

Application No. OH0025003

Modification Issue Date: April 4, 2011

Modification Effective Date: August 1, 2011

Expiration Date: June 30, 2012

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),

City of Elyria, Ohio

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the City of Elyria wastewater treatment works located at 1194 Gulf Road, Elyria, Ohio, Lorain County and discharging to Black River in accordance with the conditions specified in Parts I, II, and III of this permit.

In accordance with the antidegradation rule, OAC 3745-1-05, I have determined that a lowering of water quality in the Black River is necessary. Provision (F)(2)(d) was applied to this application in regards to mercury. This provision excludes the need for the submittal and subsequent review of technical alternatives and social and economic issues related to the degradation. Other rule provisions, however, including public participation and appropriate intergovernmental coordination were required and considered prior to reaching this decision.

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: 63

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

1. During the period beginning on the effective date of this modification and lasting until December 1, 2011, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3PD00034001 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - 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	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00530 - Total Suspended Solids - mg/l	-	-	30	20	-	1478	985	1/Day	Composite	All
00550 - Oil and Grease, Total - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	12.0	8.0	-	590.1	393.4	1/Day	Composite	Dec. - March
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	5.0	3.0	-	245.8	147.5	1/Day	Composite	April, Oct., Nov.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.0	1.5	-	98.3	73.7	1/Day	Composite	May - Sep.
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	73.7	49.1	2/Week	Composite	All
00719 - Cyanide, Free - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All

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	
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	2000	1000	-	-	-	1/Day	Grab	Summer
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.020	-	-	-	-	-	-	1/Day	Multiple Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	8.5	0.0837	-	0.000418	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Tox2
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Tox2
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	23	15	-	1132	738	1/Day	Composite	Winter
80082 - CBOD 5 day - mg/l	-	-	15	10	-	738	492	1/Day	Composite	Summer

NOTES for Station Number 3PD00034001:

\* Effluent loadings based on average design flow of 13.0 MGD.

- Total residual chlorine - See Part II, Items N and P .
- Nickel, zinc, cadmium, lead, total chromium, copper, selenium and total dissolved solids (residue) - See Part II, Item S.
- Dissolved hexavalent chromium - See Part II, Item T.
- Mercury - See Part II, Items T, DD, EE and FF.
- Free cyanide - See Part II, Items T and AA.
- Bis(2-ethylhexyl)phthalate - See Part II, Item M.
- Whole effluent toxicity - See Part II, Item BB.
- "Quarterly-tox 2" monitoring shall be done in February, May, August, and November.

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

2. During the period beginning on December 1, 2011 and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3PD00034001 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - 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	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00515 - Residue, Total Dissolved - mg/l	-	-	-	2860	-	-	140741	2/Week	Composite	All
00530 - Total Suspended Solids - mg/l	-	-	30	20	-	1478	985	1/Day	Composite	All
00550 - Oil and Grease, Total - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.0	1.5	-	98.3	73.7	1/Day	Composite	May - Sep.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	5.0	3.0	-	245.8	147.5	1/Day	Composite	April, Oct., Nov.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	12.0	8.0	-	590.1	393.4	1/Day	Composite	Dec. - March
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	73.7	49.1	2/Week	Composite	All
00719 - Cyanide, Free - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	5.1	-	-	0.25	1 / 2 Weeks	Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All

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				
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	2000	1000	-	-	-	1/Day	Grab	Summer
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.020	-	-	-	-	-	-	1/Day	Multiple Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	8.5	0.0837	-	0.000418	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Tox2
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Tox2
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	15	10	-	738	492	1/Day	Composite	Summer
80082 - CBOD 5 day - mg/l	-	-	23	15	-	1132	738	1/Day	Composite	Winter

NOTES for Station Number 3PD00034001:

- \* Effluent loadings based on average design flow of 13.0 MGD.
- Total residual chlorine - See Part II, Items N and P .
- Nickel, zinc, cadmium, lead, total chromium, copper and selenium - See Part II, Item S.
- Dissolved hexavalent chromium - See Part II, Item T.
- Total dissolved solids (residue) - See Part II, Items S and GG, HH and II.
- Mercury - See Part II, Items T, DD, EE and FF. .
- Free cyanide - See Part II, Items T and AA.
- Bis(2-ethylhexyl)phthalate - See Part II, Item M.
- Whole effluent toxicity - See Part II, Item BB.
- "Quarterly-tox 2" monitoring shall be done in February, May, August, and November.

Part I, B. - DOWNSTREAM-FARFIELD MONITORING REQUIREMENTS

1. Downstream-Farfield Monitoring. During the period beginning on the effective date of this modification and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 3PD00034901, 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
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer

NOTES for Station Number 3PD00034901:

- Nickel, zinc, cadmium, lead, total chromium, copper, dissolved hexavalent chromium, selenium, total cyanide and total dissolved solids (residue) - See Part II, Item S.

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

2. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD00034002, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 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	
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80998 - Bypass Occurrence, Number per month - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
80999 - Bypass Duration, Hours per month - Hr/Month	-	-	-	-	-	-	-	When Disch.	Continuous	All

NOTES for Station Number : 3PD00034002

- Data for the bypass volume, the number of occurrence(s) per day, the daily duration may be estimated.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through station 3PD00034002.
- If there are no discharges during the entire month:
  - 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
  - 2) Sign the form.
- Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

3. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD000034003, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 003 - Final

<u>Effluent Characteristic</u>  Parameter	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
Maximum	Minimum	Weekly	Monthly	Daily	Weekly				Monthly	
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80998 - Bypass Occurrence, Number per month - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
80999 - Bypass Duration, Hours per month - Hr/Month	-	-	-	-	-	-	-	When Disch.	Continuous	All

NOTES for Station Number 3PD00034003:

- Data for the bypass volume, the number of occurrence(s) per day, the daily duration may be estimated.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through station 3PD00034003.
- If there are no discharges during the entire month:
  - 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
  - 2) Sign the form.
- Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

4. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD00034004, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 004 - 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
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80998 - Bypass Occurrence, Number per month - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
80999 - Bypass Duration, Hours per month - Hr/Month	-	-	-	-	-	-	-	When Disch.	Continuous	All

NOTES for Station Number 3PD00034004:

- Data for the bypass volume, the number of occurrence(s) per day, the daily duration may be estimated.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through station 3PD00034004.
- If there are no discharges during the entire month:
  - 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
  - 2) Sign the form.
- Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

Part I, B. - BYPASS MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

5. Bypass Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 3PD00034005, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 005 - 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
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80998 - Bypass Occurrence, Number per month - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
80999 - Bypass Duration, Hours per month - Hr/Month	-	-	-	-	-	-	-	When Disch.	Continuous	All

NOTES for Station Number 3PD00034005:

- Data for the bypass volume, the number of occurrence(s) per day, the daily duration may be estimated.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through station 3PD00034005.
- If there are no discharges during the entire month:
  - 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
  - 2) Sign the form.
- Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 3PD00034300 , and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 300 - 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			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All

NOTES for Station Number 3PD00034300:

- A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system otherwise not identified in this permit. These overflows shall be monitored when they discharge.

- For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number in the first column of the first day of the month on the 4500 form. If there are no overflows during the entire month, report "zero" (0).

- All sanitary sewer overflows are prohibited.

- See Part II, Items H and I.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

7. 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 3PD00034586, 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 - 586 - 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
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 3PD00034586:

- Monitoring is required when sludge is removed from the wastewater treatment facility and taken to a mixed solid waste landfill. Monthly operating report (MOR) data shall be reported in December. If no sludge is removed from the permittee's facility during the reporting period, report "AL" in the first column of the first day of the month on the 4500 Form (Monthly Operating Report). A signature is still required.
- Sludge weight is a calculated total for the sampling period.
- See Part II, Items V, X, Y and Z.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

8. 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 3PD00034589, 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 - 589 - 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/Quarter	Composite	Quarterly - Alt.
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.

