

Application No. OH0026069

Issue Date: December 12, 2012

Effective Date: January 1, 2013

Expiration Date: February 28, 2015

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

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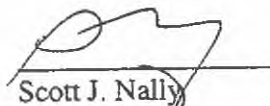
In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

City of Lima

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the City of Lima WWTP wastewater treatment works located at 1200 Fort Amanda Rd, Lima, Ohio, Allen County and discharging to the Ottawa River in accordance with the conditions specified in Parts I, II, III, IV, V and VI of this permit.

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

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


Scott J. Nally
Director

Total Pages: 74

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

I. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PE00000001 . 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			
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	When Disch.	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	1/Day	Grab	Summer
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
50060 - Chlorine, Total Residual - mg/l	0.020	-	-	-	-	-	-	1/Day	Multiple Grab	Summer
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	24hr Composite	All

Notes for station 2PE00000001:

- Total residual chlorine - See Part II, Items L and DD.

- Dissolved oxygen - Monitoring is required once per day only when there is discharge through Station Number 2PE00000602 or 2PE00000603. The critical low value shall be reported.

- Total suspended solids, ammonia nitrogen and CBOD5 - Monitoring is required once per day only when there is discharge through Station Number 2PE00000602 or 2PE00000603.

- Phosphorus - Monitoring is required twice per week only when there is discharge through Station Number 2PE00000602 or 2PE00000603.

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

2. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PE00000602 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 602 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	Total	All
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All

NOTES for Station Number 2PE00000602:

- Data for 24 hour total flow, bypass occurrence(s) per day, and the bypass total hours per day may be estimated if a measuring device is not available.
- A Discharge Monitoring Report, or DMR (Form 4500) for this station **MUST BE SUBMITTED EVERY MONTH.**
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.
- If there are **NO DISCHARGES DURING THE ENTIRE MONTH:**
 - 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
 - 2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.
- Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event (less than 12 hours since the last precipitation), it should be counted as one occurrence: Report "1" on the first day of the discharge.

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

3. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PE00000603 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 603 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day					Measuring	Sampling	Monitoring
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Frequency	Type	Months
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	Total	All
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All

NOTES for Station Number 2PE00000603:

- Data for 24 hour total flow, bypass occurrence(s) per day, and the bypass total hours per day may be estimated if a measuring device is not available.

- A Discharge Monitoring Report, or DMR (Form 4500) for this station MUST BE SUBMITTED EVERY MONTH.

- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.

- If there are NO DISCHARGES DURING THE ENTIRE MONTH:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event (less than 12 hours since the last precipitation), it should be counted as one occurrence: Report "1" on the first day of the discharge.

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

4. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PE00000604 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 604 - 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	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	20.0	14.0	-	3407	2385	1/Day	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10.0	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	4.0	2.0	-	681	341	1/Day	24hr Composite	Summer
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	8.0	4.0	-	1363	681	1/Day	24hr Composite	Winter
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	255	170	2/Week	24hr Composite	All
00719 - Cyanide, Free - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01147 - Selenium, Total (Se) - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01268 - Antimony, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr 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			
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	24hr Total	All
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	7.6	0.29	-	0.0013	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	August
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	1/Year	24hr Composite	August
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
80082 - CBOD 5 day - mg/l	-	-	10.0	7.0	-	1703	1192	1/Day	24hr Composite	All

NOTES for Station Number 2PE00000604:

*Effluent loadings are based on maximum wet weather flow of 45 MGD that was determined during wet weather stress testing of the wastewater treatment plant. The maximum operational hydraulic loading of the tertiary treatment is 30 MGD. The average daily design flow is 18.5 MGD.

- Biomonitoring - See Part II, Item Z.
- Mercury - See Part II, Items P, X, EE and FF.
- Free cyanide - See Part II, Item W.
- Nickel, zinc, cadmium, lead, total chromium, copper, selenium and antimony - See Part II, Item O.
- Dissolved hexavalent chromium - See Part II, Item P.
- Whole effluent toxicity - See Part II, Item Z.
- Bis(2-ethylhexyl)phthalate - See Part II, Item CC.
- CBOD and total suspended solids - See Part II, Item K.
- Outfall Sign Requirement - See Part Y.

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

1. CSO 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 2PE000000002, 2PE000000003, 2PE000000004, 2PE000000005 and 2PE000000006 and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of outfall sampling.

Table - CSO 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
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 2PE000000002, 2PE000000003, 2PE000000004, 2PE000000005 and 2PE000000006:

- See Part I, C. Schedule of Compliance
- See Part II, Items D and E.
- Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from these stations only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. A Discharge Monitoring Report, or DMR (Form 4500) for this station must be submitted every month.

- If there are no discharges during the entire month:

- 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
- 2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.
- Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event (less than 12 hours since the last precipitation), it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.
- Overflow Volume shall be reported on each day there is a discharge through this station.
- Data for total suspended solids and CBOD shall be sampled, analyzed and reported once per month.

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

2. CSO 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 2PE00000007, 2PE00000008, 2PE00000009, 2PE00000011, 2PE00000012, 2PE00000013, 2PE00000014, 2PE00000015, 2PE00000016, 2PE00000033, 2PE00000034, 2PE00000035, 2PE00000036, 2PE00000037 and 2PE00000038 and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of outfall sampling.

Table - CSO Monitoring - 007 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly		
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch. Total	All

NOTES for Station Number 2PE00000007, 2PE00000008, 2PE00000009, 2PE00000011, 2PE00000012, 2PE00000013, 2PE00000014, 2PE00000015, 2PE00000016, 2PE00000033, 2PE00000034, 2PE00000035, 2PE00000036, 2PE00000037, and 2PE00000038:

- See Part I, C. Schedule of Compliance
- See Part II, Items D and E.

- The permittee is authorized to discharge from these stations only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. A Discharge Monitoring Report, or DMR (Form 4500) for this station must be submitted every month.

- If there are no discharges during the entire month:

- 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
- 2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- Data for Overflow Occurrence may be estimated if a measuring device is not available.

- Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event (less than 12 hours since the last precipitation), it should be counted as one occurrence: Report total occurrences for the month on Day 1 of the DMR.

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

3. Bypass Monitoring. Discharge from Outfall Number 2PE00000057 is prohibited. 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 2PE00000057, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 057 - 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			
00051 - Bypass Occurrence - No./Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
00052 - Bypass Total Hours Per Day - Hrs/Day	-	-	-	-	-	-	-	When Disch.	24hr Total	All
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
51428 - Bypass Volume - MGAL	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 2PE00000057:

- Data for 24 hour total flow, bypass occurrence(s) per day, and the bypass total hours per day may be estimated if a measuring device is not available.

- A Discharge Monitoring Report, or DMR (Form 4500) for this station MUST BE SUBMITTED EVERY MONTH.

- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.

- If there are NO DISCHARGES DURING THE ENTIRE MONTH:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of the month on the 4500 Form. Sign the form.

- Bypass Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event (less than 12 hours since the last precipitation), it should be counted as one occurrence: Report "1" on the first day of the discharge.

- Total suspended solids and CBOD5 shall be monitored and reported on each day that a discharge occurs through this station.

-- Outfall Sign Requirement - See Part II, Item Y

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

4. 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 2PE00000300, 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	-	-	-	-	-	-	-	-	1/Month	Total	All

NOTES for Station Number 2PE00000300:

- A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. These overflows shall be monitored when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.
- 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 F and G.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

5. 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 2PE00000581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Month	Composite	All
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Month	Multiple Grab	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 2PE00000581:

- Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land. The monitoring data shall be reported on monthly Discharge Monitoring Reports (DMRs). The monitoring data can be collected at any time during the reporting period.

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

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

- If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, the permittee shall report under station 581 in the following manner:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of the 4500 Form. Sign the form.

- If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.

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

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

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

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

- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- See Part II, Items R, S, T, U, and V.
- For fecal coliform monitoring, at a minimum, seven grab samples of the biosolids shall be taken and analyzed and all results shall meet the limit listed for this station for the biosolids to be considered exceptional quality. For reporting purposes, report the single highest value attained during the reporting period. At the time of sale/distribution/land application, the fecal coliform monitoring results shall not be more than sixty days old (referred to below as "the 60-day requirement"). If the permittee can demonstrate that substantial regrowth of fecal coliform does not occur during storage of the biosolids, the 60-day requirement shall terminate. Such demonstration shall be conducted as follows. At approximately 60, 120, and 180 days after biosolids are first deposited onto a storage pile, the permittee shall analyze seven grab samples from the pile. If all values obtained during such testing are less than the fecal coliform limit prescribed for Class A biosolids, the 60-day requirement shall terminate. Notwithstanding such termination, the permittee will continue to monitor the biosolids for fecal coliform at least once before the biosolids leave the permittee's control.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

6. 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 2PE00000584, 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 - 584 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01003 - Arsenic, Total In Sludge - mg/kg	-	-	-	41	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	39	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	-	-	-	1500	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	-	-	-	300	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	420	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	-	-	-	2800	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	-	-	-	100	-	-	-	1/Month	Composite	All
31641 - Fecal Coliform in Sludge - MPN/G	-	-	-	1000	-	-	-	1/Month	Multiple Grab	All
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Month	Total	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Month	Total	All
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	17	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	-	-	-	75	-	-	-	1/Month	Composite	All

NOTES for Station Number 2PE00000584:

- Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land or for sale/distribution. The monitoring data shall be reported on monthly Discharge Monitoring Reports (DMRs). The monitoring data can be collected at any time during the reporting period.
- Metal pollutant analysis must be completed during each reporting period, whether sewage sludge is removed from the facility or not, or the number of composite samples collected and reported shall be increased prior to the next land application event to account for the reporting period(s) in which land application did not occur, unless all previously accumulated sewage sludge has been removed and disposed of via a landfill, through incineration or by transfer to another treatment works.
- If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis in eDMR or on the 4500 report and enter "0" for sludge weight and sludge fee weight.
- If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, the permittee shall report under station 581 in the following manner:
 - 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
 - 2) Permittees reporting on paper should report "AL" in the first column of the first day of the 4500 Form. Sign the form.
- If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.
- It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.
- The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.
- Units of mg/kg are on a dry weight basis.

- Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.
- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- See Part II, Items R, S, T, U and V.
- For fecal coliform monitoring, at a minimum, seven grab samples of the biosolids shall be taken and analyzed and all results shall meet the limit listed for this station for the biosolids to be considered exceptional quality. For reporting purposes, report the single highest value attained during the reporting period. At the time of sale/distribution/land application, the fecal coliform monitoring results shall not be more than sixty days old (referred to below as "the 60-day requirement"). If the permittee can demonstrate that substantial regrowth of fecal coliform does not occur during storage of the biosolids, the 60-day requirement shall terminate. Such demonstration shall be conducted as follows. At approximately 60, 120, and 180 days after biosolids are first deposited onto a storage pile, the permittee shall analyze seven grab samples from the pile. If all values obtained during such testing are less than the fecal coliform limit prescribed for Class A biosolids, the 60-day requirement shall terminate. Notwithstanding such termination, the permittee will continue to monitor the biosolids for fecal coliform at least once before the biosolids leave the permittee's control.

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 2PE00000586, 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

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PE00000586:

- Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a mixed solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a mixed solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- If no sewage sludge is removed from the Permittee's facility for disposal in a mixed solid waste landfill during the year:
 - 1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.
 - 2) Permittees reporting on paper should report "AL" in the first column of the first day of December on the 4500 Form. Sign the form.
- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- Scum may be separately handled and disposed of in a mixed solid waste landfill; if disposed in this manner, it is not subject to sludge weight reporting requirements.
- See Part II, Items R, T and U.

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 2PE00000588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

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

NOTES for Station Number 2PE00000588:

- Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder or a facility with an Ohio EPA-approved sludge management plan. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

- If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder or a facility with an Ohio EPA-approved sludge management plan during the year:

1) eDMR users should select the "No Discharge" check box on the data entry form. PIN the eDMR.

2) Permittees reporting on paper should report "AL" in the first column of the first day of December on the 4500 Form. Sign the form.

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

- See Part II, Items R, T and U.

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 2PE00000601, 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			
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	1/Day	24hr Composite	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01147 - Selenium, Total (Se) - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01268 - Antimony, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
50092 - Mercury, Total (Low Level) - 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	24hr Composite	All

NOTES for Station Number 2PE00000601:

- Mercury - See Part II, Items Q, X and EE.
- Nickel, zinc, cadmium, lead, total chromium, copper, selenium and antimony - See Part II, Item O.
- Dissolved hexavalent chromium - See Part II, Item Q.
- CBOD and total suspended solids - See Part II, Item K.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

10. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2PE00000801, 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
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	Grab	August

NOTES for Station Number 2PE00000801:

- Biomonitoring - See Part II, Item Z.

