**Appendix B**



Application No. OH0025852

Issue Date: May 31, 2002

Effective Date: July 1, 2002

Expiration Date: July 31, 2006

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

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

City of Ironton

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the City of Ironton Wastewater Treatment wastewater treatment works located at 810 North Fourth Street, Ironton, Ohio, Lawrence County and authorized collection system combined sewer overflows all discharging to the Ohio River in accordance with the conditions specified in Parts I, II, and III of this permit.

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

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

Christopher Jones
Director

Total Pages: 30

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

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 0PD00007001 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

| Effluent Characteristic | Discharge Limitations | | | | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Concentration Specified Units | | | | Loading* kg/day | | | | | |
| Parameter | Maximum | Minimum | Weekly | Monthly | Daily | Weekly | Monthly | Measuring Frequency | Sampling Type | Monitoring Months |
| 00010 - Water Temperature - C | - | - | - | - | - | - | - | 1/Day | Maximum Indicating Thermometer | All |
| 00300 - Dissolved Oxygen - mg/l | - | - | - | - | - | - | - | 1/Day | Multiple Grab | All |
| 00530 - Total Suspended Solids - mg/l | - | - | 45 | 30 | - | 290 | 193 | 3/Week | 24hr Composite | All |
| 00552 - Oil and Grease, Hexane Extr Method - mg/l | 10 | - | - | - | - | - | - | 1/Week | Grab | All |
| 00610 - Nitrogen, Ammonia (NH3) - mg/l | - | - | - | - | - | - | - | 3/Week | 24hr Composite | All |
| 00630 - Nitrite Plus Nitrate, Total - mg/l | - | - | - | - | - | - | - | 1/Month | 24hr Composite | All |
| 01074 - Nickel, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 01094 - Zinc, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Month | 24hr Composite | All |
| 01113 - Cadmium, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 01114 - Lead, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 01118 - Chromium, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 01119 - Copper, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Month | 24hr Composite | All |
| 01220 - Chromium, Dissolved Hexavalent - ug/l | - | - | - | - | - | - | - | 1/Quarter | Grab | Quarterly |
| 11123 - Manganese, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 31616 - Fecal Coliform - #/100 ml | - | - | 2000 | 1000 | - | - | - | 3/Week | Grab | Winter |
| 31616 - Fecal Coliform - #/100 ml | - | - | 400 | 200 | - | - | - | 3/Week | Grab | Summer |
| 50050 - Flow Rate - MGD | - | - | - | - | - | - | - | 1/Day | 24hr Total | All |

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| Effluent Characteristic | Discharge Limitations | | | | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Concentration Specified Units | | | | Loading* kg/day | | | | | |
| Parameter | Maximum | Minimum | Weekly | Monthly | Daily | Weekly | Monthly | Measuring Frequency | Sampling Type | Monitoring Months |
| 50060 - Chlorine, Total Residual - mg/l | 0.038 | - | - | - | - | - | - | 1/Day | Multiple Grab | All |
| 61941 - pH, Maximum - S.U. | 9.0 | - | - | - | - | - | - | 1/Day | Multiple Grab | All |
| 61942 - pH, Minimum - S.U. | - | 6.5 | - | - | - | - | - | 1/Day | Multiple Grab | All |
| 71901 - Mercury, Total Recoverable - ug/l | - | - | - | - | - | - | - | 1/Quarter | 24hr Composite | Quarterly |
| 80082 - CBOD 5 day - mg/l | - | - | 40 | 25 | - | 257 | 161 | 3/Week | 24hr Composite | All |

NOTES for Station Number 0PD00007001:

-Effluent loadings based on average design flow of 1.7 MGD.

-Total residual chlorine - See Part II, Item J and K.

-Zinc - See Part II, Item R.

