

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

I. A. For Outfall 001, Latitude 40° 1' 0.44", Longitude 76° 18' 20.31", River Mile Index 16.0, Stream Code 07548

Discharging to Conestoga River

which receives wastewater from the wastewater treatment plant and CSO-related bypass

1. The permittee is authorized to discharge during the period from August 1, 2010 through July 31, 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 ⁽³⁾ Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum ⁽²⁾		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/shift	Grab
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	1/shift	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.13	XXX	0.42	1/shift	Grab
CBOD ₅ May 1 - Oct 31	4,013	6,020	XXX	15	22.5	30	5/week	24-Hr Composite
CBOD ₅ Nov 1 - Apr 30	6,689	10,702	XXX	25	40	50	5/week	24-Hr Composite
BOD ₅ Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX	5/week	24-Hr Composite
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX	5/week	24-Hr Composite
Total Suspended Solids	8,026	12,040	XXX	30	45	60	5/week	24-Hr Composite

Outfall 001, Continued (from July 1, 2010 through June 30, 2015)

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) ⁽¹⁾		Concentrations (mg/L)				Minimum ⁽³⁾ Measurement Frequency	Required Sample Type
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum ⁽²⁾		
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX	3/week	Grab
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX	3/week	Grab
Ammonia-Nitrogen May 1 - Oct 31	669	XXX	XXX	2.5	XXX	5.0	5/week	24-Hr Composite
Ammonia-Nitrogen Nov 1 - Apr 30	2,007	XXX	XXX	7.5	XXX	15	5/week	24-Hr Composite
Total Phosphorus	535	XXX	XXX	2.0	XXX	4.0	5/week	24-Hr Composite

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

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

Additional Requirements

1. The discharger may not discharge floating materials, oil, grease, scum, foam, sheen and substances which produce color, taste, turbidity or settle to form deposits in concentrations or amounts sufficient to be, or creating a danger of being, inimical to the water uses to be protected or to human, animal, plant or aquatic life. 25 Pa. Code 92.51(6)
2. Except as otherwise specified in this permit, the 30-day average percent removal for carbonaceous biochemical oxygen demand and total suspended solids shall not be less than 85 percent during dry weather days. 25 Pa. Code 92.2c(b)(1)
3. Effective disinfection to control disease producing organisms from the period of May 1 to September 30 shall be the production of an effluent which will contain a concentration not greater than 200/100 ml of fecal coliform colonies as a geometric mean, nor greater than 1,000/100 ml of these colonies in more than 10 percent of the samples tested. 25 Pa Code 92.2c(b)(2)

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) Except for TRC, the Instantaneous Maximum Discharge Limitations are for compliance use by DEPO only. Do not report instantaneous maximums on DMRs or supplemental DMRs unless specifically required on those forms to do so.
- (3) 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.
- (4) Fecal Coliform levels are reported as a geometric mean of colonies/100 ml.
- (5) Effluent samples taken in compliance with the monitoring requirements shall be taken at the following location(s):
 - Composite samples may be taken before or after disinfection but before the confluence of Outfall 100.
 - Grab samples shall be taken after disinfection but before the confluence of Outfall 100.

Supplemental Information

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

Permit

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

I. B. For Outfall 001, Latitude 40° 1' 0.44", Longitude 76° 18' 20.31", River Mile Index 16.0, Stream Code 07548

Discharging to Conestoga Creek

which receives wastewater from the wastewater treatment plant and CSO-related bypass

1. The permittee is authorized to discharge during the period from August 1, 2010 through July 31, 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 ⁽¹⁾	Effluent Limitations					Monitoring Requirements	
	Mass Units (lbs)		Concentrations (mg/L)			Minimum ⁽²⁾ Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Ammonia---N	Report	Report	XXX	Report	XXX	5/week	24-Hr Composite
Kjeldahl---N	Report	XXX	XXX	Report	XXX	1/week	24-Hr Composite
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	1/week	24-Hr Composite
Total Nitrogen	Report	Report	XXX	Report	XXX	1/month	Calculation
Total Phosphorus	Report	Report	XXX	Report	XXX	5/week	24-Hr Comp
Net Total Nitrogen	Report	620,348	XXX	XXX	XXX	1/month	Calculation
Net Total Phosphorus	Report	77,381	XXX	XXX	XXX	1/month	Calculation

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

Footnotes:

- (1) See Part C for Chesapeake Bay Requirements.
- (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 required.