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

11. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2PE00000901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic	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
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00720 - Cyanide, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00900 - Hardness, Total (CaCO3) - mg/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
01097 - Antimony, Total - 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
01147 - Selenium, Total (Se) - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer

NOTES for Station Number 2PE00000901:

- Nickel, zinc, cadmium, lead, total chromium, copper, selenium and antimony - See Part II, Item O.

Part I, C - Schedules

1. Construction Schedule for Wet Weather Improvements - Specific Projects to be Implemented according to Items a. through i. below

a. Collett Street Sewer Lining

- i. Commence construction as soon as possible, but no later than 9 months from the effective date of this permit. (Event Code 03099)
- ii. Complete construction as soon as possible, but no later than 12 months from the effective date of this permit. (Event Code 04599)
- iii. Notify Ohio EPA, Northwest District Office, Division of Surface Water within 7 days of completing construction.

b. Time-critical Lift Station Projects - These include the Allentown Road Pump Station, Cable Road Pump Station, Gloria Avenue Pump Station, Lost Creek Pump Station, Hickory Knoll Pump Station and the Sugar Street Pump Station.

- i. Submit a permit-to-install application and detail plans as soon as possible, but no later than 6 months from the effective date of this permit. (Event Code 01299)<BeginOffset>
- ii. Advertise for construction bids, receive bids, and award contracts as soon as possible, but not later than 9 months from the effective date of this permit. (Event Code 01899)<BeginOffset>
- iii. Commence construction as soon as possible, but no later than 14 months from the effective date of this permit. (Event Code 03099)<BeginOffset>
- iv. Complete construction as soon as possible, but no later than 24 months from the effective date of this permit. (Event Code 04599)<BeginOffset>
- v. Notify Ohio EPA, Northwest District Office, Division of Surface Water within 7 days of completing construction.

c. Baxter Street Interceptor Work

- ii. Advertise for construction bids, receive bids, and award contracts as soon as possible, but not later than 4 months from the effective date of this permit. (Event Code 01899)<BeginOffset>
- iii. Submit a status report on awarding construction contracts as soon as possible, but not later than 16 months from the effective date of this permit. [Event Code 95999].<BeginOffset>

iv. Commence construction as soon as possible, but no later than 21 months from the effective date of this permit. (Event Code 03099)<BeginOffset>

v. Complete construction as soon as possible, but no later than 33 months from the effective date of this permit.

vi. Notify Ohio EPA, Northwest District Office, Division of Surface Water within 7 days of completing construction.

d. Headworks and Primary Clarification Improvements:

These improvements shall also include piping and pumps, modifications/expansions and upgrades to the existing disinfection system; the improvements shall be designed to achieve secondary treatment at Outfall 001 for 70 MGD, once regulatory approval is received by the City to operate in Peak Wet Weather mode.

i. Submit status report on the PTI application and detail plans as soon as possible, but no later than 10 months from the effective date of this permit. [Event Code 95999]

ii. Submit a permit-to-install application and detail plans as soon as possible, but no later than 19 months from the effective date of this permit. (Event Code 01299)<BeginOffset>

iii. Submit a status report on construction contracts as soon as possible, but not later than 30 months from the effective date of this permit.<BeginOffset>

iv. Advertise for construction bids, receive bids, and award contracts as soon as possible, but not later than 36 months from the effective date of this permit.

v. Commence construction as soon as possible, but no later than 42 months from the effective date of this permit.

vi. No later than 54 months from the effective date of this permit, submit a status report to Ohio EPA, Northwest District Office, Division of Surface Water on construction progress and ability to meet final compliance date.

vii. Complete construction as soon as possible, but no later than 66 months from the effective date of this permit.

vii. Notify Ohio EPA, Northwest District Office, Division of Surface Water within 7 days of completing construction.

CONSTRUCTION SCHEDULE IN FUTURE PERMITS

This NPDES permit, Ohio EPA permit number 2PE00000*MD, expires on February 28, 2015. This Schedule of Compliance includes items that extend beyond the term of the permit. The requirements of Schedule of Compliance Items 1 c.v. and 1.d iv. through 1d. vii, including the compliance dates, will be included in permit 2PE00000 when it is renewed.

2. Municipal Pretreatment Schedule

a. The permittee shall evaluate the adequacy of local industrial user limitations to prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, pass through the POTW, be incompatible with the POTW, or limit wastewater or sludge use options. 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. (Event Code 52599)<BeginOffset>

Technical justification is required for copper and mercury. Technical justification is required for any other pollutants where a local limit may be necessary to protect against pass through and interference. If there is no reasonable potential for the permittee's discharge to cause water quality violations of the values in Part II. AA. 4 of this permit, the existing local limits will continue to apply. If changes to the local limits are required, the permittee shall, after consultation with the Director and its industrial users, take all appropriate actions.

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:

- i. Treatment plant flow, domestic/background concentrations, and industrial flows to which local limits will be applied.
- ii. Treatment plant removal efficiencies.
- iii. A comparison of maximum allowable headworks loadings based on all applicable criteria. Criteria may include sludge disposal, NPDES permit limits, waste load allocation values, and interference with biological processes such as activated sludge, sludge digestion, nitrification, etc.
- iv. If revised industrial user discharge limits are proposed, the method of allocating available pollutant loads to industrial users.
- v. Supporting data, assumptions, and methodologies used in establishing the information in item a.i through a.iv above.

b. If revisions to local industrial user limitations including best management practices are determined to be necessary, no later than 4 months after the date of Ohio EPA's approval, the permittee shall incorporate revised local industrial user limitations in all industrial user control documents.

c. Program Modification to Implement Changes to Ohio's Pretreatment Rules

No later than 6 Months after the effective date of this permit, the permittee shall submit to Ohio EPA a program modification request to incorporate revisions of Chapter 3745-3 of Ohio Administrative Code, which became effective on February 1, 2007. The modification request shall highlight all changes to the approved program and the sewer use ordinance necessary to incorporate the revisions of Chapter 3745-3 of Ohio Administrative Code required to be implemented by all pretreatment programs. This includes any necessary revisions to the permittee's Enforcement Response Plan (ERP). Any desired change not required to be adopted may be included with this submission. The required changes are described in USEPA's Pretreatment Streamlining Rule Fact Sheet 2.0: Required Changes, available at:

http://cfpub.epa.gov/npdes/whatsnew.cfm?program_id=3. (Event Code 53199).<BeginOffset>

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_

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

Sampling Station	Description of Location
2PE00000001	Plant effluent to Ottawa River, combined flows of tertiary treatment effluent and internal secondary and tertiary bypasses. (Lat: 40 42' 56"; Long: 84 08' 45")
2PE00000002	Combined sewer overflow. See Part II, Items D & E
2PE00000003	Combined sewer overflow. See Part II, Items D & E
2PE00000004	Combined sewer overflow. See Part II, Items D & E
2PE00000005	Combined sewer overflow. See Part II, Items D & E
2PE00000006	Combined sewer overflow. See Part II, Items D & E
2PE00000007	Combined sewer overflow. See Part II, Items D & E
2PE00000008	Combined sewer overflow. See Part II, Items D & E
2PE00000009	Combined sewer overflow. See Part II, Items D & E
2PE00000011	Combined sewer overflow. See Part II, Items D & E
2PE00000012	Combined sewer overflow. See Part II, Items D & E
2PE00000013	Combined sewer overflow. See Part II, Items D & E
2PE00000014	Combined sewer overflow. See Part II, Items D & E
2PE00000015	Combined sewer overflow. See Part II, Items D & E
2PE00000016	Combined sewer overflow. See Part II, Items D & E
2PE00000033	Combined sewer overflow. See Part II, Items D & E
2PE00000034	Combined sewer overflow. See Part II, Items D & E
2PE00000035	Combined sewer overflow. See Part II, Items D & E
2PE00000036	Combined sewer overflow. See Part II, Items D & E
2PE00000037	Combined sewer overflow. See Part II, Items D & E
2PE00000038	Combined sewer overflow. See Part II, Items D & E

2PE00000057	Plant bypass
2PE00000300	Sanitary Sewer Overflows (SSOs). See Part II, Item F.
2PE00000581	Land application of non-exceptional quality sludge
2PE00000584	Exceptional quality sludge removed from the wastewater treatment plant
2PE00000586	Sludge hauled to a landfill
2PE00000588	Sludge hauled to another NPDES permit holder
2PE00000601	Plant influent
2PE00000602	Internal secondary treatment bypass
2PE00000603	Internal tertiary treatment bypass
2PE00000604	Tertiary treatment effluent, before combining with internal secondary and tertiary bypasses
2PE00000801	Upstream
2PE00000901	Downstream

C. 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.

D. 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 I, B for monitoring and reporting requirements. Also see Part III, Item 11.

Station Number	Description	Receiving Stream
2PE00000002	Collett Street Control Structure	Ottawa River
.	(Storm water retention)	
2PE00000003	Heindel St. Control Structure	Ottawa River
.	(Storm water retention)	
2PE00000004	McDonel St. Control Structure	Ottawa River
.	(Storm water retention)	
2PE00000005	Central Ave. Control Structure	Ottawa River
.	(Storm water retention)	
2PE00000006	Lovers Lane Control Structure	Ottawa River
.	(Storm water retention)	
2PE00000007	S. Central Ave and Ottawa River	Ottawa River
2PE00000008	Timberlake Sewer (West of Baxter St.) and Ottawa River	Ottawa River
2PE00000009	Oxford Ave. and Collett St.	Ottawa River
2PE00000011	Burch Ave. at O'Connor Ave.	Pike Run
2PE00000012	McDonel St. at O'Connor Ave.	Pike Run
2PE00000013	Metcalf St. at O'Connor Ave.	Pike Run
2PE00000014	Metcalf St. at Tremont Ave.	Pike Run
2PE00000015	Metcalf St. at Runyan Ave.	Pike Run
2PE00000016	Metcalf St. at Ashton Ave.	Pike Run

2PE00000033	Nixon Ave. at Kunneke Ave.	Ottawa River
2PE00000034	Judkins Ave. at Kunneke Ave.	Ottawa River
2PE00000035	Lakewood Ave. at Charles St.	Ottawa River
2PE00000036	Charles St. at State St.	Ottawa River
2PE00000037	North Shore Dr. at Cole St.	Ottawa River
2PE00000038	West Street at O'Connor Ave.	Pike Run

E. The entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. To accomplish this, 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 nondomestic discharges from combined sewer overflows; or if there is no pretreatment program review and modify local programs to minimize the impact of nondomestic 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) implements a public notification program for areas affected by CSOs, especially beaches and recreation areas.

F. 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 (if any). All SSOs are prohibited.

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, overflows that expose the general public to contact with raw sewage, 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.

An acceptable 5-day follow-up written report can be filled-in or 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.

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. Only WIBs caused by a problem in the publicly-owned collection system must be included.

Not later than March 31 of each year, you must submit one copy of the annual report for the previous calendar year to the appropriate Ohio EPA district office and one copy to: Ohio EPA; Division of Surface Water; NPDES Permit Unit; P.O. Box 1049; Columbus, OH 43216-1049. 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.

An acceptable annual SSO report can be filled-in or 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.

G. 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, or other locations not part of the treatment works or sewerage system due to improper operation or maintenance.

H. 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.

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

J. 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.

K. 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). If plant operations change to reduce CSO discharges, and the City provides engineering calculations to show that this removal rate cannot be reliably maintained, this permit may be modified based on a demonstrated exclusion from Secondary Treatment Regulations under 40 CFR 133.

L. 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).

M. 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.

N. 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.

O. Sampling for these parameters at station 2PE00000604, 2PE00000601, and 2PE00000901 shall occur the same day.

P. Sampling at station 2PE00000604 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 2PE00000601 for the same parameters on the same day.

Q. Sampling at station 2PE00000601 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 2PE00000604 for the same parameters on the same day.

R. 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 existing or outstanding actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

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

T. 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.

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

V. Permit limitations may be revised in order to meet water quality standards after a stream use determination and waste load allocation are completed and approved. The distribution of the wasteload allocation for dissolved solids, metals and organic pollutants will be distributed between the Lima WWTP, Premcor Refining, PCS Nitrogen and the Allen County Shawnee WWTP each time the wasteload is conducted. Wasteload allocations for individual pollutants will be distributed according to Ohio Administrative Code Rule OAC 3745-2-05(A)(8).

W. It is understood by Ohio EPA that at the time permit 2PE00000*MD 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 18th, 19th, or 20th edition of Standard Methods.

X. The permittee shall use EPA Method 1631 promulgated under 40 CFR 136 to comply with the influent and effluent mercury monitoring requirements of this permit.

