

NPDES PUBLIC NOTICE

Application for National Pollutant Discharge Elimination
System (NPDES) Permit to Discharge to State Waters

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.

PA0021768, Sewage, Somerset Borough Municipal Authority, 340 W Union Street, Somerset, PA 15501. Facility Name: Somerset Borough Main STP. This existing facility is located in Somerset Township, Somerset County.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), East Branch Coxes Creek, is located in State Water Plan watershed 19-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)			
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.38	XXX	1.23
CBOD5	417	625	XXX	25	38	50
BOD5	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	500	750	XXX	30	45	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen May 1 - Oct 31	33.4	50.0	XXX	2.0	3.0	4.0
Ammonia-Nitrogen Nov 1 - Apr 30	83.4	125.0	XXX	5.0	7.5	10.0
Total Iron	36.7	XXX	XXX	2.2	4.4 Daily Max	XXX

The EPA Waiver is not in effect.

Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N ?
PA0021768 (Sewage)	Somerset Main STP 340 West Union Street Somerset, PA 15501	Somerset County Somerset Township	East Branch Coxes Creek (19-F)	N

FACT SHEET/STATEMENT OF BASIS

NPDES PA0021768

Prepared by: David R. Ponchione

Date: January 24, 2012

Outfall 001

Phone: 412.442.4000

(ES) Somerset Borough Municipal Authority (MUN) Somerset Township
Somerset County

(AF) Somerset Borough Main STP (CO) Somerset

The Borough of Somerset has applied for a renewal of NPDES Permit PA0021768. NPDES Permit PA0021768 was last issued on December 20, 2001.

The hydraulic design capacity of the Somerset Borough Main Sewage Treatment Plant is 2.0 mgd. Preliminary treatment is provided by grit removal and a mechanically cleaned bar screen. Treatment is provided by primary settling tanks, trickling filters, secondary settling tanks, and bio-towers for nitrification. Disinfection is provided by gas chlorination. The treated effluent discharges to East Branch Coxes Creek which is designated a Trout Stock Fishery at the point of discharge.

Conventional Sewerage Pollutants CBOD₅, TSS, NH₃-N, Dissolved Oxygen

The effluent limitations for the CBOD₅, NH₃-N, and Dissolved Oxygen sewerage parameters were established using the Department's Modeling Program WQM 6.3 and Chapter 93 criteria. The Somerset Borough Main STP was one of eight STP's included in the water quality analysis for Coxes Creek. Due to the complexity of the modeling analysis and because there have been no changes to the discharge loads or receiving stream, the existing limitations will be re-imposed based on the WQM 6.3 results in lieu of reevaluating the STP's using the Departments current WQM 7.0 model because each model will yield the same effluent results. The Total Residual Chlorine limitations, previously computed by the TRC_CALC program will also be re-imposed since that program is still used today. The modeling results can be located in the pollution report for NPDES Permit PA0021768 issued on December 20, 2001. The TSS limitations comply with federal secondary treatment requirements.

Non-Conventional Pollutants (Metals, Toxics)

The Borough has identified the following Industrial Categories as contributing wastewater to their sewage system:

1. Hospital Flows
2. Metal Finishing
3. Metal Molding and Casting

The Borough has submitted the required sampling for Priority Pollutant Groups 1 through 5 with their application. Parameters with concentrations reported as non-detectable were excluded from further evaluation. Parameters that had specific concentrations were evaluated using the Department's Toxic

Modeling Program PENTOXSD Version 2.0c. Those parameters are: aluminum, barium, boron, chlorobenzene, chloroform, chromium-VI, copper, dichlorobromomethane, dissolved iron, lead, manganese, mercury, nickel, phenol, toluene, total iron, and zinc.

Limited data was initially available to calculate average discharge concentrations for the PENTOXSD analysis. Other than for total iron, the discharge concentrations provided in the NPDES application were based on an average of 3 samples. Based on the modeling evaluation, parameters of concern were chromium-VI, copper, dissolved iron, total iron and mercury. The Department sent a letter dated November 4, 2011 to the permittee requesting ten (10) additional samples for those parameters, except for total iron since total iron effluent results are reported monthly on eDMR's. The Excel spreadsheet TOXCONC is used to analyze discharge concentration data if discharge data exists in sufficient quantity. Sufficient data is generally defined as 10 or more data points. The permittee's consulting engineer submitted the sampling results to this writer by way of email on January 20, 2012. TOXCONC projects an Average Monthly Effluent Concentration (AMEC) at a 99% confidence level. The AMEC's for each parameter did not exceed 50% of the average monthly water quality based effluent limitations therefore effluent limitations were not deemed necessary.