NOTES for Station Number 3PD00024589:

- Monitoring is required when sludge is removed from the wastewater treatment facility and taken to PPG Lime Lakes. If no sludge is removed during the entire month, report "AL" in the first column of the first day of the month on the 4500 Form (Monthly Operating Report). A signature is still required.
- Units of mg/kg are on a dry weight basis.
- Sludge weight is a calculated total for the sampling period.
- See Part II, Items V, W, X, Y and Z.
- "Quarterly-Alt." monitoring shall be done in March, June, September and December.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

9. 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' influent wastewater at Station Number 3PD00034601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 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				
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1/Month	Composite	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Day	Composite	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00981 - Selenium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
50286 - Mercury, Total (Low Level, PQL=1000) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Day	Composite	All

NOTES for Station Number 3PD00034601:

- Nickel, zinc, cadmium, lead, total chromium, copper, selenium and total dissolved solids (residue) - See Part II, Item S.
- Dissolved hexavalent chromium and total cyanide - See Part II, Item U.
- Mercury - See Schedule of Compliance Item A.1 and Part II, Item U.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

11. Upstream Monitoring. During the period beginning on the effective date of this modification and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 3PD00034801, 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
00515 - Residue, Total Dissolved - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Tox2
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly - Tox2

NOTES for Station Number 3PD00034801:

- Total dissolved solids (residue) - See Part II, Item S.
- Whole effluent toxicity - See Part II, Item BB.
- "Quarterly-tox 2" monitoring shall be done in February, May, August, and November.

## Part I, C - Schedule of Compliance

### AA. Municipal Pretreatment Schedule for Total Dissolved Solids and Selenium

1. The permittee shall evaluate the adequacy of local industrial user limitations to attain compliance with final table limits for total dissolved solids (residue) and selenium. Technical justification for revising local industrial user limitations to attain compliance with final table limits, along with a pretreatment program modification request, or technical justification for retaining existing local industrial user limitations shall be submitted to Ohio EPA, Central Office Pretreatment Unit, in duplicate, as soon as possible, but no later than 3 months from the effective date of this permit modification. (Event Code 52599)

To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, the following information must be submitted to Ohio EPA:

- a. Domestic/background and industrial pollutant contributions
  - b. Treatment plant removal efficiencies
  - c. A comparison of maximum allowable headworks loadings based on all applicable criteria. Criteria may include sludge disposal, NPDES permit limits, and interference with biological processes such as activated sludge, sludge digestion, nitrification, etc.
  - d. If revised industrial user discharge limits are proposed, the method of allocating available pollutant loads to industrial users
  - e. Supporting data, assumptions, and methodologies used in establishing the information a through d above.
2. a. If revisions to local industrial user limitations for total dissolved solids (residue) and selenium are determined to be necessary, no later than 2 months after the date of Ohio EPA approval of the pretreatment program modification request to revise local industrial user limitations, the permittee shall incorporate revised local industrial user limitations in all industrial user control documents.
- b. Within one week of completing this requirement, the permittee shall notify, in writing, the Ohio EPA Central Office Pretreatment Unit.

### A. Compliance Schedule for Mercury Variance

1. The permittee shall use EPA Method 1631 to comply with the mercury monitoring requirements of this permit. The method detection level for Method 1631 is 0.2 ng/l. The quantification level is 0.5 ng/l. Because the quantification level for Method 1631 is lower than the mercury effluent limits, it is possible to directly evaluate compliance with the limits.
2. During the period beginning on the effective of this permit and lasting until this permit is modified or renewed, an interim quantification level (QL) of 1.0 ug/l (1000 ng/l) shall apply to analytical results reported for mercury. Any analytical result reported less than the interim QL shall be considered to be in compliance with that limit.

#### REPORTING:

All analytical results, even those below the QL shall be reported. Analytical results are to be reported as follows:

- a. Results above the QL: Report the analytical result for mercury.
- b. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
- c. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

3. Based on an evaluation of mercury data for outfall 3PD00034001 collected using Method 1631, the permittee shall submit one of the following to Ohio EPA not later than 12 months from the effective date of this permit (Event Code 88899): ---  
COMPLETED---

- a. A letter stating that it intends to comply with the water quality based effluent limits for mercury included in the NPDES permit. In this case the permit will be modified to delete the interim quantification level; or
- b. If the permittee believes that it will be able to take actions leading to compliance with the water quality based effluent limits for mercury included in this NPDES permit, it may submit a request to modify the NPDES permit to include a schedule of compliance and an interim effluent limit for mercury; or
- c. If the permittee determines that compliance with the water quality based effluent limits for mercury included in this permit is not possible without the construction of expensive end-of-pipe controls, a variance from the mercury water quality standards is available under section D(10) of rule 3745-33-07. If the permittee determines it is eligible, it may submit an application for coverage under this mercury variance. Sections D(10)(a) and (b) of rule 3745-33-07 include information on eligibility for coverage and list the information that must be included in the application; or

d. If the permittee determines that compliance with the water quality based effluent limits for mercury included in this permit is not possible, and it is not eligible for coverage under the mercury variance available at section D(10) of rule 3745-33-07, it may submit an application for an individual variance from water quality standards. Section (D)(1-3) of rule 3745-33-07 provides information on the applicability and conditions of an individual variance. Section (D)(4) of the rule lists the information that must be included in the application.

This permit may be modified to include either interim limits and a schedule of compliance or new limits and conditions if a variance is issued.

A guidance document explaining both the mercury variance and the individual variance, instructions for preparing a mercury variance application, and an example of a mercury variance application are available at <http://www.epa.ohio.gov/dsw/guidance/guidance.aspx> (Permit Guidance 10). Copies are available upon request from Ohio EPA, Central Office, Division of Surface Water, NPDES Permit Unit.

Letters or applications submitted under this item of the Schedule of Compliance shall be sent to the Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

#### B. Bis(2-ethylhexyl)phthalate Schedule

Bis(2-ethylhexyl)phthalate (BEHP) is a widely used phthalate ester plasticizer. It is commonly used in the production of polyvinyl chloride (PVC) resins to impart flexibility to the finished product, improve workability during fabrication and extend or modify properties not present in the original resins. PVC resins are used in a wide variety of products including cable insulation, flooring, furniture upholstery, wall coverings, car upholstery and seat covers, footwear and food and medical packaging material. Phthalate ester plasticizers also are used in cosmetics, industrial oils and insect repellants.

1. Not later than 6 months from the effective date of this permit, the permittee shall begin a survey of its industrial users to identify potential sources of BEHP. ---COMPLETED---
2. Not later than 12 months from the effective date of this permit, the permittee shall begin a follow up survey to determine if any of the industrial users identified as potential sources represent a concentrated source of BEHP to the permittee's sanitary sewer system. ---COMPLETED---
3. Not later than 9 months from the effective date of this modification, the permittee shall submit a report identifying any industrial users found to be concentrated sources of BEHP to the permittee's sanitary sewer system. One copy of the report shall be sent to the Ohio EPA Northeast District Office, and one copy shall be sent to the pretreatment program coordinator at the Ohio EPA Central Office. (Event Code 21599) ---COMPLETED---
4. During the time that this special study is being conducted, the permittee shall include a brief status report as part of its annual pretreatment program report.

### C. Total Dissolved Solids and Selenium Schedule

The permittee shall take appropriate actions through its industrial pretreatment program or otherwise to control the headworks loading of total dissolved solids and selenium to the extent necessary to comply with the final effluent limits included in this NPDES permit.