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Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 0PD00007581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

| Effluent Characteristic | Discharge Limitations | | | | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Concentration Specified Units | | | | Loading* kg/day | | | | | |
| Parameter | Maximum | Minimum | Weekly | Monthly | Daily | Weekly | Monthly | Measuring Frequency | Sampling Type | Monitoring Months |
| 00400 - pH - S.U. | - | - | - | - | - | - | - | 1/Month | Grab | All |
| 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 |
| 01003 - Arsenic, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01028 - Cadmium, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01029 - Chromium, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01043 - Copper, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01052 - Lead, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01068 - Nickel, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01093 - Zinc, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 01148 - Selenium, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 70316 - Sludge Weight - Dry Tons | - | - | - | - | - | - | - | 1/Day | Total | All |
| 70318 - Sludge Solids, Percent Total - % | - | - | - | - | - | - | - | 1/Day | Grab | All |
| 70322 - Sludge Solids, Percent Volatile - % | - | - | - | - | - | - | - | 1/Day | Grab | All |
| 71921 - Mercury, Total In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |
| 78465 - Molybdenum In Sludge - mg/kg | - | - | - | - | - | - | - | 1/Quarter | Composite | Quarterly |

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NOTES for Station Number 0PD00007581:

-Monitoring is required when sludge is removed from the wastewater treatment facility and disposed of by land application at agronomic rates. If no sludge is removed during the entire month, report "AL" in the first column of the first day of the month on the 4500 Form (Monthly Operating Report). A signature is still required.

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

-Sludge weight is a calculated total for the sampling period.

-See Part II, Items M, P and Q.

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Part I, B. - INFLUENT MONITORING REQUIREMENTS

2. 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 0PD00007601, 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 | Discharge Limitations | | | | | | | Monitoring Requirements | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Concentration Specified Units | | | | Loading* kg/day | | | | | |
| Parameter | Maximum | Minimum | Weekly | Monthly | Daily | Weekly | Monthly | Measuring Frequency | Sampling Type | Monitoring Months |
| 00045 - Total Precipitation - Inches | - | - | - | - | - | - | - | 1/Day | 24hr Total | All |
| 00400 - pH - S.U. | - | - | - | - | - | - | - | 1/Day | Multiple Grab | All |
| 00530 - Total Suspended Solids - mg/l | - | - | - | - | - | - | - | 3/Week | 24hr Composite | All |
| 50047 - Flow, Peak Rate - MGD | - | - | - | - | - | - | - | 1/Day | Maximum | All |
| 80082 - CBOD 5 day - mg/l | - | - | - | - | - | - | - | 3/Week | 24hr Composite | All |

NOTES for Station Number 0PD00007601:

-pH - Report value closest to being outside the range of 6.5 S.U. to 9.0 S.U. or any value outside the range.

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Part I, C - Schedule of Compliance

CSO Schedule

A. Within 18 months of the effective date of this permit, the permittee shall develop and submit for approval to the Southeast District Office two copies of a Combined Sewer System Long-Term Control Plan. The goal of the plan is that discharges from combined sewer overflows shall not cause or significantly contribute to violations of water quality standards or impairment of designated uses. If the contents of the long-term control plan are subject to review under 3745-1-05 (antidegradation), the plan will be public noticed as required in Section C of 3745-1-05. (Event Code 53799)

The plan shall address, as a minimum, the following:

1. The permittee shall characterize its collection system and overflows using the tools of monitoring and modeling. If previous characterization and modeling has been done, this shall be updated. A monitoring program shall be proposed that provides adequate data to characterize and model the collection system and overflows; supports development and implementation of the minimum control measures; supports development and implementation of a long-term control plan; and allows the effectiveness of control measures to be evaluated.

2. The permittee shall identify CSO discharges to State Resource Waters (OAC 3745-1-05), Bathing Waters [OAC 3745-1-07(B)(4)], and all surface waters within 500 yards of an existing public water supply intake and designate these discharges as the highest priority for elimination, relocation or treatment. Overflows to these waters shall be eliminated or relocated whenever physically and economically achievable, except when this would cause unacceptable water quality impacts elsewhere in the system. If elimination or relocation is not possible, then treatment must be provided that will result in attainment of water quality standards and designated uses.

3. The permittee shall identify CSO discharges to waters, including small, accessible urban streams, where there is a high probability for contact recreation, and develop controls to ensure that these waters attain the applicable water quality standards for bacteria. The potential for human health impacts, public input on the recreational value of the streams, and financial considerations should be used to prioritize controls for these streams.