Total Maximum Daily Loads (TMDLs) were developed for segments in the Coxes Creek Watershed (see pollution report). High levels of metals, suspended solids, and in some areas depressed pH, cause stream impairments. The previous NPDES permit contained the following metal limitations:

<u>Parameter</u>	<u>Average Monthly</u>	<u>Daily Maximum</u>	<u>Instantaneous Maximum</u>
Total Iron	2.2 mg/l	4.4 mg/l	5.5 mg/l

The Somerset Main STP receives metals-containing wastes via their pre-treatment program. The Coxes Creek TMDL Report allocates an allowable iron load of 36.70 lb/day for the Somerset Main STP which is based on an allowable discharge concentration of 2.2 mg/l and design flow of 2.0 mgd. The Department has sufficient effluent data for total iron by way of eDMR and computed a site specific coefficient of variation using the TOXCONC model. The CV was used in the PENTOXSD model to determine whether more stringent limitations are necessary to meet water quality criteria. The modeling results confirmed the average monthly limitation can be slightly relaxed, however the existing effluent limitations will be re-imposed to not disregard the TMDL report or violate anti-backsliding regulations.

Pretreatment

The permittee has an EPA approved pretreatment program.

Whole Effluent Toxicity Tests (WETT's)

The permittee submitted the results of four acute WET tests with their application. The tests were conducted in accordance with the EPA guidance document, "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organism, Fifth Edition". All tests were considered a pass. A summary of the WET testing is enclosed with the pollution report. The permittee will again be required to conduct WET testing within the final 18 months of this permit cycle, according to Federal Regulation 40 CFR §122.21(j)(5). The results shall be submitted with the permittee's next NPDES permit application.

Storm Water

There are two storm water outfalls listed in the NPDES permit application. They are identified as outfalls 001 and 002. To prevent redundancy with the outfall number 001 and storm water outfall number 001, this writer informed the permits clerk to reference the storm water outfall numbers as 101 and 102 in the NMS system. This is the first NPDES permit that contains storm water outfalls. The storm water outfalls are permitted to discharge uncontaminated storm water runoff from areas in and around the treatment plant. Refer to Part C - Requirements Applicable to Storm Water Outfalls for additional information.

Existing Discharge History

A review of the discharge monitoring reports indicates general compliance with all limitations. A review of the last three inspection reports indicated general compliance with the plant being maintained.

Addendum (5/22/12)

The final permit was revised based on comments received by EPA during the draft comment period. Part C.I. paragraph E was clarified to require acute testing be performed. Part C.II contains updated language for publicly owned treatment works with an approved pretreatment program. Part A of the permit includes an instantaneous maximum limitation for total iron. EPA has no objections to reducing the monitoring frequency from 2/week to 1/week for the total iron parameter to be consistent with the previous NPDES permit.

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

I. B STORM WATER OUTFALLS

- A. The permittee is authorized to discharge during the period from Effective Date through Expiration Date.
- B. The outfalls listed below are permitted to discharge uncontaminated storm water runoff from areas in and around the treatment plant. Refer to Part C - Requirements Applicable to Storm Water Outfalls.

Outfall No.	Name of Outfall / Description	Receiving Stream	Location	
			Latitude	Longitude
101	Storm Water Outfall 101	East Branch Coxes Creek	39° 59' 30"	79° 04' 52"
102	Storm Water Outfall 102	East Branch Coxes Creek	39° 59' 29"	79° 04' 50"



**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
DISCHARGE REQUIREMENTS FOR PUBLICLY OWNED
TREATMENT WORKS (POTWs)**

NPDES PERMIT NO: PA0021768

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Section 1251 *et seq.* ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. Section 691.1 *et seq.*,

**Somerset Borough Municipal Authority
340 West Union Street
Somerset, PA 15501**

is authorized to discharge from a facility known as **Somerset Borough Main Sewage Treatment Plan**, located in **Somerset Township, Somerset County**, to **East Branch Coxes Creek** in Watershed **19-F** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

THIS PERMIT SHALL BECOME EFFECTIVE ON July 01, 2012

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON June 30, 2017

The authority granted by this permit is subject to the following further qualifications:

1. If there is a conflict between the application, its supporting documents and/or amendments and the terms and conditions of this permit, the terms and conditions shall apply.
2. Failure to comply with the terms, conditions or effluent limitations of this permit is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. 40 CFR 122.41(a)
3. A complete application for renewal of this permit, or notice of intent to cease discharging by the expiration date, must be submitted to DEP at least 180 days prior to the above expiration date (unless permission has been granted by DEP for submission at a later date), using the appropriate NPDES permit application form. 40 CFR 122.41(b), 122.21(d)

In the event that a timely and complete application for renewal has been submitted and DEP is unable, through no fault of the permittee, to reissue the permit before the above expiration date, the terms and conditions of this permit, including submission of the Discharge Monitoring Reports (DMRs), will be automatically continued and will remain fully effective and enforceable against the discharger until DEP takes final action on the pending permit application. 25 Pa. Code 92a.7(b), (c)

4. This NPDES permit does not constitute authorization to construct or make modifications to wastewater treatment facilities necessary to meet the terms and conditions of this permit.

