



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

NPDES PERMIT NO: PA0026247

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.*,

**Hatfield Township Municipal Authority
3200 Advance Lane
Colmar, PA 18915**

is authorized to discharge from a facility known as **Hatfield Township STP**, located in **Hatfield Township, Montgomery County**, to **West Branch Neshaminy Creek** in Watershed(s) **2-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 October 1, 2012

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON September 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 September 26, 2012

ISSUED BY /s/

**Jenifer L. Fields, P.E.
Water Management Program Manager
Southeast Regional Office**

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

I. A. For Outfall 001, Latitude 40° 16' 32.46", Longitude 75° 15' 8.80", River Mile Index 2.8, Stream Code 02868

Discharging to West Branch Neshaminy Creek

which receives wastewater from Hatfield Township STP

1. The permittee is authorized to discharge during the period from October 1, 2012 through September 30, 2015.
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 | Maximum | Instant. Maximum | | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX | Continuous | Metered |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 | 1/day | Grab |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX | 1/day | Grab |
| CBOD5 May 1 - Oct 31 | 536 | 804 | XXX | 10 | 15 Wkly Avg | 20 | 1/day | 24-Hr Composite |
| CBOD5 Nov 1 - Apr 30 | 1,073 | 1,609 | XXX | 20 | 30 Wkly Avg | 40 | 1/day | 24-Hr Composite |
| Total Suspended Solids | 1,609 | 2,413 | XXX | 30 | 45 Wkly Avg | 60 | 1/day | 24-Hr Composite |
| Total Dissolved Solids | 52,876 | XXX | XXX | 1,000 | XXX | 1500 | 1/week | 24-Hr Composite |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 Geo Mean | 1,000 | XXX | 4/week | Grab |
| Nitrate-Nitrite as N Jul 1 - Oct 31 | 483 | XXX | XXX | 9.0 | XXX | 18.0 | 1/day | 24-Hr Composite |

Outfall 001, Continued (from October 1, 2012 through September 30, 2015)

| 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 | Maximum | Instant. Maximum | | |
| Nitrate-Nitrite as N Nov 1 - Jun 30 | Report | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Ammonia-Nitrogen May 1 - Oct 31 | 107 | XXX | XXX | 2.0 | XXX | 4.0 | 1/day | 24-Hr Composite |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 322 | XXX | XXX | 6.0 | XXX | 12.0 | 1/day | 24-Hr Composite |
| Total Kjeldahl Nitrogen | Report | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Phosphorus Apr 1 - Oct 31 | 43 | XXX | XXX | 0.8 | XXX | 1.6 | 1/day | 24-Hr Composite |
| Total Phosphorus Nov 1 - Mar 31 | 54 | XXX | XXX | 1.0 | XXX | 2.0 | 1/day | 24-Hr Composite |
| Total Aluminum | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Copper | 1.6 | 2.4 Daily Max | XXX | 0.030 | 0.045 Daily Max | 0.060 | 1/week | 24-Hr Composite |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Hardness, Total (as CaCO ₃) | XXX | XXX | XXX | Report | XXX | XXX | 1/month | Grab |

Outfall 001, Continued (from October 1, 2012 through September 30, 2015)

| 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 | Maximum | Instant. Maximum | | |
| Chronic toxicity (Ceriodaphnia) (TUc) | XXX | XXX | XXX | XXX | 1.1 | XXX | 1/quarter | See Permit |
| Chronic toxicity (Pimephales) (TUc) | XXX | XXX | XXX | XXX | 1.1 | XXX | 1/quarter | See Permit |