The permittee shall develop and implement a significant notification program that informs the public of the possible health and environmental impacts associated with CSOs, and advises against contact recreation when elevated bacteria levels may endanger public health.

The permittee should contact Ohio EPA to discuss water quality standard revisions they believe would be appropriate based on community recreational use evaluations. The permittee shall also contact the Ohio EPA to discuss the possibility of a variance from water quality standards for bacteria during wet weather.

4. The permittee shall consider either the "presumption" or the "demonstration" approach included in U.S. EPA's National Combined Sewer Overflow Policy (April 19, 1994) with special consideration given to the presumptive approach which is the reduction of overflow events to less than six per year. Reduction of the number of untreated overflow events and reduction of both the frequency and duration of overflow events shall be evaluated as a control option and shall be implemented if it is cost effective, economically achievable, and does not cause new or significantly increased overflows elsewhere in the system. As part of CSO control, Ohio EPA expects communities to identify combined and separate sewered areas and to minimize the impact of existing and future separate sanitary flows on CSO discharges. Steps to consider include: using express sewers to route sanitary flows around combined sewer areas; reducing infiltration and inflow into the separate sewers. Communities also should consider ways to reduce storm water flow into combined sewers. Steps to consider include: diverting storm water away from the combined system (e.g, by constructing retention basins; removing inflow, such as roof drains); using catch basin flow restriction.

5. For the collection system the permittee shall consider improvements to control floatable solids; screening; primary treatment and disinfection of overflows. For the treatment plant, the permittee shall consider additions of primary treatment and disinfection capacity, a secondary treatment bypass, and other cost effective measures, such as retention basins, for the purpose of increasing the treatment of wet weather flows at the plant. Ohio EPA will evaluate these measures for approval during the Permit To Install process. Bypasses of secondary treatment must meet the requirements of 40 CFR 122.41(m) and with adequate documentation may be authorized in the NPDES permit.

6. The permittee shall conduct cost/performance analyses to determine where the increment of CSO abatement achieved diminishes compared to the increased costs.

7. The permittee shall evaluate compliance status with the nine minimum controls and propose improvements for continued implementation of the nine minimum controls. The permittee shall also propose revisions to the Combined Sewer System Operational Plan necessary to implement the nine minimum controls and long term controls.

8. The permittee shall give the public affected by the development and implementation of the CSO control plan the opportunity to actively participate in the process. This includes participation in the evaluation and selection of controls, in determining the value that the community places on recreation opportunities that are impacted by CSO discharges, and in setting priorities for CSO control projects.

9. The permittee shall propose an implementation schedule based on consideration of the following: the relative magnitude of adverse impacts on water quality standards and designated uses, the community's financial capability, the relative cost/performance evaluations of individual projects, the priorities developed through public participation, and previous efforts to control CSOs.

10. When submitted, the long-term control plan shall be accompanied by a completed antidegradation addendum. To meet the information submittal requirements of antidegradation, the long-term control plan shall data and information that allow for examination of control alternatives, a review of the social and economic issues related to the plan, and fulfill other requirements of 3745-1-05(B)(2)(a) - (g). If implementation of the plan results in site-specific lowering of water quality, the director shall consider OAC 3745-1-05(C)(6)(a) - (m) when making a determination regarding the plan.

When the long term control plan is approved by the Director of Ohio EPA, the implementation schedule included in the plan shall be incorporated by reference as part of this permit, or this permit may be modified to incorporate the approved implementation schedule.

Part II, Other Requirements

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

B. The plant must be staffed and operated in accordance with the Ohio EPA approved Operation and Maintenance Manual and the combined sewer collection system must be operated in accordance with the CSO Operational Plan.

