

selectively approved on a case-by-case basis?

EPA proposes that effluent and monitoring data submitted to the permitting authority meet the following conditions:

1. Maximum Period of Sample Collection: All data summarized in response to these questions is proposed to be collected within a 3-year period preceding the permit application date.

2. Minimum Number of Daily Sample Analyses: Results from a minimum of three separate daily sample analyses (pollutant scans) are proposed to accommodate data needs for each analyte on which information is requested. Additional samples might be required on a case-by-case basis.

3. Seasonal Considerations: For most POTWs, EPA expects that the three, or more, sets of results for daily sample analyses summarized in response to these information needs would represent typical daily discharges occurring during at least three different calendar seasons. For most applicants, EPA proposes to require that a minimum of 4 months and a maximum of 8 months separate at least one pair of the daily sample analysis results included in the summary. Applicants unable to meet this time requirement due to, for example, periodic, discontinuous, or seasonal discharges could obtain alternative guidance on this requirement from their permitting authority. Permitting authorities might alter this requirement to address considerations of specific POTWs.

4. Testing Methods: Sampling and analysis is proposed to be conducted in accordance with methods approved under 40 CFR Part 136. Applicants would be expected to use methods that enable pollutants to be detected at levels adequate to meet water quality-based standards. Where no approved method can detect a pollutant at the water quality-based standards level, applicants would be expected to use the most sensitive approved method. If the applicant believed that an alternative method should be used (e.g., due to matrix interference), the applicant would need to obtain prior approval from the permitting authority. If an alternative method approved in accordance with 40 CFR Part 136 is specified in the existing permit, the applicant would be expected to use that method unless otherwise directed by the permitting authority. When no approved analytical method exists, an applicant could use a suitable method and provide a description of the method. "Suitable method" means a method that is sufficiently sensitive to measure as close to the water quality-based

standard as possible. The permit writer needs to know which testing methods are used in order to assess the technical validity of the results.

5. Daily Samples: For most POTWs, sampling is proposed to be conducted using composite samples mixed on a flow-proportional basis over a 24-hour period from at least eight sample aliquots (100 ml minimum) collected using an automated sample collection device. The flow-proportional basis would involve either varying the intervals between the collection of equal volume samples or varying the sample volumes collected over equal interval collection periods. The reason for using automated samplers is that they are designed to make the necessary adjustments according to the rate of flow.

For POTWs where automated sample collection devices are not available, it is proposed that appropriate daily composite samples for analysis would be produced by mixing at least four sample aliquots (100 ml minimum), each collected to represent typical segments of the operating day effluent flows.

Because pH, temperature, cyanide, total phenols, residual chlorine, oil and grease, and bacterial indicators cannot be properly sampled by continuous sampling devices, summarized results for each daily analysis are proposed to be based on individual analysis of a minimum of four grab samples collected to represent typical effluent flows over the operating day. A grab sample has 100 ml minimum volume, collected over 15 minutes or less.

For effluents from treatment ponds or other impoundments that have retention times of greater than 24 hours, single grab samples (100 ml minimum collected over 15 minutes or less) would be considered adequate to represent daily conditions for all analytes reported.

6. Maximum Data Summarization Requirements: EPA recognizes that not all analytes are sampled and analyzed at the same frequency for effluents from a single POTW or across all POTWs. EPA thus proposes that summarized results for analytes should include all data collected over the preceding three-year period, ending the calendar quarter preceding the permit application date (providing, for example, a total of 3 annual samples or 12 quarterly samples summarized per analyte, as well as any other samples taken by the applicant).

For those analytes sampled and analyzed at monthly or more frequent intervals, EPA proposes that applicants only summarize and report data collected over a single one-year period

(e.g., providing a summary of 12 monthly samples, together with any other samples taken during that period, per analyte). The one-year period included in this data summarization interval would end the calendar quarter preceding the permit application date.

Applicants would be required to indicate for each analyte the number of samples summarized and whether each summary represents a one or three year summarization period.

7. All Data Must Be Reported: For each analyte, EPA proposes that all samples conducted and analyzed in accordance with 40 CFR Part 136 during the reporting period be reported (i.e., included with all other data for the period reported), regardless of whether or not they were required by the permitting authority or these proposed regulations.

8. Data Must Be Summarized: For each analyte, EPA proposes that applicants report the maximum daily discharge, expressed either as concentration or mass, of all of the samples reported. Applicants would also report the average daily discharge, expressed either as concentration or mass, of all the samples reported.

The Agency is considering requiring applicants to report only concentration numbers on the application or, alternatively, requiring that applicants who wish to report mass also provide flow information used in calculating the mass figures reported. Thus, applicants would be required to report the flow rate used in calculating the maximum daily discharge and the average of all of the flow rates used in calculating the average daily discharge.

Some States may wish to have individual pollutant data reports, rather than summary data, from applicants, either from all applicants or on a case-by-case basis, in addition to or instead of the summary data required by proposed § 122.21(j)(3). States would be encouraged to obtain this information in the manner considered most suitable to their needs.

9. Existing Data May Be Reported: Where the applicant has existing data for a given pollutant, and where such data meet the conditions described above, EPA proposes to allow the use of such data in lieu of data collected solely for the purpose of the permit application. If, for example, the applicant were to have pollutant data from two samples, only one more sample would be needed to meet the minimum requirement of three samples, assuming that other conditions were met. Also, where such data have previously been reported to the permitting authority, the permitting