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

I. B. For Outfall 001, Latitude 40° 16' 32.46", Longitude 75° 15' 8.80", River Mile Index 2.8, Stream Code 02868

Discharging to West Branch Neshaminy Creek

which receives wastewater from Hatfield Township STP

1. The permittee is authorized to discharge during the period from October 1, 2015 through September 30, 2017.
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 | Maximum | Instant. Maximum | | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX | Continuous | Metered |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 | 1/day | Grab |
| Dissolved Oxygen | XXX | XXX | 6.0 | XXX | XXX | XXX | 1/day | Grab |
| CBOD5 May 1 - Oct 31 | 536 | 804 | XXX | 10 | 15 Wkly Avg | 20 | 1/day | 24-Hr Composite |
| CBOD5 Nov 1 - Apr 30 | 1,073 | 1,609 | XXX | 20 | 30 Wkly Avg | 40 | 1/day | 24-Hr Composite |
| Total Suspended Solids | 1,609 | 2,413 | XXX | 30 | 45 Wkly Avg | 60 | 1/day | 24-Hr Composite |
| Total Dissolved Solids | 52,876 | XXX | XXX | 1,000 | XXX | 1500 | 1/week | 24-Hr Composite |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | 200 Geo Mean | 1,000 | XXX | 4/week | Grab |
| Nitrate-Nitrite as N Jul 1 - Oct 31 | 483 | XXX | XXX | 9.0 | XXX | 18.0 | 1/day | 24-Hr Composite |

Outfall 001, Continued (from October 1, 2015 through September 30, 2017)

| 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 | Maximum | Instant. Maximum | | |
| Nitrate-Nitrite as N Nov 1 - Jun 30 | Report | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Ammonia-Nitrogen May 1 - Oct 31 | 107 | XXX | XXX | 2.0 | XXX | 4.0 | 1/day | 24-Hr Composite |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 322 | XXX | XXX | 6.0 | XXX | 12.0 | 1/day | 24-Hr Composite |
| Total Kjeldahl Nitrogen | Report | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Phosphorus Apr 1 - Oct 31 | 43 | XXX | XXX | 0.8 | XXX | 1.6 | 1/day | 24-Hr Composite |
| Total Phosphorus Nov 1 - Mar 31 | 54 | XXX | XXX | 1.0 | XXX | 2.0 | 1/day | 24-Hr Composite |
| Total Aluminum | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Copper | 0.80 | 1.23 Daily Max | XXX | 0.015 | 0.023 Daily Max | 0.030 | 1/week | 24-Hr Composite |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Total Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/month | 24-Hr Composite |
| Hardness, Total (as CaCO ₃) | XXX | XXX | XXX | Report | XXX | XXX | 1/month | Grab |

Outfall 001, Continued (from October 1, 2015 through September 30, 2017)

| 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 | Maximum | Instant. Maximum | | |
| Chronic toxicity (Ceriodaphnia) (TUc) | XXX | XXX | XXX | XXX | 1.1 | XXX | 1/quarter | See Permit |
| Chronic toxicity (Pimephales) (TUc) | XXX | XXX | XXX | XXX | 1.1 | XXX | 1/quarter | See Permit |

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

I. C. For Outfall 002, Latitude 40° 16' 33.00", Longitude 75° 15' 8.00", River Mile Index 2.8, Stream Code 02868

Discharging to West Branch Neshaminy Creek

which receives stormwater from Hatfield Township STP property

1. The permittee is authorized to discharge during the period from October 1, 2012 through September 30, 2017.
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 | Average Weekly | Minimum | Annual Average | Average Weekly | Instant. Maximum | | |
| pH (S.U.) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| CBOD5 | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Chemical Oxygen Demand | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Suspended Solids | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |

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

A representative stormwater inlet adjacent to the aeration tanks and secondary clarifiers

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

I. D. For Outfall 003, Latitude 40° 16' 31.00", Longitude 75° 15' 7.00", River Mile Index 2.8, Stream Code 02868

Discharging to West Branch Neshaminy Creek

which receives stormwater from Hatfield Township STP property

1. The permittee is authorized to discharge during the period from October 1, 2012 through September 30, 2017.
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 | Average Weekly | Minimum | Annual Average | Average Weekly | Instant. Maximum | | |
| pH (S.U.) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| CBOD5 | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Chemical Oxygen Demand | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Suspended Solids | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |

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

at Outfall 003

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

I. E. For Outfall 004, Latitude 40° 16' 28.00", Longitude 75° 15' 8.00", River Mile Index 2.8, Stream Code 02868

Discharging to West Branch Neshaminy Creek

which receives stormwater from Hatfield Township STP property

1. The permittee is authorized to discharge during the period from October 1, 2012 through September 30, 2017.
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 | Average Weekly | Minimum | Annual Average | Average Weekly | Instant. Maximum | | |
| pH (S.U.) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| CBOD5 | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Chemical Oxygen Demand | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Suspended Solids | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Oil and Grease | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Fecal Coliform (CFU/100 ml) | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |
| Dissolved Iron | XXX | XXX | XXX | Report | XXX | XXX | 1/year | Grab |

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

at Outfall 004

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

1. The discharger may not discharge floating materials, scum, sheen, or substances that result in deposits in the receiving water. Except as provided for in the permit, the discharger may not discharge foam, oil, grease, or substances that produce an observable change in the color, taste, odor, or turbidity of the receiving water. 25 Pa. Code 92a.41(c)
2. Except as otherwise specified in this permit, on a concentration basis, the monthly average percent removal of BOD₅ or CBOD₅, and TSS, must be at least 85% for POTW facilities. 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. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events.