Y. Not later than 4 months from the effective date of this permit, the permittee shall post a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit and discharges to the Ottawa River and Pike Run. This includes final outfalls, bypasses, and combined sewer overflows. The marker shall consist at a minimum of the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The marker shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall be not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water.

Z. Biomonitoring Program Requirements

As soon as possible but not later than three months after the effective date of this permit, the entity shall initiate an effluent biomonitoring program to determine the toxicity of the effluent from outfall 2PE00000604.

General Requirements

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

Testing Requirements

1. Chronic Bioassays

The permittee shall conduct quarterly chronic toxicity tests using *Ceriodaphnia dubia* and yearly chronic toxicity tests using fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PE00000604. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

2. Acute Bioassays

The permittee shall conduct quarterly definitive acute toxicity tests using *Ceriodaphnia dubia* and yearly definitive acute toxicity testing using fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PE00000604. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance. Acute toxicity tests need not be performed for months in which chronic toxicity tests are conducted. Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test.

3. Testing of Ambient Water

In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 2PE00000801. 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 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. 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 Toxicity Units = $100/LC50$

TUc = Chronic Toxicity Units = $100/IC25$

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

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

AA. Pretreatment Program Requirements

The permittee's pretreatment program initially approved on January 14, 1992 and all subsequent modifications approved before the effective date of this permit, shall be an enforceable term and condition of this permit.

To ensure that the approved program is implemented in accordance with 40 CFR 403, Chapter 3745-3 of Ohio Administrative Code 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.

The permittee shall establish agreements with all contributing jurisdictions, as necessary, to enable the permittee to fulfill its requirements with respect to industrial users discharging to its system.

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(FF) 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. Slug Load Control Plans for Significant Industrial Users

The permittee shall evaluate the need for a plan, device or structure to control a potential slug discharge at least once during the term of each significant industrial user's control mechanism. Existing significant industrial users shall be evaluated within one year of the effective date of this permit if the users have never been evaluated. New industrial users identified as significant industrial users shall be evaluated within one year of being identified as a significant industrial user.

4. 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 waste load allocation values when evaluating local limits for the following pollutants for which a final effluent limit has not been established:

Antimony 194 ug/l
Arsenic 112 ug/l
Cadmium 5.5 ug/l
Chromium, hexavalent 11 ug/l
Chromium, total 109 ug/l
Copper 28 ug/l
Free Cyanide 5.3 ug/l
Lead 25 ug/l
Molybdenum 11190 ug/l
Nickel 132 ug/l
Selenium 3 ug/l
Zinc 306 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 efficiencies through the POTW. The permittee shall continue to review and develop local limits as necessary.

5. Control Mechanisms

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

6. Industrial Compliance Monitoring

The permittee shall sample and inspect industrial users in accordance with the approved program or approved modifications, including inspection and sampling of all significant industrial users at least annually. 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. If the permittee performs sampling and analysis in lieu of an industrial user's self-monitoring, the permittee shall perform repeat sampling and analysis within 30 days of becoming aware of a permit violation, unless the permittee notifies the user of the violation and requires the user to perform the repeat analysis and reporting.

7. 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. Sampling of the influent shall be done prior to any recycle streams and sampling of the effluent shall be after disinfection. 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.

Sampling of sludge 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.

8. 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 a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by the permittee, a list of industrial users which, during the previous 12 months, have been in Significant Noncompliance [OAC 3745-3-03(C)(2)(h)] with applicable pretreatment standards or requirements.

9. 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 February, May, August and December, 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 March 15th of each year, the permittee shall submit an annual report on the effectiveness of the pretreatment program. The report shall be prepared in accordance with guidance provided by Ohio EPA and 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.

10. 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.

11. Program Modifications

Any proposed modifications of the approved pretreatment program must be submitted to 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, industrial user control mechanisms, local limits, confidentiality procedures, or monitoring frequencies.

BB. Monitoring Report Name Change

The name of the monitoring reports required for each effluent table contained in this permit has been changed from "Monthly Operating Report" (MOR) to "Discharge Monitoring Report" (DMR). The circumstances requiring the submittal of a DMR remain the same as those which were required for an MOR. Form 4500 must be used for DMR submittal.

CC. Monitoring for Bis(2-ethylhexyl) Phthalate

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. The samples shall be collected in glass to eliminate the potential for contamination from plastic containers; and they shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

DD. The effluent limit for chlorine at outfall 2PE00000001 is less than the quantification level of 0.050 mg/l. However, a Pollutant Minimization Program is not required because the dosing rate of dechlorination chemicals reasonably ensure that the WQBEL is being met.

EE. 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 Lima 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 Lima is currently able to achieve an annual average mercury concentration of 12 ng/l. 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 continue implementing 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 2007 application for coverage under the general mercury variance included items associated with developing a control strategy and initial implementation of a PMP. By implementing the plan of study and meeting other conditions of its NPDES permit, the permittee has been taking actions consistent with a PMP for mercury. Condition 1.d below, requires the permittee to continue implementing 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 2PE00000604 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 continue implementing a PMP for mercury consistent with the plan of study included in the permittee's mercury variance application submitted on October 29, 2010 and any other relevant information submitted by the permittee, including the following activities:

- i. Provide further training to Inspector with regards to regulation of dentists;
- ii. Conduct further sampling to check the discharge of dental offices outside of the Allentown Road lift station basin;
- iii. Continue monitoring the POTW influent and effluent; and
- iv. Continue efforts to identify other entities that may discharge mercury and eliminate or reduce discharges.

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 March 15th of each year, the permittee shall submit two copies of an annual PMP report to Ohio EPA, Division of Surface Water, Pretreatment 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; and
- 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 EE.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 Northwest 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 the annual average limit of 12 ng/l.

a. If at any time after the effective date of this permit, the permittee's annual average mercury effluent concentration exceeds 12 ng/l, the permittee shall:

- i. Notify Ohio EPA's Northwest 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 2PE00000604 beginning 6 months from the date of the exceedance.

3. The requirements of Part II, Item EE.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.

FF. 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 EE. of this permit.

GG. Pollutant Minimization Program for Copper

1) The goal of the PMP is to maintain effluent concentrations of copper at or below the wasteload allocation values listed in the Local Limits portion of paragraph AA of this permit at Outfall 2IE00000604.

2) Monitoring requirements:

The permittee shall investigate and monitor potential sources of copper quarterly by grab sample. Potential sources may include industrial users' process and cooling waters, residential and commercial sources.

3) The permittee shall submit an annual report to the Division of Surface Water, Northwest District Office before March 15 each year. The annual report shall include:

- a) All minimization program monitoring results for the year;
- b) A list of potential sources of the pollutants that are subject to PMP requirements
- c) A summary of all actions taken to meet the wasteload allocations for those pollutants
- d) Any updates of the control strategy

4) This permit may be modified, or alternatively, revoked and reissued, to revise or remove the requirements of this paragraph based on information collected under this paragraph.

HH. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, modification, or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

The Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.

Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.

Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000.

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 monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

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

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

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

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

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

<http://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: nwd24hournpdes@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.

Part IV. STORM WATER POLLUTION PREVENTION PLANS

A storm water pollution prevention plan (plan) shall be developed to address each outfall that discharges to waters of the state that contains storm water associated with industrial activity. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

A. Deadlines for Plan Preparation and Compliance.

1. The plan for a storm water discharge associated with industrial activity:
 - a. shall be prepared within 12 months of the effective date of this permit (and updated as appropriate);
 - b. shall provide for implementation and compliance with the terms of the plan within 24 months of the effective date of this permit.
2. Upon a showing of good cause, the Director may establish a later date for preparing and compliance with a plan for a storm water discharge associated with industrial activity.

B. Signature and Plan Review.

1. The plan shall be signed in accordance with Part VI, and be retained on-site at the facility which generates the storm water discharge.
2. The permittee shall make plans available upon request to the Ohio EPA Director, or authorized representative, or Regional Administrator of U.S. EPA, or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system, to the operator of the municipal system.
3. The Director may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Within 60 days of such notification from the Director, the permittee shall make the required changes to the plan and shall submit to the Director a written certification that the requested changes have been made.
4. All storm water pollution prevention plans required under this permit are considered reports that shall be available to the public under Section 308(b) of the Act. The permittee may claim any portion of a storm water pollution plan as confidential in accordance with 40 CFR Part 2 and does not have to release any portion of the plan describing facility security measures (such as provided for in Part IV.D.7.b.(8) of this permit). An interested party wishing a copy of a discharger's SWP3 will have to contact the Ohio EPA to obtain a copy.

C. Keeping Plans Current.

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, that has a significant effect on the potential for the discharge of pollutants to the waters of the State or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D.2 of this permit, or otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the plan may be reviewed by Ohio EPA in the same manner as Part IV.B above.

D. Contents of Plan. The plan shall include, at a minimum, the following items:

1. **Pollution Prevention Team** - Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water Pollution Prevention Team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.
2. **Description of Potential Pollutant Sources.** Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

Part IV. STORM WATER POLLUTION PREVENTION PLANS (continued)

D. (continued)

a. Drainage.

- (1) A site map indicating an outline of the drainage area of each storm water outfall, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part IV.D.2.c of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle

and equipment maintenance and/or cleaning areas, loading/unloading areas, locations used for the treatment, storage or disposal of wastes, liquid storage tanks, processing areas and storage areas.

- (2) For each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an estimate of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Flows with a significant potential for causing erosion shall be identified.

- b. Inventory of Exposed Materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of the issuance of this permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the date of the issuance of this permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.
 - c. Spills and Leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at the facility after the date of three years prior to the effective date of this permit.
 - d. Sampling Data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility.
 - e. Risk Identification and Summary of Potential Pollutant Sources. A narrative description of the potential pollutant sources at the following areas: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concerns shall be identified.
3. Measures and Controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:
 - a. Good Housekeeping - Good housekeeping requires the maintenance of a clean, orderly facility.
 - b. Preventive Maintenance - A preventive maintenance program shall involve inspection and maintenance of storm water management devices (e.g. cleaning oil/water separators, catch basins) as well as inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters, and ensuring appropriate maintenance of such equipment and systems.
 - c. Spill Prevention and Response Procedures - Areas where potential spills can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

Part IV. STORM WATER POLLUTION PREVENTION PLANS (continued)

D. (continued)

- d. Inspections - In addition to or as part of the comprehensive site evaluation required under Part IV.4. of this permit, qualified facility personnel shall be identified to inspect designated equipment and areas of the facility at appropriate intervals specified in the plan. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained.
 - e. Employee Training - Employee training programs shall inform personnel at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. The plan shall identify periodic dates for such training.
 - f. Recordkeeping and Internal Reporting Procedures - A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of storm water discharges shall be included in the plan required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.
 - g. Non-Storm Water Discharges
 - (1) The plan shall include a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing method used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Such certification may not be feasible if the facility operating the storm water discharge associated with industrial activity does not have access to an outfall, manhole, or other point of access to the ultimate conduit which receives the discharge. In such cases, the source identification section of the storm water pollution plan shall indicate why the certification required by this part was not feasible, along with the identification of potential significant sources of non-storm water at the site. A discharger that is unable to provide the certification required by this paragraph must notify in accordance with Part IV.A of this permit.
 - (2) Except for flows from fire fighting activities, sources of non-storm water listed in Part VI of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.
 - h. Sediment and Erosion Control - The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify measures to limit erosion.
 - i. Management of Runoff - The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the source of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures determined to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity (see Parts IV.D.2.(b), (d) and (e) of this permit) shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: including vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, and wet detention/retention devices.
4. Comprehensive Site Compliance Evaluation. Qualified personnel shall conduct site compliance evaluations at appropriate intervals specified in the plan, but, except as provided in paragraph IV.D.4.d, in no case less than once a year. Such evaluations shall provide:
- a. Material handling areas and other potential sources of pollution identified in the plan in accordance with paragraph IV.D.2 of this permit shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Structural storm water management measures, sediment and control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

Part IV. STORM WATER POLLUTION PREVENTION PLANS (continued)

D. (continued)

- b. Based on the results of the inspection, the description of potential pollutant sources identified in the plan in accordance with paragraph IV.D.2 of this permit and pollution prevention measures and controls identified in the plan in accordance with paragraph IV.D.3 of this permit shall be revised as appropriate within two weeks of such inspection and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than twelve weeks after the inspection.
 - c. A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph IV.D.4.b of the permit shall be made and retained as part of the storm water pollution prevention plan for at least three years. The report shall be signed in accordance with Part VI.B of this permit.
5. Additional requirements for storm water discharges associated with industrial activity through municipal separate storm sewer systems serving a population of 100,000 or more.