DATE PERMIT ISSUED June 04, 2012

ISSUED BY /S/
Samuel C. Harper
Clean Water Program Manager
Southwest Regional Office

PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. A. For Outfall 001, Latitude 39° 59' 27.00", Longitude 79° 4' 49.00", River Mile Index 2.27, Stream Code 39012

Discharging to East Branch Coxes Creek

which receives wastewater from the sewage treatment plant

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.
2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements, Footnotes and Supplemental Information).

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) ⁽¹⁾		Concentrations (mg/L)				Minimum ⁽²⁾ Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Recorded
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	2/week	Grab
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	2/week	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.38	XXX	1.23	2/week	Grab
CBOD5	417	625	XXX	25	38	50	2/week	8-Hr Composite
BOD5 Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX	2/week	8-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX	2/week	8-Hr Composite
Total Suspended Solids	500	750	XXX	30	45	60	2/week	8-Hr Composite
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000	2/week	Grab
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000	2/week	Grab

Outfall 001, Continued (from Permit Effective Date through Permit Expiration Date)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) ⁽¹⁾		Concentrations (mg/L)				Minimum ⁽²⁾ Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Ammonia-Nitrogen May 1 - Oct 31	33.4	50.0	XXX	2.0	3.0	4.0	2/week	8-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	83.4	125.0	XXX	5.0	7.5	10.0	2/week	8-Hr Composite
Total Iron	36.7	XXX	XXX	2.2	4.4 Daily Max	5.5	1/week	8-Hr Composite

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

at Outfall 001

**PART A - EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS
(Continued)**

Additional Requirements

1. The permittee may not discharge:
 - a. Floating materials, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code 92a.41(c))
 - b. Oil or grease that causes a film or sheen upon or discoloration of the receiving water or adjoining shoreline. (25 Pa Code 95.2(2)(i))
 - c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code 93.6(a))
 - d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. (25 Pa Code 92a.41(c))
2. The monthly average percent removal of BOD₅ or CBOD₅ and TSS must be at least 85% for POTW facilities on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code 92a.47(a)(3))

Footnotes

- (1) When sampling to determine compliance with mass effluent limitations, the discharge flow at the time of sampling must be measured and recorded.
- (2) This is the minimum number of sampling events required. Permittee's are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

If the permit requires reporting of average weekly limitations use the following guideline. If the "maximum average concentration" and the "maximum average mass loading" does not occur within the same week, both the highest weekly average concentration and the highest weekly average mass load should be reported, regardless of whether they both occur during the same calendar week.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

Average refers to the use of an arithmetic mean, unless otherwise specified in this permit. (40 CFR 122.41(l)(4)(iii))

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR 122.41(m)(1)(i))

Calendar Week is defined as the seven consecutive days from Sunday through Saturday, unless the permittee has been given permission by DEP to provide weekly data as Monday through Friday based on showing excellent performance of the facility and a history of compliance. In cases when the week falls in two separate months, the month with the most days in that week shall be the month for reporting.

Clean Water Act means the Federal Water Pollution Control Act, as amended (33 U.S.C.A. §§1251 to 1387).

Composite Sample (for all except GC/MS volatile organic analysis) means a combination of individual samples (at least eight for a 24-hour period or four for an 8-hour period) of at least 100 milliliters (mL) each obtained at spaced time intervals during the compositing period. The composite must be flow-proportional; either the volume of each individual sample is proportional to discharge flow rates, or the sampling interval is proportional to the flow rates over the time period used to produce the composite. (EPA Form 2C)

Composite Sample (for GC/MS volatile organic analysis) consists of at least four aliquots or grab samples collected during the sampling event (not necessarily flow proportioned). The samples must be combined in the laboratory immediately before analysis and then one analysis is performed. (EPA Form 2C)

Daily Average Temperature means the average of all temperature measurements made, or the mean value plot of the record of a continuous automated temperature recording instrument, either during a calendar day or during the operating day if flows are of a shorter duration.

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. (25 Pa. Code 92a.2, 40 CFR 122.2)

Daily Maximum Discharge Limitation means the highest allowable "daily discharge."

Discharge Monitoring Report (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (40 CFR 122.2)

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

Geometric Mean means the average of a set of n sample results given by the nth root of their product.

Grab Sample means an individual sample of at least 100 mL collected at a randomly selected time over a period not to exceed 15 minutes. (EPA Form 2C)

Hauled-In Wastes means any waste that is introduced into a treatment facility through any method other than a direct connection to the sewage collection system. The term includes wastes transported to and disposed of within the treatment facility or other entry points within the collection system.

Hazardous Substance means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act. (40 CFR 122.2)

Immersion Stabilization (i-s) means a calibrated device is immersed in the wastewater until the reading is stabilized.

Indirect Discharger means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW) or other treatment works. (25 Pa. Code 92a.2, 40 CFR 122.2)

Industrial User means a source of Indirect Discharge. (40 CFR 403.3)

Instantaneous Maximum Effluent Limitation means the highest allowable discharge of a concentration or mass of a substance at any one time as measured by a grab sample. (25 Pa. Code 92a.2)

Measured Flow means any method of liquid volume measurement, the accuracy of which has been previously demonstrated in engineering practice, or for which a relationship to absolute volume has been obtained.

