

Application No. OH0007960

Issue Date: May 29, 2014

Effective Date: July 1, 2014

Expiration Date: June 30, 2019

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),

Alpine Dairy, LLC (Subsidiary of Norseland, Inc.)

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Alpine Dairy industrial wastewater treatment works located at 1658 Township Road 660, Paint Township, Ohio, Holmes County and discharging to RM 7.6 of the Middle Fork Sugar Creek via an unnamed tributary 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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Craig W. Butler  
Director

Total Pages: 41

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

1. During the period beginning on the effective date of this permit and lasting eighteen (18) months after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Initial - 002 - Initial - 002 - Initial

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Grab	All
00300 - Dissolved Oxygen - mg/l	-	6.0	-	-	-	-	-	2/Week	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	2/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18.0	-	-	12.0	9.54	-	6.36	2/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.5	-	-	1.0	0.795	-	0.53	2/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	4.5	-	-	3.0	2.39	-	1.59	2/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00665 - Phosphorus, Total (P) - mg/l	4.8	-	-	3.2	2.55	-	1.7	2/Week	24hr Composite	All
31616 - Fecal Coliform - #/100 ml	400	-	-	200	-	-	-	2/Week	Grab	Summer
31616 - Fecal Coliform - #/100 ml	2000	-	-	1000	-	-	-	2/Week	Grab	Winter
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
70300 - Residue, Total Filterable - mg/l	2706.8	-	-	1955.5	1436.6	-	1037.8	2/Week	24hr Composite	All
80082 - CBOD 5 day - mg/l	15.0	-	-	10.0	7.95	-	5.3	2/Week	24hr Composite	All

Notes for Station Number 3IH00100002:

\* Effluent loadings based on average design flow of 0.140 MGD.

- If there is no discharge 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.

- For toxicity testing, see Part II, Item P.

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

1. During the period beginning eighteen (18) months after the effective date and lasting thirty (30) months, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Interim

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Grab	All
00300 - Dissolved Oxygen - mg/l	-	6.0	-	-	-	-	-	2/Week	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	2/Week	Grab	All
00530 - Total Suspended Solids - mg/l	18.0	-	-	12.0	11	-	7.27	2/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.5	-	-	1.0	0.909	-	0.606	2/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	4.5	-	-	3.0	2.73	-	1.82	2/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00665 - Phosphorus, Total (P) - mg/l	4.8	-	-	3.2	2.91	-	1.94	2/Week	24hr Composite	All
31616 - Fecal Coliform - #/100 ml	2000	-	-	1000	-	-	-	2/Week	Grab	Winter
31616 - Fecal Coliform - #/100 ml	400	-	-	200	-	-	-	2/Week	Grab	Summer
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
70300 - Residue, Total Filterable - mg/l	2706.8	-	-	1955.5	1640	-	1190	2/Week	24hr Composite	All
80082 - CBOD 5 day - mg/l	15.0	-	-	10.0	9.09	-	6.06	2/Week	24hr Composite	All

Notes for Station Number 3IH00100002:

\* Effluent loadings based on average design flow of 0.160 MGD.

- If there is no discharge 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.

- For toxicity testing, see Part II, Item P.

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

1. During the period beginning thirty (30) months from 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 3IH00100002. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 002 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Grab	All
00300 - Dissolved Oxygen - mg/l	-	6.0	-	-	-	-	-	2/Week	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	2/Week	Grab	All
00530 - Total Suspended Solids - mg/l	15.7	-	-	10.5	9.51	-	6.36	2/Week	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	1.3	-	-	0.87	0.788	-	0.527	2/Week	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	3.9	-	-	2.62	2.37	-	1.59	2/Week	24hr Composite	Winter
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/2 months	24hr Composite	Bimonthly - Odd
00665 - Phosphorus, Total (P) - mg/l	4.2	-	-	2.8	2.55	-	1.7	2/Week	24hr Composite	All
31648 - E. coli - #/100 ml	284	-	-	126	-	-	-	2/Week	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	0.8	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	3.0	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
70300 - Residue, Total Filterable - mg/l	2706.8	-	-	1955.5	1640	-	1190	2/Week	24hr Composite	All
80082 - CBOD 5 day - mg/l	13.1	-	-	8.7	7.94	-	5.27	2/Week	24hr Composite	All

Notes for Station Number 3IH00100002:

\* Effluent loadings based on average design flow of 0.160 MGD.

