

Application No. OH0024741

Modification Issue Date: July 18, 2008

Modification Effective Date: February 1, 2009

Expiration Date: January 31, 2010

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),

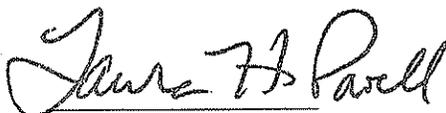
City of Columbus  
Southerly Wastewater Treatment Plant

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Southerly Wastewater Treatment Plant located at 6977 S High St, Lockbourne, Ohio, Franklin County and discharging to the Scioto River in accordance with the conditions specified in Parts I, II, and III of this permit.

In accordance with the antidegradation rule, OAC 3745-1-05, I have determined that a temporary lowering of water quality to certain site specific areas in the Scioto River, Olentangy River, Alum Creek and Big Walnut Creek watersheds may occur and are necessary. Provision (D)(1)(c) was applied to this application. This provision excludes the need for the submittal and subsequent review of technical alternatives and social and economic issues related to the degradation. Other rule provisions, however, including public participation and appropriate intergovernmental coordination were required and considered prior to reaching this decision.

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

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



Laura H. Powell  
Assistant Director

Total Pages: 42

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

1. During the period beginning on the effective date of this NPDES 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: 4PF0001001 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
	Maximum	Minimum	Weekly	Monthly	Daily				Weekly	Monthly
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Continuous	All
00300 - Dissolved Oxygen - mg/l	-	7.0	-	-	-	-	-	1/Day	Continuous	All
00530 - Total Suspended Solids - mg/l	-	-	24	16	-	10356	6904	1/Day	Composite	June - Oct.
00530 - Total Suspended Solids - mg/l	-	-	45	30	-	19417	12945	1/Day	Composite	Nov. - April
00530 - Total Suspended Solids - mg/l	-	-	39	26	-	16828	11219	1/Day	Composite	May
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1/Week	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	3.0	2.0	-	1294	863	1/Day	Composite	May
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.5	1.0	-	647	431	1/Day	Composite	June - Oct.
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	5.1	3.4	-	2201	1467	1/Day	Composite	Nov. - April
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
00719 - Cyanide, Free - mg/l	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All

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				
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	2000	1000	-	-	-	1/Day	Grab	Summer
39100 - Bis(2-ethylhexyl) Phthalate - ug/l	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
39340 - Gamma-BHC, Total - ug/l	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50060 - Chlorine, Total Residual - mg/l	0.026	-	-	-	-	-	-	1/Day	Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1 / 2 Weeks	Composite	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual - 5
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUc	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual - 5
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual - 5
61428 - Chronic Toxicity, Pimephales promelas - TUc	-	-	-	-	-	-	-	2/Year	Composite	Semi-annual - 5
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	19.5	13	-	8414	5609	1/Day	Composite	May
80082 - CBOD 5 day - mg/l	-	-	12	8.0	-	5178	3452	1/Day	Composite	June - Oct.
80082 - CBOD 5 day - mg/l	-	-	40	25	-	17259	10787	1/Day	Composite	Nov. - April

NOTES for Station Number 4PF00001001:

Effluent loadings are based on an average design flow of 114 MGD.

Total residual chlorine - See Part II, Item L.

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

Dissolved hexavalent chromium - See Part II, Item P.

Mercury - See Part II, Items O and U.

Free cyanide - See Part II, Items P and T.

Free cyanide, silver, bis(2-ethylhexyl)phthalate, and gamma-BHC - See Part II, Item V.

Whole effluent toxicity - See Part II, Item W.

Semi-annual-5 - Whole effluent toxicity testing shall be conducted in May and November.

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

2. During the period beginning on the effective date of this NPDES 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: 4PF00001007 . See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 007 - 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/Quarter	Grab	Quarterly
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Quarter	Grab	Quarterly
00530 - Total Suspended Solids - mg/l	-	-	100	-	-	-	-	1/Quarter	Grab	Quarterly
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Quarter	Estimate	Quarterly
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly

NOTES for Station Number 4PF00001007:

Mercury - See Part II, Item U.

Part I, B. - DOWNSTREAM-FARFIELD MONITORING REQUIREMENTS

1. Downstream-Farfield Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 4PF00001901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Farfield Monitoring - Final

Effluent Characteristic  Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00719 - Cyanide, Free - 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
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All

NOTES for Station Number 4PF00001901:

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

Free cyanide - See Part II, Items O and T.

Mercury - See Part II, Items O and U.

