CITY OF EUREKA

PUBLIC WORKS DEPARTMENT

531 K Street • Eureka, California 95501-1146

COPY

WASTEWATER DISCHARGE PERMIT NUMBER 37

Pacific Choice Seafood Company
#1 Commercial Street
Eureka, CA 95501

is authorized by this permit to discharge industrial wastewater through the outfalls identified herein into the City of Eureka sanitary sewer system in accordance with Eureka Municipal Code, Title 5, Chapter 50 and the conditions contained in this permit.

Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards or requirements under Local, State, and Federal laws, including those that may become effective during the term of this permit.

The issuance of this permit does not obviate the need for permits or authorizations that may be required from other City of Eureka Departments, as well as from federal, state and other local agencies with jurisdiction over this activity. It is the applicant's responsibility to coordinate with all such City departments and other agencies in order to determine the need for, and obtain as may be required, permits or authorizations for the herein described activity.

The permittee shall comply with all conditions of this permit. Noncompliance with any term or condition of this permit constitutes a violation of the Eureka Municipal Code. Administrative, civil, and criminal penalties for violations of pretreatment standards and requirements are described in the Eureka Municipal Code, Title 5, Chapter 50.

This permit is not transferable without prior notification and approval from the City. The original copy of this permit shall be maintained at the above listed address. Additional copies of this permit may be obtained by contacting the Source Control Supervisor.

If the permittee wishes to continue an activity regulated by this permit after the permit expires, the permittee shall apply for a new permit at least 90 days before this permit expires. If the permittee has met the above stated application deadline and/or if the failure to reissue the permit is not due to any act or failure to act on the part of the permittee, the expired permit is effective and enforceable until the permit is reissued.

This permit shall become effective on **10/3/14** and shall expire on **9/30/19**.

Approved By: Justin Boyes — Date: 10·3·14

Justin Boyes
Source Control Supervisor

UTILITIES OPERATIONS DIVISION

Wastewater Treatment	(707) 441-4364	Pretreatment	(707) 441-4362
Water Treatment	(707) 441-4234	Water Quality Laboratory	(707) 441-4363
FAX – Wastewater Treatment	(707) 441-4366	FAX - Water Treatment	(707) 441-4265

PART 1 – SITE SPECIFIC REQUIREMENTS

A. The permittee shall maintain all pretreatment equipment in proper working condition per manufacturers' specifications.

B. The permittee shall maintain a complete file of information dealing with hazardous waste including shipping manifests and certified lab analyses. These documents shall be maintained for a minimum of (3) three years at the permitted site.

C. The permittee shall remove or double-contain any hazardous materials, stored near drains, in a manner which will ensure that accidental spills or leaks will not enter the storm drain or sanitary sewer. A spill prevention kit shall be made available for employees to contain or prevent accidental discharges to the sanitary sewer. Employees shall be trained on the use of the spill prevention kit.

D. Drums or other vessels used to collect and store hazardous materials shall be sealed, labeled, and stored in a protected area.

E. Drums or other vessels used to collect and store wastes shall be sealed, labeled, and stored in a protected area.

F. Any wastes generated by the permittee which are determined to be hazardous under the California Administrative Code, Title 22, Chapter 11, Articles 2 and 3, shall be recycled or disposed of in accordance with Local, State, and Federal law.

I. In the event of an ammonia leak, ammonia shall not be allowed to enter the sanitary sewer system as a means of disposal. Any spill that does enter the sanitary sewer system must be immediately stopped, contained, and reported to the City of Eureka.

K. Operational controls, such as floor drain grates and P-trap covers, shall be used to prevent carcasses, fish skins, and any other solid debris greater than one inch in any dimension from entering the sanitary sewer.

L. The Dissolved Air Floatation Thickener (DAFT) System must be in use at all times that shrimp is being processed. All wastewater from shrimp processing must be treated with the DAFT System prior to discharge to the sanitary sewer.

M. The permittee shall maintain a logbook of shrimp processing operations. The logbook shall contain at a minimum; dates of when shrimp processing commences and ceases as well as maintenance activities of the DAFT System. The permittee shall submit copies of the logbook to the City of Eureka on a weekly basis during shrimp processing operations. Submittals from the preceding week shall be submitted to the City of Eureka on the following Monday.

P. The sampling manhole must be kept clear and available for inspections and/or sampling at all times.

Q. The permittee is required to develop and implement an accidental discharge/slug control plan which provides, at a minimum, the following:

1. Description of discharge practices including non-routine batch discharges.

2. Description of stored chemicals.

3. Procedures for immediately notifying the POTW of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in the E.M.C.

4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

PART 2- DESCRIPTION OF OUTFALL(S)

A. During the period of this permit, the permittee is authorized to discharge process wastewater to the City of Eureka sanitary sewer system from the outfall(s) listed below.

