wildlife Service, this lower temperature level of 80°F will protect salmonoid populations.

Adjudicatory Hearings:

Pursuant to 40 C.F.R. 125.35(d), the permit shall become effective and deemed issued 30 days after the date of these determination unless a request for an adjudicatory hearing is granted pursuant to 40 C.F.R. 125.36(c). If a request is granted, any contested provisions (or

uncontested provisions inseparable from contested provisions) will be ineffective until a resolution of the issues raised by the request. The permittee, however, will be subject to any uncontested permit provisions.

Any interested person may submit a request for an adjudicatory hearing to the Director, Enforcement Division within 10 days following publication of this notice. Such request will be granted only if it meets all of the conditions set forth in 40 C.F.R. 125.36(b). A copy of 40 C.F.R. 125.36(b) is enclosed.

Permit No.: ID-000023-0  
Application No.: ID-000023-0

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. § 1251 et seq; the "Act"),

Amalgamated Sugar Company  
P. O. Box 127  
Twin Falls, Idaho 83301

is authorized to discharge from a facility located at Twin Falls, Idaho,


to receiving waters named Rock Creek,

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on August 19, 1977.

This permit and the authorization to discharge shall expire at midnight, June 30, 1982.

Signed this 19th day of July, 1977.

  
Director Enforcement Division

## PART I

Permit No.: ID-000023-0

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning July 1, 1977 and lasting through March 31, 1981, the permittee is authorized to discharge from outfall serial number 002.

a. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u>		
	kg/day <u>Daily Avg</u>	(lbs/day) <u>Daily Max</u>	Other Units <u>Daily Avg</u>	(Specify) <u>Daily Max</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
Flow-m <sup>3</sup> /Day (MGD)	---	---	15,140(4.0)	18,925(5.0)	Cont. Recorded	---
Temperature	---	---	---	97°F	Cont. Recorded	---
BOD <sub>5</sub>	907 (2000)	1361 (3000)	---	---	Weekly	24 hr. composite
Suspended Solids	907 (2000)	1361 (3000)	---	---	Weekly	24 hr. composite
Fecal Coliform Bacteria	---	---	---	---	Weekly	24 hr. composite

b. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored daily on a grab sample.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: In the effluent stream prior to discharge into the receiving water.

2. During the period beginning April 1, 1981, and lasting through June 30, 1982, there shall be no discharge from outfall serial number 002.

## PART I

Permit No.: ID-000023-0

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning September 30, 1978, and lasting through March 31, 1981, the permittee is authorized to discharge non-contact cooling water from outfall serial number 003.

a. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u>		
	kg/day <u>Daily Avg</u>	(lbs/day) <u>Daily Max</u>	Other Units <u>Daily Avg</u>	(Specify) <u>Daily Max</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
Flow-m <sup>3</sup> /Day (MGD)	---	---	---	---	Daily	Measured
Temperature	---	---	---	97°F	Daily	Grab
BOD <sub>5</sub>	0 <sup>1</sup> / <sub>7</sub>	0 <sup>1</sup> / <sub>7</sub>	---	---	Weekly	Grab

b. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored weekly on a grab sample.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: In the effluent stream prior to discharge into the receiving water.

1/ Net allowable increase over intake water.

## PART I

Permit No.: ID-000023-0

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. During the period beginning April 1, 1981, and lasting through June 30, 1982, the permittee is authorized to discharge non-contact cooling water from outfall serial number 003.

a. Such discharges shall be limited and monitored by the permittee as specified below:

<u>EFFLUENT CHARACTERISTIC</u>	<u>DISCHARGE LIMITATIONS</u>			<u>MONITORING REQUIREMENTS</u>		
	kg/day <u>Daily Avg</u>	(lbs/day) <u>Daily Max</u>	Other Units <u>Daily Avg</u>	(Specify) <u>Daily Max</u>	Measurement <u>Frequency</u>	Sample <u>Type</u>
Flow-m <sup>3</sup> /Day (MGD)	---	---	15,140(4.0)	18,925(5.0)	Cont. Recorded	---
Temperature	---	---	---	80°F	Cont. Recorded	---
BOD <sub>5</sub>	01/	01/	---	---	Weekly	Grab

b. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored weekly on a grab sample.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. Samples taken in compliance with the monitoring requirements specified above shall be taken at the following locations: In the effluent stream prior to discharge into the receiving water.

1/ Net allowable increase over intake water.