- If there is no discharge 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.

- For toxicity testing, see Part II, Item P.

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

1. During the period beginning on the effective date and lasting until twelve (12) months after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100601. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 601 - Interim

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Week	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All

Notes for Station Number 3IH00100601:

- If there is no discharge 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.

- For toxicity testing, see Part II, Item P.

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

1. During the period beginning twelve (12) months from the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100601. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 601 - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Week	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Week	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Week	Grab	All

Notes for Station Number 3IH00100601:

- If there is no discharge 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.

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

1. During the period beginning on the effective date and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100602. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 602 - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00095 - Specific Conductance at 25 Degrees C - Umho/cm	-	-	-	-	-	-	-	1/Day	Continuous	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All

Notes for Station Number 3IH00100602:

- If there is no discharge 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.

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

1. During the period lasting twelve months after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 3IH00100603. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 603 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly

Notes for Station Number 3IH00100603:

- If there is no discharge 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.

- For toxicity testing, see Part II, Item P.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

1. Downstream-Nearfield Monitoring. During the period beginning on the effective date and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 3IH00100902, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - 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
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All

NOTES for Station Number 3IH00100902:

- See Part II. B for sample location.
- Sample Collection and handling procedures for stream samples must be conducted in accordance with procedures outlined in the "Manual of Ohio EPA Surveillance Methods and Quality Assurance Practices", 2012. The document can be viewed at the following web address:

[http://epa.ohio.gov/portals/35/documents/Field\\_Manual\\_4\\_13\\_12\\_revision.pdf](http://epa.ohio.gov/portals/35/documents/Field_Manual_4_13_12_revision.pdf)

- The location of the near-field sample with respect to the effluent plume must be determined and documented at the time of sampling using temperature measurements, conductivity measurements, visual observation, a dye study, or other detailed techniques for delineating the effluent plume.
- For toxicity testing, see Part II, Item P.

Part I, B. - DOWNSTREAM-FARFIELD MONITORING REQUIREMENTS

1. Downstream-Farfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 3IH00100903, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Farfield Monitoring - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - 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
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All

NOTES for Station Number 3IH00100903:

- See Part II. B for sample location.

- Sample collection and handling procedures for stream samples must be conducted in accordance with procedures outlined in the "Manual of Ohio EPA Surveillance Methods and Quality Assurance Practices", 2012. The document can be viewed at the following web address:

[http://epa.ohio.gov/portals/35/documents/Field\\_Manual\\_4\\_13\\_12\\_revision.pdf](http://epa.ohio.gov/portals/35/documents/Field_Manual_4_13_12_revision.pdf)

- The location of the far-field sample with respect to the effluent plume must be determined and documented at the time of sampling using temperature measurements, conductivity measurements, visual observation, a dye study, or other detailed techniques for delineating the effluent plume.

- For toxicity testing, see Part II, Item P.

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 3IH00100581, 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  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All

NOTES for Station Number 3IH00100581:

- 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). The monitoring data can be collected at any time during the reporting period.

- If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the 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 Pathogen Reduction and Vector Attraction Reduction have been met.
- 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 J, K, L, M.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 3IH00100588 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 - 588 - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 3IH00100588:

- Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year:

- 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 December on the 4500 Form. Sign the form.

- 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.

- See Part II, Item J, K, L, and M.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

1. Upstream Monitoring. During the period beginning on the effective dqte of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 3IH00100801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - 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
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All

NOTES for Station Number 3IH00100801:

- See Part II. B for sample location.

- Sample collection and handling procedures for stream samples must be conducted in accordance with procedures outlined in the "Manual of Ohio EPA Surveillance Methods and Quality Assurance Practices", 2012. The document can be viewed at the following web address:

[http://epa.ohio.gov/portals/35/documents/Field\\_Manual\\_4\\_13\\_12\\_revision.pdf](http://epa.ohio.gov/portals/35/documents/Field_Manual_4_13_12_revision.pdf)

- For toxicity testing, see Part II, Item P.

## Part I, C. - SCHEDULE OF COMPLIANCE

### A. Industrial Construction Schedule

#### 1. Final Outfall Relocation

The permittee shall relocate the final outfall to the Middle Fork Sugar Creek as expeditiously as practicable, but not later than the dates developed in accordance with the following schedule.