Monthly Average 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.

Municipality means a city, town, borough, county, township, school district, institution, authority or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes. (25 Pa. Code 92a.2)

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a state or municipality. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. (25 Pa Code 92a.2, 40 CFR 122.2)

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that 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. (40 CFR 122.41(m)(1)(ii))

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) – (ix) and (xi) and 25 Pa. Code 92a.2.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code 92a.2)

Weekly Average 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.

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling (40 CFR 122.4(j)(1))

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

2. Records Retention (40 CFR 122.41(j)(2))

Except for records of monitoring information required by this permit related to the permittee's sludge use and disposal activities which shall be retained for a period of at least 5 years, all records of monitoring activities and results (including all original strip chart recordings for continuous monitoring instrumentation and calibration and maintenance records), copies of all reports required by this permit, and records of all data used to complete the application for this permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application, unless a longer retention period is required by the permit. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

3. Recording of Results (40 CFR 122.41(j)(3))

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date and time of sampling or measurements.
- b. The person(s) who performed the sampling or measurements.
- c. The date(s) the analyses were performed.
- d. The person(s) who performed the analyses.
- e. The analytical techniques or methods used; and the associated detection level.
- f. The results of such analyses.

4. Test Procedures (40 CFR 122.41(j)(4))

Facilities that test or analyze environmental samples used to demonstrate compliance with this permit shall be in compliance with laboratory accreditation requirements of Act 90 of 2002 (27 Pa. C.S. §§4101-4113) and 25 Pa. Code Chapter 252, relating to environmental laboratory accreditation. Unless otherwise specified in this permit, the test procedures for the analysis of pollutants shall be those approved under 40 CFR Part 136 (or in the case of sludge use or disposal, approved under 40 CFR Part 136, unless otherwise specified in 40 CFR Part 503 or Subpart J of 25 Pa. Code Chapter 271), or alternate test procedures approved pursuant to those parts, unless other test procedures have been specified in this permit.

5. Quality/Assurance/Control

In an effort to assure accurate self-monitoring analyses results:

- a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))
- b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))

2. Unless instructed otherwise in Part C of this permit, properly completed DMR(s) must be received by the agency(ies) below within 28 days after the end of each reporting period. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

Department of Environmental Protection
Water Management Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745

Attn: Water Quality Specialist
Department of Environmental Protection
Cambria Office
286 Industrial Park Road
Ebensburg, PA 15931-4119

NPDES Enforcement Branch (3WP42)
Office of Permits & Enforcement
Water Protection Division
U.S. EPA - Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:
- The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.
 - The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.
4. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code 92a.22:
- For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
 - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

If signed by a person other than the above, written notification of delegation of DMR signatory authority must be submitted to DEP in advance of or along with the relevant DMR form. (40 CFR 122.22(b))

5. If the permittee monitors any pollutant at monitoring points as designated by this permit, using analytical methods described in Part A III.A.4. herein, more frequently than the permit requires, the results of this monitoring shall be incorporated, as appropriate, into the calculations used to report self-monitoring data on the DMR. (40 CFR 122.41(l)(4)(ii))

C. Reporting and Notification Requirements

1. Planned Changes to Physical Facilities – The permittee shall give notice to DEP as soon as possible but no later than 30 days prior to any planned physical alterations or additions to the permitted facility. A permit under 25 Pa. Code Chapter 91 may be required for these situations prior to implementing the planned changes. A permit application, or other written submission to DEP, can be used to satisfy the notification requirements of this section.

Notice is required when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b). (40 CFR 122.41(l)(1)(i))
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))
 - d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))
 - e. The facility is proposing an expansion or modifications to its treatment processes. (25 Pa. Code 92a.24(a))
2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the "Planned Changes to Waste Stream" Supplemental Report, available on DEP's website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). The Report shall be sent via Certified Mail or other means to confirm DEP's receipt of the notification. DEP will determine if the submission of an application and receipt of an amended permit is required.
 - a. Introduction of New Pollutants (25 Pa. Code 92a.24(a), 40 CFR 122.42(b)(1))

New pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;
- (ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP and/or EPA in writing;
- (iii) Are previously unapproved pollutants introduced into the POTW from an indirect discharger which would be subject to Sections 301 and 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

The permittee shall provide notification of the introduction of new pollutants in accordance with paragraph 2 above. The permittee may not authorize the introduction of new pollutants until the permittee receives DEP's and/or EPA's written approval.

b. Increased Loading of Approved Pollutants (25 Pa. Code 92a.24(a), 40 CFR 122.42(b)(2))

Approved pollutants are defined as parameters that meet one or more of the following criteria:

- (i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application or were otherwise analyzed and reported to DEP prior to permit issuance;
- (ii) Have an effluent limitation or monitoring requirement in this permit;
- (iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 10% of the maximum loading reported in the permit application, or a loading previously approved by DEP, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the POTW, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP and/or EPA does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations, may not result in a hydraulic or organic overload condition as defined in 25 Pa. Code 94.1, and may not cause exceedances of the applicable water quality standards in the receiving stream.

c. New Information on Existing Discharges

The permittee shall notify DEP and EPA where it discovers new information, not reported previously, on the quality and quantity of the effluent introduced into the POTW by an industrial user or an indirect discharger and the anticipated impact of the change in the quality and quantity of effluent to be discharged from the POTW. (40 CFR 122.42(b)(3))

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

- (i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate) received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-WSFR0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report. The information used to develop the Report shall be retained by the permittee for five years from the date of receipt and must be made available to DEP or EPA upon request.

- (1) The dates that residual wastes were received.
- (2) The volume (gallons) of wastes received.
- (3) The license plate number of the vehicle transporting the waste to the treatment facility.
- (4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.
- (5) The name and address of the generator of the residual wastes.
- (6) The type of wastewater.

- (7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

The transporter of residual waste must maintain these and other records as part of the daily operational record (25 Pa. Code 299.219). If the transporter is unable to provide this information, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

- (ii) The following conditions apply to the characterization of residual wastes received by the permitted treatment facility:
 - (1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be characterized accordingly.
 - (2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and reported on the Form 26R.

b. Receipt of Municipal Waste

- (i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge) received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-WSFR0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

- (1) The dates that municipal wastes were received.
 - (2) The volume (gallons) of wastes received.
 - (3) The BOD₅ concentration (mg/l) and load (lbs) for the wastes received.
 - (4) The location(s) where wastes were disposed of within the treatment facility.
- (ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent BOD₅ characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

- a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).
 - (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification

to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

- (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.
 - (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
- b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:
- (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
 - (2) Any upset which exceeds any effluent limitation in the permit; and
 - (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement.
 - (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-WSFR0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B

I. MANAGEMENT REQUIREMENTS

- A. Compliance Schedules (25 Pa. Code 92a.51, 40 CFR 122.47(a))
1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.
 2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))
- B. Permit Modification, Termination, or Revocation and Reissuance
1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code 92a.72 and 40 CFR 122.41(f).
 2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))
 3. In the absence of DEP action to modify or revoke and reissue this permit, 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 specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))
- C. Duty to Provide Information
1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))
 2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))
 3. Other Information - 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 DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))
 4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:
 - a. The requirements identified in 25 Pa. Code 94.12.
 - b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimate concentration of each pollutant discharged into the POTW by the indirect discharger.
 - c. A "Solids Management Inventory" including the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD₅ (mg/l), average effluent CBOD₅ (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge or biosolids generated (wet or dry tons).
 - d. The total volume of hauled-in residual and municipal wastes received during the year, by source.

- e. The Annual Report requirements for permittees required to implement an industrial pretreatment program listed in Part C, as applicable.

D. General Pretreatment Requirements

1. POTWs shall require indirect dischargers to the treatment works subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Clean Water Act and regulations thereunder.
2. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)
3. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.
4. For all POTWs, where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal practices. Where POTWs do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§1001-1015.1).
2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge, sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR 122.41(d))

G. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs two, three and four of this section. (40 CFR 122.41(m)(2))
2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

- a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))
 - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup 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. (40 CFR 122.41(m)(4)(i)(B))
 - c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))
3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))
4. Notice
- a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))
 - b. Unanticipated Bypass
 - (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.C.4.a.
 - (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

II. PENALTIES AND LIABILITY

A. Violations of Permit Conditions

Any person violating Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act or any permit condition or limitation implementing such sections in a permit issued under Section 402 of the Act is subject to civil, administrative and/or criminal penalties as set forth in 40 CFR §122.41(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or
- 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 and/or imprisonment as set forth in *18 Pa.C.S.A § 4904* and 40 CFR §122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. 40 CFR 122.41(c)

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To 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; (40 CFR 122.41(i)(1))
2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))
3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))
4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))
2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))
 - b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))
 - c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))
 - d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code

92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

C. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privilege. (40 CFR 122.41(g))

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.21(d))

E. Other Laws

The issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

IV. ANNUAL FEE

Permittee's shall pay an annual fee in accordance with 25 Pa. Code § 92a.62. Annual fee amounts are specified in the following schedule and are due on each anniversary of the effective date of the most recent new or reissued permit. All flows identified in the schedule are annual average design flows. (25 Pa. Code 92a.62)

Small Flow Treatment Facility (SRSTP and SFTF)	\$0
Minor Sewage Facility < 0.05 MGD (million gallons per day)	\$250
Minor Sewage Facility ≥ 0.05 and < 1 MGD	\$500
Minor Sewage Facility with CSO (Combined Sewer Overflow)	\$750
Major Sewage Facility ≥ 1 and < 5 MGD	\$1,250
Major Sewage Facility ≥ 5 MGD	\$2,500
Major Sewage Facility with CSO	\$5,000

As of the effective date of this permit, the facility covered by the permit is classified in the following fee category: **Major Sewage Facility ≥1 and <5 MGD.**

Invoices for annual fees will be mailed to permittee's approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittee's will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittee's may contact the DEP at 717-787-6744 with questions related to annual fees.