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

| Sampling Station | Description of Location |
|---|---|
| 0PD00007001 | Plant effluent discharge to storm sewer to Ohio River. |
| . | (Lat: 38 N 32' 24"; Long: 82 W 41' 32") |
| 0PD00007581 | Sludge removed for land application at agronomic rates. |
| 0PD00007601 | Raw sewage influent. |

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

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

| Station Number | Description | Receiving Stream |
|---|---|---|
| 0PD00007002 | Plant Bypass | Ohio River |
| . | (Lat: 38 deg 32' 24"; Long: 82 deg 41' 32") | |
| 0PD00007004 | Nash and 1st Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 02"; Long: 82 deg 42' 40") | |
| 0PD00007007 | Hecla Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 24"; Long: 82 deg 41' 32") | |
| 0PD00007008 | Etna Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 16"; Long: 82 deg 41' 25") | |
| 0PD00007009 | Walnut Street CSO | Ohio River |
| . | (Lat: 38 deg 31' 30"; Long: 82 deg 40' 52") | |
| 0PD00007010 | Martin and 5 1/2 Alley CSO | Ohio River |
| . | (Lat: 38 deg 31' 04"; Long: 82 deg 42' 34") | |
| 0PD00007011 | North Fifth Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 24"; Long: 82 deg 41' 32") | |
| 0PD00007017 | Mill Street South of 4th Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 24"; Long: 82 deg 41' 32") | |
| 0PD00007018 | Orchard Street CSO | Ohio River |
| . | (Lat: 38 deg 32' 45"; Long: 82 deg 41' 51") | |

F. The permittee shall monitor the system overflows at stations 0PD00007002, 0PD00007004, 0PD00007007 through 0PD00007011, 0PD00007017 and 0PD00007018 and report to the Ohio EPA in accordance with the following table:

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

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

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

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

G. 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.

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

I. 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.

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

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).

L. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the 40 CFR 136 promulgated analytical procedure for those parameters. In accordance with the ORC Section 6111.13 and OAC Rule 3745-33-07(C), if a discharge limit is set below the OEPA QL, any analytical result reported less than the OEPA QL shall be considered to be in compliance with that limit. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

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, Total Residual | 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. As soon as possible, but no later than six months after the effective date of this permit, the permittee shall sample, test, and submit the results of a sludge analysis for dioxin/dibenzofurans. The analysis shall be conducted on a composite, representative sample. The sample shall be representative of sludge removed to final disposal. The sample shall be a composite of at least one grab sample taken on each day which sludge is removed for final disposal over a five day period. The dioxin/dibenzofuran analysis will include:

1. Concentrations of dioxins reported as total concentration for each class 4 through 8 (class concentrations) and for all 2,3,7,8-congeners for each class 4 through 8(2,3,7,8-congener concentrations)

2. Concentrations of dibenzofurans reported as total concentration for each class 4 through 8 (class concentrations) and for all 2,3,7,8-congeners for each class 4 through 8 (2,3,7,8-congener concentrations)

The analysis shall be conducted following the procedures for Method 8290 as outlined in the most current edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846.

The analysis results will be reported showing individual isomer concentrations, total class concentration and a calculation of the Total Toxic Equivalence (TTE). If any individual isomer concentrations are less than the detection limit, a value of one-half (1/2) the detection level for that isomer will be used in the calculation of the TTE.

A sample analysis reporting form is available in the "Land Application of Sludge Manual"; Ohio EPA; September 28, 1998; pages 51 - 53.

The analysis results shall be submitted to: Ohio EPA; Division of Surface Water; Agriculture, Sludge and PTI Unit; Lazarus Government Center; P.O. Box 1049; Columbus, Ohio, 43216-1049.

N. 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.

O. 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.

P. Within 6 months of the effective date of this (Permit or Modification), the permittee shall submit to the appropriate Ohio EPA District Office an evaluation of its sludge management plan, which was approved on March 2, 1998.

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

Q. Not later than January 31 of each calendar year, the permittee shall submit two (2) copies of a report summarizing the sludge disposal and/or reuse activities of the facility during the previous year. One copy of the report shall be sent to the Ohio EPA, Division of Surface Water, Central Office, and one copy of the report shall be sent to the appropriate Ohio EPA District Office. This report shall address:

1) Amount of sludge disposed of/reused in dry tons.

2) Method(s) of disposal/reuse.

3) Summary of all analyses made on the sludge, including any priority pollutant scans that may have been performed. (If a priority pollutant scan has been conducted as a part of the pretreatment program, the most recent analysis should be submitted.)