In addition to the applicable requirements of this permit, facilities covered by this permit must comply with applicable requirements in municipal storm water management programs developed under NPDES permits issued for the discharge of the municipal separate storm sewer system that receives the facility's discharge, provided the discharger has been notified of such conditions.
6. Consistency with other plans. Storm water pollution prevention plans may reflect requirements for Spill Prevention Control and Countermeasure (SPCC) plans developed for the facility under section 311 of the Act or Best Management Practices (BMP) Programs otherwise required by a NPDES permit for the facility as long as such requirement is incorporated into the storm water pollution prevention plan.
7. Additional requirements for storm water discharges associated with industrial activity from facilities subject to SARA Title III, Section 313 requirements are not applicable to Section 313 water priority chemicals in gaseous or non-soluble liquid or solid [at atmospheric pressure and temperature] forms. In addition to the requirements of Parts IV.D.1 through 4 of this permit and other applicable conditions of this permit, storm water pollution prevention plans for facilities subject to reporting requirements under SARA Title III, Section 313 for chemicals which are classified as "Section 313 water priority chemicals" in accordance with the definition in Part VI of this permit, shall describe and ensure the implementation of practices which are necessary to provide for conformance with the following guidelines:
 - a. In areas where Section 313 water priority chemicals are stored, processed or otherwise handled, appropriate containment, drainage control and/or diversionary structures shall be provided. At a minimum, one of the following preventive systems or its equivalent shall be used:
 - (1) Curbing, culverting, gutters, sewers or other forms of drainage control to prevent or minimize the potential for storm water run-on to come into contact with significant sources of pollutants; or
 - (2) Roofs, covers or other forms of appropriate protection to prevent storage piles from exposure to storm water, and wind blowing.
 - b. In addition to the minimum standards listed under Part IV.D.7.a of this permit, the storm water pollution prevention plan shall include a complete discussion of measures taken to conform with the following applicable guidelines, other effective storm water pollution prevention procedures, and applicable State rules, regulations and guidelines:
 - (1) Liquid storage areas where storm water comes into contact with any equipment, tank, container, or other vessel used for Section 313 water priority chemicals.
 - (a) No tank or container shall be used for the storage of a Section 313 water priority chemical unless its material and construction are compatible with the material stored and conditions of storage such as pressure and temperature, etc.
 - (b) Liquid storage areas for Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include secondary containment provided for at least the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation, a strong spill contingency and integrity testing plan, and/or other equivalent measures.

Part IV. STORM WATER POLLUTION PREVENTION PLANS (continued)

D. (continued)

- (2) Material storage areas for Section 313 water priority chemicals other than liquids. Material storage areas for Section 313 water priority chemicals other than liquids which are subject to runoff, leaching, or wind blowing shall incorporate drainage or other control features which will minimize the discharge of Section 313 water priority chemicals by reducing storm water contact with Section 313 water priority chemicals.
- (3) Truck and rail car loading and unloading areas for liquid Section 313 water priority chemicals shall be operated to minimize discharges of Section 313 water priority chemicals. Appropriate measures to minimize discharges of Section 313 chemicals may include: the placement and maintenance of drip pans where spillage may occur (such as hose connections, hose reels and filler nozzles) for use when making and breaking hose connections; a strong spill contingency and integrity testing plan; and/or other equivalent measures.
- (4) In facility areas where Section 313 water priority chemicals are transferred, processed or otherwise handled. Processing equipment and materials handling equipment shall be operated so as to minimize discharges of Section 313 water priority chemicals. Materials used in piping and equipment shall be compatible with the substances handled. Drainage from process and materials handling areas shall be designed as described in paragraphs (a), (b) and (c) of this section. Additional protection such as covers or guards to prevent wind blowing, spraying or releases from pressure relief vents from causing a discharge of Section 313 water priority chemicals to the drainage system, and overhangs or door skirts to enclose trailer ends at truck loading/unloading docks shall be provided as appropriate. Visual inspections or leak tests shall be provided for overhead piping conveying Section 313 water priority chemicals without secondary containment.
- (5) Discharges from areas covered by paragraphs (1), (2), (3) or (4).
 - (a) Drainage from areas covered by paragraphs (1), (2), (3) or (4) of this part should be restrained by valves or other positive means to prevent the discharge of a spill or other excessive leakage of Section 313 water priority chemicals. Where containment units are employed, such units may be emptied by pumps or ejectors; however, these shall be manually activated.
 - (b) Flapper-type drain valves shall not be used to drain containment areas. Valves used for the drainage of containment areas should, as far as is practical, be of manual, open-and-closed design.
 - (c) If facility drainage is not engineered as above, the final discharge of all in-facility storm sewers shall be equipped to be equivalent with a diversion system that could, in the event of an uncontrolled spill of Section 313 water priority chemicals, return the spilled material to the facility.
 - (d) Records shall be kept of the frequency and estimated volume (in gallons) of discharges from containment areas.
- (6) Facility site runoff other than from areas covered by (1), (2), (3) or (4). Other areas of the facility (those not addressed in paragraphs (1), (2), (3) or (4)), from which runoff which may contain Section 313 water priority chemicals or spills of Section 313 water priority chemicals could cause a discharge shall incorporate the necessary drainage or other control features to prevent discharge of spilled or improperly disposed material and ensure the mitigation of pollutants in runoff or leachate.

Part IV. STORM WATER POLLUTION PREVENTION PLANS (continued)

D. (continued)

- (7) Preventive maintenance and housekeeping. All areas of the facility shall be inspected at specific intervals for leaks or conditions that could lead to discharges of Section 313 water priority chemicals or direct contact of storm water with raw materials, intermediate materials, waste materials or products. In particular, facility piping, pumps, storage tanks and bins, pressure vessels, process and material handling equipment, and material bulk storage area shall be examined for any conditions or failures which could cause a discharge. Inspection shall include examination for leaks, wind blowing, corrosion, support or foundation failure, or other forms of deterioration or non-containment. Inspection intervals shall be specified in the plan and shall be based on design and operational experience. Different areas may require different inspection intervals. Where a leak or other condition is discovered which may result in significant releases of Section 313 water priority chemicals to the drainage system, corrective action shall be immediately taken or the unit or process shut down until corrective action can be taken. When a leak or non-containment of a Section 313 water priority chemical has occurred, contaminated soil, debris, or other material must be promptly removed and disposed in accordance with Federal, State, and local requirements and as described in the plan.
 - (8) Facility security. Facilities shall have the necessary security systems to prevent accidental or intentional entry which could cause a discharge. Security systems described in the plan shall address fencing, lighting, vehicular traffic control, and securing of equipment and buildings.
 - (9) Training. Facility employees and contractor personnel using the facility shall be trained in and informed of preventive measures at the facility. Employee training shall be conducted at intervals specified in the plan, but not less than once per year, in matters of pollution control laws and regulations, and in the storm water pollution prevention plan and the particular features of the facility and its operation which are designed to minimize discharges of Section 313 water priority chemicals. The plan shall designate a person who is accountable for spill prevention at the facility and who will set up the necessary spill emergency procedures and reporting requirements so that spills and emergency releases of Section 313 water priority chemicals can be isolated and contained before a discharge of a Section 313 water priority chemical can occur. Contractor or temporary personnel shall be informed of facility operation and design features in order to prevent discharges or spills from occurring.
8. Additional Requirements for Salt Storage. Storage piles of salt used for deicing or other commercial or industrial purposes and which generate a storm water discharge associated with industrial activity which is discharged to surface waters of the State shall be enclosed or covered to prevent exposure to precipitation, except for exposure resulting from adding or removing materials from the pile within two years of the effective date of this permit. Piles do not need to be enclosed or covered where storm water from the pile is not discharged to surface waters of the State.

Part V. NUMERIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. RESERVED.

B. Monitoring Requirements. Only the activities described in the following matrix and associated definitions are required to conduct monitoring. The monitoring required in the following matrix shall be conducted annually. Monitoring shall be initiated within twelve months of the effective date of this permit and henceforth on an annual basis, weather conditions permitting. A permittee may, in lieu of annual monitoring, certify that industrial materials are not exposed to storm water; such certification shall be submitted to the Ohio EPA upon request of the Director.

1. MONITORING REQUIREMENTS MATRIX

Reporting Units	Parameter	INDUSTRIAL ACTIVITY CATEGORIES											
		a	b ^{1,2}	c	d	e	f	g	h	i ³	j	k	l ⁴
mg/l	Oil and Grease		X	X	X	X	X	X	X	X	X	X	X
mg/l	5-day Biochemical Oxygen Demand		X							X		X	
mg/l	Chemical Oxygen Demand		X	X	X	X	X		X	X			X
mg/l	Total Suspended Solids		X		X	X	X	X	X	X	X	X	X
mg/l	Total Kjeldahl Nitrogen			X								X	
mg/l	Phosphorus											X	
S.U.	pH		X	X	X	X	X	X	X	X	X	X	X
TU	Acute Toxicity												
Hours	Duration of Storm Event		X	X	X	X	X	X	X	X	X	X	X
Inches	Precipitation		X	X	X	X	X	X	X	X	X	X	X
Hours	Duration Between Storm Events*		X	X	X	X	X	X	X	X	X	X	X
Gallons	Volume (est.)		X	X	X	X	X	X	X	X	X	X	X
mg/l	Nitrate-Nitrogen												
mg/l	Nitrite-Nitrogen												
ug/l	Lead, Total		X	X					X				
ug/l	Cadmium, Total		X ⁵	X									
ug/l	Copper, Total		X ⁵				X	X	X		X		
ug/l	Arsenic, Total		X ⁵	X		X							
ug/l	Chromium, Total		X ⁵	X		X							
mg/l	Ammonia												
ug/l	Magnesium, Total			X									

Part V. NUMERIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

B. (continued)

Reporting Units	Parameter	INDUSTRIAL ACTIVITY CATEGORIES											
		a	b	c	d	e	f	g	h	i	j	k	l
ug/l	Magnesium, Dissolved			X									
mg/l	Total Dissolved Solids			X									
mg/l	Total Organic Carbon			X									
ug/l	Barium, Total			X									
mg/l	Cyanide, Total			X									
ug/l	Mercury, Total			X									
ug/l	Selenium, Total			X									
ug/l	Silver, Total			X									
ug/l	Pentachlorophenol				X								
ug/l	Nickel, Total							X			X		
ug/l	Zinc, Total							X			X		
#/100m ²	Fecal Coliform											X	

- * Time between the storm event when sampling is being conducted and the last storm event producing rainfall greater than 0.1 inches.
- (1) and any pollutant limited in an effluent guideline or categorical pretreatment standard which the facility is subject.
- (2) and the primary ingredient used in the deicing materials used at the site (e.g., ethylene glycol, urea, etc.).
- (3) Facilities that are classified as SIC 33 only because they manufacture pure silicon and/or semiconductor grade silicon are not required to monitor for this parameter.

2. Industrial Activity Categories Definitions

- a. Section 313 of SARA Title III Facilities. As of the effective date of this permit, facilities with storm water discharges associated with industrial activity that are subject to requirements to report releases into the environment under Section 313 of SARA Title III for chemicals which are classified as 'Section 313 water priority chemicals' are not (as they may have been in a previous permit) required to monitor storm water that is discharged from the facility unless required by paragraphs V.B.2.b through B.2.l.
- b. Primary Metal Industries. Facilities with storm water discharges associated with industrial activity classified as Standard Industrial Classification (SIC) 33 (Primary Metal Industry) are required to monitor such storm water that is discharged from the facility.
- c. Land Disposal Units/Incinerators/BIFs. Facilities with storm water discharges associated with industrial activity from any active or inactive landfill, land application sites or open dump without a stabilized final cover that has received any industrial wastes from a facility with a Standard Industrial Classification (SIC) of between 20-39 (manufacturing); and incinerators (including Boilers and Industrial Furnaces (BIFs)) that burn hazardous waste and operate under interim status or a permit under Subtitle C of RCRA, are required to monitor such storm water that is discharged from the facility.
- d. Wood Treatment Using Chlorophenolic Formulations. Facilities with storm water discharges associated with industrial activity from areas that are used for wood treatment, wood surface application or storage of treated or surface protected wood at any wood preserving or wood surface facilities are required to monitor such storm water that is discharged from the facility.
- e. Wood Treatment Using Creosote Formulations. Facilities with storm water discharges associated with industrial activity from areas that are used for wood treatment, wood surface application or storage of treated or surface protected wood at any wood preserving or wood surface facilities are required to monitor such storm water that is discharged from the facility.

