

From: [Jason Horan](#)
To: [Svitek, Sharon](#)
Subject: [External] Westmoreland Sanitary Landfill-Request for written approval from Department
Date: Thursday, February 24, 2022 10:02:42 AM
Attachments: [Westmoreland Leachate-Data-Summary-09-2021 \(1\).xlsx](#)
[Johstown JRA & WSLF Industrial Discharge Permit.pdf](#)

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Good Morning Sharon,

This email is to request written approval from the Department based on our Leachate Consent order and Agreement Page 7 paragraph 5 which states, "In the event that Sanitary Landfill intends to modify its current landfill leachate transportation practices...it shall submit notification of such plans, including the details of any modifications, to the Department at least five (5) days prior to any modification taking place. Sanitary Landfill shall not dispose of landfill leachate at any location in the Commonwealth not specifically listed in Paragraph J without prior written approval from the Department."

We intend to start sending leachate to the Johnstown POTW. Attached is the signed permit by both parties as well as a Form 50 data spreadsheet that was supplied to the Johnstown POTW. We plan to begin sending leachate to this site as soon as written approval is given. If any more information is required by the department, please let me know.

Thank you!

Jason Horan
Environmental Technician
Noble Environmental
Email: Jhoran@Nobleenviro.com
Phone: (724)-787-2549

INDUSTRIAL WASTEWATER DISCHARGE FOR WESTMORELAND LANDFILL PERMIT NO. 507

In accordance with the provisions of the Johnstown Regional Sewage Rates, Rules and Regulations, Section 9.12 Wastewater contribution Permit and West Taylor Township Ordinance 5-2008

Westmoreland Sanitary Landfill
111 Conner Lane
Belle Vernon, PA 15012

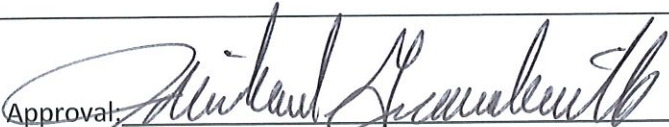
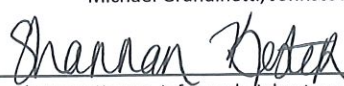

is hereby authorized to discharge wastewater from the above identified facility into the Johnstown Regional Sewage system, in accordance with the effluent limitations, monitoring requirements, and other terms and conditions set forth in the two attached documents entitled "Special Terms and Conditions of Permit No. 507", and "Standard Conditions for Wastewater Discharge Permits", which terms and conditions are incorporated herein and made a part of this permit by reference, as if fully and completely set forth herein.

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit at a concentration in excess of that authorized, shall constitute a violation of this permit.

This permit shall go into effect on **February 7th, 2022** and shall expire at midnight on **February 6th, 2025**

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date, an application must be filed for reissuance of this permit, in accordance with the requirements of **Johnstown Regional Sewage Rates, Rules and Regulations, Section 9.12 Wastewater contribution Permit**

In the event of any conflict between the provisions of this permit and the provisions, standards, and/or requirements of **Section 9.12** of the **Johnstown Regional Sewage Rates, Rules and Regulations** or any other applicable local, state, or federal law, which is currently in effect or which may hereafter be enacted or adopted, the provisions, standards, and/or requirements of **Section 9.12** of the **Johnstown Regional Sewage Rates, Rules and Regulations** or of such other local, state, or federal law shall be controlling and shall prevail.

Johnstown Redevelopment Authority Approval:	
	Michael Grandinetti, Johnstown Redevelopment Authority Pretreatment Coordinator
Johnstown Regional Sewage Approval:	
	Shannan Kester, Inframark, Johnstown Regional Sewage Pretreatment Coordinator
Permit Approved by Authority on this	<u>22nd</u> day of <u>February</u> , <u>2022</u>
Responsible Official of Permitted Industry:	<u>Brad Midemyer</u> <u>VP-LF Operations</u>
	Printed Name of Responsible Official of Industry
Responsible Official of Permitted Industry:	
	Signature of Responsible Official of Industry
Permit Accepted by Industry on this	<u>22nd</u> day of <u>February</u> , <u>2022</u>

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PART I- APPLICABLE EFFLUENT LIMITATIONS Section 1 Effluent Discharge Limits

- During the period of February 7th, 2022 to February 6th, 2025 the Permittee is authorized to discharge process wastewater to the Johnstown Regional Sewage sewer system from the outfall listed below:

<u>Outfall</u>	<u>Description</u>
Sampling Point #1	Leachate Tanks

- During the period of February 7th, 2022 to February 6th, 2025 the discharges from Sample Point 1 shall not exceed the following local limitations of Johnstown Regional Sewage, as approved by the U.S. Environmental Protection Agency and contained in West Taylor Township Ordinance 5-2008 shall apply:

<u>Parameter</u>	<u>Daily Maximum</u> <u>(mg/l)</u>
Arsenic	0.21
Cadmium	0.14
Chromium	4.58
Copper	2.38
Lead	0.85
Nickel	1.39
Silver	4.25
Zinc	0.76
Cyanide	1.7
TTO's	2.13
Nitrogen as Ammonia	16.0 May 01 to Oct 31
Nitrogen as Ammonia	34.0 November 01 to April 30
Mercury	0.0075
Molybdenum	0.12
Selenium	0.43

Ammonia loading from landfills is based upon a Maximum Industrial Headworks Limit (MIHL) of 565 lbs./day from May 01 to October 31 and upon an MIHL of 1207 lbs./day from November 01 to April 30. Since Laurel Highlands Landfill must utilize the WWTP for all of its leachate disposal, its discharge, in lbs./day, will first be calculated. Ammonia loading for any other landfill will be allocated from the remaining quantity of ammonia loading available after Laurel Highlands' discharge. Any hauled-in leachate must be first approved by the WWTP Project manager. **A current (less than 30 days old) ammonia analysis must be provided for approval.** The volume per day discharge allowed will be calculated using this ammonia analysis result.

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3. During the period of February 7th, 2022 to February 6th, 2025 , the discharge from Sample Point 1 and Sample Point 2 shall comply with all applicable regulations and standards contained in the Johnstown Regional Sewage Rates, Rules and Regulations, and West Taylor Township Ordinance 5-2008. No discharge shall:
- Have a pH lower than 5.0 or higher than 12.0
 - Contain any liquids, solids, or gases of flammable or explosive nature.
 - Contain any solid or viscous substances which may cause obstruction to the flow, such as grease, ashes, cinders, sand, metal, glass, feathers, plastics, or wood.
 - Contain a toxic pollutant in sufficient quantity either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but no limited to, any pollutant identified pursuant to Section 307(a) of the Act.
 - Contain a noxious or malodorous liquid, gas or solid which creates a public nuisance or hazard to life.
 - Contain a substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
 - Contain a substance which will cause the POTW to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.
 - Contain objectionable color not removed in the treatment process.
 - Having a temperature at introduction to the POTW higher than 104°F.
 - Contain any pollutant, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which will cause interference to the POTW.

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- Contain any radioactive wastes or isotopes or such half-life or concentration as may exceed limits established by the Project Manager in compliance with the applicable State or Federal Regulations.
- Any wastewater which causes a hazard to human life or creates a public nuisance.
- Any discharge causing interference at the POTW.
- Pollutants which result in the presence of the toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health or safety problems.
- Any trucked or hauled waste without prior approval of the POTW, and at the Discharge point designated by the POTW.

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Part II- MONITORING AND REPORTING REQUIREMENTS

Section 1 - - Monitoring Requirements

1. From the period beginning on the effective date of the Permit until February 6th, 2025 the Permittee shall monitor and **REPORT MONTHLY** for the following parameters for those months it discharges to the POTW:

Grab Samples

pH
Oil and Grease
Cyanide

24 Hour Composite Samples

BOD
Total Suspended Solids
Arsenic
Cadmium
Chromium
Copper
Lead
Nickel
Nitrogen as Ammonia
Silver
Zinc

1. The Permittee shall monitor and submit **WEEKLY** ammonia readings from a certified Lab when utilizing the POTW for Leachate disposal
2. The Permittee shall monitor for those TTO's reasonably expected to be present in the wastestream. The sample shall be a grab sample. A Form 50 submitted QUARTERLY shall be acceptable monitoring results for TTO's
3. The Permittee shall daily monitor the flow in gallons per day, by installing a sewage flow meter. For leachate that is hauled to the POTW, the Permittee will be provided with the discharge flow data by the POTW. The Permittee must also keep record of all discharge flow sent to the POTW. The results shall also be monthly reported to Johnstown Regional Sewage for those months that the Permittee discharges to the POTW.
4. If the Permittee does not discharge to the POTW during a reporting period, it shall submit a Zero Discharge report to the POTW
5. **The POTW has a right to refuse discharge due to lab analysis, POTW conditions or any other reason that can cause an upset to the POTW**

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6. The permittee will also be monitored at least semi-annually by Johnstown Regional Sewage for the same parameters.
7. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 CFR Part 136 and amendments thereto unless specified otherwise in the monitoring conditions of this Permit.