4) Problems encountered including any complaints received. The cause or reason for the problem and corrective actions taken to solve the problem should also be included. Any incidents of interference with the method of sludge disposal shall be identified, along with the cause of interference (i.e., excessive metals concentration, contaminated sludge, etc.) and the corrective actions taken.

R. Tracking of Group 4 Parameters

A preliminary effluent limit (PEL) has been provided below for parameters with a projected effluent quality (PEQ) equivalent to or exceeding seventy-five percent of the PEL. In accordance with rule 3745-33-07(A)(2) of the Ohio Administrative Code, the permittee must report in writing, any effluent concentration sample result greater than the PEL values listed below to Ohio EPA, Southeast District Office. Written notification must be submitted within 30 days of an effluent concentration sample result that exceeds the PEL and must detail the reasons why the PEL has been exceeded and the expectation of continued levels above the PEL.

| Parameter | PEL |
|---|---|
| Zinc | 300 ug/l |

The permittee must reduce discharge levels to below the PEL if either of the following conditions are met:

1. The maximum detected concentration per month is greater than the maximum PEL for four or more months during a consecutive six month period; or

2. The thirty-day average for any pollutant is greater than the average PEL for two or more months during a consecutive six month period; and

If the permittee cannot reduce discharge levels below the PEL within six months after either of conditions 1 or 2 above are met, the permittee may request to modify the permit to contain a compliance schedule. This request shall contain justification for the additional time necessary to reduce discharge levels.

S. The entire wastewater treatment system including the collection system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. The permittee is required to implement the minimum control measures for CSOs that are applicable to its system. It is also the responsibility of the permittee to document implementation of the minimum control measures. The permittee shall keep records to document the implementation of the minimum control measures and shall submit annually to the Ohio EPA Southeast District Office a report on the status of implementation of the minimum control measures. To accomplish implementation of the minimum control measures, the permittee shall comply with the following technology based requirements:

1. Provide proper operation and maintenance of the collection system and the combined sewer overflow points.

The permittee shall implement the approved operational and maintenance plan for the combined sewer system (CSS) that will include the elements listed below. The permittee also shall update the plan to incorporate any changes to the system or to address any improvements as the result of the characterization, monitoring and modeling study and shall operate and maintain the system according to the plan.

The operational plan shall:

a. Describe the system, including an inventory of all CSO structures, equipment, and treatment facilities. Provides procedures for keeping this inventory current.

b. Include provisions for routine inspection, cleaning and maintenance, and repair schedules for all inventoried CSO outfalls, interceptors, regulators, pumping stations, and equipment. Included schedules and inspection frequencies that are appropriate for the system. The permittee shall inspect and maintain all CSO structures, regulators, pumping stations, and tidegates to ensure that they are in good working condition and adjusted to minimize CSOs and prevent river inflow. The permittee shall inspect, or cause to be inspected, each CSO outfall at an appropriate frequency to ensure no dry weather overflows are occurring. The inspection shall include, but is not limited to, entering the regulator structure if accessible, determining the extent of debris and grit buildup, and removing any debris that may constrict flow, cause blockage, or result in a dry weather overflow. The permittee shall record in a maintenance log book the results of the inspections. For CSO outfalls that are inaccessible, the permittee may perform a visual check of the overflow pipe to determine whether or not the CSO is occurring during dry weather flow conditions.

c. Provide for inspections for dry weather overflows and illicit connections.

d. Include operating procedures and specifications for all equipment, structures, facilities, CSO outfalls, and off-line storage structures. Describe the hydraulic capacities of the collection and treatment systems, the storage capacities of the collection and treatment systems, and off-line storage capacity.

e. Have in place operating procedures that reflect the best use of the system's flow and routing controls to minimize CSOs. Includes procedures to identify and correct combined sewer system (CSS) and CSO problems.

f. Include logs or other documentation of completed activities and documentation of sewage blockages.

g. Address the location of overflows where O&M is hindered (e.g., structures are under major thoroughfares, railroad yards, or other difficult-to-reach or safety hazard areas).

h. Allocate resources for O&M program implementation, including staffing level and funding, equipment, and training. The permittee shall ensure the availability of trained staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit. Each staff member shall receive appropriate training.