Supplemental Information

- (1) The hydraulic design capacity of 8.37 million gallons per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to help determine whether a "hydraulic overload" situation exists, as defined in Title 25 Pa. Code Chapter 94.
- (2) The effluent limitations for this outfall were determined using an effluent discharge rate of 6.43 million gallons per day.
- (3) 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 and 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

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 and 40 CFR 122.2

Industrial User means a non-domestic discharger introducing pollutants to a Publicly Owned Treatment Works (POTW). 25 Pa. Code 92.1

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 and 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. 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) and 40 CFR 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
2 East Main Street
Norristown, PA 19401

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:
 - a. 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.
 - b. 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 Requirements

1. Planned Changes 40 CFR 122.41(l)(1) - The permittee shall give notice to DEP as soon as possible of any planned physical alterations or additions to the permitted facility. 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).

- 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.
- 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.

2. Anticipated Noncompliance

The permittee shall give advance notice to DEP of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements. 40 CFR 122.41(l)(2)

3. 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:
 - (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. Note see 40 CFR 122.44(g)
 - (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).

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.3 of this section or specific requirements of compliance schedules, at the time DMRs are submitted. The reports shall contain the information listed in paragraph C.3.b.(ii) of this section. 40 CFR 122.41(l)(7)

PART B

I. MANAGEMENT REQUIREMENTS

A. Compliance Schedules 25 Pa. Code 92a.51 and 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. Facility expansions, production increases, process modifications, or any change of wastestream, that may result in an increase of pollutants that have the potential to exceed ELGs or violate effluent limitations specified in the permit, or that may result in a new discharge, or a discharge of new or increased pollutants for which no effluent limitation has been issued, must be approved in writing by the Department before the permittee may commence the new or increased discharge, or change of wastestream. The Department will determine if a permittee will be required to submit a new permit application and obtain a new or amended permit before commencing the new or increased discharge, or change of wastestream. 25 Pa. Code 92a.24(a)
5. 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 unless a more stringent time period is required by law, regulation or permit condition in which case the more stringent time period will apply.
 - a. A new introduction of pollutants 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 pollutants. 40 CFR 122.42(b)(1)

- b. A substantial change in the volume or character of pollutants being introduced into the POTW by an indirect discharger introducing pollutants into the POTW at the time of issuance of this permit. 40 CFR 122.42(b)(2)
- c. Information 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)
- d. The identity of any indirect discharger 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.
- e. The POTW 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.

D. 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)

E. 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)

F. 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 F.4.a. and b. 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 F.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.3.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.3.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

Permittees 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 ≥5 MGD**.

Invoices for annual fees will be mailed to permittees 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, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees 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

1. Notification of the designation of the responsible operator(s) must be submitted to the permitting agency by the permittee within 60 days after the effective date of the permit and from time to time thereafter as the operator is replaced.
2. If, at anytime, the DEP determines that the discharge permitted herein creates a public nuisance or causes environmental harm to the receiving water of the Commonwealth, the DEP may require the permittee to adopt such remedial measures as will produce a satisfactory effluent. If the permittee fails to adopt such remedial measures within the time specified by the DEP, the right to discharge herein granted shall, upon notice by the DEP, cease and become null and void.
3. No stormwater from pavements, area ways, roofs, foundation drains, or other sources shall be admitted to the sanitary sewers associated with the herein approved discharge.
4. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance, and replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress, and regress.
5. The attention of the permittee is directed to the fact that the herein approved discharge is directed to a small stream which affords a limited dilution potential. If the effluent creates a health hazard or nuisance, the permittee shall upon notice from the DEP, provide such additional treatment as may be required by the DEP.
6. If there is a change in ownership of this facility or in permittee name, an application for transfer of permit must be submitted to the DEP.
7. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 281, 283, and 285 (relating to general provisions and requirements for landfilling, land application, composting, processing, and storage of municipal waste), Chapters 261a, 262a, 263a, and 270a (related to identification of hazardous waste, requirements for generators and transporters, and hazardous waste permit programs) and applicable Federal Regulations, the Federal Clean Water Act, RCRA, and their amendments.
8. The DEP may identify and require certain discharge specific data to be submitted before the expiration date of this permit. Upon notification by the DEP, the permittee will have 12 months from the date of the notice to provide the required data. These data, along with any other data available to the DEP, will be used in completing the Watershed TMDL/WLA Analysis and in establishing discharge effluent limits. In the event that DEP requires the submission of data pursuant to this condition, the permittee shall have the right to appeal or otherwise contest the requirement.
9. The facility shall be operated under the charge of a responsible operator(s) certified under the Pennsylvania Water and Wastewater Systems Operations Certification Act (Act 11). The operator(s) shall comply with the continuing education requirements required under the regulations and guidelines related to Act 11.
10. Instantaneous maximum limitations for Outfall 001 are imposed to allow for a grab sample to be collected by the appropriate regulatory agency to determine compliance. The permittee does not have to monitor for the instantaneous maximum limitation except for the parameters pH, total residual chlorine, and fecal coliform.