- i. The permittee shall submit to the Ohio EPA Northeast District Office a complete and approvable PTI application and detailed plans for relocating the outfall as soon as possible, but not later than six (6) months after the effective date of this permit.
- ii. The permittee shall initiate construction as soon as possible, but not later than twelve (12) months after the effective date of this permit.
- iii. The permittee shall have completed construction of the new discharge pipe as soon as possible, but not later than eighteen (18) months after the effective date of this permit.

#### 2. Compliance with Final Permit Limits

The permittee shall comply with the final pollutant limits as expeditiously as practicable, but not later than the dates developed in accordance with the following schedule.

- i. The permittee shall submit to the Ohio EPA Northeast District Office a complete and approvable PTI application and detailed plans for final compliance with all pollutant limits in this permit as soon as possible, but not later than eighteen (18) months after the effective date of this permit.
- ii. The permittee shall initiate construction as soon as possible, but not later than twenty-four (24) months after the effective date of this permit.
- iii. The permittee shall have completed construction and achieved full compliance with this permit as soon as possible, but not later than twenty-seven (27) months after the effective date of this permit.
- iv. The permittee shall achieve full compliance with all final pollutant limits of this permit as soon as possible, but no later than thirty (30) months after the effective date of this permit.

### B. Plant Performance Evaluation

The permittee shall initiate a plant performance evaluation at outfall 3IH00100002 as expeditiously as practicable, but not later than the dates developed in accordance with the following schedule: The Plant Performance Evaluation is intended to identify the source of toxicity at outfall 3IH00100002.

i. Within one (1) month of the effective date of this permit, the permittee shall initiate the plant performance evaluation. This evaluation shall include, but not be limited to the following activities:

a. The acquisition of plant information, including a description of plant treatment processes, design and operating data, and all wastewater sources that are tributary to the outfall.

b. The evaluation of plant and treatment plant operations as they relate to effluent toxicity. The evaluation shall involve a review of the adequacy and performance of all treatment unit processes.

c. The evaluation of sources of effluent toxicants/toxicity. This shall include an evaluation of the potential for identified pollutants to contribute to the effluent toxicity.

d. The evaluation of toxicity control measures.

ii. Within three (3) months of the effective date of this permit, the permittee shall submit an interim report detailing the progress of the plant performance evaluation. This report shall include any biomonitoring results and other relevant information that has been obtained.

iii. Within twelve (12) months of the effective date of this permit, the permittee shall complete the plant performance evaluation and submit a final report detailing the results and conclusions. The report should include recommendations for actions necessary for the permittee to comply with the final limits for TUa and TUc at Outfall 3IH00100002. The report shall also include an implementation schedule, if necessary, which includes fixed dates for taking necessary actions to meet the final toxicity limits for Outfall 3IH00100002. If structural modifications of the wastewater treatment plant are necessary, the permittee shall make those modifications consistent with the construction schedule in Item A.2 of this section.

iv. The permittee shall implement the proposed actions of the Plant Performance Evaluation Report in accordance with the schedule included in the report.

v. Within thirty (30) months of the effective date of this permit, the permittee shall be in compliance with final limits for TUa and TUc at Outfall 3IH00100002

vi. Reports shall be submitted to the Division of Surface Water, Northeast District Office.

vii. This permit shall be modified, or alternatively, revoked and reissued, based on the results of the Plant Performance Evaluation

C. Industrial Sludge

This entity shall take the actions described below as expeditiously as practicable, but not later than the dates developed in accordance with the following schedule.

The permittee shall submit to the appropriate Ohio EPA district office a substantially approvable sludge management plan as soon as possible, but no later than four (4) months from the effective date of this permit. This plan shall describe in detail the method or methods the entity intends to employ for the disposal or reuse of the sewage sludge generated by the facility. This plan shall also include an outline of all past and present sludge disposal practices.

#### D. Nutrient Trading Plan

The permittee shall immediately implement the January 1, 2006 Nutrient Trading Plan and any subsequent modifications agreed to by the permittee and Ohio EPA. Any modification to the plan shall be submitted to the Northeast District Office for review and approval prior to implementation.