The permittee shall allocate adequate funds specifically for operation and maintenance activities.

i. Be effective in reducing the number, frequency, and pollutant loadings of CSOs.

2. Provide for the maximum use of the collection system for storage of wet weather flow prior to allowing overflows. The permittee shall maximize the in-line storage capacity. The permittee shall keep records to document implementation.

The permittee shall maintain all dams or diversion structures at their current heights (as of the date of permit issuance) or greater unless Ohio EPA has approved alternate settings.

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.

The permittee shall implement appropriate controls to minimize CSO impacts resulting from nondomestic discharges. The permittee shall keep records to document this evaluation and implementation of the selected CSO controls to minimize CSO impacts resulting from nondomestic discharges.

The permittee shall maintain information about industrial users up-pipe of each CSO, such as name and address of the facility, SIC code, pollutants discharged to the sewer system, and any history of problems associated with their discharge. This shall include any measures taken to minimize or eliminate discharge through CSOs of pollutants associated with the industries.

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

The permittee shall operate the collection system and treatment plant to treat the maximum flow during wet weather flow conditions/events and deliver all flows to the treatment plant within the constraints of the capacity of the treatment plant and collection system. The permittee shall keep records to document these actions.

5. Prohibit dry weather overflows

Dry weather overflows from CSO outfalls are prohibited. All dry weather overflows must be reported to the Ohio EPA within one (1) day of when the permittee becomes aware of a dry weather overflow. When the permittee detects a dry weather overflow, the permittee shall begin corrective action immediately. The permittee shall inspect the dry weather overflow each subsequent day until the overflow has been eliminated. The permittee shall record in an inspection log book dry weather overflows, as well as the cause, corrective measures taken, and the dates of beginning and cessation of overflow.

6. Control solid and floatable materials in the combined sewer overflow discharge The permittee shall implement measures to control solid and floatable materials in CSOs.

The permittee shall not discharge any floating debris, oil, grease, scum, foam, or other objectionable materials that may result in amounts sufficient to be unsightly or otherwise objectionable.

The permittee shall not discharge settleable solids, sediments, sludge deposits, or suspended particles that may coat or cover submerged surfaces.

7. Conduct necessary inspection, monitoring and reporting of CSOs

The permittee shall regularly monitor CSO outfalls to effectively characterize CSO impacts and the effectiveness of CSO controls.

8. Implement pollution prevention programs that focus on reducing the level of contaminants in CSOs.

The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters. The permittee shall keep records to document pollution prevention implementation activities. These can include:

Street sweeping and catch basin modification or cleaning at an appropriate frequency to prevent large accumulations of pollutants and debris

A public education program that informs the public of the permittee's local laws that prohibit littering

An oil recycling program.

Information on industrial users up-pipe of each CSO and any measures taken to minimize or eliminate discharge through CSOs of pollutants associated with the industries.

9. Implements a public notification program for areas affected by CSOs, especially beaches and recreation areas.

The permittee shall keep records documenting public notification.

Within 6 months of the effective date of this permit, the permittee shall install and maintain identification signs at all CSO outfalls owned and operated by the permittee. The permittee must place the signs at or near the CSO outfalls and ensure that the signs are easily readable by the public. Each sign shall identify that the outfall may discharge sewage during wet weather. A contact telephone number for the permittee shall be on the sign. If the outfall sewer is submerged, the sign shall indicate this.

PART III - GENERAL CONDITIONS

1.□DEFINITIONS

"Daily load" is the total discharge by weight during any calendar day. If only one sample is taken during a day, the weight of pollutant discharge calculated from it is the daily load.

"Daily concentration" means the arithmetic average of all the determinations of concentration made during the day. If only one sample is taken during the day, its concentration is the daily concentration. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"Weekly load" is the total discharge by weight during any 7-day period divided by the number of days in that 7-day period that the facility was in operation. If only one sample is taken in a 7-day period, the weight of pollutant discharge calculated from it is the 7-day load. If more than one sample is taken during the 7-day period, the 7-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 7-day period, and dividing by the number of days sampled.