Part V. NUMERIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

B. (continued)

- f. **Wood Treatment Using Chromium-Arsenic Formulations.** Facilities with storm water discharges associated with industrial activity from areas that are used for wood treatment, wood surface application or storage of treated or surface protected wood at any wood preserving or wood surface facilities are required to monitor such storm water that is discharged from the facility.
- g. **Coal Pile Runoff.** Facilities with storm water discharges associated with industrial activity from coal pile runoff are required to monitor such storm water that is discharged from the facility.
- h. **Battery Reclaimers.** Facilities with storm water discharges associated with industrial activity from areas used for storage of lead acid batteries, reclamation products, or waste products, and areas used for lead acid battery reclamation (including material handling activities) at facilities that reclaim lead acid batteries are required to monitor such storm water that is discharged from the facility.
- i. **Airports.** At airports with over 50,000 flight operations per year, facilities with storm water discharges associated with industrial activity from areas where aircraft or airport deicing operations occur (including runways, taxiways, ramps, and dedicated aircraft deicing stations) are required to monitor such storm water that is discharged from the facility.
- j. **Coal-fired Steam Electric Facilities.** Facilities with storm water discharges associated with industrial activity from coal handling sites at coal fired steam electric power generating facilities (other than discharges in whole or in part from coal piles subject to storm water effluent guidelines at 40 CFR 423 - which are not eligible for coverage under this permit) are required to monitor such storm water that is discharged from the facility.
- k. **Animal Handling / Meat Packing.** Facilities with storm water discharges associated with industrial activity from animal handling areas, manure management (or storage) areas, and production waste management (or storage) areas that are exposed to precipitation at meat packing plants, poultry packing plants, and facilities that manufacture animal and marine fats and oils, are required to monitor such storm water that is discharged from the facility.
- l. **Additional Facilities.** Facilities with storm water discharges associated with industrial activity that:
 - (1) come in contact with storage piles for solid chemicals used as raw materials that are exposed to precipitation at facilities classified as SIC 30 (Rubber and Miscellaneous Plastics Products) or SIC 28 (Chemicals and Allied Products);
 - (2) are from those areas at automobile junkyards with any of the following: (A) over 250 auto/truck bodies with drivelines (engine, transmission, axles, and wheels), 250 drivelines, or any combination thereof (in whole or in parts) are exposed to storm water; (B) over 500 auto/truck units (bodies with or without drivelines in whole or in parts) are stored exposed to storm water; or (C) over 100 units per year are dismantled and drainage or storage of automotive fluids occurs in areas exposed to storm water;
 - (3) come into contact with lime storage piles that are exposed to storm water at lime manufacturing facilities;
 - (4) are from oil handling sites at oil fired steam electric power generating facilities;
 - (5) are from cement manufacturing facilities and cement kilns (other than discharges in whole or in part from material storage piles subject to storm water effluent guidelines at 40 CFR 411 - which are not eligible for coverage under this permit);
 - (6) are from ready-mixed concrete facilities; or
 - (7) are from ship building and repairing facilities;are required to monitor such storm water discharged from the facility.

Part V. NUMERIC EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

B. (continued)

3. **Sample Type.** Take a minimum of one grab sample from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. The grab sample shall be taken during the first thirty minutes of the discharge. If the collection of a grab sample during the first thirty minutes is impracticable, a grab sample can be taken during the first hour of the discharge, and the discharger shall submit with the monitoring report a description of why a grab sample during the first thirty minutes was impracticable.
4. **Sampling Waiver.** When a discharger is unable to collect samples due to adverse climatic conditions, the discharger must submit in lieu of sampling data a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
5. **Representative Discharge.** When a facility has two or more outfalls that, based on a consideration of features and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may test the effluent of one of such outfalls and report that the quantitative data also applies to the substantially identical outfalls. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g. low (under 40%), medium (40% to 65%) or high (above 65%)) shall be provided.

C. Toxicity Testing. Not Required.

- D. Alternative Certification of "Not Present or No Exposure."** You are not subject to the analytical monitoring requirement of this part provided: you make a certification for a given outfall, or on a pollutant-by-pollutant basis in lieu of monitoring required under this part, that material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, industrial machinery or operations, or significant materials from past industrial activity that are located in areas of the facility within the drainage area of the outfall are not presently exposed to storm water and are not expected to be exposed to storm water for the certification period; and your certification is signed in accordance with Attachment VI.G and retained in the SWP3. If you cannot certify for an entire period, you must note the date exposure was eliminated and perform any monitoring required up until that date.

Part VI. OTHER STORM WATER REQUIREMENTS, DEFINITIONS AND AUTHORIZATION

A. Failure to Certify. Any facility that is unable to provide the certification required under paragraph IV.D.3.g.(1) (testing for non-storm water discharges), must notify the Director within 365 days of the effective date of this permit. Such notification shall describe: the procedure of any test conducted for the presence of non-storm water discharges; the results of such test or other relevant observations; potential sources of non-storm water discharges to the storm sewer; and why adequate tests for such storm sewers were not feasible.

B. Signatory Requirements. See Part III.28.

C. Definitions.

"Section 313 water priority chemical" means a chemical or chemical categories which are: 1) are listed at 40 CFR 372.65 pursuant to Section 313 of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, also titled the Emergency Planning and Community Right-to-Know Act of 1986; 2) are present at or above threshold levels at a facility subject to SARA Title III, Section 313 reporting requirements; and 3) that meet at least one of the following criteria: (i) are listed in Appendix D of 40 CFR 122 on either Table II (organic priority pollutants), Table III (certain metals, cyanides, and phenols) or Table V (certain toxic pollutants and hazardous substances); (ii) are listed as a hazardous substance pursuant to section 311(b)(2)(A) of the Act at 40 CFR 116.4; or (iii) are pollutants for which EPA has published acute or chronic water quality criteria.

"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges.

"Significant spills" includes, but is not limited to: releases of oil or hazardous substances in excess of reportable quantities under section 311 of the Clean Water Act (see 40 CFR 110.10 and CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4).

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Definition of Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)-(xi)) include those facilities designated under 40 CFR 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this paragraph);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28 (except 283 and 285) 29, 311, 32 (except 323), 33, 3441, 373;

Part VI. OTHER STORM WATER REQUIREMENTS, DEFINITIONS AND AUTHORIZATION (continued)

C. (continued)

- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;
- (iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;
- (v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;
- (vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but not limited to those classified as Standard Industrial Classification 5015 and 5093;
- (vii) Steam electric power generating facilities, including coal handling sites;
- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221-25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (i)-(vii) or (ix)-(xi) of this subsection are associated with industrial activity;
- (ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;
- (x) Construction activity - This category of industrial activity is not regulated under this permit.
- (xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 285, 30, 31 (except 311), 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (ii)-(x)).

"SWPPP" means storm water pollution prevention plan to be completed as a condition of this permit (see Part IV of this permit).

"Time-weighted composite" means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

"Waste pile" means any non-containerized accumulation of solid, non-flowing waste that is used for treatment or storage.

"10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in 10 years. This information is available in "Weather Bureau Technical Paper No. 40," May 1961 and "NOAA Atlas 2," 1973 for the 11 Western States, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

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

"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.

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OHIO E.P.A.
N.W.D.O.



John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

November 14, 2012

Stephen P. Samuels
Schottenstein, Zox & Dunn Company, LPA
250 West Street
Columbus, OH 43215

Dear Mr. Samuels

Based on your comments we have made several changes to the draft NPDES permit for the Lima Wastewater Treatment Plant before issuing the permit final. Responses to all of your comments are provided below.

Comments on the Draft Permit

Comment: The draft permit has deleted fecal coliform and added E. coli. monitoring and discharge limits. Since this is a new parameter, the City requests sufficient time (a) to monitor for E. coli. to determine whether the existing chlorination system is adequate to meet the proposed requirements and, if not, (b) design and install disinfection improvements. Therefore, we are requesting that the E. coli. permit limits not become effective for two years so that a full disinfection season can be evaluated and provide time for disinfection modifications, if necessary.

Response: The City's data for this recreation season show that the E. coli. limits can be met under a variety of discharge conditions. It does not appear that the WWTP needs a compliance schedule for bacteria. The E. coli. limits will be applicable on the effective date of the permit.

Comment: *The permit indicates that E. coli. is to be limited and monitored all months. This is inconsistent with the Fact Sheet, which indicates the limit would only be applied during the summer months. More significantly, it is inconsistent with Ohio Water Quality Standards, which state that the E. coli. standards only apply during the summer months. We request that the E. coli. limits and monitoring apply only during the summer months.*

Response: **We have made this correction in the final permit.**

Comment: *Relatedly, the draft permit currently requires that chlorine be monitored the entire year. We request the permit be modified so that the monitoring for chlorine is only required when performing disinfection, i.e., during the summer months.*

Response: **We have made this correction in the final permit.**

Comment: *pH, chlorine and dissolved oxygen can periodically fluctuate somewhat outside of the maximum and minimum limits in the permit. These brief excursions may occur for a number of reasons including monitoring issues. It is requested that a process be established so that such temporary fluctuations not be considered a violation. This is consistent with the manner that the pH limits for the PCS Nitrogen facility are set.*

Response: **The pH excursion language in the PCS Nitrogen permit is based on federal rules in 40 CFR 401.17. This rule does not apply to POTWs. For pH, we have evaluated the effluent and upstream data to see whether the plant could discharge at 6.0 S.U. and still maintain the 6.5 S.U. water quality standard; unfortunately, the river segment downstream of the WWTP is dominated by the flows from the WWTP and will not achieve the WQS at an effluent pH of 6.0 S.U.**

We believe that chlorine analytical variability is adequately covered by the quantification level used for determining compliance (in Part II of the permit). We cannot provide allowances for higher chlorine levels because concentrations above the QL are likely to be rapidly lethal, and would not meet the narrative WQS requirement in OAC 3745-1-04(D).

Dissolved Oxygen limits are minimum levels established by the current water quality model; if a new WLA is developed, we would consider a new minimum D.O. limit as part of the model review.

Comment: *In the last note on pages 3, 4, 7, 8 and 9, defining bypass occurrence, it is indicated that if the bypass occurs and extends into a second day, the second day should not be indicated as a bypass, as it was a "continuing precipitation event". Typically, a precipitation event will start and stop. Occasionally, overflows continue between precipitation periods. We request additional guidance on determining when a precipitation event has ended versus a temporary stoppage. The City's perspective is that rain should cease for a minimum of 12 hours before a resumption would be considered a new event.*

Response: **We agree to include this interpretation.**

Comment: *The introductory paragraph on pages 3, 4 and 5 are identified and No.1. As there is already a numbered paragraph 1 on page 2, the City requests that these paragraphs be renumbered as "2", "3" and "4".*

Response: **We have made these changes in the final permit.**

Comment: *The City requests that language be inserted in the permit to ensure that the reduced allocation of selenium and TDS to the City in this permit will be re-opened and the allocation adjusted to enable Lima to accept new industrial discharges.*

Response: **This language has been re-inserted into the permit as Part II, Item V.**

Comment: *Only two out of 61 copper samples analyzed by the City exceed 40 ug/l (40.5 and 45 ug/l). All other samples are below 20 ug/l. No known sources for copper exist in the City. Thus, the most likely explanation is laboratory error. (In addition, although the fact sheet indicates 74 samples were used in determining PEQ, the additional data is not provided. The calculation of the PEQ cannot be verified.) Therefore, the City requests the two copper samples which tested above 40 ug/l be considered outliers and the copper monitoring requirement and limit be deleted.*

Response: **Our original data set included Lima DMRs for January 2005 through August 2010, plus the sample results presented in Table 2 of the fact**

sheet (OEPA compliance sampling results and Lima pretreatment program data).

The distribution of effluent data shows copper results from single digit ug/l values through some values in the teens and twenties up to 45 ug/l. This data does not indicate that any of the values are obvious outliers, and our audits of Lima's compliance data do not show any reason to suspect QA errors.

The distribution of copper is not significantly different from other treatment plants that have only domestic sources of copper.

However, we have updated PEQ statistics to include DMR data submitted through early 2012. Based on this larger data set, the effluent values do not show reasonable potential. As a result, we have removed the copper limit from the permit, and included the wasteload allocation in Part II. AA. as a target for local limits. Because the effluent values fall just below the reasonable potential threshold, we have added a Pollutant Minimization Program for copper in Part II. GG. of the permit.

Comment: The City is already required to monitor pH at Station 001. It is, therefore, redundant to require monitoring at Station 604. During all dry-weather periods, when the towers are in dry-weather mode, the sample results will be similar. When it is in wet-weather mode, monitoring Station 001 will provide the pH of all wastewater being discharged to the Ottawa River. Therefore, we do not believe that pH monitoring for Station 604 is necessary.

Response: We have made this change in the final permit.

