

Ohio Environmental Protection Agency

Fact Sheet For

National Pollutant Discharge Elimination System (NPDES)

General Permit for Small Discharges of
Sanitary Wastewater (Less than 25,000 Gallons per day)
That Can Not Meet Best Available Demonstrated Control
Technology (BADCT) Treatment Standards

I. Background

The Federal Water Pollution Control Act [also referred to as the Clean Water Act (CWA)], the Ohio Water Pollution Control Act and the Ohio Revised Code (ORC Chapter 6111) provide that discharge of pollutants to waters of the state from any point source is unlawful, unless the discharge is in compliance with an effective NPDES permit.

The purpose of issuing NPDES permits to existing sewage treatment facilities with discharges of 25,000 gallons per day or less is to ensure that any wastewater discharges from these facilities are in compliance with all applicable state and federal water pollution control laws. This permit would exist to provide a schedule of compliance to those sewage treatment facilities, built before July 1, 1993, that can not currently comply with best available demonstrated control technology (BADCT) standards.

Compliance with BADCT is sufficiently stringent that compliance with applicable Ohio Water Quality Standards (WQS) is also expected. There currently are a large number of unpermitted existing small sanitary facilities across the state, up to several hundred in some counties. Many of these facilities are unable to comply with BADCT or water-quality-based limits, and most were built before 7/1/93. Issuance of a general permit to cover these facilities will provide a streamlined procedure to impose a compliance schedule to upgrade these facilities.

Unpermitted facilities built after 7/1/93 will require an individual permit which considers the Antidegradation Rule requirements. Facilities built after 7/1/93 and currently under NPDES will be required to have the non-compliance dealt with in their existing permit or other appropriate action of the Director.

The permit contains monitoring requirements for these discharges, a 3-year compliance schedule to meet BADCT, and treatment design criteria that are representative of the best available demonstrated control technology for small sanitary dischargers. The general permit is intended to cover any existing small sanitary dischargers that need to be upgraded to meet these limits and that would consequently be an improvement for the environment. **Draft changes from the current permit are summarized at the end of this fact sheet.**

The conditions under the heading "eligibility" are very important because eligibility determining factors such as co-mingling of discharge streams, controlled discharge lagoon system discharges, single and multi-family dwellings and discharges from industrial facilities are addressed here.

II. Description of General Permit Coverage and Type of Discharge

The permit covers existing point source discharges to waters of the state, from sewage treatment facilities designed to treat a flow of 25,000 gallons per day or less that need a compliance schedule to meet BADCT limits.

For the purpose of this permit, an existing point source discharge is one that has been in existence prior to 07/01/93, or any sewage treatment facility that has previously been covered by an NPDES permit, unless the existing NPDES permit contains more stringent final effluent limitations. New sources of sanitary wastewater need to be reviewed individually under Ohio's Antidegradation Rule (OAC 3745-1-05).

III. Description of Permit Conditions

Notice of Intent - Existing facilities must submit a Notice of Intent (NOI) application to apply for coverage under the general permit. The USEPA's regulations at 40 CFR 122.21 (a) exclude facilities covered by general permits from requirements to submit an application for an individual permit.

NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of facilities covered by the general permit, their identities, locations, mailing addresses, and nature of discharge.

To apply for general permit coverage, all applicants will be required to complete and submit an NOI application form that is available from Ohio EPA, along with an application fee of \$200. Those facilities with an average daily discharge flow of 5,000 GPD or more will be required to also pay an annual discharger fee as specified in Chapter 3745.11(L) of the Ohio Revised Code. The NOI application form and appropriate fees shall be submitted to the following address:

Ohio Environmental Protection Agency
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216 - 1049

A copy of the NOI should also be sent to the appropriate district office of the Ohio EPA.

Facilities who intend to obtain coverage under the general permit shall submit an NOI form within 45 days of the effective date of the permit. Dischargers who fail to obtain coverage under the general permit and are not otherwise covered by an NPDES permit are in violation of Ohio Revised Code (ORC) 6111.

Existing dischargers under this permit wishing to reapply for coverage must reapply for coverage under permit OHS000003. If your 3-year compliance schedule is not yet up, you will be covered under existing permit OHV000001 until

the 3-year period is finished. Your new coverage under OHS000003 will be issued when your compliance schedule is finished.

