Application No. OH0132390

Issue Date: June 11, 2012

Effective Date: July 1, 2012

Expiration Date: June 30, 2017

Ohio Environmental Protection Agency
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., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Mike's Sanitation

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Mike's Sanitation wastewater treatment works located at 8810 Brockman Road, New Bremen, Ohio, Mercer County and discharging by spray irrigation to farm land in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

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Scott J. Nally
Director

Total Pages; 25

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IM00014001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00600 - Nitrogen, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00605 - Organic Nitrogen, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00951 - Fluoride, Total (F) - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00978 - Arsenic, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00979 - Cobalt, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00980 - Iron, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
00998 - Beryllium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01022 - Boron, Total - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
01027 - Cadmium, Total (Cd) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01034 - Chromium, Total (Cr) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01042 - Copper, Total (Cu) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01051 - Lead, Total (Pb) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01067 - Nickel, Total (Ni) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01092 - Zinc, Total (Zn) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01104 - Aluminum, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01128 - Vanadium, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01129 - Molybdenum, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
01132 - Lithium, Total (Li) - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
11123 - Manganese, Total Recoverable - ug/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	2/Year	Grab	March and Sep.

Notes for Station Number 2IM00014001:

* Sampling shall be done from the field tiles that drain the fields that are used for the land application of wastewater.
** Sampling shall be completed after a rain event in March and September of the same field tile.
*** Tiles shall be sampled on a rotating basis, so that every tile is sampled within a 5 year period.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 2IM00014401. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 401 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Day	Calculated	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
00600 - Nitrogen, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00605 - Organic Nitrogen, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00951 - Fluoride, Total (F) - mg/l	-	-	-	4.5	-	-	-	1/Month	Grab	All
00978 - Arsenic, Total Recoverable - ug/l	-	-	-	450	-	-	-	1/Month	Grab	All
00979 - Cobalt, Total Recoverable - ug/l	-	-	-	225	-	-	-	1/Month	Grab	All
00980 - Iron, Total Recoverable - ug/l	-	-	-	22500	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	90	-	-	-	1/Month	Grab	All
00998 - Beryllium, Total Recoverable - ug/l	-	-	-	450	-	-	-	1/Month	Grab	All
01022 - Boron, Total - ug/l	-	-	-	4500	-	-	-	1/Month	Grab	All
01027 - Cadmium, Total (Cd) - ug/l	-	-	-	45	-	-	-	1/Month	Grab	All
01034 - Chromium, Total (Cr) - ug/l	-	-	-	450	-	-	-	1/Month	Grab	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
01042 - Copper, Total (Cu) - ug/l	-	-	-	900	-	-	-	1/Month	Grab	All
01051 - Lead, Total (Pb) - ug/l	-	-	-	450	-	-	-	1/Month	Grab	All
01067 - Nickel, Total (Ni) - ug/l	-	-	-	900	-	-	-	1/Month	Grab	All
01092 - Zinc, Total (Zn) - ug/l	-	-	-	9000	-	-	-	1/Month	Grab	All
01104 - Aluminum, Total Recoverable - ug/l	-	-	-	22500	-	-	-	1/Month	Grab	All
01128 - Vanadium, Total Recoverable - ug/l	-	-	-	450	-	-	-	1/Month	Grab	All
01129 - Molybdenum, Total Recoverable - ug/l	-	-	-	108.9	-	-	-	1/Month	Grab	All
01132 - Lithium, Total (Li) - ug/l	-	-	-	11250	-	-	-	1/Month	Grab	All
11123 - Manganese, Total Recoverable - ug/l	-	-	-	900	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	All
50043 - Application Rate, Inches per hour - Inches/Hr	-	-	-	-	-	-	-	1/Day	Estimate	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	45000	-	-	-	1/Month	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
82564 - Freeboard - feet	-	-	-	-	-	-	-	1/Week	Calculated	All

Notes for station 2IM00014401:

- If NO IRRIGATION OCCURS DURING THE ENTIRE MONTH:
1) eDMR users should select the No Discharge check box on the data entry form. PIN the eDMR.
2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- See Part II, Items G, H, I, J, K, L, M, N, and O.