Comment: On page 7, the monitoring frequency for total suspended solids and CBOD5 is "When Disch.". The notes indicate that the "Data for total suspended solids and CBOD shall be reported once per month". The City wishes to clarify that only one sample per month per location needs to be collected and tested.

Response: We have made the requested clarification.

Comment: On pages 7 and 8, the note should be reworded to state "The permittee is authorized to discharge from these stations" as the monitoring requirements apply to all of the outfalls listed in the introductory paragraph.

Response: We have made this change in the final permit.

Comment: On page 7, the introductory paragraph refers to the "location of sludge sampling". This page also addresses CSO monitoring. We believe that the reference to the sludge sampling is incorrect. Also, the table title is "Outfall 002"; it should also refer to Outfalls 003, 004, 005 and 006.

Response: We have removed the reference to sludge sampling. The table indicator is automatically generated by our permit system, and cannot be changed. The headings and footnotes make it clear that the conditions applicable to Outfall 002 also apply to Outfalls 003-006.

Comment: Add the CSO located at West Street at O'Connor Avenue.

Response: We have added this outfall (outfall 038) on page 8.

Comment: On page 8, the introductory paragraph refers to the location of sludge sampling. This page addresses CSO monitoring. We believe the reference to sludge sampling is incorrect. Also, the table title should include references to 008, 009, 011, 012, 013, 014, 015, 016, 033, 034, 035, 036, 037 and the new CSO. Also, the introductory paragraph is number "1". We believe it should be renumbered as "2".

Response: We have removed the reference to sludge sampling and changed the paragraph number. The heading and footnotes make it clear that the monitoring requirements in the table apply to all listed outfalls and the new CSO.

Comment: On page 9, the introductory paragraph is number "1". We believe that it should be renumbered "3".

Response: We have made this change in the final permit.

Comment: *In the first note on page 10, the phrase "under emergency conditions" should be deleted, as the referenced regulations describe the conditions and exceptions for a plant bypass.*

Response: **We have removed the word "emergency" from the footnote.**

Comment: *The note that "all sanitary sewers are prohibited" should be deleted. As set forth in detail in comments below, the City has submitted a LTCP to U.S. EPA and Ohio EPA. That LTCP includes a comprehensive SSO abatement program using the five-year storm as the level of control. Ohio EPA should ensure that the terms of this permit related to discharges from the sanitary sewers are coordinated with the LTCP development process, and contain wet weather-related requirements that are consonant with the control measures approved in the LTCP, including the level of control for SSO abatement efforts. In addition, Part III Section 11.C. of the permit authorizes bypasses in specified circumstances. Finally the definition of "sanitary sewer overflow" in the draft permit makes the prohibition overly broad. Ohio EPA has jurisdiction under the Clean Water Act to regulated discharges to waters of the state; however, releases from an SSO that do not reach waters of the state and are not caused by operation and maintenance failures should not be considered violations of the permit or the Clean Water Act.*

Response: **The prohibition remains in the permit because we and U.S. EPA interpret the Clean Water Act to prohibit SSOs:**

"The Agency's use of the term "prohibit" reflects its interpretation of the statute as imposing an affirmative obligation to prevent. The prohibitionwould be a technology-based limitation that is based, in part, on CWA Section 301(a), which prohibits a discharge to waters of the United States except in compliance with other provisions of the CWA....EPA has defined effluent limitation based upon secondary treatment in regulations at 40 CFR 133. Because, as a practical matter, at discharge of municipal sewage cannot meet such limitations unless treated, sewer collection systems convey municipal sewage to a treatment facility. EPA believes that a properly designed, well-operated municipal sanitary sewer system should deliver sewage for treatment under all but severe natural conditions or conditions beyond the control of the system operator. For this reason, EPA believes that discharges from a sanitary sewer

collection system should not be authorized except at outfalls at a treatment facility.” [preamble to draft EPA SSO Rule].

While this rule was never finalized, the legal interpretation of the CWA remains. Sanitary sewer overflows are not authorized discharges. While Ohio EPA understands that there may be unusual circumstances that cause SSOs from the Lima system in situations “beyond the control of the system operator”, Ohio EPA would look at these situations on a case-by-case basis and use its enforcement discretion when appropriate.

Comment: It appears that the description of “counting of occurrences” on page 11 does not provide an accurate representation of the number of occurrences per month. The notes suggest that if an occurrence extends from one day into the next, then the second day would be counted as a separate occurrence. We believe that it would be more accurate to count overflow occurrences in the same manner as the CSO monitoring.

Response: We have left the language as is for the final permit. This way of counting is an accurate way of reporting the number of individual SSOs.

Reporting SSOs differently than CSOs or bypasses is appropriate because SSOs are not authorized discharges, where CSOs and bypasses are authorized, at least under certain conditions. The permit language is consistent with other Ohio NPDES permits and federal interpretation of SSO counting.

Comment: We believe that the introductory paragraphs on pages 11, 12, 15, 18, 19, 20, 22, and 23 should be numbered sequentially.

Response: We have made these changes in the final permit.

Comment: On page 18, the City requests that “scum” which is dewatered and landfilled be excluded from monitoring and reporting requirements.

Response: While the definition of sludge in ORC 3745.11(Y) specifically includes scum, we agree that landfilling is an appropriate disposal method for scum. We have added specific language allowing current disposal methods to be continued.

Comment: Part I, C contains a schedule of compliance for wet weather improvements. The City requests that this schedule be deleted in its entirety.

The City has developed a Long Term Control Plan (LTCP) to address both combined and sanitary sewer issues, pursuant to federal CSO policy. The LTCP is a plan which, when completed, is incorporated into the NPDES permit. In order to comply with the CSO Policy and Clean Water Act, it is important that NPDES permits are coordinated with LTCP development, and contain wet weather-related requirements that are consistent with the control measures approved in the LTCP. When the LTCP is approved, at that time the City's permit can be reissued or modified to incorporate any additional requirements from the LTCP.

At this point, however, the City's LTCP has not yet been approved. As a result, it would be premature for the NPDES permit to include specific requirements concerning projects governed by the LTCP.

In addition, the two projects included in the proposed schedule are directly contrary to the LTCP as submitted. The City does intend to address the issues identified in the schedule, but will do so through projects substantially different than those included in the proposed permit. For example, the City has proposed to rehabilitate the deteriorating interceptor leading from the Baxter Pump Station by lining it with a 48" diameter HDPE force main. To increase available storage capacity, the City has proposed enhanced flow management techniques to maximize storage in the collection system, as well as construction of additional storage facilities. The City has also proposed a comprehensive SSO abatement program, which will address the Allentown Road Basin, as well as other areas throughout the City, using the five-year storm as the level of control.

The State's proposed in-line storage box culver pipeline has several technical problems as well. First, coordinating the use of it with the real time control system and the proposed storage basin would add significant operational complexity. Second the cost and logistics associated with the maintenance of the box culvert will be significant due to solids depositions and odors. Third, construction of the box culvert will be very disruptive as the top of the culvert is above existing grade. These disruptions include relocating a roadway, eliminating several ball fields in a City park, filling in

a possible wetland, and encroaching into a cemetery resulting in possible grave relocation. Fourth, the projected cost of the box culvert is on a par with that of enlarging the required storage basin.

Because the City has already addressed the projects from the schedule in the LTCP, the projects mandated by the draft permit will not be necessary if the draft LTCP is approved. The City therefore requests that the schedule of compliance for wet weather improvements be removed from the proposed permit.

Response: We have included a revised set of LTCP projects in the permit, based on discussions with U.S. EPA Region V. The coordination with U.S. EPA ensures that the permit conditions will be consistent with the LTCP. We believe that these projects are feasible and meet interim goals of the LTCP. We agree that these projects should be considered as part of the LTCP, and U.S. EPA has acknowledged these projects as well.

Comment: On pages 28 and 29 add an additional CSO located at West Street at O'Connor Avenue and discharging to Pike Run.

Response: We have added the new CSO to the list of outfalls.

Comment: Sampling station 588 indicates it is for sludge being hauled to another NPDES permit holder. The City wishes to have the flexibility to haul sludge to permitted facilities other than those permitted through the NPDES program. This may include a composting facility or another sludge processor. Such operations are authorized and can be approved by the State through a management plan. Therefore, we request that the description for sampling station 588 be modified to indicate this would apply to the sludge being hauled to any approved or permitted facility.

Response: The table footnotes have been changed to allow sludge to be sent to another facility with an Ohio EPA-approved sludge management plan.

Comment: The note on page 30 that "all sanitary sewer overflows are prohibited" should be deleted.

Response: The phrase remains in the permit because we and U.S. EPA interpret the Clean Water Act to prohibit SSOs (see response above).

Comment: As specified in OAC 3745-33-08(A)(8), paragraph G should read: "The permittee shall maintain in good working order and operate at optimum levels in accordance with good engineering practices any wastewater treatment facilities or control systems installed to achieve compliance with the terms and conditions of the permit regardless of the quality of the effluent." Neither the Clean Water Act nor ORC 6111 grants Ohio EPA the legal authority to regulate discharges to places other than waters of the state.

Response: Ohio EPA acknowledges that NPDES permits regulate only discharges to surface waters of the state. However, the NPDES regulations cited above, and in 40 CFR 122.41(e), require the proper operation and maintenance of wastewater systems. Discharges to areas that are not waters of the state, while not directly regulated by the permit, may be indications of improper operation and maintenance of the facilities. As such, we believe that they are appropriate conditions of the permit.

We have replaced "etc." with "or other locations not part of the treatment works or sewerage system".

Comment: In Part II H., composite samples is defined. In the monitoring tables contained in the permit, the sampling type for many of the parameters is now listed as "24-hour composite". We request that the agency confirm the sample type now being required is as defined in paragraph H.

Response: The term "24-hour composite" is the same as the definition in Part II H.

Comment: Paragraph K requires at least 85 percent removal of CBOD5 and suspended solids. The City's position is that it is eligible for the exclusion contained in the secondary treatment definition in 40 CFR 133.105(a), which allows communities with combined sewers to be exempted from the requirement. Because the City's draft LTCP projects an increase in the amount of combined sewage that will be treated at the WWTP, which will result in more dilute influent, it will be difficult, perhaps impossible to

consistently meet this requirement. The City asks that it be removed from the permit.

Response: The secondary treatment exclusion in 40 CFR 133.105(a) is not applicable in this case because Lima does not use either of the alternative principal biological methods cited in the rule. The rule in 40 CFR 133.103(a) allows a limited exemption from the 85% removal requirement; however, the permittee must make a demonstration that the 85% removal rate cannot be met before this exemption can be granted. Lima's removal rates for TSS and CBOD5 have been good to excellent over the last five plus years (January 2006-September 2011). We cannot at this point change this permit condition. If removal rates change due to parallel operation of the activated sludge and nutrient tower systems, we would consider lowering the average removal rate. We have included a reopener clause that would allow engineering projections to be a basis for revising the percent removal requirement according to the Secondary Treatment Rule.

Comment: The City objects to the requirement in Paragraph R that the permittee comply with unspecified "other actions of the Director that pertain to the disposal, use, storage or treatment of sewage sludge", and requests that the phrase be deleted. All requirements should be explicitly stated. The lawfulness and reasonableness of future actions of the Director should be determined at the time the Director elects to take them.

Response: This paragraph is meant to address any existing or outstanding requirements that have not been included in the permit, such as Director's Final Finding and Orders. We have reworded to paragraph to make this clear.

Comment: Part II Paragraph Y requires the installation of permanent markers at the stream bank of each outfall. In order that the City has adequate time to purchase and safely install the signs, the City requests 18 months to meet this requirement.

Response: We have left the draft time lines in the permit because this requirement applies only to Outfalls 001 and 057. We consider the existing CSO signage to be an appropriate variation from the standard sign dimensions, as allowed by OAC 3745-33-08(A)(12)(d).

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Response: **We have included this clause in the final permit, with the exception of documenting compliance with the pretreatment streamlining rules. Under the new schedule, the City would need to provide documentation on how the City meets the updated pretreatment rule. The schedule would also require updating local limits for copper and mercury; mercury has the reasonable potential to contribute to excursions from WQS and copper is subject to PMP requirements, of which local limits are a part.**

Comment: *In Part IV, A. 1. a. the City requests that it have twelve months, instead of six, to prepare a storm water plan. This would allow sufficient time to collect and analyze required information. Some of the sampling is weather dependent, and therefore difficult to predict when it can be accomplished.*

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Comments on the Fact Sheet

Comment: The OEPA completed extensive water quality monitoring in 2010. Preliminary presentations by OEPA indicate a much improved river. The write-up in the Fact Sheet on water quality should include the recent data to more accurately represent current conditions.