1. Twelve (12) months from the effective date of this permit, the permittee shall submit a status report on its actions to achieve compliance with the final effluent limits for total dissolved solids and selenium at station number 3PD00034001. (Event Code 95999) The report shall be submitted to the Ohio EPA Northeast District Office. ---COMPLETED---
2. Nine (9) months from the effective date of this modification, the permittee shall submit a status report on its actions to achieve compliance with the final effluent limits for total dissolved solids and selenium at station number 3PD00034001. (Event Code 95999) The report shall be submitted to the Ohio EPA Northeast District Office. ---COMPLETED---
3. Twenty one (21) months from the effective date of this modification, the permittee shall submit a status report on its actions to achieve compliance with the final effluent limits for total dissolved solids and selenium at station number 3PD00034001. (Event Code 95999) The report shall be submitted to the Ohio EPA Northeast District Office. ---COMPLETED---
4. By August 1, 2011, the permittee shall submit a status report on its actions to achieve compliance with the final effluent limits for total dissolved solids and selenium at station number 3PD00034001. (Event Code 95999) The report shall be submitted to the Ohio EPA Northeast District Office.
5. Not later than December 1, 2011, the permittee shall comply with the final effluent limits for total dissolved solids and selenium at station number 3PD00034001.

### D. Municipal Pretreatment Schedule

1. The permittee shall evaluate the adequacy of local industrial user limitations to attain compliance with final table limits. Technical justification for revising local industrial user limitations to attain compliance with final table limits, along with a pretreatment program modification request, or technical justification for retaining existing local industrial user limitations shall be submitted to Ohio EPA, Central Office Pretreatment Unit, in duplicate, as soon as possible, but no later than 6 months from the effective date of this permit for all required parameters except selenium and total dissolved solids (residue). (Event Code 52599) ---COMPLETED---

Technical justification for revising local industrial user limitations to attain compliance with final table limits for selenium and total dissolved solids (residue), along with a pretreatment program modification request, or technical justification for retaining existing local industrial user limitations shall be submitted to Ohio EPA, Central Office Pretreatment Unit, in duplicate, as soon as possible, but no later than 12 months from the effective date of this permit. (Event Code 52599) ---COMPLETED---

Technical justification is required for mercury, selenium and total dissolved solids (residue). Technical justification is also required for arsenic, cadmium, total chromium, dissolved hexavalent chromium, copper, cyanide, lead, molybdenum, nickel, silver and zinc unless screening of wastewater and sludge indicate these pollutants are not present in significant amounts. Furthermore, technical justification is required for any other pollutants where a local limit may be necessary to protect against pass through and interference.

To demonstrate technical justification for new local industrial user limits or justification for retaining existing limits, the following information must be submitted to Ohio EPA:

- a. Domestic/background and industrial pollutant contributions
  - b. Treatment plant removal efficiencies
  - c. A comparison of maximum allowable headworks loadings based on all applicable criteria. Criteria may include sludge disposal, NPDES permit limits, and interference with biological processes such as activated sludge, sludge digestion, nitrification, etc.
  - d. If revised industrial user discharge limits are proposed, the method of allocating available pollutant loads to industrial users
  - e. Supporting data, assumptions, and methodologies used in establishing the information a through d above.
2. a. If revisions to local industrial user limitations are determined to be necessary, no later than 4 months after the date of Ohio EPA approval of the pretreatment program modification request to revise local industrial user limitations, the permittee shall incorporate revised local industrial user limitations in all industrial user control documents.
  - b. Within one week of completing this requirement, the permittee shall notify, in writing, the Ohio EPA Central Office Pretreatment Unit.

#### E. Comprehensive Sewer Overflow Control Plan Schedule

Within 1 Month of the effective date of this modification, the Permittee shall submit to the Ohio EPA Northeast District Office four copies of a comprehensive sewer overflow control plan (the comprehensive plan). (Event Code 53799). ---COMPLETED---

The goal of the comprehensive plan shall be twofold: (1) to bring all wet weather combined sewer overflows (CSOs) and CSO outfall discharge points into compliance with the technology-based and water-quality based requirements of the Clean Water Act and Ohio Revised Code 6111; to minimize water quality, aquatic biota and human health impacts from CSOs and CSO outfalls; and to minimize the discharge of pollutants; and (2) to eliminate sanitary sewer overflows. A sanitary sewer overflow (SSO) is an overflow, spill, or release of wastewater from the permittee's sanitary sewer system, including interceptor sewers. SSO(s) do not include discharges from the CSO outfalls listed in Part II of this NPDES permit or other discharges from the combined portions of the permittee's sewer system.

### CSO Control

The control plan for CSOs shall be developed in accordance with and shall fully comply with U.S. EPA's "Combined Sewer Overflow Control Policy" (Federal Register; Volume 59; Number 75; April 19, 1994). In developing the CSO control plan, the Permittee may also utilize U.S. EPA's "Combined Sewer Overflows - Guidance for Long Term Control Plan" (EPA 832-95-002; September 1995).

On June 29, 1998 the permittee submitted a "Combined Sewer Overflow Long Term Control Plan" (May, 1998). The Permittee may utilize its 1998 CSO long term control plan, including any models, data and other information developed in support of that plan, to the extent that it applies to current conditions and meets the requirements of this section. The development of the control plan for CSOs shall include, but not be limited to, the following general sections:

1. Characterization of the combined sewer system and its impact on the receiving waters, including development and use of both a collection system hydraulic model and a receiving waters water quality model; monitoring to support the model(s) development and use; and a water quality study;
2. Public participation;
3. Consideration of sensitive areas;
4. Development and evaluation of alternatives;
5. Recommended alternative;
6. Implementation schedule;
7. Proposed revisions to the Combined Sewer System Operation and Maintenance Plan; and
8. Post-construction compliance monitoring.

These sections of the LTCP shall include, but not be limited to, the following:

1. Characterization

The Permittee shall adequately characterize, through monitoring, modeling and other means as appropriate, for a range of storm events, the response of its sewer system to wet weather events, including the number, location and frequency of CSOs and CSO outfalls; the volume, concentration and mass of pollutants discharged; and the impacts of the CSOs and CSO outfalls on the receiving waters and their designated uses.

To achieve this characterization, the Permittee shall develop and utilize a hydraulic model for its sewer system that includes CSOs, CSO outfalls, and the actual and potential hydraulic capacities of its wastewater treatment works (WWTW). The characterization should account for the effects that controls planned for the separate sewer system will have on the combined sewer system.

In support of this characterization, the Permittee shall implement a data collection program that provides adequate information from monitoring and record sources to characterize and model the sewer system and overflows and their impact on the receiving waters; supports development and implementation of the minimum control measures; supports development and implementation of a long-term control plan; and allows the effectiveness of control measures to be evaluated.

The Permittee shall submit this characterization in a "CSO Characterization Report" together with the comprehensive plan. The Characterization Report shall include a summary of the monitoring data and modeling that the Permittee currently has or develops in the characterization process. It shall also summarize the methodology and findings of the characterization, including the baseline data on the number, volume and duration of CSO overflows and/or CSO outfall discharges and their impact on the receiving waters as well as the projected impact of the selected controls.

## 2. Public Notification and Participation

No later than 6 months from the effective date of this permit, the Permittee shall submit to Ohio EPA for review and approval, a public notification and participation plan (Event Code 88899). ---COMPLETED--- Upon approval of the public notification and participation plan by Ohio EPA, the Permittee shall thereafter implement and comply with the program as approved. The program shall include, but not be limited to, the following elements:

- a). An evaluation of the adequacy of the existing public notification program that the Permittee implements to comply with the nine minimum controls as required by Part II, Item G of this NPDES permit. The Permittee shall identify and implement changes to the public notification program to ensure the following: to inform the public of the locations of any CSO outfalls; to inform the public of CSO occurrences; to inform the public of the possible health and environmental impacts associated with CSOs; to advise the public against contact recreation when elevated bacterial levels may endanger public health; and to inform downstream public water supplies of CSO events. At a minimum, the public notification program shall include signs at CSO outfalls, newspaper notices, internet postings, and billing inserts.
- b). A program that insures there is ample public participation throughout all stages of development of the comprehensive plan. The program shall, at a minimum, include a description of the measures that the Permittee will undertake to: (i) make information the Permittee develops in the course of the planning process available to the public for review; and (ii) solicit public opinion on the Permittee's development of the comprehensive plan. The participation program shall also include a schedule for holding public hearings at meaningful times during the planning process in order to provide the public with information developed in the planning process and to solicit information from the public regarding the components of the comprehensive plan. The participation plan shall describe how the Permittee will take opinions and information provided by the public into account as the Permittee develops its comprehensive plan. Upon approval by Ohio EPA, the Permittee shall implement the public participation plan as approved.