- The application rate may be provided in average inches per hour for the day.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IM00014581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/2 months	Composite	Bimonthly
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/2 months	Composite	Bimonthly

Notes for station 2IM00014581

- Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land The monitoring data shall be reported on each Discharge Monitoring Report (DMR).

- Metal pollutant analysis must be completed during each reporting period, whether sewage sludge is removed from the facility or not, on the

- Metal pollutant analysis must be completed during each reporting period, whether sewage sludge is removed from the facility or not, or the number of composite samples collected and reported shall be increased prior to the next land application event to account for the reporting period(s) in which land application did not occur, unless all previously accumulated sewage sludge has been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.

- If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis in eDMR or on the 4500 report and enter 0 for sludge weight and sludge fee weight.

- If no sewage sludge will be removed from the facility for land application during the year, for each reporting period the permittee shall report under station 581 in the following manner:
1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
2) Permittees reporting on paper should report "AL" in the first column of the first day of the 4500 Form. Sign the form.

- It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.

- The permittee shall maintain the appropriate records on site to verify that the requirements of an applicable Class B Pathogen Reduction option and Vector Attraction Option have been met.

- To sample for fecal coliform, the treatment plant should collect and analyze a sample of sewage sludge every other day over a two week period for a total of seven samples when practical. Each of the samples shall be analyzed independently to determine the MPN/g (or CFU/g when applicable) of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the
treatment facility.

- Units of mg/kg are on a dry weight basis.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

- See Part II, Items F, P, Q, R and S.

- See Part II, Item E - Sludge Management Plan review requirement.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

1. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2IM00014601, and report to the Ohio EPA in accordance with the following table.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day					
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Measuring Frequency	Sampling Type	Monitoring Months
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December
01003 - Arsenic, Total In Sludge - mg/kg	41	-	-	-	-	-	-	1/Year	Composite	December
01028 - Cadmium, Total In Sludge - mg/kg	39	-	-	-	-	-	-	1/Year	Composite	December
01043 - Copper, Total In Sludge - mg/kg	1500	-	-	-	-	-	-	1/Year	Composite	December
01052 - Lead, Total In Sludge - mg/kg	300	-	-	-	-	-	-	1/Year	Composite	December
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Year	Composite	December
01093 - Zinc, Total In Sludge - mg/kg	2800	-	-	-	-	-	-	1/Year	Composite	December
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Year	Composite	December
71921 - Mercury, Total In Sludge - mg/kg	17	-	-	-	-	-	-	1/Year	Composite	December
78465 - Molybdenum In Sludge - mg/kg	-	-	-	-	-	-	-	1/Year	Composite	December

NOTES for Station Number 2IM00014601:

* The soil in the fields where the wastewater is land applied shall be sampled each year in October, November, or December. Reporting shall occur in December.

** See Part II, Item L.

Part II, OTHER REQUIREMENTS

A. The wastewater treatment works must be under supervision of a Class I State certified operator as required by rule 3745-7- 02 of the Ohio Administrative Code.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2IM00014001	Field tiles that drain the fields that are used for the land application of wastewater
2IM00014401	Discharge from lagoon to irrigation
2IM00014581	Sludge to land application
2IM00014601	Soil samples of the fields where the wastewater is applied each year

C. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

D. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

E. Within 3 years of the effective date of this Permit modification, the permittee shall submit to the appropriate Ohio EPA District Office an evaluation of its sludge management plan, which was approved on May 22, 2002 .

This evaluation shall examine the adequacy of the plan, including any implementation problems encountered and any changes required, and is to reflect the actual sludge disposal practices. If significant changes are required, the permittee may be required to submit for approval a modified sludge management plan.

F. No later than January 31 of each calendar year, the Permittee shall submit two (2) copies of a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. One copy of the report shall be sent to the Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, and one copy of the report shall be sent to the Northwest Ohio EPA District Office. The report shall be submitted on Ohio EPA Form 4229.