Federal regulations require that anyone discharging to a municipal storm sewer system (MS4) must get permission of the MS4 operator before coverage can be granted under this permit. As a result, this draft permit would require anyone discharging to any MS4 to obtain permission before coverage can be granted.

Any semi-public facility that is granted coverage under this general permit, may be required to connect into a publicly owned treatment works during the time this permit is effective, whenever a sewage system of a publicly owned treatment works becomes available and accessible.

IV. Eligibility Determining Factors

- A. Except for discharges identified in paragraph B, this permit may cover existing discharges of wastewater associated with sewage treatment systems designed to treat an average flow of 25,000 gallons per day or less to waters of the state.
- B. The following wastewater discharges associated with sewage treatment systems designed to treat an average flow of 25,000 gallons per day or less are not eligible for coverage under this permit:
1. any discharge from a sewage treatment facility that was not in existence prior to 07/01/93, unless the treatment facility was covered by an NPDES permit issued after 07/01/93.
 2. any discharge that is mixed with another discharge prior to reaching the receiving stream. If the wastewater discharge does combine with another waste stream prior to reaching the receiving stream, and it is possible to sample each waste stream separately, the wastewater discharge may be covered by this permit. The other waste stream(s) must be covered under a different NPDES permit,
 3. any discharges that are subject to an existing NPDES permit with an effluent limitation and/or parameter that is not addressed by this permit, or is more stringent than contained in this permit,
 4. any discharge that includes process wastewater or storm water from an industrial facility, unless the process or storm water discharges are monitored separate from the wastewater discharge and are covered under a different NPDES permit,
 5. any discharges from lagoon systems,
 6. wastewater discharges from sewage treatment systems serving only one single-family, two-family, or three-family dwelling,
 7. wastewater discharges from sewage treatment system that would be required by section 6117.51 of the Ohio Revised Code to connect into a publicly owned treatment works,

V. Effluent Limitations and Monitoring Requirements

Effluent monitoring is required for pollutant parameters that are characteristic of treated sewage effluents: CBOD₅, suspended solids, ammonia-nitrogen and dissolved oxygen, fecal coliform and residual chlorine.

The permit requires treatment plant upgrades that are designed to meet best available demonstrated control technology (BADCT) for small sanitary dischargers. BADCT standards apply to CBOD₅, suspended solids, ammonia-nitrogen and dissolved oxygen. The design limits for fecal coliform and residual chlorine are based on Ohio Water Quality Standards.

This permit also assigns outfall designations to the different tables, so that the SWIMS permitting system can accept Monthly Operating Report (MOR) data for discharges under this permit. We expect that SWIMS will be able to accept MOR data electronically for general permittees when this permit is issued. Each facility covered by a given table would be required to use that outfall designation for their effluent. All facilities would report their effluent monitoring results as outfall 001. The outfall number on the MOR form would be the facility ID followed by the outfall number (for example, 4GS00001001). All sludge data would be reported under station 588 (example - 4GS00001588).

VI. Notice of Termination

Each individual facility covered by the general permit must submit a Notice of Termination (NOT) form to terminate coverage under this permit. Permittees are to request permit coverage termination once the wastewater discharges are eliminated. Failure to submit an NOT form constitutes a violation of the permit and is a violation of ORC 6111.

VII. Pollution Prevention

Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.

*Businesses can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets and the **Ohio Pollution Prevention and Waste Minimization Planning Guidance Manual**, please contact the Ohio EPA, Office of Pollution Prevention at (614) 644-3949.*

VIII. Changes from Current General Permit

Ohio EPA is proposing a number of changes to this permit; most of these are related to updates in rules since 2004:

New Part IV, Item H. includes operator certification and operator-of-record requirements that are currently effective in Chapter 3745-7 of the Ohio Administrative Code.

New Part IV, Item I. requires permittees to install signs at the points where the discharge enters the receiving water. This is required by Rule 3745-33-08 of the Ohio Administrative Code.

The design limits for residual chlorine limit for direct dischargers to the Ohio River has been changed from 0.019 mg/l to 0.038 mg/l to be consistent with Ohio EPA rules on water quality standards implementation and permitting.

The draft permit also updates the signatory language in Part V, and includes a few minor wording changes.