11. Laboratory Certification

The Environmental Laboratory Accreditation Act of 2002 requires that all environmental laboratories register with the DEP. An environmental laboratory is any facility engaged in the testing or analysis of environmental samples required by a statute administered by the DEP relating to the protection of the environment or of public health, safety, and welfare.

12. Chronic Whole Effluent Toxicity (WET) Monitoring

The permittee shall submit the results of chronic whole effluent toxicity testing with their next NPDES application, according to 40 C.F.R. 122.21(j)(5). The permittee shall submit the results of a minimum of four quarterly tests, from the year preceding the submission of the application. The permittee shall obtain the appropriate biomonitoring protocol for the testing from the DEP's Regional Office. The dilution series for the testing shall be **100%, 90%, 81%, 73%, 66%**, unless modified in writing by the DEP.

13. Chronic Whole Effluent Toxicity (WET) Permit Limit

A. General Requirements

The permittee shall conduct chronic whole effluent toxicity (WET) tests in accordance with the appropriate test protocols or guidance described in Section E, Test Conditions and Methods, below. The permittee shall collect discharge samples and perform WET tests to generate chronic survival and reproduction data for the cladoceran, *Ceriodaphnia dubia*, and survival and growth data for the fathead minnow, *Pimephales promelas*. These results will be expressed as No Observed Effect Concentration (NOEC) and a dose-response curve shall be plotted, if possible. NOEC results will be reported on DMRs as Chronic Toxicity Units (TUc).

B. Test Frequency

Chronic WET testing shall be conducted quarterly starting within three months of the permit's effective date. If the results of four consecutive chronic WET tests indicates toxicity equal to or less than 1.1 TUc, the permittee may request that the DEP reevaluate the performance of the facility and the effects of the facility effluent upon the aquatic community and reduce or remove the WET testing frequency for the remainder of the permit cycle.

C. Toxicity Identification/Reduction Evaluation

If any of the quarterly WET tests results exceed 1.1 TUc, the permittee shall within 30 days of test completion collect additional discharge samples and perform an additional WET test. If the result of the additional WET test also exceeds 1.1 TUc, the permittee shall commence a Toxicity Identification Evaluation (TIE) and Toxicity Reduction Evaluation (TRE). The TIE/TRE evaluates the possible causes of the effluent toxicity, the possible sources of the causative agents, possible control options to reduce or eliminate the effluent toxicity, and implementation of controls. Quarterly WET testing will continue during the period the permittee is conducting the TIE/TRE.

Within 30 days of submitting the chronic test report that triggers a TIE/TRE requirement, the permittee must submit either a written report on the results of the TIE/TRE, or if the TIE/TRE is not completed, a schedule for completing the TIE/TRE. The schedule must contain specific time frames for completing major elements of the TIE/TRE.

The TIE/TRE must be conducted in accordance with EPA's guidance in "Methods for Aquatic Identification Evaluations," Phase I (600/3-88/034, September 1988), Phase II (600/3-88/035, February 1989), Phase III (600/3-88/036, February 1989), or current approved TIE/TRE protocols.