G. The spray irrigation equipment shall be effectively maintained and operated at all times so that there is no discharge to the surface waters, nor any contamination of ground waters which will render them unsatisfactory for normal use. In the event that the equipment fails to perform satisfactorily, including the creation of nuisance conditions or failure of the irrigation area to adequately assimilate the wastewater, the Permittee shall take immediate corrective actions necessary to comply with the permit.

H. In the event this facility is closed for any reason, this permit shall remain effective until all wastewater and sludge is properly disposed of and the lagoons are properly closed.

I. The permittee shall visually monitor all field tile outlets during and after land application. Tile plugs shall be made available at the facility. If flow from a field tile exists prior to, or begins during application of wastewater by irrigation, the land application shall cease and the field tiles plugged using generally accepted agricultural methods. If land application has caused wastewater to be discharged from a field tile, Ohio EPA shall be notified by calling 1-800-282-9378 within one hour of discovery.

J. Until the first Land Application by Irrigation Annual Report is submitted and approved, the permittee shall NOT land apply wastewater on frozen or snow covered ground.

K. Until the first Land Application by Irrigation Annual Report is submitted and approved, the Irrigation Rate shall not exceed 8000 gallons/acre/hour (0.3 inches/hour) and shall be limited to 0.5 inches/day.

L. By January 31 of each year, the permittee shall submit a substantially approvable Land Application by Irrigation Annual Report to the Ohio EPA, Northwest District Office, Division of Surface Water. The annual report shall consist, at a minimum, of the following subsections.

1) Soils Analysis Report
2) Nutrient Management Plan
3) Irrigation System Report

The Soils Analysis subsection shall, at a minimum, describe in detail the hydraulic capacity of the soil, nutrient management, land application practices, record keeping, other utilization activities, and an analysis of the concentrations of pollutants found in the soil located in the land application field. At a minimum, the annual soils analysis shall include the pollutants found in Table 601. Cumulative Loading Rates and Ceiling Concentrations listed in Tables 1 and 2 of 40 CFR 503.13 may not be exceeded. The nutrient management subsection shall be developed in accordance with the technical standards recommended by the Ohio Natural Resource Conservation Service (including, but not limited to, Nutrient Management Standard 590, and Waste Utilization Standard 633), the design standards for waste storage and treatment applicable to this facility, and the terms and conditions of this NPDES permit.

The Nutrient Management subsection must demonstrate that the application and utilization of treated effluent is done so in such a manner that does not cause or contribute to the non-attainment of surface water quality standards and groundwater standards. The nutrient management subsection must be designed to limit phosphorus and nitrogen to waters of the State and shall take into account crop removal and uptake rates, existing soil phosphorus levels, setbacks, buffers, crop rotations, soil and weather conditions at time of application, and other relevant factors. The Nutrient Management subsection must also address application of manure to soil or ground that is frozen or covered with snow. The plan shall ensure application of manure to frozen or snow-covered soil or ground will not result in surface runoff of manure to waters of the State. Erosion rates shall be managed to less than or equal to "T".

The Irrigation System subsection shall, at a minimum, describe in detail the method or methods the entity will employ for wastewater handling and storage, equipment calibration and maintenance, application/irrigation rates (inches/day), as well as weather conditions. At the time of each land application event, records of weather conditions must be kept and submitted as part of this report. Weather conditions pertinent to this report shall include, at the time of land application, the following: wind speed; wind direction; air temperature; precipitation. In addition to this annual reporting requirement, the permittee must also observe the condition set forth in Part II, Item FORECAST.

If any runoff of effluent from the permittee's land application areas causes or contributes to a violation of the Water Quality Standards, Ohio EPA reserves the right to modify or revoke the Land Application Annual Report or the NPDES permit as necessary.

Upon approval of the Annual Report, all wastewater must be managed and disposed of in accordance with the Report and this permit. The permittee shall provide a copy of the Annual Report to any brokers or other persons with whom the permittee enters into a contract for the sale or giveaway of, and/or for the land application of wastewater from this facility.