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

2. Bypass Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment plant's bypass when discharging, at Station Number 4PF00001002, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Bypass Monitoring - 002 - Final

Effluent Characteristic  Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months		
	Maximum	Minimum	Weekly	Monthly	Daily				Weekly	Monthly
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
80998 - Bypass Occurrence, Number per month - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
80999 - Bypass Duration, Hours per month - Hr/Month	-	-	-	-	-	-	-	When Disch.	Continuous	All

NOTES for Station Number 4PF00001002:

A Monthly Operating Report (Form 4500) for this station must be submitted every month.

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

Flow shall be reported on each day that a discharge occurs through this station.

Bypass Occurrence - A value of 1 (one) shall be reported on each day that a discharge occurs through this station.

Bypass Duration - The total hours of bypass shall be reported on each day that a discharge occurs through this station.

If there are no discharges during the entire month:

- 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
- 2) Sign the form.

Treatment plant bypass is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) and Part III, Item 11, General Conditions, of this permit.

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

3. CSO Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor at Station Number 4PF00001006, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling. The permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. Also see Part III, Item 11.

Table - CSO Monitoring - 006 - 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
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Continuous	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 4PF00001006:

- A Monthly Operating Report (Form 4500) for this station must be submitted every month.
- Monitoring shall be conducted at the combined sewer overflow relief location described in Part II, Item E.
- Total suspended solids, CBOD, and ammonia-N shall be monitored and reported on each day that a discharge occurs through this station.
- Overflow Occurrence - A value of 1 (one) shall be reported on each day that a discharge occurs through this station.
- Overflow Volume - The total volume shall be reported on each day that a discharge occurs through this station.
- If there are no discharges during the entire month:
  - 1) Report "AL" in the first column of the first day of the month on the 4500 Form.
  - 2) Sign the form.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

4. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 4PF0001581, 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	-	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	When Disch.	Total	All
70318 - Sludge Solids, Percent Total - %	-	-	-	-	-	-	-	When Disch.	Grab	All
70322 - Sludge Solids, Percent Volatile - %	-	-	-	-	-	-	-	When Disch.	Grab	All
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4PF00001581:

Monitoring is required when sludge is removed from the wastewater treatment facility and disposed of by land application and agronomic rates. If no sludge is removed during the month, leave the data area blank and enter "No sludge removed during month" in the "Additional Remarks" section (signature still required).

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

Sludge weight is a calculated total for the sampling period.

Dioxin monitoring required - See Part II, Item R.

Annual sludge report required - See Part II, Item S.

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 4PF00001584, 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	-	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01043 - Copper, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01093 - Zinc, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01148 - Selenium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	When Disch.	Total	All
70318 - Sludge Solids, Percent Total - %	-	-	-	-	-	-	-	When Disch.	Grab	All
70322 - Sludge Solids, Percent Volatile - %	-	-	-	-	-	-	-	When Disch.	Grab	All
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
78465 - Molybdenum In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4PF00001584:

Monitoring is required when composted sludge is removed from the compost facility for land application. 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.

Dioxin monitoring required - See Part II, Item R.

Annual sludge report required - See Part II, Item S.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

6. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 4PF00001585, 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 - 585 - 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			
01003 - Arsenic, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01013 - Beryllium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01028 - Cadmium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01029 - Chromium, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01052 - Lead, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
01068 - Nickel, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Day	Total	All
71921 - Mercury, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Month	Composite	All

NOTES for Station Number 4PF00001585:

Monitoring is required when sludge is removed from the wastewater treatment facility and disposed of by incineration. If no sludge is removed during the month, leave the data area blank and enter "No sludge removed during month" in the "Additional Remarks" section (signature still required).

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

Sludge weight is a calculated total for the sampling period.

Annual sludge report required - See Part II, Item S.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

7. Sludge Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 4PF00001586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

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

NOTES for Station Number 4PF00001586:

Monitoring is required when sludge is removed from the wastewater treatment facility and disposed of by hauling to a landfill. If no sludge is removed during the month, leave the data area blank and enter "No sludge removed during month" in the "Additional Remarks" section (signature still required).

Sludge weight is a calculated total for the sampling period.

Annual sludge report required - See Part II, Item S.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

8. Influent Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 4PF00001601, 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	Composite	All
00719 - Cyanide, Free - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01079 - Silver, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Month	Grab	All
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Composite	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Continuous	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	1/Day	Composite	All

NOTES for Station Number 4PF00001601:

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

Dissolved hexavalent chromium - See Part II, Item Q.

Mercury - See Part II, Items O and U.