"Weekly concentration" means the arithmetic average of all the determinations of daily concentration limitation made during the 7-day period. If only one sample is taken during the 7-day period, its concentration is the 7-day concentration for that 7-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"Monthly load" is the total discharge by weight during all days in a calander month divided by the number of days that the facility was in operation during that month. If only one sample is taken during the month the weight of pollutant discharge calculated from it is the monthly load. If more than one sample is taken during the month, the monthly load is calculated by determining the daily load for each day sampled, totaling the daily loads for the month and dividing by the number of days sampled.

"Monthly concentration" means the arithmetic average of all the determinations of daily concentration made during any calender month. If only one sample is taken during the month, its concentration is the monthly concentration for that period. Coliform bacteria limitations compliance 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.

"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 specificially 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 specificially 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 specificially 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.

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 may be submitted in hardcopy format on the Ohio EPA 4500 report form pre-printed by Ohio EPA or an approved facsimile. Ohio EPA 4500 report forms for each individual sampling station are to be received no later than the 15th day of the month following the month-of-interest. The original report form must be signed and mailed to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water
Enforcement Section ES/MOR
P.O. Box 1049
Columbus, Ohio 43216-0149

Monitoring data may also be submitted electronically using Ohio EPA developed SWIMware software. Data must be transmitted to Ohio EPA via electronic mail or the bulletin board system by the 20th day of the month following the month-of-interest. A Surface Water Information Management System (SWIMS) Memorandum of Agreement (MOA) must be signed by the responsible official and submitted to Ohio EPA to receive an authorized Personal Identification Number (PIN) prior to sending data electronically. A hardcopy of the Ohio EPA 4500 form must be generated via SWIMware, signed and maintained onsite for records retention purposes.

B. 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 below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

C. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported on Ohio EPA report form (4500) but records shall be retained as specified in the paragraph entitled "RECORDS RETENTION".

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature 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 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, 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 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 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. Bypassing or diverting of wastewater from the treatment works is prohibited unless:

1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2. 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 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

3. The permittee submitted notices as required under paragraph D. of this section,

B. 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.

C. The Director may approve an unanticipated bypass after considering its adverse effects, if the Director determines that it has met the three conditions listed in paragraph 11.A. of this section.

D. The permittee shall submit notice of an unanticipated bypass as required in section 12. A.

E. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded if that bypass is for essential maintenance to assure efficient operation.

12. NONCOMPLIANCE NOTIFICATION

A. The permittee shall by telephone report any of the following within twenty-four (24) hours of discovery at (toll free) 1-800-282-9378:

1. Any noncompliance which may endanger health or the environment;

2. Any unanticipated bypass which exceeds any effluent limitation in the permit; or

3. Any upset which exceeds any effluent limitation in the permit.

4. Any violation of a maximum daily discharge limitation for any of the pollutants listed by the Director in the permit.

B. For the telephone reports required by Part 12.A., the following information must be included:

1. The times at which the discharge occurred, and was discovered;

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

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

4. The circumstances which created the discharge;

5. The names and telephone numbers of the persons who have knowledge of these circumstances;

6. What remedial steps are being taken; and

7. The names and telephone numbers of the persons responsible for such remedial steps.

C. These telephone reports shall be confirmed in writing within five days of the discharge and submitted to the appropriate Ohio EPA district office. The report shall include the following:

1. The limitation(s) which has been exceeded;

2. The extent of the exceedance(s);

3. The cause of the exceedance(s);

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

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

6. Steps being taken to reduce, eliminate, and/or prevent occurrence of the exceedance(s).

D. Compliance Schedule Events:

If the permittee is unable to meet any date for achieving an event, as specified in the schedule of compliance, the permittee shall submit a written report to the appropriate district office of the Ohio EPA within 14 days of becoming aware of such 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 instances of noncompliance not reported under paragraphs A, B, or C of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraphs B and C of this section.

F. Where the permittee becomes aware that it failed to submit any relevant application or submitted incorrect information in a permit 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 screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state. For publicly owned treatment works, these shall be disposed of in accordance with the approved Ohio EPA Sludge Management Plan.

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 nor 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.