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Water Standards and Facility Regulation
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

PART C

I. OTHER REQUIREMENTS

Department of Environmental Protection
Water Management
400 Waterfront Drive
Pittsburgh, PA 15222-4745

U.S. EPA - Region III
NPDES Enforcement Branch (3WP42)
Office of Permits and Enforcement
Water Protection Division
1650 Arch Street
Philadelphia, PA 19103-2029

Attn: Water Quality Specialist
Department of Environmental Protection
Cambria Office
286 Industrial Park Road
Ebensburg, PA 15931-4119

- A. In accordance with Part A of this permit, the permittee shall submit a copy of the attached Supplemental Sewage Sludge Report to accompany each copy of the monthly Discharge Monitoring Reports to the addresses as specified above, with the exception that the Supplemental Sewage Sludge Report shall not be submitted to the Environmental Protection Agency. This form must be submitted even if sewage sludge is not hauled in a given month, in this event enter "no sludge hauled."
- B. Collected screenings, slurries, sludges and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 283, and 285 (related to permits and requirements for landfilling, land application, incineration and storage of sewage sludge) Federal Regulations 40 CFR 257, and the Federal Clean Water Act and its amendments.
- C. All discharges of floating materials, oil, grease, scum and substances which produce tastes, color, odors, turbidity or settle to form deposits shall be controlled at levels which will not be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life.
- D. Total Residual Chlorine (TRC) Minimization

The permittee will ensure that applied chlorine dosages, used for disinfection or other purposes, are optimized to the degree necessary such that the total residual chlorine in the discharge does not cause an adverse stream impact. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, desired result of chlorination, and expected impact on the receiving water body.

To reduce or eliminate the amount of chlorine discharged into water bodies, the permittee must: (1) improve/adjust process controls and (2) improve operation/maintenance practices.

If the Department determines or receives documented evidence levels of TRC in the permittee's effluent are causing adverse impacts in the receiving water, the permittee shall institute necessary additional steps to reduce or eliminate such impact.

- E. The permittee shall conduct Acute Whole Effluent Toxicity Testing within the final 18 months of this permit cycle, according to Federal Regulation 40 CFR § 122.21(j)(5). The results shall be submitted with the permittee's next NPDES Permit application. The appropriate biomonitoring protocol for the testing can be obtained from the PA DEP at the following address:

Department of Environmental Protection
Water Management Program
Planning Section Chief
400 Waterfront Drive
Pittsburgh, PA 15222-4745
Telephone: (412) 442-4000

Information is also available at the EPA website: www.epa.gov/waterscience/wet.

- F. The Instantaneous Maximum limitation for Total Iron is imposed to allow for a grab sample to be collected by the appropriate regulatory agency to determine compliance. The permittee is not required to monitor for the instantaneous maximum limitation. However, if grab samples are collected by the permittee, the results must be reported.

II. OPERATION AND IMPLEMENTATION OF A PRETREATMENT PROGRAM

- A. General Requirement – The permittee shall operate and implement a POTW pretreatment program in accordance with the federal Clean Water Act, the Pennsylvania Clean Streams Law, and the federal General Pretreatment Regulations at 40 CFR Part 403. The program shall also be implemented in accordance with the permittee's approved pretreatment program and any modifications thereto submitted by the permittee and approved by the Approval Authority.
- B. Annual Report and Other Requirements – The permittee shall submit a Pretreatment Annual Report by March 31 of each year to EPA that describes the permittee's pretreatment activities for the previous calendar year. The Pretreatment Annual Report shall include a description of pretreatment activities in all municipalities from which wastewater is received at the permittee's POTW. The Pretreatment Annual Report shall include the following information, at minimum:
1. Industrial Listing – The Annual Report shall contain an updated industrial listing providing the names and addresses of all current Significant Industrial Users (SIUs) and Non-Significant Categorical Industrial Users (NSCIUs), as defined in 40 CFR 403.3, and the categorical standard, if any, applicable to each. The listing must: (1) identify any users that are subject to reduced reporting requirements under 40 CFR 403.12(e)(3); (2) identify which users are NSCIUs; (3) identify any users that have been granted a monitoring waiver in accordance with 40 CFR 403.12(e)(2) as well as the pollutants for which the waiver was granted and the date of the last POTW sampling event for each pollutant; and (4) identify any categorical industrial users that have been given mass-based limits in place of concentration-based categorical limits in accordance with 40 CFR 403.6(c)(5) or concentration-based limits in place of mass-based categorical limits in accordance with 40 CFR 403.6(c)(6).