Once the toxicant(s) is (are) identified, confirmed, and controlled to acceptable levels through establishment of chemical specific limits or institutional methods, the permittee may submit a request to the DEP for modification of the permit condition, documenting the changes instituted to achieve the toxicity reduction. Documentation may include, but is not limited to: the results of TIE/TRE, pretreatment program changes, plant operation and maintenance, design changes, or establishment of and compliance with chemical limits that address the effluent toxicity.

The DEP will decide if the toxicity has been properly addressed based upon the permittee's report and completion of four consecutive WET tests which indicates toxicity equal to or less than 1.1 TUC, subsequent to institution of the controls specified in the report.

D. Sample Collection

For each chronic testing event, three 24-hour flow proportioned, composite samples shall be collected over a seven-day exposure period. The samples shall be collected at a frequency of not greater than every two hours and flow proportioned. The samples must be collected at the NPDES permit sampling point. The permittee shall collect chemical and physical data on the effluent samples specified in this permit.

E. Test Conditions and Methods

The permittee shall follow the DEP's "Biomonitoring WETT Data QA/QC Guidelines for Chronic Toxicity Testing with Amendments, March 20, 1995," attached and included in this permit condition, supplemented by Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Fresh Water Organisms, 4th Edition, October 2002 (EPA-821-R-02-013) or the most current version. If DEP determines that the proper chronic test acceptability criteria are not met or the proper QA/QC conditions were not followed, the permittee shall perform a retest within 30 days.

To properly conduct chronic WET tests, the laboratory must prepare a series of effluent dilutions which are specific to your discharge. The permittee must inform the WETT laboratory of the proper dilution series, which is calculated, using a linear regression equation, from and geometric to the Targeted In-stream Waste Concentration (TIWCc) for your discharge. The dilution series must include at least one dilution below the TIWCc. **Based upon your calculated TIWC of 90%, your specific dilution series is 100%, 90%, 81%, 73%, 66%.**

F. Chemical Analysis

The chemistry tests shall include pH, conductivity, total alkalinity, total hardness, total residual chlorine, total ammonia (unionized ammonia), dissolved oxygen, and temperature. Chemical analyses as described in the EPA Methods (above) shall be performed for each sampling event, including each new batch of dilution water and each testing event.

In addition to the chemical analyses required above, those parameters listed in PART A and PART C of the NPDES permit for the outfall(s) tested shall be analyzed concurrently with the WET test by using the method specified in the NPDES permit or, if not specified, by using EPA Methods at 40 C.F.R. Part 136; Standard Methods for the Examination of Water and Wastewater, American Public Health Association; and approved methods cited in 25 Pa. Code Chapter 16, Water Quality Toxics Management Strategy, Statement of Policy.

G. Chronic Toxicity Test Report Elements

At a minimum, the following must be reported with each chronic WET test:

1. General test description: origin and age of test organisms, dates and results of reference toxicant tests, light and temperature regimes, and other information on test conditions.
2. Completion of Ceriodaphnia dubia and Pimephales promelas coversheets (Forms 3620-FM-WQ0145 3/99 and 3620-FM-WQ0146 3/99).
3. Description of sample collection procedures and of the sample location.
4. Names of individuals collecting and transporting samples, times and dates of sample collection and analysis, and temperature of sample upon receipt.
5. Description, time, and date of sample renewals.
6. All chemical and physical data, including method detection levels and observations made on the species. The chronic WET test hardness shall be reported with each test.
7. Copies of raw data sheets and/or bench sheets with data entries and signatures.
8. Dechlorination procedures with test statistical comparisons.
9. All observations or test conditions affecting the test outcome. All Type 1 or Type II errors must be explained.
10. The reference toxicant shall be identified and be a commonly used toxicant approved by EPA. Reports of reference toxicant tests shall include all information needed for the proper evaluation of the test. This includes the following: water chemistry parameters of controls and test concentrations, chronic endpoint with appropriate statistical analyses, and control charts (for point estimates, cumulative mean \pm two standards deviations; for NOEC's central tendency \pm one for concentration interval).