Implementation of the Nutrient Trading Plan is required for the permittee to meet the conditions of the Sugar Creek TMDL. Failure to implement the Nutrient Trading Plan may cause Outfall 002 of the NPDES Permit to be modified to include a phosphorus limit of as recommended by the Sugar Creek TMDL.

#### E. Biological Monitoring

The permittee shall conduct biological monitoring three different times throughout this permit, and at three different locations in the Middle Fork Sugar Creek. Biological sampling shall be conducted in the Middle Fork Sugar Creek upstream of station 3IH00100801, downstream of station 3IH00100902, and upstream of station 3IH00100903. Biological monitoring shall be conducted during the field seasons of the first, third and fifth years of this permit. Field seasons are defined as the months covering June 15th through October 15th of each year.

Biological monitoring must include a habitat assessment using the Qualitative Habitat Evaluation Index (QHEI), a fish community assessment to calculate the Index of Biotic Integrity (IBI) scores, and a macroinvertebrate community assessment to calculate an Invertebrate Community Index (ICI) score at each location. ICI scores must be based on the use of Hester-Dendy artificial substrate samplers as required by Ohio EPA protocol.

The results of the biological monitoring required in this permit shall be submitted to the Northeast District Office of Ohio EPA no later than November 30, 2014, November 30, 2016 and November 30, 2018. The results shall include the QHEI forms and scores for each site, a list of the fish and macroinvertebrate species identified in each study, the number of individuals in each species, and calculations for the IBI and ICI scores.

The biological studies required in this permit shall be conducted in accordance with Ohio EPA protocol as specified in OAC 3745-1-03(B)(6). See [www.epa.ohio.gov/dsw/bioassess/BioCriteriaProtAqLife.aspx](http://www.epa.ohio.gov/dsw/bioassess/BioCriteriaProtAqLife.aspx)

#### F. Class I Certified Operator

Within twelve (12) months of the effective date of this permit, the permittee shall have on-site at the wastewater treatment plant, a Class 1 certified operator. The Class I operator shall be on-site a minimum of 8 hours per day, 5 days per week and is in addition to the Class II Operator of Record that will be on-site a minimum of 10 hours per week, 3 days per week. The Class I operator shall record the daily arrival and departure times in a bound document having consecutively numbered pages.

#### Potable Water Reject

Within eighteen (18) months of the effective date of this permit, the permittee shall divert the reject water from the potable water treatment system directly to outfall 3IH00100002. The reject stream shall not pass through the wastewater treatment system.

## Part II, OTHER REQUIREMENTS

### A. Operator Certification Requirements

#### 1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class II facility.

#### 2. Operator of Record

a. The permittee shall designate one or more operator of record to oversee the technical operation of the treatment works in accordance with paragraph (A)(2) of rule 3745-7-02 of the Ohio Administrative Code.

b. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the treatment works as defined in Part II, Item A.1 of this NPDES permit.

c. Within three days of a change in an operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://www.epa.ohio.gov/portals/28/Documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

d. Within 60 days of the effective date of this permit, the permittee shall notify the Director of Ohio EPA of the operators of record on a form acceptable to Ohio EPA.

e. The operator of record may be replaced by a backup operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to fourteen consecutive days. The use of this provision requires notification to the Ohio EPA Northeast District Office.

f. The Class II Operator of Record shall be at the wastewater treatment plant and provide technical services to the permittee for a period not less than 10 hours per week and 3 days per week. The Class II Operator of Record shall record the daily arrival and departure times in a bound document having consecutively numbered pages.

g. In addition to having a Class II operator to oversee operations, the permittee shall employ a Class I operator to be on-site 8 hrs, per day, 5 days per week to carry out treatment plant operations under the direction of a Class II operator. See Schedule of Compliance, Part 1,C.