In addition, the Annual Report shall contain a summary of any hauled-in wastes accepted at the POTW including the source of the wastes (domestic, commercial or industrial) and the receiving location for acceptance of the wastes. For each industrial source (whether or not classified as an SIU), the report shall indicate (1) the name and address of the industrial source; (2) the average daily amount of wastewater received; (3) a brief description of the type of process operations conducted at the industrial facility; (4) whether the source facility is a categorical industrial user (including NSCIU), significant industrial users, or non-significant industrial user; and (5) any controls imposed on the user.

2. Control Mechanism Issuance – The Annual Report shall contain a summary of SIU control mechanism issuance, including a list of issuance, effective, and expiration dates for each SIU control mechanism. For each general control mechanism issued, provide the names of all SIUs covered by the general control mechanism and an explanation of how the users meet the criteria of 40 CFR 403.8(f)(1)(iii)(A) for issuance of a general control mechanism.
3. Sampling and Inspection – The Annual Report shall contain a summary of the number and types of inspections and sampling events of SIUs by the permittee, including a list of all SIUs either not sampled or not inspected, and the reason that the sampling and/or inspection was not conducted. For any user subject to reduced reporting under 40 CFR 403.12(e)(3), the list shall include the date of the last POTW sampling event and the date of the last POTW inspection of the user. In addition, the

report shall include a summary of the number of self-monitoring events conducted by each SIU and the number required to be conducted, including a list of all SIUs that did not submit the required number of reports and the reason why the reports were not submitted. For NSCIUs, the report shall provide the date of the compliance certification required under 40 CFR 403.12(q).

4. Industrial User Compliance and POTW Enforcement – The Annual Report shall contain a summary of the number and type of violations of pretreatment standards and requirements, including local limits, and the actions taken by the permittee to obtain compliance, including compliance schedules, penalty assessments and actions for injunctive relief. The report shall state whether each SIU was in significant noncompliance, as that term is defined in 40 CFR Section 403.8(f)(2)(viii), and include the parameter(s) in violation, the period of violation, the actions taken by the POTW in response to the violations, and the compliance status at the end of the reporting period. A copy of the publication of users meeting the significant noncompliance criteria shall be included. In addition, the report shall provide a list of users previously designated as NSCIUs that have violated (to any extent) any pretreatment standard or requirement during the year and the date and description of the violation(s).
5. Summary of POTW Operations – The Annual Report shall contain a summary of any interference, pass-through, or permit violations by the POTW and indicate the following: (1) which, if any, permit violations may be attributed to industrial users; (2) which IU(s) are responsible for such violations; and (3) the actions taken to address these events. The report shall also include all sampling and analysis of POTW treatment plant influent, effluent, and sludge conducted during the year for local limit and priority pollutants identified pursuant to Section 303(d) of the Clean Water Act, 33 U.S.C. 1313(d).
6. Pretreatment Program Changes – The Annual Report shall contain a summary of any changes made or proposed to the approved program during the period covered by the report and the date of submission to the Approval Authority.

A summary of pretreatment activities shall be incorporated into the permittee's Annual Municipal Wasteload Management Report required by 25 Pa. Code Chapter 94 and referenced in Part B I.C.4 of this permit.

- C. Routine Monitoring – The permittee shall conduct monitoring at its treatment plant that, at a minimum, includes quarterly influent, effluent, and sludge analysis for all pollutants for which local limits have been established, and an annual priority pollutant scan for influent and sludge.
- D. Notification of Pass Through or Interference – The permittee shall notify EPA and DEP, in writing, of any instance of pass through or interference, as defined at 40 CFR 403.3(p) and (k), respectively, known or suspected to be related to a discharge from an IU into the POTW. The notification shall be attached to the DMR submitted to EPA and DEP and shall describe the incident, including the date, time, length, cause (including responsible user if known), and the steps taken by the permittee and IU (if identified) to address the incident. A copy of the notification shall also be sent to the EPA at the address provided below.
- E. Headworks Analysis – The permittee shall submit to EPA a reevaluation of its local limits based on a headworks analysis of its treatment plant within one (1) year of permit issuance, and provide a revised submission within three (3) months of receipt of comments from EPA unless a longer period of time is granted in writing by EPA. In order to ensure that the permittee's discharge complies with water quality standards, the reevaluation of local limits shall consider, at a minimum, all water quality standards under 25 Pa. Code Chapter 93 applicable to the pollutants included in the reevaluation, unless the POTW is subject to an effluent limitation for the pollutant in Part A of this permit. The list of pollutants to be evaluated, as well as a sampling plan for collection of necessary data, shall be submitted to EPA within three (3) months of permit issuance. Unless otherwise approved in writing, the list of pollutants shall include arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, zinc, BOD₅, TSS, ammonia, any pollutants for which a local limit currently exists, any pollutant limited in this permit, as well as any other pollutants that have been identified in the POTW in significant quantities through monitoring or the receipt of indirect discharges and hauled-in wastes. For example, facilities receiving residual waste from oil and gas operations should include pollutants such as Total Dissolved Solids (TDS), specific ions such as chlorides and sulfates, specific radionuclides, metals such as barium and strontium, and other pollutants that could reasonably be expected to be present. Within four

(4) months of acceptance of the headworks analysis by the Approval Authority, the permittee shall adopt the revised local limits and, if necessary to ensure that the limits are enforceable throughout the service area, notify all contributing municipalities of the need to adopt the revised local limits.