Outfall	Description
001	All process wastewater for this facility discharges through the sampling manhole located in the paved area near the southeast corner of the EDA building. This sampling manhole is equipped with a flow meter.

B. Process wastewater for this facility is defined as the combination of boiler blow down, rinse and wash water discharged during the processing of fish, and crab, and treated effluent from shrimp processing.

PART 3 –INSPECTION AND MONITORING REQUIREMENTS

A. Inspections
The City of Eureka shall perform inspections of the permitted business location, at the expense of the permittee. Inspections may be unannounced.

B. Pretreatment Section Monitoring
During the period of this permit the **City of Eureka** shall, at the expense of the permittee, monitor for the following parameters at the location indicated below. This Pretreatment Section monitoring may be unannounced.

Sample Parameter	Sample Location	Discharge Limit
Biochemical Oxygen Demand (BOD)	Outfall 001	No limit
Oil and Grease	Outfall 001	100 mg/L
pH	Outfall 001	5.0 to 12.5 std. units
Total Suspended Solids (TSS)	Outfall 001	No limit

C. Self Monitoring
The permittee is required to collect self monitoring samples upon verbal or written request from the City.

D. Sample Handling and Preservation
Sample collection shall be documented on proper chain of custody paperwork. Chain of custody forms are typically supplied by the state certified environmental laboratory of your

choice. All handling and preservation of collected samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in this permit.

E. Sample Analysis
All analyses required by this permit shall be performed by a California State Certified Environmental Laboratory at the expense of the permittee. The permittee shall obtain proper sampling containers, typically provided by the laboratory. The permittee shall also arrange to pay the analysis costs for any samples submitted to the laboratory from either the permittee or the City of Eureka.

F. Frequency Definitions

1. Annual: Once during the calendar year

2. Semi-Annual: Twice during the calendar year.
The first event shall be between January 1 and June 30.
The second event shall be between July 1 and December 31.
The events shall be at least 30 days apart.

3. Quarterly: Four times during the calendar year.
The first event shall be between January 1 and March 31.
The second event shall be between April 1 and June 30.
The third event shall be between July 1 and September 30.
The fourth event shall be between October 1 and December 31.
The events shall be at least 30 days apart.

4. Monthly: Twelve times during the calendar year. Once during each calendar month.

PART 4 - REPORTING REQUIREMENTS

A. Self Monitoring Reports
Self Monitoring reports shall be submitted no later than 30 days after the day the sample was collected. The report shall indicate the name and concentration of pollutants in the sample for the analyses performed. It is the responsibility of the permittee to notify the analytical laboratory to send copies of all analytical reports and chain of custody documents to the City of Eureka.

B. Additional Monitoring
If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be submitted to the City of Eureka.

C. Spill (Accidental Discharge) Reporting
Immediate notification allows the City of Eureka to take steps to protect its workers, the public, the wastewater treatment plant, and the environment during an accidental spill situation.

1. When and How to Notify the City
The permittee shall notify the City of Eureka Pretreatment Division immediately upon the occurrence of an accidental discharge (spill, slug load, or process upset) that may enter the public sewer. The Source Control Supervisor shall be notified by telephone at (707) 441-4362 between the hours of 8:00 am to 4:30 pm, Monday through Friday. At all other times, the Source Control Supervisor or Utilities Operations Manager shall be notified by contacting the City at (707) 441-4054.

2. Required Information
The notification shall include location, date, and time of discharge; type of waste; concentration and volume of waste; and any corrective actions that were taken. The permittee's notification of accidental releases to the City does not relieve it of other reporting requirements that arise under Local, State, or Federal laws.

3. Written Report
Within five working days following an accidental discharge, the permittee shall submit to the City of Eureka a detailed written report specifying the following information:

a. Description of the cause of the accidental discharge; the location, date, and time of discharge; type of waste; concentration and volume of waste; any corrective actions that were taken; and whether the accidental discharge caused the permittee to be in non-compliance with this permit. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur. All steps taken or to be taken to reduce, eliminate, and/or prevent the recurrence of such an accidental discharge.

D. Bypass Notification

1. Bypass Definition
Bypass means the intentional diversion of waste streams from any portion of the permittees treatment facility. Bypass is prohibited, and the City may take enforcement action against the permittee for a bypass, unless;

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. 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, and the permittee submitted notices as required under of this section. (This condition is not satisfied if adequate back up 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 preventative maintenance.)

c. The permittee may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation, and the permittee submitted notice as required under this section.

2. When and How to Notify the City

a. Planned Bypass
If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the City of Eureka, at least ten days before the date of the bypass.

b. Unplanned Bypass

The permittee shall submit oral notice of an unanticipated bypass to the City of Eureka within 24 hours from the time the permittee becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the bypass.