H. Submission of Test Reports

The permittee shall submit copies of all chronic WET test reports to DEP at the address listed below within 30 days of the test completion:

Department of Environmental Protection
Southeast Regional Office
Water Quality Management
2 East Main Street
Norristown, PA 19401

14. The Operation and Implementation of a Pretreatment Program

1. General Requirements - The permittee shall operate and implement an industrial pretreatment program in accordance with the Federal Clean Water Act, the Pennsylvania Clean Stream Law, and the federal General Pretreatment Regulations at 40 C.F.R. 403. The program shall also be implemented in accordance with the pretreatment program and any modifications thereto submitted by the permittee and approved by the Approval Authority.
2. Annual Report and Other Requirements - The permittee shall submit an Annual Report by March 31 of each year to the DEP and Environmental Protection Agency (EPA) that describes the permittee's pretreatment activities for the previous calendar year. The Annual Report shall include a description of pretreatment activities in all municipalities from which

wastewater is received at the permittee's Publicly Owned Treatment Works (POTW). The submission to the DEP shall be incorporated into the permittee's Annual Municipal Wasteload Management Report required by 25 Pa. Code Chapter 94. In addition, the permittee shall meet all of the conditions specified below whether or not they relate to the Annual Report:

- a. Control Mechanism Issuance - The Annual Report shall contain a summary of Significant Industrial User (SIU) control mechanism issuance, including a list of issuance and expiration dates for each SIU.
 - b. Sampling and Inspection - The Annual Report shall contain a summary of the number and type of inspections and samplings 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.
 - c. Industrial User (IU) 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 civil 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 C.F.R. Section 403.8(f)(2)(viii).
 - d. Industrial Listing - The Annual Report shall contain an updated industrial listing showing all current SIUs and the categorical standard, if any, applicable to each. In addition, the report shall contain a summary of any trucked or hauled wastewater accepted at the plant including the source of the wastewater (domestic, commercial, or industrial), and the discharge point designated by the POTW for acceptance of such wastewater. For each industrial source, the report shall indicate the name and address of the industrial source, the average (per discharge day) amount of wastewater received on a monthly basis, a brief description of the type of process operations conducted at the industrial facility, whether the source facility is a categorical industry, significant industry or non-significant user, and any controls imposed on the user.
 - e. Summary of POTW Operations - The Annual Report shall contain a summary of any interference, pass-through, or permit violations by the POTW which may be attributed to industrial users, and actions taken to address these events. The summary shall also include sampling and analysis of treatment plant influent, effluent, and sludge for toxic and any other pollutants for which a local limit exists.
 - f. Pretreatment Program Changes - The Annual Report shall contain a summary of any changes to the approved program and the date of submission to the Approval Authority.
 - g. Monitoring - The permittee shall conduct monitoring at its treatment plant that, at a minimum, includes quarterly influent, effluent, and sludge analysis for all local limit parameters, and an annual priority pollutant scan for influent and sludge.
3. Notification of Pass-Through or Interference - The permittee shall notify EPA and the DEP, in writing, of any instance of pass-through or interference related to an industrial discharge from an IU into the POTW. The notification shall be attached to the DMR submitted to the DEP and EPA 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.

4. Headwork Analysis - The permittee shall submit to the DEP and EPA a reevaluation of its local limits based on a headworks analysis of its treatment plant within one (1) year of permit issuance. The list of pollutants to be evaluated, as well as a sampling plan for collection of necessary data, shall be submitted to the DEP and EPA within three (3) months of permit issuance. Within four (4) months of acceptance of the headwork analysis by the Approval Authority, the permittee shall adopt the revised local limits and notify all contributing municipalities of the need to adopt the revised local limits.
5. Changes to Pretreatment Program - The DEP and EPA may require the permittee to submit for approval changes to its pretreatment program if any one or more of the following conditions is present:
 - a. The program is not implemented in accordance with 40 C.F.R. Part 403.
 - b. Problems such as interference, pass-through or sludge contamination, develop or continue.
 - c. Federal, state, or local requirements change.
 - d. Changes are needed to assure protection of waters of the Commonwealth.
6. 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 such objections must be submitted in writing to both the DEP and EPA at the addresses shown below.
7. 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

Copies of all correspondence and reports dealing with this program shall be sent to:

Department of Environmental Protection
Southeast Regional Office
Water Management Program
2 East Main Street
Norristown, PA 19401

15. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS

- A. Prohibition of Nonstormwater Discharges
 1. Except as provided in A.2, all discharges to stormwater Outfalls 002 thru 004 shall be composed entirely of stormwater and allowable nonstormwater as specified in A.2 below.
 2. The following nonstormwater discharges may be authorized, provided the discharge is in compliance with D.2.b: discharges from fire fighting activities; fire hydrant flushings, potable water sources, including waterline flushings, irrigation drainage, lawn watering, routine external building washdown which does not use detergents or other compounds, pavement washwaters 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 Preparedness, Prevention, and Contingency (PPC) Plan as stated in Section D below.