## 3. Consideration of Sensitive Areas

The Permittee shall give highest priority to controlling overflows to sensitive areas. Sensitive areas include: state resource waters, superior high quality waters, outstanding state waters or outstanding national resource waters (O.A.C. Rule 3745-1-05), bathing waters [O.A.C. Rule 3745-1-07(B)(4)], waters with primary contact recreation, and all surface waters within 500 yards of an existing public water supply intake. CSOs and CSO outfalls to these waters shall be eliminated or relocated whenever physically possible and economically achievable, except where elimination or relocation would provide less environmental protection than additional treatment. If elimination or relocation is not physically possible or economically achievable, then treatment must be provided that will result in attainment of water quality standards and designated uses.

#### 4. Development and Evaluation of Alternatives

The Permittee shall develop LTCP alternatives that include, but are not limited to: elimination of all existing CSO overflows/CSO outfalls by complete separation of all combined sewers; separation of specific portions of the combined sewer system; construction of additional separate sanitary express sewers to convey additional flows to the WWTW for treatment; various sizes of storage basins or tunnels for the Combined Sewer System; construction of facilities or flow process changes to biologically treat additional flow at the WWTW; construction of additional facilities (such as high rate treatment or ballasted flocculation facilities) for providing primary treatment or advanced primary treatment to CSOs and CSO outfalls; construction of additional facilities for providing disinfection and dechlorination of CSOs and CSO outfalls; construction of facilities for removing floatables from CSOs and CSO outfalls; relocation of CSOs and CSO outfalls; and construction and/or implementation of combinations of these alternatives. The Permittee shall develop and evaluate alternatives that provide for construction of the Best Available Technology Economically Achievable ("BAT") and of the Best Conventional Pollutant Control Technology ("BCT") at all existing CSO overflows or CSO outfall discharge points.

The Permittee's development and evaluation of alternatives in the LTCP shall include an assessment of the costs, effectiveness (in terms of pollutant loading reductions, regardless of water quality impacts) and water quality benefits of a wide range of alternatives for eliminating, reducing and treating any and all of Permittee's CSO overflows or CSO outfalls. The evaluation of each alternative in the LTCP shall include: costs; benefits, such as reduction in overflow events, volume, and load as compared to baseline conditions; impact on user rates; affordability; and construction and implementation schedules. In developing this analysis, U.S. EPA's "Combined Sewer Overflows - Final Guidance for Financial Capability Assessment and Schedule Development" (EPA-832-B-97-004; February 1997) and "Guidance Coordinating CSO Long-Term Planning with Water Quality Standards Reviews" (EPA-833-R-01-002; July 31, 2001) shall be used as tools.

The alternatives developed and evaluated by the Permittee shall be consistent with U.S. EPA's "Combined Sewer Overflow Control Policy" (Federal Register; Volume 59; Number 75; April 19, 1994) and the following:

a). At a minimum, the Permittee shall evaluate alternative control measures based on the number of CSO events as well as percent capture. The Permittee shall evaluate the level of controls necessary to reduce the number of CSO events in a typical year to one (1) and four (4) system-wide. The Permittee shall evaluate the controls necessary to achieve 90 percent, 95 percent, 99 percent and 100 percent capture. The Permittee shall include in its evaluation of percentage capture, an explanation of the level of treatment being provided.

For purposes of this requirement, the following terms shall have the following definitions. "CSO event" shall mean one or more overflows from the combined sewer system as the result of a precipitation event that do not receive minimum treatment. "Capture" shall mean the volume of the combined sewage collected in the combined sewer system during precipitation events on a system-wide annual average basis that is eliminated or that receives at least minimum treatment. "Minimum treatment" shall mean primary clarification, solids and floatables disposal, and disinfection.

b). The Permittee shall consider ways to reduce public sources of storm water flow into combined sewers. Steps to consider include diverting storm water away from the combined system (e.g. by constructing retention basins) as well as methods to store and retain storm water (e.g.; using catch basin flow restriction, storm water retention basins).

c) The Permittee shall evaluate control measures to convey additional flow to the treatment plant for full treatment as well as to route peak flows around biological treatment at the treatment plant and provide physical/chemical treatment and/or storage prior to discharge. As part of this evaluation, the permittee shall consider the applicability of the approved bypass provisions found in Section II.C.7, Maximizing Treatment at the Existing POTW Treatment Plant, of the National CSO Control Policy.

## 5. Recommended Alternative

In addition to the evaluation of alternatives in the CSO control plan, the Permittee shall specifically include in the plan its recommended permanent alternative, as well as any recommended interim alternatives. The recommended alternative shall comply with U.S. EPA's "Combined Sewer Overflow Control Policy" (Federal Register; Volume 59; Number 75; April 19, 1994) and with the goals set forth above.

## 6. Implementation Schedule

The Permittee shall include an implementation schedule for the recommended alternative, as well as any interim alternatives in the CSO control plan. The implementation schedule for each project shall include proposed milestones for: (i) commencement of construction; (ii) completion of construction; and (iii) controls fully operational. The CSO control plan implementation schedule may be developed consistent with U.S. EPA's "Combined Sewer Overflows - Final Guidance for Financial Capability Assessment and Schedule Development" (EPA-832-B-97-004; February 1997) and shall, at a minimum, provide for the implementation and completion of construction of the recommended alternatives to attain full operation as expeditiously as practicable.

## SSO Elimination

To address the elimination of sanitary sewer overflows, the comprehensive plan shall include a System Evaluation and Capacity Assurance Plan (SECAP) including an implementation schedule. The goal of the SECAP and SECAP implementation schedule is to eliminate

SSOs by providing adequate capacity to convey and treat base flows and peak flows for all parts of the Permittee's separate sewer system. In preparing the SECAP, the Permittee may utilize any models, data and other information already developed in support of its ongoing work to eliminate SSOs to the extent that it applies to current conditions and meets the requirements of this section.

The SECAP must include, but is not limited to:

1. An evaluation of the portions of the Permittee's sewer system and/or treatment plant that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency or to noncompliance at the treatment plant. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing SSOs, provide estimates of the capacity of key system components, identify hydraulic deficiencies (including components of the system with limiting capacity), and identify the major sources that contribute to the peak flows associated with SSOs.
2. Establish short-term and long-term actions to address each hydraulic deficiency, including prioritization, alternatives analysis (including costs), and a schedule for implementation of all recommended projects described in the SECAP. If a project is not recommended, or if an implementation schedule is impacted due solely to the affordability of a project, the Permittee shall provide an affordability analysis, including impacts on user rates. The implementation schedule shall include an end date by which the Permittee will have achieved the goals of this section.

When submitted, the comprehensive plan shall be accompanied by a completed antidegradation addendum. To meet the information submittal requirements of antidegradation, the plans shall include data and information that allow for the examination of control alternatives, a review of the social and economic issues related to the plan, and fulfill other requirements of 3745-1-05(B)(3)(a) - (h). If implementation of the plans result in site-specific lowering of water quality, the director shall consider O.A.C 3745-1-05(C)(5)(a) - (m) when making a determination regarding the plans.