Response: The final data from the 2010 survey were not available at the time the fact sheet was written. Ohio EPA does not typically present preliminary data in NPDES fact sheets. While the preliminary data does show significant improvement in the river, the biological data shows some impairments continuing. The new data would not affect any of the permit conditions, and as a result, we will keep the data for use in future fact sheets.

Comment: On page 9, the reference to Table 3 does not include information on stream design flow. Please clarify which table is being referenced.

Response: The paragraph should refer to Table 8.

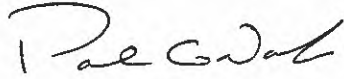
Comment: Table 2 has the data columns for three of the parameters shifted. The City assumes that all numbers in these rows should be shifted one column to the right.

Response: Your assumption is correct.

In addition to these changes, we made three revisions to resolve potential federal objections to the permit: (1) We revised the heading language for Outfall 057; (2) We revised the CSO schedule headings to refer to them as "Construction" schedules, rather than "Compliance" schedules; and (3) We added the Duty to Comply language from 40 CFR 122.41(a) to the permit as Part II, Item HH.

If you have questions about our responses or the final permit, please contact Eric Nygaard at (614) 644-2024 (eric.nygaard@epa.state.oh.us) or Tom Poffenbarger at (419) 373-3008 (tom.poffenbarger@epa.state.oh.us).

Sincerely



Paul G. Novak, P.E., Manager
Permit and Compliance Section
Division of Surface Water

PGN/EN

cc: Tom Poffenbarger ✓
permit file 2PE00000

July 6, 2012

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Re: Reply of City of Lima to OEPA's June 11, 2012 draft response to Lima comments on NPDES permit

Dear Bill:

This letter will supplement the information Erika Powers and I provided to you during our meeting on July 2. In order that you may track the history, I am reprinting OEPA's response to our comment letter and adding supplemental City comments as appropriate. As I mentioned in a previous email to you, some of the assurances provided by OEPA in its "Response to Comments" are sufficient to address our concerns, but we would need them in the form of a signed communication from the Agency, instead of an undated, unsigned, draft document.

Comments on the Draft Permit

Comment 1: The draft permit has deleted fecal coliform and added E. coli monitoring and discharge limits. Since this is a new parameter, the City requests sufficient time (a) to monitor for E. coli to determine whether the existing chlorination system is adequate to meet the proposed requirements and, if not, (b) design and install disinfection improvements. Therefore, we are requesting that the E. coli permit limits not become effective for two years so that a full disinfection season can be evaluated and provide time for disinfection modifications, if necessary.

Response: The City's data for this recreation season show that the E. coli. limits can be met under a variety of discharge conditions. It does not appear that the WWTP needs a compliance schedule for bacteria. The E. coli. limits will be applicable on the effective date of the permit.

City Reply: The City is dropping its request for a compliance schedule.

Comment 2: *The permit indicates that E. coli. is to be limited and monitored all months. This is inconsistent with the Fact Sheet, which indicates the limit would only be applied during the summer months. More significantly, it is inconsistent with Ohio Water Quality Standards, which state that the E. coli. standards only apply during the summer months. We request that the E. coli. limits and monitoring apply only during the summer months.*

Response: We have made this correction in the final permit.

Comment 3: *Relatedly, the draft permit currently requires that chlorine be monitored the entire year. We request the permit be modified so that the monitoring for chlorine is only required when performing disinfection, i.e., during the summer months.*

Response: We have made this correction in the final permit.

Comment 4: *pH, chlorine and dissolved oxygen can periodically fluctuate somewhat outside of the maximum and minimum limits in the permit. These brief excursions may occur for a number of reasons including monitoring issues. It is requested that a process be established so that such temporary fluctuations not be considered a violation. This is consistent with the manner that the pH limits for the PCS Nitrogen facility are set.*

Response: The pH excursion language in the PCS Nitrogen permit is based on federal rules in 40 CFR 401.17. This rule does not apply to POTWs. For pH, we have evaluated the effluent and upstream data to see whether the plant could discharge at 6.0 S.U. and still

maintain the 6.5 S.U. water quality standard; unfortunately, the river segment downstream of the WWTP is dominated by the flows from the WWTP and will not achieve the WQS at an effluent pH of 6.0 S.U.

We believe that chlorine analytical variability is adequately covered by the quantification level used for determining compliance (in Part II of the permit). We cannot provide allowances for higher chlorine levels because concentrations above the QL are likely to be rapidly lethal, and would not meet the narrative WQS requirement in OAC 3745-1-04(D).

Dissolved Oxygen limits are minimum levels established by the current water quality model; if a new WLA is developed, we would consider a new minimum D.O. limit as part of the model review.

City Reply: In addition to the information we provided you during our meeting, please consider the following.

The City's position is that brief excursions from the proposed permit limits are both legally allowable and not environmentally harmful.

In order to be eligible for the exception in 40 CFR 401.17—which is available to POTWs as well as industrial dischargers—the City would consider installing continuous pH monitoring.

Although the 0.50 PQL for Cl encompasses nearly all of the data for the past three years, the City has had (rare) discharges (slightly – the highest is 0.54 mg/l) above the PQL. Brief excursions from the chlorine residual or dissolved oxygen limits will not cause material environmental harm. The data used for establishing the chlorine water quality standard indicate that if the average concentration is not exceeded for a four-day average more than once every three years, or the maximum concentration is not exceeded more than one hour for more than once every three years, the stream's uses should not be affected unacceptably.

The original work on dissolved oxygen recognizes that short-term excursions will occur and recognized that some deviation below these values would not cause significant harm.

Comments 5, 7, 13, 18, & 20:

In the last note on pages 3, 4, 7, 8 and 9, defining bypass occurrence, it is indicated that if the bypass occurs and extends into a second day, the second day should not be indicated as a bypass, as it was a "continuing precipitation event". Typically, a precipitation event will start and stop. Occasionally, overflows continue between precipitation periods. We request additional guidance on determining when a precipitation event has ended versus a temporary stoppage. The City's perspective is that rain should cease for a minimum of 12 hours before a resumption would be considered a new event.

Response: **We agree to include this interpretation.**

Comments 6, 8, & 11:

The introductory paragraph on pages 3, 4 and 5 are identified and No.1. As there is already a numbered paragraph 1 on page 2, the City requests that these paragraphs be renumbered as "2", "3" and "4".

Response: **We have made these changes in the final permit.**

Comment 9: *The City requests that language be inserted in the permit to ensure that the reduced allocation of selenium and TDS to the City in this permit will be re-opened and the allocation adjusted to enable Lima to accept new industrial discharges.*

Response: **This language has been re-inserted into the permit as Part II, Item V.**

Comment 10: *Only two out of 61 copper samples analyzed by the City exceed 40 ug/l (40.5 and 45 ug/l). All other samples are below 20 ug/l. No known sources for copper exist in the City. Thus, the most likely explanation*

is laboratory error. (In addition, although the fact sheet indicates 74 samples were used in determining PEQ, the additional data is not provided. The calculation of the PEQ cannot be verified.) Therefore, the City requests the two copper samples which tested above 40 ug/l be considered outliers and the copper monitoring requirement and limit be deleted.

Response: Our data set included Lima DMRs for January 2005 through August 2010, plus the sample results presented in Table 2 of the fact sheet (OEPA compliance sampling results and Lima pretreatment program data). This data was provided to you prior to our October 31, 2011 meeting.

The distribution of effluent data shows copper results from single digit ug/l values through some values in the teens and twenties up to 45 ug/l. This data does not indicate that any of the values are obvious outliers, and our audits of Lima's compliance data do not show any reason to suspect QA errors.

The distribution of copper is not significantly different from other treatment plants that have only domestic sources of copper.

As a result we have left the limit in the permit as drafted. If Lima wishes to look at the environmental effects of copper in the Ottawa River, I suggest working with the other dischargers in the segment to conduct a new dissolved metal translator study or water-effects ratio study.

City Reply: The City still wishes to pursue a lower level for characterization of the existing effluent quality. Additional information was submitted and should be considered. It is the City's opinion that the method used in determining the PEQ is not applicable due to the high number of non-detects, and the data does not fit the assumed distribution.

Comment 12: *The City is already required to monitor pH at Station 001. It is, therefore, redundant to require monitoring at Station 604. During all dry-weather periods, when the towers are in dry-weather mode, the sample results will be similar. When it is in wet-weather mode,*

monitoring Station 001 will provide the pH of all wastewater being discharged to the Ottawa River. Therefore, we do not believe that pH monitoring for Station 604 is necessary.

Response: **We have made this change in the final permit.**

Comment 14: On page 7, the monitoring frequency for total suspended solids and CBOD5 is "When Disch." The notes indicate that the "Data for total suspended solids and CBOD shall be reported once per month" The City wishes to clarify that only one sample per month per location needs to be collected and tested.

Response: **We have made the requested clarification.**

Comments 15 & 18:

On pages 7 and 8, the note should be reworded to state "The permittee is authorized to discharge from these stations" as the monitoring requirements apply to all of the outfalls listed in the introductory paragraph.

Response: **We have made this change in the final permit.**

Comment 16: On page 7, the introductory paragraph refers to the "location of sludge sampling". This page also addresses CSO monitoring. We believe that the reference to the sludge sampling is incorrect. Also, the table title is "Outfall 002"; it should also refer to Outfalls 003, 004, 005 and 006.

Response: **We have removed the reference to sludge sampling. The table indicator is automatically generated by our permit system, and cannot be changed. The headings and footnotes it clear that the conditions applicable to Outfall 002 also apply to Outfalls 003-006.**

City Reply: *Acceptable if included in a signed letter.*

Comment 17: Add the CSO located at West Street at O'Connor Avenue.

Response: We have added this outfall on page 8.

Comment 19: On page 8, the introductory paragraph refers to the location of sludge sampling. This page addresses CSO monitoring. We believe the reference to sludge sampling is incorrect. Also, the table title should include references to 008, 009, 011, 012, 013, 014, 015, 016, 033, 034, 035, 036, 037 and the new CSO. Also, the introductory paragraph is number "1". We believe it should be renumbered as "2".

Response: We have removed the reference to sludge sampling and changed the paragraph number. Again, we cannot change the table indicator due to computer constraints. The heading and footnotes make it clear that the monitoring requirements in the table apply to all listed outfalls and the new CSO.

City Reply: Acceptable if included in a signed letter.

Comment 21: On page 9, the introductory paragraph is number "1". We believe that it should be renumbered "3"

Response: We have made this change in the final permit.

Comment 22: In the first note on page 10, the phrase "under emergency conditions" should be deleted, as the referenced regulations describe the conditions and exceptions for a plant bypass.

Response: We have removed the word "emergency" from the footnote.

Comment 24: The note that "all sanitary sewers are prohibited" should be deleted. As set forth in detail in comments below, the City has submitted a LTCP to U.S. EPA and Ohio EPA. That LTCP includes a comprehensive SSO abatement program using the five-year storm as the level of control. Ohio EPA should ensure that the terms of this

permit related to discharges from the sanitary sewers are coordinated with the LTCP development process, and contain wet weather-related requirements that are consonant with the control measures approved in the LTCP, including the level of control for SSO abatement efforts. In addition, Part III Section 11 C. of the permit authorizes bypasses in specified circumstances. Finally the definition of "sanitary sewer overflow" in the draft permit makes the prohibition overly broad. Ohio EPA has jurisdiction under the Clean Water Act to regulated discharges to waters of the state; however, releases from an SSO that do not reach waters of the state and are not caused by operation and maintenance failures should not be considered violations of the permit or the Clean Water Act.

Response: **The prohibition remains in the permit because we and U.S. EPA interpret the Clean Water Act to prohibit SSOs:**

"The Agency's use of the term "prohibit" reflects its interpretation of the statute as imposing an affirmative obligation to prevent. The prohibitionwould be a technology-based limitation that is based, in part, on CWA Section 301(a), which prohibits a discharge to waters of the United States except in compliance with other provisions of the CWA....EPA has defined effluent limitation based upon secondary treatment in regulations at 40 CFR 133. Because, as a practical matter, at discharge of municipal sewage cannot meet such limitations unless treated, sewer collection systems convey municipal sewage to a treatment facility. EPA believes that a properly designed, well-operated municipal sanitary sewer system should deliver sewage for treatment under all but severe natural conditions or conditions beyond the control of the system operator. For this reason, EPA believes that discharges from a sanitary sewer collection system should not be authorized except at outfalls at a treatment facility." [preamble to draft EPA SSO Rule].