M. Land application shall not occur on saturated soils or during rain or runoff events, and shall not occur if the forecast contains a greater than fifty per cent chance of precipitation as determined in "Managing Manure Nutrients at Concentrated Animal Feeding Operations, Appendix M, United States Environmental Protection Agency, EPA-821-B-04-006, August 2004," exceeding an amount of one-quarter inch for hydrologic soil group D soils and one-half inch for hydrologic soil group A, B, and C soils, for a period extending twenty-four hours after the start of land application. Record weather conditions in the operating record for conditions at the time of application and for twenty-four hours prior to and following application. For determining hydrologic soil groups, refer to USDA-NRCS Engineering Field Manual, Chapter 2 - Ohio Supplement (1989), Table 2.1, pages 2-42 through 2-83.

N. If the facility does not have disinfection, a 50 foot buffer/setback from road right-of-ways, property lines (except where the permittee has the right to apply wastewater or sludge to the adjoining property), wells owned by the permittee, developed springs, drainage ways, tiles with surface openings, and surface water bodies must be maintained for any treated effluent land application area. A 200 foot buffer/setback from wells not owned by the permittee and public places of assembly must be maintained for any treated effluent land application area.

O. No person shall land apply bulk sewage sludge or treated effluent within a ground water source water assessment and protection area or wellhead protection area that has been delineated or endorsed by the Director for a community public water system. The isolation distance from a community public water system well, where no delineated or endorsed ground water source water assessment and protection area or wellhead protection area exists, shall be 1,000 feet.

P. Sludge Dioxin Monitoring

A grab sample of sewage sludge that has been treated to meet requirements for application to the land shall be monitored for dioxin, as the term dioxin is defined in rule 3745-40 of the Ohio Administrative Code, as per the monitoring frequency, methodologies and reporting requirements described in rule 3745-40 of the Ohio Administrative Code.

Q. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

R. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

S. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring, and the weight calculations, shall be maintained on site for a minimum of five years. The test methodology used shall be from the latest edition, Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

T. Part III, Paragraph 2 of the permit applies only to effluent that is discharged into waters of the state.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;

B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;

C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;

D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;

E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;

F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.

B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.

C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

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

2. For partnerships - a general partner;

3. For a sole proprietorship - the proprietor; or,

4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

http://www.epa.ohio.gov/dsw/edmr/eDMRpin.aspx

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. Regardless of the submission method, a paper copy of the submitted Ohio EPA 4500 DMR shall be maintained onsite for records retention purposes (see Section 7. RECORDS RETENTION). For e-DMR users, view and print the DMR from the Submission Report Information page after each original or revised DMR is submitted. For submittals on paper, make a copy of the completed paper form after it is signed by a Responsible Official or a Delegated Responsible Official.

E. 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 in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

F. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. 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 and date of sampling; (time of sampling not required on EPA 4500)

B. The person(s) who performed the sampling or measurements;

C. The date the analyses were performed on those samples;

D. The person(s) who performed the analyses;

E. The analytical techniques or methods used; and

F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

A. All sampling and analytical records (including internal sampling data not reported);

B. All original recordings for any continuous monitoring instrumentation;

C. All instrumentation, calibration and maintenance records;

D. All plant operation and maintenance records;

E. All reports required by this permit; and

F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

A. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for 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. 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 preventive maintenance; and

c. The permittee submitted notices as required under paragraph 11.B.

2. 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 in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The limit(s) that has been exceeded;

c. The extent of the exceedance(s);

d. The cause of the exceedance(s);

e. The period of the exceedance(s) including exact dates and times;

f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,

g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

http://www.epa.ohio.gov/dsw/permits/permits.aspx

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Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

a. The name of the permittee, and a contact name and telephone number;

b. The time(s) at which the discharge occurred, and was discovered;

c. The approximate amount and the characteristics of the discharge;

d. The stream(s) affected by the discharge;

e. The circumstances which created the discharge;

f. The name and telephone number of the person(s) who have knowledge of these circumstances;

g. What remedial steps are being taken; and,

h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;

2. The cause of the violation;

3. The remedial action being taken;

4. The probable date by which compliance will occur; and,

5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee 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.

15. AUTHORIZED DISCHARGES

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 by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;

2. The addition of any new significant industrial discharge; and

3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

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

1. Violation of any terms or conditions of this permit;

2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or

3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

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 Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 Clean Water Act.

25. 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.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. 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.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than $25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Not withstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.