Section 2 - - Reporting Requirements

1. **Monitoring Reports** – Monitoring results obtained shall be summarized and reported on a quarterly basis. The reports are due no later than 30 days after the end of the quarter being reported.
2. If the Permittee monitors any pollutant more frequently than required by this Permit, the results of such monitoring shall be submitted to Johnstown Regional Sewage with each monthly report.
3. Johnstown Regional Sewage may require a one-time monitoring for specific pollutants to verify their absence.
4. Johnstown Regional Sewage may require more frequent sampling of Local Limitations as set forth in the permit to ensure compliance is maintained.
5. It is the responsibility of the Industrial user to notify this office within 24 hours when a violation exists, and to re-sample and report the results within 30 days of discovery of the violation pursuant to 40 CFR 403.12(g)(2).
6. **Upset Slug or Accidental Discharge Report** – The Permittee shall notify Johnstown Regional Sewage immediately upon the occurrence of any upset, slug, or accidental discharge of substances prohibited by the Johnstown Regional Sewage Rates, Rules and Regulations, and the City of Johnstown Ordinance No. 5031. **IN THE CASE OF AN ACCIDENTAL DISCHARGE, IT IS THE RESPONSIBILITY OF THE PERMITTEE TO IMMEDIATELY TELEPHONE AND NOTIFY JOHNSTOWN REGIONAL SEWAGE AT 815 535-3805 OF THE INCIDENT. THE TELEPHONE ANSWERS 24 HOURS.** The notification shall include location of discharge, date, and time, thereof, type of waste, including concentration and volume, and corrective actions taken.

Within five (5) Days following an upset, slug, or accidental discharge the Permittee shall submit to Johnstown Regional Sewage a detailed written report.
The report shall specify:

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- a. Description and cause of the upset, slug, or accidental discharge, the cause thereof, and the impact on the Permittee's compliance status. The description should also include location of discharge, type, concentration, and volume of waste.
 - b. Duration of discharge, including exact dates and times of discharge, and if the discharge continues, the time by which the discharge is reasonably expected to end.
 - c. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of noncompliance.
7. All Industrial Users shall notify the POTW, the EPA Regional Waste Management Division Director, and the PADEP Hazardous Waste Authorities in writing of any discharge into the POTW of a substance which, if discharged, other than to the sewer, would be a hazardous waste under 40 CFR Part 261, and detail the name, hazardous waste number, and type of discharged, other than to the sewer, would be hazardous waste under 40 CFR Part 261, and detail the name, hazardous waste number, and type of discharge. If the Discharge is greater than 100 kg per calendar month, the industrial user shall also make known the hazardous constituents contained in the wastes, and an estimation of the mass and concentration of such constituents in the waste stream discharge during that calendar month and during the following twelve months.
 8. All notifications must take place within 180 days of promulgation of 40 CFR Section 403.12, or in the case of new discharges, within 180 days after the discharge of the list or characteristic hazardous waste. Any notification needs to be submitted only once for each hazardous waste discharged. Any changes to the discharge must be promptly brought to the attention of the POTW.
 9. Discharges of less than 15 kg of hazardous wastes per calendar month are exempt from reporting requirements unless the wastes are acute hazardous wastes as specified in 40 CFR Sections 261.301 (d) and 261.33 (c). Discharges of more than 15 kg of non-acute hazardous wastes in a calendar month or any quantity of acute hazardous wastes requires a one-time notification.
 10. Any Industrial User that requires notification under this section shall certify that it has a program in place to reduce the volume and toxicity of hazardous waste generated to the degree it has determined to be economically practical.

Report Filing

All reports or other submissions required by this Permit shall be submitted to:

Johnstown Regional Sewage
Attn: Ms. Shannan Kester
241 Asphalt Road
Johnstown, PA 15906

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WASTEWATER DISCHARGE PERMIT STANDARD CONDITIONS

SECTION A. GENERAL CONDITIONS AND DEFINITIONS

1. Severability

The provisions of the 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.

2. Duty to Comply

The Permittee must comply with all conditions of this Permit and the Johnstown Regional Sewage Rates, Rules and Regulations. Failure to comply with the requirements of these regulations may be grounds for administrative action, surcharges or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.

3. Duty to Mitigate

The Permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

4. Permit Action

This Permit may be modified, revoked, re-issued, or terminated for good cause including, but not limited to, the following:

- a. To incorporate any new or revised Federal, State, or local pretreatment standards (Local Limits) or requirements.
- b. Material or substantial alterations or additions to the discharger's operation which were not covered in the effective Permit.
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- d. Information indicating the permitted discharge poses a threat to the Johnstown Regional Sewage's collection and treatment systems, POTW personnel or the receiving waters.