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

I. C. Combined Sewer Outfalls (CSOs):

The outfalls identified below serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. Dry weather discharges from these outfalls are prohibited. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow. The data must be recorded on the Department-provided supplemental Discharge Monitoring Report (DMR) form and reported monthly as an attachment to the regular DMR or as otherwise provided for in the permit. Monitoring in compliance with the requirements specified above shall be performed in accordance with NPDES permit conditions on combined sewer overflows.

The outfalls identified below serve as combined sewer overflows necessitated by storm water entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. Dry weather discharges from these outfalls are prohibited. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow. The data must be recorded on the Department-provided supplemental Discharge Monitoring Report (DMR) form and reported monthly as an attachment to the regular DMR or as otherwise provided for in the permit. Monitoring in compliance with the requirements specified above shall be performed in accordance with NPDES permit conditions on combined sewer overflows.

<u>Point Source</u>	<u>Name</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Receiving Stream</u>
002	Engleside Diversion Chamber	40°01'22"	76°18'20"	Conestoga River
003	Susquehanna Diversion Chamber	40°01'42"	76°17'52"	Conestoga River
004	Stevens Avenue Diversion Chamber	40°01'52"	76°17'15"	Conestoga River
005	Clay Street Diversion Chamber	40°02'57"	76°17'05"	Conestoga River
006	Strawberry Diversion Chamber	40°01'42"	76°17'52"	Conestoga River
100	STP-South Train Post Primary Clarifiers	40°01'0.4"	76°18'20.3"	Conestoga River

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

I. D. Stormwater Outfalls:

Outfalls 007 through 009 (listed below) serve as stormwater outfalls. Refer to Part C - "Requirements Applicable to Stormwater Outfalls" for permit conditions and management practices.

<u>Outfall No.</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Receiving Steam</u>	<u>Area Description</u>
007	40°01'00"	76°18'20"	Conestoga River	Grass area at entrance to plant.
008	40°01'00.4"	76°18'20.3"	Conestoga River	Drains most of active plant site. Also includes flow from steam upgradient of plant (not included in acreage). 008 is the same as Outfall 001.
009	40°01'07"	76°18'32"	Conestoga River	Deck drainage from the eastern side of the North A/O tank.

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 92.1

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 92.1 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). 25 Pa. Code 92.1 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 means the highest allowable discharge of a concentration of a substance at any one time as measured by a grab sample. 25 Pa. Code 92.1

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, country, parish, district, association or other public body created by or pursuant to State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under §1288 of the Clean Water Act. 40 CFR 122.2

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a municipality. The definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. 25 Pa Code 92.1 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 92.1

Stormwater Associated With Industrial Activity means the discharge from any conveyance which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing or raw materials storage areas as defined at 40 CFR §122.26(b)(14) and 25 Pa. Code 92.1.

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 92.1

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), 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
909 Elmerton Avenue
Harrisburg, PA 17110-8200

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

3. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code § 92.23:
 - 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)(3)

4. 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 report incidents causing or threatening pollution in accordance with the requirements of 25 Pa. Code Section 91.33. 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 and if reasonable possible to do so, 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. 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 92.55 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 Title 25 Pa. Code 92.51(2) 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. 25 Pa. Code 92.51(3)(ii) and 40 CFR 122.41(h)
3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. 40 CFR 122.41(l)(8)
4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94 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 the industrial users 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 industrial user. 25 Pa. Code 92.53(c)
- e. The POTW shall require users of 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. 25 Pa. Code 92.53(c)

D. Proper Operation and Maintenance

1. The permittee shall employ operator's 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 92 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; 25 Pa. Code 92.51(3)(i) and 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; 25 Pa. Code 92.51(3)(ii) and 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; 25 Pa. Code 92.71a(1) and 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 25 Pa. Code 92.71a(2) 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. 25 Pa. Code 92.71a(3) and 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 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 § 92.55 (relating to schedules of compliance) and other appropriate DEP regulations. 25 Pa. Code 92.71a(4)
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.