Free cyanide - See Part II, Items Q and T.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

9. Upstream Monitoring. During the period beginning on the effective date of this NPDES permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 4PF00001801, 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
31616 - Fecal Coliform - #/100 ml	-	-	-	-	-	-	-	1/Month	Grab	Summer
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 5
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 5
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 5
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	2/Year	Grab	Semi-annual - 5

NOTES for Station Number 4PF00001801:

Whole effluent toxicity - See Part II, Item W.

Semi-annual-5 - Whole effluent toxicity testing shall be conducted in May and November.

## Part II, Other Requirements

A. The Southerly wastewater treatment works must have an operator in responsible charge who holds a valid Class IV Wastewater operator certification from the State of Ohio as required by Ohio Administrative Code Chapter 3745-7. The wastewater sewerage system tributary to the Southerly wastewater treatment works must have an operator in responsible charge who holds a valid Class II wastewater collection system operator certification from the State of Ohio as required by Ohio Administrative Code Chapter 3745-7.

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

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

Sampling Station	Description of Location
4PF00001001	Discharge of final effluent from effluent pump station to the Scioto River at headwall. (Lat: 39N 48' 43.49"; Long: 83W 00' 56.10")
4PF00001002	Raw Sewage Bypass.
4PF00001006	Combined sewer overflow, see Part II, Item E.
4PF00001007	Ash lagoons discharge. (Lat: 39N 49' 52"; Long: 83W 01' 01")
4PF00001581	Sludge for disposal by land application at agronomic rates.
4PF00001584	Composted sludge.
4PF00001585	Sludge for disposal by incineration.
4PF00001586	Sludge hauled to landfill.
4PF00001601	Influent station.
4PF00001801	Upstream Station at State Route 665 bridge.
4PF00001901	Downstream station at State Route 762 bridge.

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 III, Item 11.

Station Number	Description, Receiving Water
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4PF00001006	Relief Location: Alum Creek Storm Tank, Main and Alum Creek Dr (Lat: 39N 57' 23.12" Long: 82W 56' 40.68") Discharge Location: Alum Creek at 144 x 90" sewer east of tank (Lat: 39N 57' 23.07" Long: 82W 56' 35.86")
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F. 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 treatment capabilities;
- 5) prevent and eliminate dry weather overflows;
- 6) control solid and floatable materials in any combined sewer overflow discharges;
- 7) conduct effective inspection and monitoring of CSOs to characterize the impacts and the effects of system operation and maintenance, and to accurately report CSO discharges;
- 8) implement pollution prevention programs that focus on reducing the level of contaminants in CSOs; and
- 9) implement a public notification program to ensure that the public receives adequate notification of CSO occurrences and CSO impacts to areas affected by CSOs, especially beaches and recreation areas.

G. Wet Weather Management Plan to address CSOs and SSOs

On March 3, 2008, the City of Columbus submitted to Ohio EPA a "Combined Sewer Long Term Control Plan - Interim (2010) Plan update" pursuant to the requirements of Consent Decree Case Numbers 02-CVH-05-5768 and 04-CVH-05-5336, filed in Franklin County Common Pleas Court. This plan was approved by the Director on March 7, 2008 as Plan Approval number 650187.

The permittee shall implement the "Combined Sewer Long Term Control Plan - Interim (2010) Plan update in accordance with Plan Approval number 650187.

On July 1, 2005, the City of Columbus submitted to Ohio EPA a "Wet Weather Management Plan" (July 1, 2005) pursuant to the "Combined Sewer Overflow" Consent Order (Court of Common Pleas, Franklin County, Ohio; Case No. 04-CVH-05-5336; September 17, 2004) and the "Sanitary Sewer Overflow" Consent Order, (Court of Common Pleas, Franklin County, Ohio; Case No. 02-CVH-05-5768; August 1, 2002). This plan was approved by the Director on January 26, 2009 as Plan Approval number PTI 01-302-PW.

The permittee shall implement the Wet Weather Management Plan in accordance with Plan Approval number PTI 01-302-PW.

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

I. 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.

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

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 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 4PF00001001, 4PF00001601, and 4PF00001901 shall occur the same day.

P. Sampling at station 4PF00001001 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 4PF00001601 for the same parameters on the same day.

Q. Sampling at station 4PF00001601 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 4PF00001001 for the same parameters on the same day.

R. A composite sample of sewage sludge collected at station(s) 581 (non-EQ sludge) and/or 584 (EQ sludge) shall be monitored for dioxin in sewage sludge, as the term dioxin is defined in rule 3745-40-01 of the Ohio Administrative Code, and the results reported to Ohio EPA as per rule 3745-40-06 of the Ohio Administrative Code.

S. Not later than February 15 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 Ohio EPA Central 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.