- F. Changes to Pretreatment Program – EPA and DEP may require the permittee to submit for approval changes to its pretreatment program if any one or more of the following conditions is present:
1. The program is not implemented in accordance with 40 CFR Part 403;
 2. Problems such as interference, pass through or sludge contamination develop or continue;
 3. The POTW proposes to introduce new pollutants or an increased loading of approved pollutants as described in Part A III.C.2 of this permit;
 4. Federal, State, or local requirements change;
 5. Changes are needed to assure protection of waters of the Commonwealth.

Program modification is necessary whenever there is a significant change in the operation of the pretreatment program that differs from the information contained in the permittee's submission, as approved under 40 CFR 403.11.

- G. Procedure for Pretreatment Program Changes – Upon submittal by the permittee, and written notice of approval by the Approval Authority to the permittee of any changes to the permittee's approved pretreatment program, such changes are effective and binding upon the permittee unless the permittee objects within 30 days of receipt of the written notice of approval. Any objection must be submitted in writing to EPA and DEP.
- H. Correspondence – The Approval Authority shall be EPA at the following address:

Pretreatment Coordinator (3WP41)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

III. REQUIREMENTS APPLICABLE TO STORM WATER OUTFALLS

- A. Prohibition of Non-Storm Water Discharges
1. Except as provided in A.2, all discharges to storm water outfalls listed in Part A of this permit shall be composed entirely of uncontaminated storm water.
 2. The following non-storm water discharges may be authorized, provided the discharge is in compliance with D.2.b discharges from firefighting activities; fire hydrant flushings, potable water sources including waterline flushings, irrigation drainage, lawn watering, routine external building wash-down which does not use detergents or other compounds, pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, air conditioning condensate, springs, uncontaminated groundwater, and foundation or footing drains where flows are not contaminated with process materials such as solvents.
- B. Spills

This permit does not authorize the discharge of any polluting substances resulting from an on-site spill. Such spills shall be controlled through proper implementation of a PPC Plan as stated in Section D below.

C. This permit does not authorize any discharge (storm water or non-storm water) containing any pollutant that may cause or contribute to an impact on aquatic life or pose a substantial hazard to human health or the environment due to its quantity or concentration.

D. Preparedness, Prevention and Contingency Plans

1. Development of Plan

Operators of facilities shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with 25 Pa. Code § 91.34 and Document 400-2200-001, "Guidelines for the Development and Implementation of Environmental Emergency Response Plans". The PPC Plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of storm water discharges from the facility. In addition, the PPC Plan shall describe the BMPs that are to be used to reduce the pollutants in storm water discharges at the facility ensuring compliance with the terms and conditions of this permit.

2. Non-Storm Water Discharges

- a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of non-storm water discharges. The certification shall include the identification of potential significant sources of non-storm water at the site, a description of the results of any test and/or evaluation for the presence of non-storm water discharges, the evaluation criteria or testing methods used, the date of any testing and/or evaluation, and the on-site drainage points that were directly observed during the test. Such certification may not be feasible if the facility operating the storm water discharge does not have access to an outfall, manhole, or other point of access to the ultimate conduit that receives the discharge. In such cases, the source identification section of the PPC Plan shall indicate why the certification was not feasible. A discharger that is unable to provide the certification must notify the Department within 180 days of the effective date of this permit.
- b. Except for flows from fire fighting activities, sources of non-storm water listed in A.2. (authorized non-storm water discharges) that are combined with storm water discharges must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

3. Comprehensive Site Compliance Evaluations and Record Keeping

- a. Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:
 - Visual inspection and evaluation of areas contributing to a storm water discharge for evidence of, or the potential for, pollutants entering the drainage system.
 - Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed.
 - Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly.
 - A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.
- b. Based on the results of the inspection, the description of potential pollutant sources identified in the PPC Plan, and pollution prevention measures and controls identified in the plan shall be revised as appropriate within 15 days of such inspection and shall provide for

implementation of any changes to the plan in a timely manner, but in no case more than 90 days after the inspection.

- c. A report summarizing the scope of the inspection shall be completed and made available upon request and retained as part of the PPC Plan for at least one year after coverage under this permit terminates.

E. Storm Water Best Management Practices (BMPs)

1. Manage sludge in accordance with all applicable permit requirements; temporarily collect and store sludge in enclosed containers or tanks.
2. Store chemicals in secure areas on impervious surfaces away from storm drains.
3. Design wastewater treatment facilities to prevent runoff.
4. Efficiently use herbicides for weed control; where practicable investigate use of the least toxic herbicides; do not apply during windy conditions.