PART C

I. CHESAPEAKE BAY NUTRIENT REQUIREMENTS

A. General

1. The Net Total Nitrogen and Net Total Phosphorus mass load effluent limitations in Part A I.B are required in order to meet the downstream water quality standards of the State of Maryland, as required by 25 Pa. Code Chapter 92, the federal Clean Water Act and implementing regulations. These effluent limitations do not reflect credits applied or sold or offsets applied, during this permit cycle.
2. The Total Nitrogen and Total Phosphorus Mass Load (actual mass load being discharged) shall be reported in the monthly Supplemental Discharge Monitoring Reports ("Supplemental DMR"). The total mass load will not equal the net total mass load if credits are applied or sold, or if offsets are applied. The mass loads for compliance purposes are "Net Total Nitrogen" and "Net Total Phosphorus" reported as pounds per year on the Discharge Monitoring Report. Instruction for tracking credits and offset can be found in Part C I.C.10 – Tracking Offsets and Credits. The number of credits purchased can be determined by viewing the Department's Nutrient Trading Website at <http://www.dep.state.pa.us> Keyword "Nutrient Trading". The number of credits applied or sold, or offsets applied may change during the compliance year and subsequent truing period.
3. The Definitions in paragraph B apply to terms used in Part A and in the Supplemental DMR forms.
4. The *Annual Nutrient Summary* form shall be submitted no later than November 28th following the end of a compliance year for determination of compliance with the Net Total Nitrogen and Net Total Phosphorus Effluent Limits.

B. Definitions

1. Monthly Total Mass Load (lbs) = The sum of the actual daily discharge loads (lb/d) divided by the number of samples per month multiplied by the number of days in the month. Daily discharge load (lb/d) = Daily flow (MGD) on the day of sampling, multiplied by that day's sample concentration (mg/l) multiplied by 8.34.
2. Annual Total Mass Load (lbs) = The sum of the Monthly Total Mass Loads for one year beginning October 1st and ending September 30th.
3. Total Nitrogen = Kjeldahl-N plus Nitrate-Nitrite as N.
4. Compliance Year = The year long period starting October 1 and ending September 30. The compliance year will be named for the year in which it ends. Example: The period of October 1, 2010 through September 30, 2011 is compliance year 2011.
5. Truing period = the time allowed at the end of each compliance year for any entity to come into compliance through the application of credits towards the Net Total Mass Loads. This truing period will start on October 1st and end on November 28th of the same calendar year. During this period, compliance for the specified year may be achieved by using registered credits that were generated

during that compliance year. Example: Credits that are used to achieve compliance in compliance year 2011 must have been generated during compliance year 2011.

6. Monthly Net Mass Load = Monthly Total Mass Load + (Total Credits sold during the month / 0.891 (TN delivery ratio for facility) OR 0.436 (TP delivery ratio for facility) – (Total Credits applied during the month / 0.891 (TN delivery ratio for facility) OR 0.436 (TP delivery ratio for facility)) – (Offsets applied / 12)
7. Annual Net Mass Load (lb/year) = The sum of the Monthly Net Mass Loads for one year beginning October 1st and ending September 30th.
8. Certification: Written approval by the Department for the use of proposed or implemented activities to generate credits and/or offsets. Certifications are based on at least (1) a credit or offset proposal to be submitted describing the qualifying activities that will reduce the nutrient loadings delivered to the Chesapeake Bay, (2) the calculation to quantify the pounds of reductions expected and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activities have taken place.
9. Verification: Implementation of the verification plan contained in a certified credit or offset proposal as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activities have taken place for the applicable compliance year.
10. Registration: Approval by the Department of the use of credits or offsets in a permit. Registration will not occur until credits have been certified and verified, and for credits a trading contract has been submitted to the Department. The Department will register credits on an annual basis for use during the compliance year in which the qualifying nutrient reduction activities have taken place, and provide such credits with an annual registry number for reporting and tracking purposes.

C. Nutrient Credits and Offsets

1. Credit = The unit of compliance that corresponds with a pound of reduction of TP, TN or sediment as recognized by the Department which, when registered by the Department, may be used to comply with effluent limits.
2. Offset = Verb - The act of reducing the aggregate production of nutrients from an action or activity by use of a complimentary action, activity or technology on that site or directly related to the activity. Noun - The load in pounds of nitrogen or phosphorus created by an action, activity or technology that is available to apply against the proposed load to be generated. Offsets are not the same as credits as they cannot be directly bought, sold or transferred between owners, projects, or properties.
3. The permittee is authorized to apply nitrogen and phosphorus credits to this permit in order to comply with the Net Total Nitrogen and Net Total Phosphorus annual mass load effluent limits, when the credits are recognized by the Department through a trading program administered by the Department pursuant to "Final Trading of Nutrient and Sediment Reduction Credits – Policy and Guidelines," including all Attachments and Appendices.
4. Credits may be applied to the compliance obligations of this permit up until November 28 of the calendar year at the end of the current compliance period (e.g., if the period is the 12 months following 9/30/2010, credits may be applied up until 11/28/2011).
5. Whenever credits are applied or sold report the following, using Supplemental DMR forms:
 - Provide the registry number and trade effective dates.
 - Provide the type (nitrogen, phosphorus) and the number of credits purchased or sold of each.