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- e. Violation of any terms or conditions of this Permit.
- f. Obtaining this Permit by misrepresentation or failure to disclose fully all relevant facts; or
- g. Upon request of the Permittee, provided such request does not create a violation of any existing applicable requirements, standards, laws, or rules and regulations.

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.

5. Property Rights

The issuance of this Permit does not convey any property rights of any sort, 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, and regulations.

6. Limitation on Permit Transfer

Wastewater Discharge Permits are issued to a specific user for a specific operation and are not assignable to another user or transferable to any other location without the prior written approval of Johnstown Regional Sewage. In the event of sale, the Permittee must inform the purchaser of all responsibilities and obligations under this Permit.

7. Dilution

The Permittee shall not increase the use of potable or process water, nor, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this Permit.

8. Adverse Impact

The Permittee shall take all reasonable steps to minimize any adverse impact to the POTW resulting from noncompliance with any effluent limitation specified in this Permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

The Permittee shall immediately notify Johnstown Regional Sewage at 814-535-3805 of any upset, slug, or accidental discharge that may enter the public sewer, or any other significant changes in operations, wastewater characteristics and constituents. The telephone answers 24 hours.

**INDUSTRIAL WASTEWATER DISCHARGE FOR WESTMORELAND LANDFILL
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9. Definitions

- A. **Daily Maximum**- The maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant derived from all measurements taken that day.
- B. **Grab Sample**- An individual sample collected in less than 15 minutes, without regard for flow.
- C. **Composite Sample**- A combination of individual samples obtained at regular intervals over a specified time-period. The volume of each individual sample may be either proportional to the flow rate during sample period (flow composite) or constant and collected at equal time intervals during composite period (time composite).
- D. **Monthly Average**- Other than for pH and fecal coliform bacteria, is the arithmetic mean of the values for effluent samples collected over a period of one calendar month. The monthly average for fecal coliform bacteria is the geometric mean of the value of the effluent samples collected over a period of one calendar month.
- E. **Significant Industrial User**- Any industrial user of the Johnstown Regional Sewage Wastewater disposal system who:
1. Is subject to National Categorical Pretreatment Standards; or
 2. Is a non-categorical industrial user that has a discharge flow of 25,000 gallons per day or more of process wastewater; or
 3. Contributes a process waste stream which makes up five percent or more of the dry weather hydraulic or organic capacity of the POTW or;
 4. Is designated as such by Johnstown Regional Sewage on the basis that it has a reasonable potential to adversely affect the operation of the POTW or to violate any pretreatment standard of Johnstown Regional Sewage or the E.P.A.
- F. **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, excluding such factors as operational error, improperly designed or inadequate treatment facilities, or improper operation maintenance or lack thereof.
- G. **Bypass**- Means the intentional diversion of wastes from any portion of a treatment facility.

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SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The Permittee shall always 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 conditions of this Permit. Proper operation and maintenance include but is not limited to: effective performance, adequate funding, adequate operator staffing, and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit.

2. Duty to Halt or Reduce Activity

Upon reduction, loss or failure of the treatment facility, the Permittee shall, to the extent necessary to maintain compliance with its Permit, control production or all discharges or both until operation of the treatment facility is restored or an alternative method of treatment is provided. This requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. 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 to maintain compliance with the conditions of this Permit.

3. Bypass of Treatment Facilities

- a. Bypass not exceeding limitations. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation.
- b. Notification of bypass
 - Anticipated bypass. If the Permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date of the bypass, to the Johnstown Regional Sewage.
 - Unanticipated bypass. The Permittee shall immediately notify the Johnstown Regional Sewage and submit a written notice to the POTW within 24 hours of becoming aware of the bypass.

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4. Removed Substances

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in accordance with Section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and Recovery Act.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastes team, body of water or substance. Monitoring points shall not be changed without notification to and the approval of the Johnstown Regional Sewage.

2. Flow Measurements

If flow measurement is required by this Permit, the appropriate flow measurement devices, and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes.

3. Analytical Methods to Demonstrate Continued Compliance

Sampling and analysis of these samples shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.

4. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this Permit, using approved test procedures, or as specified in this Permit, the results of this monitoring shall be included in the Permittee's self-monitoring reports.