## 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 IV facility.

b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(a) of rule 3745-7-04 of the Ohio Administrative Code.

#### 2. Operator of Record

a. The permittee shall designate one or more operator of record to oversee the technical operation of the treatment works and sewerage (collection) system 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\\_of\\_Record\\_Notification\\_Form.pdf](http://www.epa.ohio.gov/portals/28/Documents/opcert/Operator_of_Record_Notification_Form.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 for a class II, III, or IV treatment works or class II sewerage system 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 thirty consecutive days. The use of this provision does not require notification to the agency.

f. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

### 3. Minimum Staffing Requirements

a. The permittee shall ensure that the treatment works operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.

b. Sewerage (collection) system Operators of Record are not required to meet minimum staffing requirements in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

c. 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. The plant must be staffed and operated in accordance with the Ohio EPA approved Operation and Maintenance Manual.

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

Sampling Station	Description of Location
3PD00034001	Final effluent (Lat: 41N 24 ' 36 " ; Long: 82 W 05 ' 24 ")
3PD00034002	Junction Chamber inlet to wet weather storage.
3PD00034003	Wet weather storage tank outlet.
3PD00034004	Emergency outlet for Primary Settling Tank No. 6.
3PD00034005	Primary effluent junction chambers.
3PD00034300	System wide sanitary sewer overflow occurrences.
3PD00034586	Sludge from belt filter press to landfill.
3PD00034589	Sludge hauled to PPG Lime Lakes Reclamation Site.
3PD00034601	Plant influent.
3PD00034801	Upstream of outfall 3PD00034001.
3PD00034901	Downstream of outfall 3PD00034001.

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. The permittee is authorized to discharge from the following overflows only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. See Part II, Item F. for monitoring and reporting requirements. Also see Part III, Item 11.

Station Number	Description	Receiving Stream
3PD00034006	102. Columbus Ave. @ St. Clair St.	E. Br. of Black River
3PD00034007	103. Washington Ave. north of bridge	E. Br. of Black River
3PD00034008	104. Washington Ave. @ Depot St.	E. Br. of Black River
3PD00034011	120. Dewey Ave. @ Lorain Blvd	Black River
3PD00034012	121. Bond St. @ Jefferson St. Alley	Black River
3PD00034013	130. Furnace St, @ Florence Ct.	Black River
3PD00034015	133. Lake Ave. @ Tremont St.	E. Br. of Black River
3PD00034016	142. Fourth St. @ West Ave.	W. Br. of Black River
3PD00034018	145. West Ave. @ Elyria H.S.	W. Br. of Black River
3PD00034019	146. West Ave. @ Ninth St.	W. Br. of Black River
3PD00034020	150. East Ave. @ Fourth St.	E. Br. of Black River
3PD00034021	152. Fifth St. @ East Ave	E. Br. of Black River
3PD00034022	153. Sixth St. @ East Ave.	E. Br. of Black River
3PD00034025	158. Ninth St. @ East Ave	E. Br. of Black River
3PD00034026	159. Gates Ave. @ East Ave.	E. Br. of Black River
3PD00034027	160. Howe St. @ East Ave.	E. Br. of Black River
3PD00034028	161. George St. @ East Ave.	E. Br. of Black River
3PD00034029	162. Wooster St. (middle)	E. Br. of Black River
3PD00034030	163. Wooster St. @ East Ave.	E. Br. of Black River
3PD00034031	164. 1241 East Ave.	E. Br. of Black River
3PD00034032	170. East Ave @ Depot St.	E. Br. of Black River
3PD00034034	172. Holly Lane @ East Ave.	E. Br. of Black River
3PD00034035	180. Third St. @ Chestnut St.	W. Br. of Black River
3PD00034036	181. Second St. @ Water	W. Br. of Black River
3PD00034037	182. Broad St. @ Water St.	Water St. Lift Station
3PD00034038	191. Buckeye St. @ East River St.	Black River
3PD00034044	151. East Ave. Fourth St. Siphon Chamber	E. Br. of Black River

F. The permittee shall monitor the system overflows at stations 3PD00034006 through 3PD00034044 and report to the Ohio EPA in accordance with the following table:

CHARACTERISTIC			MONITORING REQUIREMENTS	
Reporting Code	Units	Parameter	Measurement Frequency	Sample Type
00530	mg/l	Suspended Solids	1/Month	Grab
50050	MGD	Flow	When discharging	Daily Estimate
80082	mg/l	CBOD5	1/Month	Grab
80998	Number/Month	Occurrences	When discharging	Estimate
80999	Hours	Duration	When discharging	Daily Estimate

The permittee shall set up a rotating schedule to sample at least five (5) stations during each storm event. Samples should be collected during the first 30 minutes of discharge.

Data for the number of occurrence(s) per day, the daily duration, and the total daily flow may be estimated.

Monitoring data shall be submitted for each month when discharge occurs. When discharge occurs, the monthly monitoring report shall be attached to the normal monthly report form (EPA-4500).

G. The entire wastewater treatment system shall be operated and maintained in accordance with the combined sewer system operational plan that was approved on May 2, 1997. To minimize the total loading of pollutants discharged during wet weather, the permittee shall utilize the following technologies:

- 1) provide proper operation and maintenance for the collection system and the combined sewer overflow points;
- 2) provide the maximum use of the collection system for storage of wet weather flow prior to allowing overflows;
- 3) review and modify the pretreatment program to minimize the impact of non-domestic discharges from combined sewer overflows;
- 4) maximize the capabilities of the POTW to treat wet weather flows, and maximize the wet weather flow to the wastewater treatment plant within the limits of the plant's capabilities;
- 5) prohibit dry weather overflows;
- 6) control solid and floatable materials in the combined sewer overflow discharge;
- 7) conduct required inspection, monitoring and reporting of CSOs;
- 8) implement pollution prevention programs that focus on reducing the level of contaminants in CSOs; and
- 9) implement a public notification program for areas affected by CSOs, especially beaches and recreation areas.

## H. Sanitary Sewer Overflow (SSO) Reporting Requirements

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. SSOs do not include wet weather discharges from combined sewer overflows specifically listed in Part II of this NPDES permit or other discharges from the combined portions of the permittee's sewer system. All SSOs are prohibited. Sanitary sewer overflows must be reported as required below.

### 1. Reporting for SSOs That Imminently and Substantially Endanger Human Health

#### a) Immediate Notification

You must notify Ohio EPA (1-800-282-9378) and the appropriate Board of Health (i.e., city or county) within 24 hours of learning of any SSO from your sewers or from your maintenance contract areas that may imminently and substantially endanger human health. The telephone report must identify the location, estimated volume and receiving water, if any, of the overflow. An SSO that may imminently and substantially endanger human health includes dry weather overflows, major line breaks, overflow events that result in fish kills or other significant harm, and overflow events that occur in sensitive waters and high exposure areas such as protection areas for public drinking water intakes and waters where primary contact recreation occurs.

#### b) Follow-Up Written Report

Within 5 days of the time you become aware of any SSO that may imminently and substantially endanger human health, you must provide the appropriate Ohio EPA district office a written report that includes:

- (i) the estimated date and time when the overflow began and stopped or will be stopped (if known);
- (ii) the location of the SSO including an identification number or designation if one exists;
- (iii) the receiving water (if there is one);
- (iv) an estimate of the volume of the SSO (if known);
- (v) a description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
- (vi) the cause or suspected cause of the overflow;
- (vii) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and
- (viii) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

A document showing the acceptable format for a 5-day follow up written report can be downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance web page at [http://www.epa.ohio.gov/dsw/permits/technical\\_assistance.aspx](http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx).