T. It is understood by Ohio EPA that at the time permit 4PF00001\*LD becomes effective, an analytical method is not approved under 40 CFR 136 to comply with the free cyanide monitoring requirements included in the permit. The permittee shall utilize method 4500-CN I in the 17th edition of Standard Methods until U.S. EPA promulgates a method for analyzing free cyanide under 40 CFR 136.

U. The permittee shall achieve an MDL (method detection level) less than or equal to 5.0 ng/l in the analytical procedure it uses to comply with the mercury monitoring requirements of this permit. The MDL shall be determined using the procedure at 40 CFR 136, Appendix B.

V. The permittee shall use analytical procedures approved under 40 CFR 136 with MDLs (method detection levels) less than or equal to those listed below to comply with the monitoring requirements for the following parameters:

	MDL (ug/l)
Free cyanide	5.0
Silver	0.5
Bis(2-ethylhexyl)phthalate	2.9
gamma-BHC	0.020

W. 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 4PF00001001.

### 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

For the life of this permit, the permittee shall conduct semi-annual chronic toxicity tests using *Ceriodaphnia dubia* and fathead minnows (*Pimephales promelas*) on effluent samples from outfall 4PF00001001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

#### 2. Acute Bioassays

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

#### 3. Testing of Ambient Water

In conjunction with the chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 4PF00001801. 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 semi-annual 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/square root of (NOEC x LOEC)

X. Pretreatment Program Requirements

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

Description of Modification	Date of Approval
Monitoring Frequencies	04/08/87
Local Limits	10/06/92
Enforcement Management System	07/06/94
Permits	12/12/91
Ordinance	03/12/91, 04/29/97
Significant Industrial User List	11/29/93
Enforcement Response Plan	08/19/94, 10/24/00

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

1) Legal Authority

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

2. Industrial User Inventory

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

### 3. Local Limits

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

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

Arsenic 125 ug/l  
Bis(2-ethylhexyl)phthalate 8.8 ug/l  
Cadmium 5.9 ug/l  
Chromium, hexavalent 11 ug/l  
Chromium, total 124 ug/l  
Copper 23 ug/l  
Cyanide 13 ug/l  
Lead 26 ug/l  
Mercury 15 ng/l  
Molybdenum 115 ug/l  
Nickel 124 ug/l  
Selenium 5.2 ug/l  
Silver 1.4 ug/l  
Zinc 307 ug/l

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

### 4. Control Mechanisms

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

### 5. Industrial Compliance Monitoring

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

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

## 6. POTW Priority Pollutant Monitoring

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

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

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

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

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

## 7. Enforcement

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

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

## 8. Reporting

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

Ohio Environmental Protection Agency  
Division of Surface Water  
Pretreatment Unit  
P.O. Box 1049  
Columbus, OH 43266-0149

### a. Quarterly Industrial User Violation Report

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

### b. Annual Pretreatment Report

On or prior to February 15th of each year, the permittee shall submit an annual report on the effectiveness of the pretreatment program, prepared in accordance with guidance provided by Ohio EPA.

The report shall include, but not be limited to: a discussion of program effectiveness; and industrial user inventory; a description of the permittee's monitoring program; a description of any pass through or interference incidents; a copy of the annual publication of industries in Significant Noncompliance; and, priority pollutant monitoring results.

## 9. Record Keeping

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

## 10. Program Modifications

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

## PART III - GENERAL CONDITIONS

### 1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

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

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

## 2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

## 3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

## 4. REPORTING

A. Monitoring data required by this permit shall be submitted 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. It is accessed from the Ohio EPA eBusiness Center. The eBusiness Center is found on the following web page:

<http://www.epa.state.oh.us/dsw/swims/eDMR/eDMR.html>

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.state.oh.us/dsw/swims/eDMR/eDMRpin.html>

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 copy of the submitted Ohio EPA 4500 DMR must be signed by a Responsible Official or a Delegated Responsible Official and maintained onsite for records retention purposes (see Section 7. RECORDS RETENTION). For e-DMR users, a copy of the DMR can be printed from e-DMR.

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. 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. 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.state.oh.us/dsw/permits/permits.html>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330  
Southwest District Office: (800) 686-8930  
Northwest District Office: (800) 686-6930  
Northeast District Office: (800) 686-6330  
Central District Office: (800) 686-2330  
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

**B. Other Permit Violations**

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us  
Southwest District Office: swdo24hournpdes@epa.state.oh.us  
Northwest District Office: nwdo24hournpdes@epa.state.oh.us  
Northeast District Office: nedo24hournpdes@epa.state.oh.us  
Central District Office: cdo24hournpdes@epa.state.oh.us  
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.state.oh.us/dsw/permits/permits.html>

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.