B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

- a. March 31, 1978 - Submit a Report of Progress in achieving elimination of Discharge 002.
- b. September 30, 1978 - Complete construction of discharge piping on Outfall 003.
- c. March 31, 1979 - Submit a Report of Progress on achieving elimination on Discharge 002.
- d. September 30, 1979 - Submit a Report of Progress on achieving elimination on Discharge 002.
- e. March 31, 1980 - Submit a Report of Progress on achieving elimination of Discharge 002.
- f. September 30, 1980 - Submit a Report of Progress on achieving elimination of Discharge 002.
- g. March 31, 1981 - Achieve compliance with Conditions I.A.2., and 4.

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results shall be summarized each month on a Discharge Monitoring Report Form (EPA No. 3320-1). These reports shall be submitted monthly and are to be postmarked by the 14th day of the month following the end of the reporting period. The first reporting period ends on September 30, 1977. Duplicate signed copies of these, and all other reports herein, shall be submitted to the Director, Enforcement Division and the State agency at the following addresses:

United States Environmental Protection Agency  
Region X  
1200 Sixth Avenue  
Seattle, Washington 98101

Attn: Water Compliance & Permits Branch M/S 521

Idaho Department of Health & Welfare  
Division of Environment  
Statehouse  
Boise, Idaho 83720

3. Definitions

a. The "daily average" discharge means the total discharge by weight during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.

b. The "daily maximum" discharge means the total discharge by weight during any calendar day.

4. Test Procedures

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report form (EPA No. 3320-1). Such increased frequency shall also be indicated.

7. Records Retention

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three (3) years, or longer if requested by the Director, Enforcement Division or the State water pollution control agency.

A. MANAGEMENT REQUIREMENTS

1. Change in Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission of a new NPDES application or, if such changes will not violate the effluent limitations specified in this permit, by notice to the permit issuing authority of such changes. Following such notice, the permit may be modified to specify and limit any pollutants not previously limited.

2. Noncompliance Notification

If, for any reason, the permittee does not comply with or will be unable to comply with any effluent limitations specified in this permit, the permittee shall provide the Director, Enforcement Division and the State with the following information, in writing, within five (5) days of becoming aware of such condition:

a. A description of the discharge and cause of noncompliance;  
and

b. The period of noncompliance, including exact dates and times; or if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate and prevent recurrence of the noncomplying discharge.

3. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit.

4. Adverse Impact

The permittee shall take all reasonable steps to minimize any adverse impact to navigable waters resulting from noncompliance with any effluent limitations specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

5. Bypassing

Any diversion from or bypass of facilities necessary to maintain compliance with the terms and conditions of this permit is prohibited, except (i) where unavoidable to prevent loss of life or severe property damage, or (ii) where excessive storm drainage or runoff would damage any facilities necessary for compliance with the effluent limitations and prohibitions of this permit. The permittee shall promptly notify the Director, Enforcement Division and the State in writing of each such diversion or bypass.

6. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any pollutant from such materials from entering navigable waters, except as limited in Part I-A.

7. Power Failures

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either:

a. In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities;

or, if such alternative power source is not in existence, and no date for its implementation appears in Part I,

b. Halt, reduce or otherwise control all discharges upon the reduction, loss or failure of the primary source of power to the wastewater control facilities.

B. RESPONSIBILITIES

1. Right of Entry

The permittee shall allow the head of the State water pollution control agency, the Director, Enforcement Division, and/or their authorized representatives, upon the presentation of credentials:

a. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit; and

b. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any discharge of pollutants.

2. Transfer of Ownership or Control

In the event of any change in control or ownership of facilities from which the authorized discharges emanate, the permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Director, Enforcement Division and the State water pollution control agency. The new owner or successor shall submit a letter to the State water pollution control agency and the Director, Enforcement Division stating that he will comply with the requirements of this permit.

3. Availability of Reports

Except for data determined to be confidential under Section 308 of the Act, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State water pollution control agency and the Director, Enforcement Division. As required by the Act, effluent data shall not be considered confidential. Knowingly making a false statement on any such report may result in the imposition of criminal penalties as provided for in Section 309 of the Act.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked in whole or in part during its term, for cause including, but not limited to, the following:

PART II

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Permit No.: ID-000023-0

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

5. Toxic Pollutants

Notwithstanding Part II, B-4 above, if 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 Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" (Part II, A-5) and "Power Failures" (Part II, A-7), nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the Act.

PART II

Page 12 of 13

Permit No.: ID-000023-0

9. Property Rights

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

10. Severability

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



PART III

Page 13 of 13

Permit No.: ID-000023-0

OTHER REQUIREMENTS

Analytical Quality Control

If the permittee proposes to utilize an analytical quality control program different from that submitted as a requirement of his previous permit, he shall inform the Director, Enforcement Division in writing of such changes within 30 days of the effective date of this permit.