## 2. Reporting for All SSOs, Including Those That Imminently and Substantially Endanger Human Health

### a) Monthly Operating Reports

Sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, shall be reported on your monthly operating reports. You must report the system-wide number of occurrences for SSOs that enter waters of the state in accordance with the requirements for station number 300. A monitoring table for this station is included in Part I, B of this NPDES permit. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, you should record two occurrences for that day. If overflows from both locations continue on the following day, you should record two occurrences for the following day. At the end of the month, total the daily occurrences from all locations on your system and report this number using reporting code 74062 (Overflow Occurrence, No./Month) on the 4500 form for station number 300.

### b) Annual Report

You must prepare an annual report of all SSOs in your collection system, including those that do not enter waters of the state. The annual report must be in an acceptable format (see below) and must include:

- (i) A table that lists an identification number, a location description, and the receiving water (if any) for each existing SSO. If an SSO previously included in the list has been eliminated, this shall be noted. Assign each SSO location a unique identification by numbering them consecutively, beginning with 301.
- (ii) A table that lists the date that an overflow occurred, the unique ID of the overflow, the name of affected receiving waters (if any), and the estimated volume of the overflow (in millions of gallons). The annual report may summarize information regarding overflows of less than approximately 1,000 gallons.
- (iii) A table that summarizes the occurrence of water in basements (WIBs) by total number and by sewershed. The report shall include a narrative analysis of WIB patterns by location, frequency and cause.

Not later than March 31 of each year, beginning in 2005, you must submit two copies of the annual report for the previous calendar year to the appropriate Ohio EPA district office. You also must provide adequate notice to the public of the availability of the report.

Systems serving fewer than 10,000 people are not required to prepare an annual report if all monthly operating reports for the preceding calendar year show no discharge from overflows.

A document showing the acceptable format for an annual SSO report can be downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance web page at [http://www.epa.ohio.gov/dsw/permits/technical\\_assistance.aspx](http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx).

I. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

J. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage 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.

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

L. 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.

M. Composite samples for bis(2-ethylhexyl)phthalate shall be comprised of at least three grab samples proportionate in volume to the sewage flow rate at the time of sampling and collected at intervals of at least 30 minutes, but not more than 2 hours, during an 8 hour period that the plant is staffed for sampling. Such samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

N. Effluent disinfection is not directly required, however, the entity is required to meet all applicable discharge permit limits. If disinfection facilities exist, they shall be maintained in an operable condition. Any design of wastewater treatment facilities should provide for the capability to install disinfection if required at a future time. Disinfection may be required if future bacteriological studies or emergency conditions indicate the need.

O. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

P. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the approved analytical procedure promulgated at 40 CFR 136. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

Compliance with an effluent limit that is below the OEPA QL is determined in accordance with ORC Section 6111.13 and OAC Rule 3745-33-07(C). For maximum effluent limits, any value reported below the OEPA QL shall be considered in compliance with the effluent limit. For average effluent limits, compliance shall be determined by taking the arithmetic mean of values reported for a specified averaging period, using zero (0) for any value reported at a concentration less than the OEPA QL, and comparing that mean to the appropriate average effluent limit. An arithmetic mean that is less than or equal to the average effluent limit shall be considered in compliance with that limit.

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

#### REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter	PQL	ML
Chlorine, tot. res.	0.050 mg/l	--

This permit may be modified, or, alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

Q. POTWs that accept hazardous wastes by truck, rail, or dedicated pipeline are considered to be hazardous waste treatment, storage, and disposal facilities (TSDFs) and are subject to regulation under the Resource Conservation and Recovery Act (RCRA). Under the "permit-by-rule" regulation found at 40 CFR 270.60(c), a POTW must:

- 1) comply with all conditions of its NPDES permit,
- 2) obtain a RCRA ID number and comply with certain manifest and reporting requirements under RCRA,
- 3) satisfy corrective action requirements, and
- 4) meet all federal, state, and local pretreatment requirements.

R. Final permit limitations based on preliminary or approved waste load allocations are subject to change based on modifications to or finalization of the allocation or report or changes to Water Quality Standards. Monitoring requirements and/or special conditions of this permit are subject to change based on regulatory or policy changes.

S. Sampling for these parameters at station 3PG00034001, 3PD00034601, 3PD00034801 and 3PD00034901 shall occur the same day.

T. Sampling at station 3PD00034001 for these parameters shall occur one detention time (the time it takes for a volume of water to travel through the treatment plant) after sampling at station 3PD00034601 for the same parameters on the same day.

U. Sampling at station 3PD00034601 for these parameters shall occur one detention time (the time it takes for a volume of water to travel through the treatment plant) prior to sampling at station 3PD00034001 for the same parameters on the same day.

V. 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.

W. 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 3745-40-01 of the Ohio Administrative Code, as per the monitoring frequency, methodologies and reporting requirements described in rule 3745-40-06 of the Ohio Administrative Code.

X. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal a representative composite sample of sewage sludge shall be collected and monitored for total solids. Results of the monitoring shall be used to calculate the total Sewage Sludge Weight (Monthly Operating Report code 70316) and total Sewage Sludge Fee Weight (Monthly Operating Report code 51129) for the reporting period specified by this NPDES permit. 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 Part 2540 G of Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992. 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.

Y. Sewage sludge composite samples shall consist of six to twelve grab samples collected at such times and locations, and in such fashion, as to be representative of the facilities sewage sludge.

Z. 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 appropriate Ohio EPA District Office. The report shall be submitted on Ohio EPA Form 4229.

AA. It is understood by Ohio EPA that at the time permit 3PD00034\*LD becomes effective, an analytical method is not approved under 40 CFR 136 to comply with the free cyanide monitoring requirements included in the permit. The permittee shall utilize method 4500-CN I in the 17th edition of Standard Methods until U.S. EPA promulgates a method for analyzing free cyanide under 40 CFR 136.

## Biomonitoring Program Requirements

BB. The entity shall implement an effluent biomonitoring program to determine the toxicity of the effluent from outfall 3PD00034001.

### 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, 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.

### Testing Requirements

#### 1. Chronic Bioassays

The permittee shall conduct quarterly chronic toxicity tests using *Ceriodaphnia dubia* on effluent samples from outfall 3PD00034001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

#### 2. Acute Bioassays

Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test results.

#### 3. Testing of Ambient Water

In conjunction with the chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 3PD00034801. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

#### 4. Data Review

##### a. Reporting

Following completion of each monthly 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, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

b. Definitions

TUa = Acute Toxic Units = 100/LC50

TUc = Chronic Toxic 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):

TUc = Chronic Toxic Units = 100/square root of (NOEC x LOEC)

CC. Pretreatment Program Requirements

The permittee's approved pretreatment program and subsequent modifications listed below, including conditions of such approvals, shall be an enforceable term and condition of this permit.

Description of Modification	Date of Approval
Monitoring Frequencies	01/18/94
Local Limits	12/10/86, 04/30/96, 04/04/02
Enforcement Management System	01/26/99
Permit Procedures	07/21/88
Ordinance	03/05/90, 03/15/94
Significant Industrial User List	05/03/91, 11/25/93
Penalty Provisions	03/05/90

To ensure that the approved program is implemented in accordance with 40 CFR 403 and Chapter 6111 of the Ohio Revised Code, the permittee shall comply with the following conditions:

1. Legal Authority

The permittee shall adopt and maintain legal authority which enables it to fully implement and enforce all aspects of its approved pretreatment program including the identification and characterization of industrial sources, issuance of control documents, compliance monitoring and reporting, and enforcement.

2. Industrial User Inventory

The permittee shall identify all industrial users subject to pretreatment standards and requirements and characterize the nature and volume of pollutants in their wastewater. Dischargers determined to be Significant Industrial Users according to OAC 3745-3-01(BB) must be notified of applicable pretreatment standards and requirements within 30 days of making such a determination. This inventory shall be updated at a frequency to ensure proper identification and characterization of industrial users.