### 3. Minimum Staffing Requirements

- a. The permittee shall ensure that the Class II treatment works operator of record is physically present at the facility three days per week and ten hours per week.
- b. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (such as enforcement status, history of noncompliance, or provisions included in the plan) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

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

Sampling Station	Description of Location
3IH00100002	Final effluent of the combined process and COW wastestreams following the final flow monitoring station (Lat: 40N 38' 05"; Long: 81W 40' 33").
3IH00100586	Sludge disposal to landfill.
3IH00100588	Sludge disposal to another permitted facility.
3IH00100601	Internal monitoring of treated process water following disinfection.
3IH00100602	Internal monitoring station of COW water treatment system at the end of the second reverse osmosis system.
3IH00100603	After the clarifier and prior to additional treatment including the application of chemicals used for phosphorus removal.
3IH00100801	Upstream sample location collected in the Middle Fork Sugar Creek. The upstream sample shall be collected upstream of the Alpine Dairy outfall and downstream of any influence to water quality such as a tributary
3IH00100902	The near-field downstream sample is to be collected from within the effluent plume in the immediate vicinity of the outfall. The near-field sample should be collected in the middle of the effluent plume at a distance of 5 times the water depth at the point of discharge, down current from the outfall. When water depth at the point of discharge exceeds 4 feet, the near-field sample should be collected 20 feet (6 meters) down-current from the outfall.
3IH00100903	The far-field downstream sample is to be collected within the effluent plume at a point which represents complete mixing of the effluent and the receiving water.

C. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved.

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

D. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

E. In the event that the permittee's operation requires the use of cooling or boiler water treatment additives that are discharged to surface waters of the state, written permission must be obtained from the director of the Ohio EPA prior to use. Discharges of these additives must meet Ohio Water Quality Standards and shall not be harmful or inimical to aquatic life. Reporting and testing requirements to apply for permission to use additives can be obtained from the Ohio EPA, Central Office, Division of Surface Water, Industrial Permits Unit. This information is also available on the DSW website:

[http://epa.ohio.gov/portals/35/policy/01\\_22u3.pdf](http://epa.ohio.gov/portals/35/policy/01_22u3.pdf)

#### F. TMDL Reopener Language

This permit may be modified or revoked and reissued to include new or revised effluent limits or other conditions that are necessary to comply with an approved total maximum daily loads report (TMDL) as required under Section 303(d) of the Clean Water Act.

G. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the wastewater flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

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

I. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued; to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

J. 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 and 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.

K. 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.

L. 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 Northeast Ohio EPA District Office. The report shall be submitted on Ohio EPA Form 4229.

M. 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 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, using the edition which is current on the issuance date of the permit. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge:  $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$ .

N. Not later than four (4) months from the effective date of this permit, the permittee shall post a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit. The marker shall consist at a minimum of the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The marker shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall be not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible.

O. Sampling at all stations shall occur the same day.

P. Biomonitoring Program Requirements

As soon as possible, but not later than three (3) months after the effective date of this permit, the entity shall initiate an effluent biomonitoring program to determine the toxicity of the effluent from outfall 3IH00100002.

## 1. General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

## 2. Testing Requirements

### a. Chronic Bioassays

As specified in Parts 1, A and B of this permit, the permittee shall conduct quarterly chronic toxicity tests using *Ceriodaphnia dubia*. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

### b. Acute Bioassays

As specified in Parts 1, A and B of this permit, the permittee shall conduct quarterly definitive acute toxicity tests using *Ceriodaphnia dubia*. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance. Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test results.

### c. Testing of Ambient Water

In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 3IH00100801. In conjunction with acute toxicity tests of the effluent, downstream receiving water shall be tested for acute toxicity at station 3IH00100902. In conjunction with chronic toxicity tests of the effluent, downstream receiving water shall be tested for chronic toxicity at station 3IH00100903 and acute toxicity at station 3IH00100902. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

## 3. Data Review

a. Reporting

Following completion of each quarterly bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a., 3.H.1., and 3.H.2.a. of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional biomonitoring, or require a toxicity reduction evaluation.

b. Definitions

$TU_a = \text{Acute Toxicity Units} = 100/LC50$

$TU_c = \text{Chronic Toxicity Units} = 100/IC25$

This equation for chronic toxicity units applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

$TU_c = \text{Chronic Toxic Units} = 100/\text{square root of } (NOEC \times LOEC)$

c. Trigger to initiate a toxicity reduction evaluation (TRE)

Based upon evaluation of the data required under 3.a., above, Ohio EPA personnel will determine if a TRE will be required of the permittee.

## 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," "not 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 monthly 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://epa.ohio.gov/dsw/edmr/eDMR.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 under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.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>

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 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

Notwithstanding 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.