While this rule was never finalized, the legal interpretation of the CWA remains. Sanitary sewer overflows are not authorized discharges. While Ohio EPA understands that there may be unusual circumstances that cause SSOs from the Lima system in situations "beyond the control of the system operator", Ohio EPA

would look at these situations on a case-by-case basis and use its enforcement discretion when appropriate.

City Reply: Discussed at July 2 meeting.

Comment 25: It appears that the description of "counting of occurrences" on page 11 does not provide an accurate representation of the number of occurrences per month. The notes suggest that if an occurrence extends from one day into the next, then the second day would be counted as a separate occurrence. We believe that it would be more accurate to count overflow occurrences in the same manner as the CSO monitoring.

Response: We have left the language as is for the final permit. This way of counting is an accurate way of reporting the number of individual SSOs.

Reporting SSOs differently than CSOs or bypasses is appropriate because SSOs are not authorized discharges, where CSOs and bypasses are authorized, at least under certain conditions.

City Reply: Discussed at July 2 meeting.

Comments 26, 27, 28, 29, 31, 32, 33, & 34:

We believe that the introductory paragraphs on pages 11, 12, 15, 18, 19, 20, 22, and 23 should be numbered sequentially.

Response: We have made these changes in the final permit.

City Reply: The numbering on Page 19 (Comment 31) was not changed as indicated.

Comment 30: On page 18, the City requests that "scum" which is dewatered and landfilled be excluded from monitoring and reporting requirements.

Response: **The definition of sludge in ORC 3745.11(Y) specifically includes scum. As a result, we cannot make this change.**

City Reply: Discussed at July 2 meeting, and in July 5 email from me.

Comment 35: Part I, C contains a schedule of compliance for wet weather improvements. The City requests that this schedule be deleted in its entirety.

The City has developed a Long Term Control Plan (LTCP) to address both combined and sanitary sewer issues, pursuant to federal CSO policy. The LTCP is a plan which, when completed, is incorporated into the NPDES permit. In order to comply with the CSO Policy and Clean Water Act, it is important that NPDES permits are coordinated with LTCP development, and contain wet weather-related requirements that are consistent with the control measures approved in the LTCP. When the LTCP is approved, at that time the City's permit can be reissued or modified to incorporate any additional requirements from the LTCP.

At this point, however, the City's LTCP has not yet been approved. As a result, it would be premature for the NPDES permit to include specific requirements concerning projects governed by the LTCP.

In addition, the two projects included in the proposed schedule are directly contrary to the LTCP as submitted. The City does intend to address the issues identified in the schedule, but will do so through projects substantially different than those included in the proposed permit. For example, the City has proposed to rehabilitate the deteriorating interceptor leading from the Baxter Pump Station by lining it with a 48" diameter HDPE force main. To increase available storage capacity, the City has proposed enhanced flow management techniques to maximize storage in the collection system, as well as construction of additional storage facilities. The City has also proposed a comprehensive SSO abatement program, which will address the Allentown Road Basin, as well as other areas throughout the City, using the five-year storm as the level of control.

The State's proposed in-line storage box culver pipeline has several technical problems as well. First, coordinating the use of it with the real time control system and the proposed storage basin would add significant operational complexity. Second the cost and logistics associated with the maintenance of the box culvert will be significant due to solids depositions and odors. Third, construction of the box culvert will be very disruptive as the top of the culvert is above existing grade. These disruptions include relocating a roadway, eliminating several ball fields in a City park, filling in a possible wetland, and encroaching into a cemetery resulting in possible grave relocation. Fourth, the projected cost of the box culvert is on a par with that of enlarging the required storage basin.

Because the City has already addressed the projects from the schedule in the LTCP, the projects mandated by the draft permit will not be necessary if the draft LTCP is approved. The City therefore requests that the schedule of compliance for wet weather improvements be removed from the proposed permit.

Response: **We have included a revised set of LTCP projects in the permit, based on discussions with U.S. EPA Region V. The coordination with U.S. EPA ensures that the permit conditions will be consistent with the LTCP. We believe that these projects are feasible and meet interim goals of the LTCP.**

City Reply: Discussed at July 2 meeting.

Comment 36: *On pages 28 and 29 add an additional CSO located at West Street at O'Connor Avenue and discharging to Pike Run.*

Response: **We have added the new CSO to the list of outfalls.**

Comment 37: *Sampling station 588 indicates it is for sludge being hauled to another NPDES permit holder. The City wishes to have the flexibility to haul sludge to permitted facilities other than those permitted through the NPDES program. This may include a composting facility or another sludge processor. Such operations are authorized and can be*

approved by the State through a management plan. Therefore, we request that the description for sampling station 588 be modified to indicate this would apply to the sludge being hauled to any approved or permitted facility

Response: NPDES permits are required for any facility that treats sludge; this includes composting facilities. If the City has been discussing sludge disposal with a facility operating under a management plan, that facility is not approved to treat sludge. The facility would need to switch from a management plan to an NPDES permit to accept sludge for treatment. The permit language is correct, and remains in the final permit.

City Reply: The City disagrees with OEPA's legal position. The pertinent regulations include facilities operating under an approved management plan (See, OAC 3745-40-03 (C) and 3745-40-02 (C) (2) (c). Although it may be the Agency's typical procedure to only approve sludge facilities with an NPDES permit, the regulations allow facilities to operate under an approved management plan and, it is our understanding that such facilities exist. The City would like to have the flexibility to utilize any facility that is legally authorized to accept sludge and, therefore, reiterates its request in this comment.

Comment 38: *The note on page 30 that "all sanitary sewer overflows are prohibited" should be deleted.*

Response: The phrase remains in the permit because we and U.S. EPA interpret the Clean Water Act to prohibit SSOs (see response above).

City Reply: See reply to Comment 24.

Comment 39: *As specified in OAC 3745-33-08(A)(8), paragraph G should read: "The permittee shall maintain in good working order and operate at optimum levels in accordance with good engineering practices any wastewater treatment facilities or control systems installed to achieve compliance with the terms and conditions of the permit regardless of the quality of*

the effluent.” Neither the Clean Water Act nor ORC 6111 grants Ohio EPA the legal authority to regulate discharges to places other than waters of the state.

Response: Ohio EPA acknowledges that NPDES permits regulate only discharges to surface waters of the state. However, the NPDES regulations cited above, and in 40 CFR 122.41(e), require the proper operation and maintenance of wastewater systems. Discharges to areas that are not waters of the state, while not directly regulated by the permit, may be indications of improper operation and maintenance of the facilities. As such, we believe that they are appropriate conditions of the permit.

We have replaced “etc.” with “or other locations not part of the treatment works or sewerage system”.

City Reply: Discussed at July 2 meeting.

Comment 40: *In Part II H., composite samples is defined. In the monitoring tables contained in the permit, the sampling type for many of the parameters is now listed as “24-hour composite”. We request that the agency confirm the sample type now being required is as defined in paragraph H.*

Response: The term “24-hour composite” is the same as the definition in Part II H.

City Reply: Acceptable if included in a signed letter.

Comment 41: *Paragraph K requires at least 85 percent removal of CBOD5 and suspended solids. The City’s position is that it is eligible for the exclusion contained in the secondary treatment definition in 40 CFR 133.105(a), which allows communities with combined sewers to be exempted from the requirement. Because the City’s draft LTCP projects an increase in the amount of combined sewage that will be treated at the WWTP, which will result in more dilute influent, it will be*

difficult, perhaps impossible to consistently meet this requirement. The City asks that it be removed from the permit.

Response: The secondary treatment exclusion in 40 CFR 133.105(a) is not applicable in this case because Lima does not use either of the alternative principal biological methods cited in the rule. The rule in 40 CFR 133.103(a) allows a limited exemption from the 85% removal requirement; however, the permittee must make a demonstration that the 85% removal rate cannot be met before this exemption can be granted. Lima's removal rates for TSS and CBOD5 have been good to excellent over the last five plus years (January 2006-September 2011). We cannot at this point change this permit condition. If removal rates change due to parallel operation of the activated sludge and nutrient tower systems, we would consider lowering the average removal rate. We have included a reopener clause to that would allow a reassessment of the removal rate when the plant is running the biological systems in parallel.

City Reply: Discussed at July 2 meeting and in July 3 email from me.

Comment 42: *The City objects to the requirement in Paragraph R that the permittee comply with unspecified "other actions of the Director that pertain to the disposal, use, storage or treatment of sewage sludge", and requests that the phrase be deleted. All requirements should be explicitly stated. The lawfulness and reasonableness of future actions of the Director should be determined at the time the Director elects to take them.*

Response: This paragraph is meant to address any existing or outstanding requirements that have not been included in the permit, such as Director's Final Finding and Orders. We have reworded to paragraph to make this clear.

Comments 43 & 23:

Part II Paragraph Y requires the installation of permanent markers at the stream bank of each outfall. In order that the City has adequate

time to purchase and safely install the signs, the City requests 18 months to meet this requirement.

Response: We have left the draft time lines in the permit because this requirement applies only to Outfalls 001 and 057. We consider the existing CSO signage to be an appropriate variation from the standard sign dimensions, as allowed by OAC 3745-33-08(A)(12)(d).

City Reply: Acceptable if included in a signed letter.

Comment 44: *The City's previous permit contained a provision that provided for a reasonable potential evaluation before requiring adjustment to local limits. This allowed the City to not have to go through the expense of updating local limits if the plant effluent and sewage sludge was in compliance with all requirements for a particular parameter. Since this is and continues to be the situation, it is requested that this provision be reinstalled in the permit so the limits need not be reduced unnecessarily.*

Response: We have included this clause in the final permit, with the exception of documenting compliance with the pretreatment streamlining rules. Under the new schedule, the City would need to provide documentation on how the City meets the updated pretreatment rule. The schedule would also require updating local limits for copper and mercury because these parameters have the reasonable potential to contribute to WQS excursions.

City Reply: The City is agreeable to the time frame in Part 1.C.2 for the Municipal Pretreatment Schedule. However, we question why the effluent value to be used for the determination of the local limit (p. 41) for selenium was changed from 5.0 ug/l to 3.0 ug/l. The revised number is inconsistent with Table 9 of the Fact Sheet.

Comment 45: *In Part IV, A. 1. a. the City requests that it have twelve months, instead of six, to prepare a storm water plan. This would allow sufficient time to collect and analyze required information. Some of the sampling is*

weather dependent, and therefore difficult to predict when it can be accomplished.

Response: **We have included this change in the final permit.**

Comment 46: In Part IV, A. 1. b. the City requests that the time allowed to implement the storm water plan be changed from 12 to 24 months, to allow time to collect and analyze required information and to achieve a reasonable level of implementation.

Response: **We have included this change in the final permit.**

Comment 47: In Part IV, B. 3. the City requests 60 days, instead of 30 days, to respond to comments from the Director.

Response: **We have included this change in the final permit.**

Comment 48: In Part VI, A., as the required sampling is weather dependent, the City requests 365 days instead of 180 days to provide the required certification.

Response: **We have included this change in the final permit.**

Comments on the Fact Sheet

Comment 49: The OEPA completed extensive water quality monitoring in 2010. Preliminary presentations by OEPA indicate a much improved river. The write-up in the Fact Sheet on water quality should include the recent data to more accurately represent current conditions.

Response: **The final data from the 2010 survey were not available at the time the fact sheet was written. Ohio EPA does not typically present preliminary data in NPDES fact sheets. While the preliminary data does show significant improvement in the river, the biological data shows some impairments continuing. The new data would**

not affect any of the permit conditions, and as a result, we will keep the data for use in future fact sheets.

City Reply: The failure to acknowledge the more recent study and to mention the significant improvements presents an inaccurate picture. It would be better to not mention the outdated work rather than misrepresent the situation. The City understands that the surveys were to be coordinated with the permit renewal process, so the latest information can be used in developing permit requirements.

Comment 50: *On page 9, the reference to Table 3 does not include information on stream design flow. Please clarify which table is being referenced.*

Response: The paragraph should refer to Table 8.

Comment 51: *Table 2 has the data columns for three of the parameters shifted. The City assumes that all numbers in these rows should be shifted one column to the right.*

Response: Your assumption is correct.

City Reply: Acceptable if included in signed letter.

Fecal Coliform Monitoring of Sludges: Discussed in my January, 2012 letter.

New Question: The Permit has detailed reporting requirements for SSOs. As these seemingly supplant the Administrative Order the City has been subject to, we request the DFFOs be formally terminated.

Thanks for your assistance in this matter. I look forward to seeing you on July 11.

Very truly yours,



Stephen P. Samuels

cc: Mayor David J. Berger
Gary Sheely
Erika Powers
Fredric Andes
David Schnipke
Russell Bales
Tony Geiger
Richard Howell
Thomas Ungar
Michael Frommer
Dale Siebert
Steven Wordelman
Shannon Conway