### 3. Local Limits

The permittee shall develop and enforce technically based local limits to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the treatment works, be incompatible with the treatment works, or limit wastewater or sludge use options.

The permittee shall use the following water quality based values when evaluating local limits for the following pollutants, which do not have discharge limitations:

Arsenic - 137 ug/l  
Barium - 231 ug/l  
Cadmium - 4.7 ug/l  
Chromium, hexavalent - 12 ug/l  
Chromium, total - 132 ug/l  
Cobalt - 29 ug/l  
Copper - 20 ug/l  
Cyanide - 5.5 ug/l  
Lead - 23 ug/l  
Lithium - 534 ug/l  
Manganese - 1201.68 mg/l  
Molybdenum - 13, 160 ug/l  
Nickel - 113 ug/l  
Silver - 1.4 ug/l  
Zinc - 174 ug/l

For the purpose of periodically reevaluating local limits, the permittee shall implement and maintain a sampling program to characterize pollutant contribution to the POTW from industrial and residential sources and to determine pollutant removal rates through the POTW. The permittee shall continue to review and develop local limits as necessary.

### 4. Control Mechanisms

he permittee shall issue individual control mechanisms to all industries determined to be Significant Industrial Users as define in OAC 3745-3-01(BB). Control mechanisms must meet at least the minimum requirements of OAC-3745-3-03(C)(1)(c).

## 5. Industrial Compliance Monitoring

The permittee shall sample and inspect industrial users in accordance with the approved program. However, monitoring frequencies must be adequate to determine the compliance status of industrial users independent of information submitted by such users. Sample collection, preservation and analysis must be performed in accordance with procedures in 40 CFR 136 and with sufficient care to produce evidence admissible in judicial enforcement proceedings.

The permittee shall also require, receive, and review self-monitoring and other industrial user reports when necessary to determine compliance with pretreatment standards and requirements.

## 6. POTW Priority Pollutant Monitoring

The permittee shall annually monitor priority pollutants, as defined by U.S. EPA, in the POTW's influent, effluent and sludge. Sample collection, preservation, and analysis shall be performed using U.S. EPA approved methods.

a. A sample of the influent and the effluent shall be collected when industrial discharges are occurring at normal to maximum levels. Both samples shall be collected on the same day or, alternately, the effluent sample may be collected following the influent sample by approximately the retention time of the POTW. The samples shall be 24 hour composites except for volatile organics and cyanide which shall be collected by appropriate grab sampling techniques. Sampling of the influent shall be done prior to any recycle streams and sampling of the effluent shall be after disinfection.

Another sample shall be representative of sludge removed to final disposal. A minimum of one grab sample shall be taken during actual sludge removal and disposal unless the POTW uses more than one disposal option. If multiple disposal options are used, the POTW shall collect a composite of grab samples from all disposal practices which are proportional to the annual flows to each type of disposal.

b. A reasonable attempt shall be made to identify and quantify additional constituents (excluding priority pollutants and unsubstituted aliphatic compounds) at each sample location. Identification of additional peaks more than ten times higher than the adjacent background noise on the total ion plots (reconstructed gas chromatograms) shall be attempted through the use of U.S. EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be based on an order of magnitude estimate compared with an internal standard.

The results of these samples must be submitted on Ohio EPA Form 4221 with the permittee's annual pretreatment report. Samples may be collected at any time during the 12 months preceding the due date of the annual report and may be used to fulfill other NPDES monitoring requirements where applicable.

## 7. Enforcement

The permittee shall investigate all instances of noncompliance with pretreatment standards and requirements and take timely, appropriate, and effective enforcement action to resolve the noncompliance in accordance with the permittee's approved enforcement response plan

On or prior to March 15th of each year, the permittee shall publish, in the largest daily newspaper within the permittee's service area, a list of industrial users which, during the previous 12 months, have been in Significant Noncompliance [OAC 3745-3-03(C)(2)(g)] with applicable pretreatment standards or requirements.

## 8. Reporting

All reports required under this section shall be submitted to the following address in duplicate:

Ohio Environmental Protection Agency  
Division of Surface Water  
Pretreatment Unit  
P.O. Box 1049  
Columbus, OH 43216-1049

### a. Quarterly Industrial User Violation Report

On or prior to the 15th day of January, April, July, and October, the permittee shall report the industrial users that are in violation of applicable pretreatment standards during the previous quarter. The report shall be prepared in accordance with guidance provided by Ohio EPA and shall include a description of all industrial user violations and corrective actions taken to resolve the violations.

### b. Annual Pretreatment Report

On or prior to October 15th of each year, the permittee shall submit an annual report on the effectiveness of the pretreatment program, prepared in accordance with guidance provided by Ohio EPA. The report shall include, but not be limited to: a discussion of program effectiveness; and industrial user inventory; a description of the permittee's monitoring program; a description of any pass through or interference incidents; a copy of the annual publication of industries in Significant Noncompliance; and, priority pollutant monitoring results.

## 9. Record Keeping

All records of pretreatment activities including, but not limited to, industrial inventory data, monitoring results, enforcement actions, and reports submitted by industrial users must be maintained for a minimum of three (3) years. This period of retention shall be extended during the course of any unresolved litigation. Records must be made available to Ohio EPA and U.S. EPA upon request.

## 10. Program Modifications

Any proposed modifications of the approved pretreatment program must be submitted to the Ohio EPA for review, on forms available from Ohio EPA and consistent with guidance provided by Ohio EPA. If the modification is deemed to be substantial, prior approval must be obtained before implementation; otherwise, the modification is considered to be effective 45 days after the date of application. Substantial program modifications include, among other things, changes to the POTW's legal authority, control mechanism, local limits, confidentiality procedures, or monitoring frequencies.

### DD. General Mercury Variance

The permittee is granted a general mercury variance under the provisions of Rule 3745-33-07(D)(10) of the Ohio Administrative Code. The City of Elyria has demonstrated that the facility is currently unable to comply with the monthly average water quality based effluent limit of 1.3 ng/l without construction of expensive end-of-pipe controls more stringent than those required by sections 301(b) and 306 of the Clean Water Act. The City of Elyria is currently able to achieve or projects it can achieve an annual average mercury concentration of 12 ng/l within 5 years. For general mercury variance purposes, the annual average mercury effluent concentration is defined as the average of the most recent 12 months of effluent data.

One of the conditions of the general mercury variance is that the permittee make reasonable progress towards attaining the water quality based effluent limits for mercury (1.b, below). To accomplish this the permittee is required to implement a pollutant minimization program (PMP) for mercury. The elements of a PMP include: a control strategy to locate, identify and, where cost-effective, reduce levels of mercury that contribute to discharge levels; periodic monitoring of sources and the treatment system; and annual reporting of results.

The plan of study that was part of the permittee's application for coverage under the general mercury variance includes items associated with developing a control strategy and initial implementation of a PMP. Condition 1.d, below, requires the permittee to implement the plan of study. By implementing the plan of study and meeting other conditions of this NPDES permit, the permittee is taking actions consistent with a PMP for mercury.

1. As conditions of this variance, the permittee shall meet the following requirements:

- a. The permittee shall comply with the effluent limitations for mercury at outfall 3PD00034001 given in Part I, A of this permit.
- b. The permittee shall make reasonable progress towards attaining the monthly average water quality based effluent limit for mercury by complying with the general mercury variance conditions included in this NPDES permit.
- c. The permittee shall use EPA Method 1631 to comply with the influent and effluent mercury monitoring requirements of this permit.

d. The permittee shall implement the plan of study as included in the permittee's mercury variance application submitted on October 7, 2009, including the following summary of requirements:

Evaluating Mercury Sources - Annually

- Continue to sample all dental users to verify compliance with mercury local limit, continued use of BMPs, and proper maintenance of amalgam separators.
- Continue to update industrial user database using newspapers, telephone books, surveys of industrial areas, etc.
- Continue to sample sanitary sewer collection system branches in industrial areas for mercury to find any new dischargers or non-compliance existing dischargers; conduct site visits as needed.
- Continue community-wide mercury reduction program.
- Any other actions deemed necessary based on above.