3. Written Report
The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The City of Eureka may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

E. Reporting Submittal.

1. All reports required by this permit must contain the following certification statement and be signed by an authorized representative of the industrial user.

a. "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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the 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."

2. Where the City of Eureka performs the required sampling and analysis in lieu of the permittee, the permittee is not required to submit the above compliance certification statement with the lab report.

3. All reports required by this permit shall be submitted to:

City of Eureka,
Source Control Supervisor,
4301 Hilfiker Ln.
Eureka, CA 95503.

PART 5 - RECORD KEEPING

A. Retention of Records

1. The permittee shall retain at a minimum the following records:

a. This permit.

b. All correspondence which modifies or addends this permit.

c. All records of monitoring, sampling, and pretreatment equipment maintenance.

d. Copies of all reports required by this permit.

e. Copies of all data used to complete the application for this permit.

2. All records shall be retained for at least three years. This period may be extended by the City of Eureka at any time.

3. All records that pertain to matters which are the subject of any enforcement or litigation activities brought by the City of Eureka shall be retained and preserved by the permitee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

B. Sampling and analysis records shall include:

1. Chain of Custody
The sample chain of custody shall include the sample date, time, location, sampling procedure, type of sample container, sample preservation, and name of person(s) who collected the sample.

2. Analytical Report
The analytical report shall include the name of the person or laboratory who performed the analyses, date of analysis, analytical methods used, the results of such analyses, and any applicable quality control information.

C. Falsifying Information
Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate, is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

PART 6 - AUTOMATIC RE-SAMPLING

A. If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, and the permittee collected the sample. The permittee shall:

1. Inform the City of the violation within 24 hours of receipt of analytical results.

2. Repeat the sampling and analysis and submit the results of the repeat analysis to the City within 30 calendar days after becoming aware of the violation.

B. If the results of the permittee's wastewater analysis indicate that a violation of this permit has occurred, and the City of Eureka collected the sample. The permittee shall:

1. Inform the City of the violation within 24 hours of receipt of analytical results.

2. Repeat the sampling and analysis upon request from the City. The results of the repeat analysis shall be submitted to the City within 30 calendar days after the permittee has become aware of the violation.

PART 7 – FEES

A. The City of Eureka assesses fees in accordance with Eureka Municipal Code, Title 5, Chapter 50, to recover the cost of administering the Pretreatment Program. Typical fees include but are not limited to:

1. Initial permit and pre-permit inspection fees.

2. Permit Renewal fees.

3. Administration of one Industrial User's Pretreatment Requirements, including inspections, sampling, and correspondence.

PART 8 – APPLICABLE PENALTIES

A. Publication of Industrial Users in Significant Noncompliance

Pursuant to section 50.122 of the EMC the City shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the industrial users, which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements.

B. Administrative Fines

Pursuant to section 50.123 F of the EMC the City of Eureka may assess administrative fines against the permittee. Issuance of an administrative fine shall not be a prerequisite for taking any other action against the permittee. Fines may be imposed for violations of:

1. Chapter 50 of the EMC

2. Wastewater Discharge Permits and orders issued hereunder

3. Any pretreatment standard or requirement.

C. Civil Penalties

1. If the permittee violates or continues to violate the EMC, any order issued hereunder, this wastewater discharge permit, or any other pretreatment standard or requirement the permittee shall be liable to the city for a maximum civil penalty of $6,000 per violation per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

2. The city may recover reasonable attorney's fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the city.
3. When a discharge of wastes causes an obstruction, damage, or other impairment to the POTW, the city may assess a charge against the user for the cost of the work required to clean or repair the POTW and add such charge to the user's service charge.

4. Filing a suit for civil penalties shall not be a prerequisite for taking any other action against a user.

D. Remedies Nonexclusive
The provisions of the EMC are not exclusive remedies. The City reserves the right to take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's

enforcement response plan. However, the City reserves the right to take other action against any user when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any noncompliant user. These actions may be taken concurrently.

E. Criminal Penalties

1. If the permittee violates or continues to violate the EMC, any order, this wastewater discharge permit, or any other pretreatment standard or requirement the permittee shall upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than $500 per violation per day or imprisonment for not more than one year or both.

2. If the permittee willfully or negligently introduces any substance into the POTW which causes personal injury or property damage the permittee shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least $500 per violation per day or imprisonment for not more than one year. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.

3. If the permittee knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit or order, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter the permittee shall, upon conviction, be punished by a fine of not more than $500 per violation per day or imprisonment for not more than one year or both.

4. In the event of a second conviction, the permittee shall be punished by a fine of not more than $2,000 per violation per day or imprisonment for not more than two years or both.