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5. Inspection and Entry

The Permittee shall allow Johnstown Regional Sewage, or an authorized representative, upon the 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 this Permit.
- c. Inspect at any time any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit.
- d. Sample or monitor, for the purposes of assuring Permit compliance, any substances, or parameters at any location.
- e. Inspect any production, manufacturing, fabrication, or storage area where pollutants, regulated under the Permit, could originate.

6. Retention of Records

- a. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of Johnstown Regional Sewage at any time.
- b. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Johnstown Regional Sewage shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

7. Record Contents

Records of sampling information shall include:

- a. The date, exact place, time and methods of sampling or measurements, and sample preservation techniques or procedures.

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- b. A properly signed Chain-of-Custody for all sample activity.
- c. Who performed the sampling or measurements;
- d. The date(s) analyses were performed;
- e. Who performed the analyses;
- f. The analytical techniques or methods used; and
- g. The results of such analyses.

8. Falsifying Information

Knowingly making any false statement on any report or other document required by this Permit or knowingly rendering any monitoring device or method inaccurate, may result in punishment under criminal law proceedings as well as being subjected to civil penalties and injunctive relief.

SECTION D. ADDITIONAL REPORTING REQUIREMENTS

1. Planned Changes

The Permittee shall give notice to Johnstown Regional Sewage 90 days prior to any facility expansion, production increase, or process modifications which results in new or substantially increased discharges or a change in the nature of the discharge.

2. Anticipated Noncompliance

The Permittee shall give advance notice to Johnstown Regional Sewage of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements.

3. Duty to Provide Information

The Permittee shall furnish to Johnstown Regional Sewage, within a reasonable time, any information which Johnstown Regional Sewage may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to Johnstown Regional Sewage, upon request, copies of records required to be kept by this Permit.

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4. Signatory Requirements

All applications, reports or information submitted to Johnstown Regional Sewage shall be signed and certified.

a. All Permit applications shall be signed:

- For a corporation: by a principal executive officer of at least the level of vice-president.
- For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

b. All other correspondence, reports and self-monitoring reports shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- The authorization is made in writing by a person described above.
- The authorization specified either an individual or a position having responsibility of the overall operation of the regulated facility or activity, such as the position of plant manager, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

c. Certification- any person signing a document under this section shall make the following certification:

“I certify under penalty of law that I am familiar with the information contained in this report and its attachments and that to the best of my knowledge and belief such information is true, complete, and accurate.”

d. Any change in signatures shall be submitted to Johnstown Regional Sewage in writing within 30 days after the change.

5. Operating Upsets

Any Permittee that experiences an upset in operation that places the Permittee in a temporary state of noncompliance with the provisions of this Permit, the Rates, Rules and Regulations of Johnstown Regional Sewage and City of Johnstown Ordinance No. 5031, shall inform Johnstown Regional Sewage immediately upon the first awareness of the commencement of the upsets in accordance with the Rules and Ordinance.

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Where such information is given orally, a written follow-up report thereof shall be filed by the Permittee with Johnstown Regional Sewage within 24 hours. The report shall specify:

- a. Description of the upset or slug load, the cause(s) thereof and the upset's or slug load's impact on Permittee's compliance status;
- b. Duration of noncompliance, including exact dates and times of Page noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;
- c. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug load, or other conditions of noncompliance.

6. Annual Publication

A list of all industries which are in Significant Noncompliance during the twelve (12) previous months, as defined in the Johnstown Regional Sewage Rates, Rules and Regulations, and West Taylor Township Ordinance 5-2008, shall be annually published by Johnstown Regional Sewage in the Johnstown Tribune-Democrat.

7. Civil and Criminal Liability

Nothing in this Permit shall be constructed to relieve the Permittee from civil and/or criminal penalties for noncompliance under Section 9.23 of the Rates, Rules and Regulations of Johnstown Regional Sewage and West Taylor Township Ordinance 5-2008.

8. Penalties for Violations of Permit Conditions

Section 9.23 of the Johnstown Regional Sewage Rates, Rules and Regulations and West Taylor Township Ordinance 5-2008, provides that any person who violates a Permit condition is subject to a civil penalty of a minimum of not more than \$25,000.00 a day for each offense. Each day on which a violation shall occur or continue shall be deemed a separate offense.

9. Recovery of Costs Incurred

In addition to civil and criminal liability, the Permittee violating any of the provisions of this Permit, Johnstown Regional Sewage Rates, Rules and Regulations and West Taylor Township Ordinance 5-2008, causing damage to or otherwise inhibiting the Johnstown Regional Sewage for any expense, loss, or damage caused by such violation or discharge. And for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of this Permit, Johnstown Regional Sewage Rates, Rules and Regulations, and West Taylor Township Ordinance 5-2008.