Identifying and Evaluating Potential Reduction/Elimination/Prevention Methods - Annually

- Evaluate the effectiveness of the activities for evaluating mercury sources (above).
- Continue public outreach programs through radio and newspaper advertisements, local government cable channel, City of Elyria website, visits to local schools, Annual Apple Festival, and hand out of mercury reduction pamphlets and materials.
- Provide mercury reduction pamphlets and materials at literature racks in City buildings.
- Conduct monitoring require by NPDES permit.
- Document and compile all information over the year.
- Submit annual PMP progress report.

e. The permittee shall assess the impact of the mercury variance on public health, safety, and welfare by, as a minimum, monitoring for mercury in the facility's influent and effluent as required by this NPDES permit.

f. The permittee shall achieve an annual average mercury effluent concentration equal to or less than 12 ng/l.

g. On or prior to October 15 of each year, beginning in 2012, the permittee shall submit two copies of an annual PMP report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049. The annual PMP report shall include:

- i. All minimization program monitoring results for the year
- ii. A list of potential sources of mercury
- iii. A summary of all actions taken to meet the effluent limits for mercury
- iv. Any updates of the control strategy, including actions planned to reduce the levels of mercury in the treatment plant's final effluent

h. Upon completion of the actions identified in the plan of study as required in Part II, Item DD.1.d. of this permit or upon submittal of the permittee's NPDES permit renewal application, whichever comes first, the permittee shall submit to Ohio EPA's Northeast District Office a certification stating that all permit conditions imposed to implement the plan of study and the PMP have been satisfied and whether compliance with the monthly average water quality based effluent limit for mercury has been achieved and can be maintained. This certification shall be accompanied by the following:

- i. All available mercury influent and effluent data for the most recent 12 month period.
- ii. Data documenting all known significant sources of mercury and the steps that have been taken to reduce or eliminate those sources; and
- iii. A determination of the lowest mercury concentration that currently available data indicate can be reliably achieved through implementation of the PMP.

2. Exceedance of annual average limit of 12 ng/l.

a. If at any time after the date specified in this variance by which the permittee must meet an average annual mercury effluent concentration of 12 ng/l or after the Director's final approval of a variance renewal, whichever is earlier, the permittee's annual average mercury effluent concentration exceeds 12 ng/l, the permittee shall:

- i. Notify Ohio EPA's Northeast District Office not later than 30 days from the date of the exceedance.
- ii. Submit an individual variance application, if a variance is desired, not later than 6 months from the date of the exceedance; or
- iii. Request a permit modification not later than 6 months from the date of the exceedance for a compliance schedule to attain compliance with the water quality based effluent limits for mercury.

b. If the permittee complies with either 2.a.ii or 2.a.iii, above, the general mercury variance conditions included in this NPDES permit will remain in effect until the date that the Director acts on the individual variance application or the date that the permit modification becomes effective.

c. If the permittee does not comply with either 2.a.ii or 2.a.iii, above, a monthly water-quality based effluent limit for mercury of 1.3 ng/l shall apply at outfall 3PD00034001 beginning 6 months from the date of the exceedance.

3. The requirements of Part II, Item DD.2 shall not apply if the permittee demonstrates to the satisfaction of the Director that the mercury concentration in the permittee's effluent exceeds 12 ng/l due primarily to the presence of mercury in the permittee's intake water.

#### EE. Permit Reopener for Mercury Variance Revisions

Ohio EPA may reopen and modify this permit at any time based upon Ohio EPA water quality standard revisions to the mercury variance granted in Part II, Item DD of this permit.

#### FF. Renewal of Mercury Variance

For renewal of the mercury variance authorized in this permit, the permittee shall include the following information with the submittal of the subsequent NPDES permit renewal application:

1. the certification described under Part II, Item DD.1.h., and all information required under Part II, Item DD.1.h.i. through Part II, Item DD.1.h.iii;
2. a status report on the progress being made implementing the pollutant minimization program (PMP). This information may be included in the annual PMP report required under Part II, Item DD.1.g;
3. a listing of the strategies and/or programs in the PMP which will be continued under the next renewal of this permit; and
4. a statement requesting the renewal of the mercury variance.

#### GG. Total Dissolved Solids Variance

Under the provisions of Rule 3745-33-07(D)(10) of the Ohio Administrative Code, the permittee is granted a variance to the outside mixing zone average aquatic life water quality standard for dissolved solids (TDS). The City of Elyria has demonstrated that it is not technically feasible for its wastewater treatment plant to comply with the monthly average water quality based effluent limit of 1551 mg/l without construction of expensive end-of-pipe controls more stringent than those required by sections 301(b) and 306 of the Clean Water Act.

1. As conditions of this variance, the permittee shall meet the following requirements:
  - a. The permittee shall comply with the effluent limitations for total dissolved solids (residue) at outfall 3PD00034001 given in Part I, A of this permit.

b. The permittee shall make reasonable progress towards attaining the monthly average water quality based effluent limit for total dissolved solids by:

- Using the authority of its industrial pretreatment program to require industrial users who are known sources of total dissolved solids to evaluate the technical and economic feasibility of modifying their manufacturing and/or treatment systems to reduce the TDS in their discharges to a level that would allow the Elyria wastewater treatment plant to meet water quality standards.

- Using the authority of its industrial pretreatment program to require industrial users who are known sources of total dissolved solids to develop the necessary information and use Chapter 3 of U.S. EPA's Interim Economic Guidance Workbook (EPA 823-B-95-002; March 1993) to evaluate whether or not modifying their manufacturing and/or treatment systems to reduce the TDS in their discharges to a level that would allow the Elyria wastewater treatment plant to meet water quality standards results in substantial financial impacts.

- Using the information developed by its industrial users as well as other relevant information, use Chapter 4 of U.S. EPA's Interim Economic Guidance Workbook (EPA 823-B-95-002; March 1993) to demonstrate that there will be widespread adverse impacts on the community and surrounding area if its industrial users must reduce the TDS in their discharges to a level that would allow the Elyria wastewater treatment plant to meet water quality standards.

c. The permittee shall assess the impact of the variance on its wastewater treatment plant and the receiving water by, as a minimum, conducting the monitoring required by this NPDES permit, including monitoring total dissolved solids in the facility's influent, effluent and upstream and downstream of its outfall.

#### HH. Permit Reopener for Total Dissolved Solids Variance Revisions

Ohio EPA may reopen and modify this permit at any time based upon Ohio EPA water quality standard revisions to the total dissolved solids variance granted in Part II, Item GG of this permit.

## II. Renewal of Total Dissolved Solids Variance

For renewal of the TDS variance authorized in this permit, the permittee shall include the following information with the submittal of the subsequent NPDES permit renewal application:

1. A statement requesting the renewal of the TDS variance.
2. Influent and effluent TDS data for the most recent 12 months and all upstream and downstream TDS data that the permittee has collected as required by this NPDES permit.
3. A progress report on requiring industrial users who are known sources of TDS to evaluate the technical and economic feasibility of modifying their manufacturing and/or treatment systems to reduce the TDS in their discharges to a level that would allow the Elyria wastewater treatment plant to meet water quality standards.
4. A schedule for developing and submitting the information required by Item GG.1.b, above, as well as any other information required under OAC 3745-33-07(D)(3)(a)(vi) to Ohio EPA no later than 12 months from the effective date of this modification.

## 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: nwd024hournpdes@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.