C. This permit does not authorize any discharge (stormwater or nonstormwater) 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. PPC Plans

1. Development of Plan

Operators of facilities shall have developed a PPC Plan in accordance with 25 Pa. Code Section 91.34 and the "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 stormwater discharges from the facility. In addition, the PPC Plan shall describe the BMPs that are to be used to reduce the pollutants in stormwater discharges at the facility ensuring compliance with the terms and conditions of this permit. The PPC Plan shall be completed within 90 days from the permit effective date.

2. Nonstormwater Discharges

a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of nonstormwater discharges. The certification shall include the identification of potential significant sources of nonstormwater at the site, a description of the results of any test and/or evaluation for the presence of nonstormwater 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 stormwater 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 DEP within 90 days of the effective date of this permit.

b. Except for flows from fire fighting activities, sources of nonstormwater listed in A.2. (authorized nonstormwater discharges) that are combined with stormwater discharges must be identified in the Plan. The Plan shall identify and ensure the implementation of appropriate pollution prevention measures for the nonstormwater component(s) of the discharge.

3. Comprehensive Site Compliance Evaluations and Recordkeeping

Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall include:

a. Visual inspection and evaluation of areas contributing to a stormwater 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 stormwater 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, using the DEP's Annual Inspection form 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. Stormwater Management Best Management Practices (BMPs)

The permittee shall implement at least the following 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 and covered areas on impervious surfaces away from storm drains.
- 3. For new facilities and improvements: Design wastewater treatment facilities to avoid, to the maximum extent practicable, stormwater commingling with sanitary wastewater.
- 4. Efficiently use herbicides for weed control; where practicable, investigate use of the least toxic herbicides; do not apply during windy conditions.
- 5. Do not wash parts or equipment over impervious surfaces that wash into storm drains.
- 6. Conduct Good Housekeeping Practices.
- 7. Implement infiltration techniques, including infiltration basins, trenches, dry wells, porous pavements, etc., wherever practicable.

F. Stormwater Sampling and Reporting

- 1. If stormwater samples are required by this permit, they shall be collected as grab samples during the first 30 minutes, but no later than one-hour of the discharge resulting from a storm event that occurs at least 72 hours from the previously measurable storm event.
- 2. When the discharger is unable to collect samples due to adverse climatic conditions, the discharger must submit, in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. This sampling waiver may not be used more than once during a two-year period.

3. Stormwater monitoring results shall be summarized on a DMR form and the DEP's "Additional Information for the Reporting of Stormwater Monitoring" form.
4. When a facility has two or more outfalls that may reasonably be believed to discharge substantially identical effluents, based on a consideration of features and activities within the area drained by the outfall, the permittee may sample one such outfall and report that the quantitative data also applies to the substantially identical outfalls.

16. Copper Limits

Based on the statewide copper criteria and recent hardness data, this permit includes a final total copper limit of 0.015 mg/l. Unless the permittee requests site-specific criteria for copper and submits a scientific study in accordance with 25 PA Code 93.8d, the final limit will take effect 36 months from the effective date of this permit. Approved methodologies to develop site-specific criteria are listed in 25 Pa Code 93.8d(c). In addition, the Department will accept a study based on the Biotic Ligand Model (BLM), as described in EPA's updated aquatic life criteria for copper.

If the permittee chooses not to proceed with the procedures required to develop site-specific copper criteria, the final limit will take effect 36 months from the effective date of this permit. Under this option, the permittee shall develop and implement measures necessary to achieve compliance with the final limit (e.g. Toxics Reduction Evaluation (TRE)). These measures may include, but are not limited to, activities such as a source reduction evaluation, changes to the treatment processes, and/or physical modifications to the treatment plant.

The permittee shall complete the required actions and milestones in accordance with the following schedule:

1. Submit a proposed plan of study for site-specific criteria [25 Pa Code 93.8d(d)], or a TRE work plan, to the Department within 90 days of permit issuance.
2. Submit a scientific study progress report [25 Pa Code 93.8d(b)], or a TRE progress report, to the Department within 12 months of permit issuance.
3. Submit a completed scientific study [25 Pa Code 93.8d(b)] and an application for a permit amendment, or a final TRE report, to the Department within 24 months of permit issuance.