6. Any time a contract expires during the term of this permit, the Department must be notified 30 days prior to the contract expirations and either a new contract provided or a discussion on how compliance with this permit will be achieved.
7. All credit transactions must be on the DEP's Trading website which can be viewed at www.dep.state.pa.us Keyword "Nutrient Trading".
8. Offsets approved by DEP are to be reported and used in calculating the net monthly mass load.
9. All credits must be certified by the Department and verified for the year in which they are used for compliance with this permit.
10. Tracking Offsets and Credits:
 - a. Credits – the use of credits shall be tracked on Supplemental DMR forms provided with this permit. As identified on the forms entitled *Monthly Nitrogen Budget* (3800-FM-WSFR0445) and *Monthly Phosphorus Budget* (3800-FM-WSFR0446), the forms shall be submitted when a credit transaction occurs. Additionally, the form entitled *Annual Nutrient Summary* (3800-FM-WSFR0447) shall be submitted at the end of each compliance year. Credits are only for the compliance year in which they are used and must be reported each year.
 - b. Offsets – the use of offsets shall be tracked on Supplemental DMR forms provided with this permit. As identified on the forms entitled *Monthly Nitrogen Budget* and *Monthly Phosphorus Budget*, the forms shall be submitted when offsets are claimed. Additionally, the *Annual Nutrient Summary* shall be submitted at the end of each compliance year. Some offsets will be deemed as permanent and can be claimed each year. Offsets must be reported each year during the permit cycle. Offsets deemed to be permanent can be used to adjust cap loads in future permits.

If an offset is approved during the compliance year, the offset generated shall be divided by twelve and applied to each monthly net mass load after the offset is approved. For example, 40 homes formerly utilizing on-lot systems are placed on public sanitary sewer service. The nitrogen offset of 25 lbs/year per home would be applicable. The offsets are approved in May of the compliance year, so the offset would be applied as follows:

$$(40 \text{ homes} \times 25 \text{ lbs / home}) / 12 \text{ months} = 83 \text{ lbs/month}$$

For each month following approval of the offset, 83 lbs of nitrogen will be applied as an offset each month to the Monthly Net Mass Load.

D. Offsets Granted by Connection of Retired On-Lot Systems

The permittee is responsible for maintaining records that show that the on-lot systems existed or were put in place prior to January 1, 2003, and eliminated by connecting the dwellings to the sewage conveyance system after January 1, 2003. These records must verify that the on-lot system existed or was put in place prior to January 1, 2003, when the on-lot system was taken out of service, and when the dwelling was connected to the sewage conveyance system. These records must be maintained by the permittee as long as the offsets are counted toward the permittee's cap load. The permittee must make these records available for public inspection.

II. OTHER REQUIREMENTS

- A. No stormwater from pavements, areaways, roofs, foundation drains or other sources shall be admitted directly to the sanitary sewers associated with the herein approved discharge.
- B. 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.

- C. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with the Solid Waste Management Act (35 P.S. §§ 6018.101 - 6018.1003), and in a manner equivalent to the requirements indicated in Chapters 271, 273, 275, 283, and 285 (relating to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR Parts 501 and 503, The Clean Streams Law, and the Federal Clean Water Act and its amendments.
- D. This permit is of interest to the U.S. Environmental Protection Agency (EPA) because it meets one or more of the following criteria:
- POTW with a design hydraulic flow of one mgd or more.
 - POTW with a pretreatment requirement.
 - Industrial Waste discharger not waived for review by the EPA/DEP Memorandum of Agreement.
 - Facility considered a "Significant Discharger" within the Chesapeake Bay watershed.
 - Facility with a waste load allocation in an EPA-approved Total Maximum Daily Load (TMDL).

A copy of the DMR shall be submitted to the EPA at the following address:

NPDES Discharge Monitoring Reports (3WP42)
 Water Protection Division
 U.S. Environmental Protection Agency, Region III
 1650 Arch Street
 Philadelphia, PA 19103-2029

- E. The permittee shall ensure that applied chlorine, used for disinfection or other purposes, is optimized to the degree necessary to minimize the total residual chlorine in the discharge. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, and desired result of chlorination.
- F. The permittee shall conduct Acute/Chronic Whole Effluent Toxicity Testing within the final 18 months of this permit cycle, according to Federal Regulation 40 CFR § 122.21(j)(5). The results shall be submitted with the permittee's next NPDES Permit application. The appropriate biomonitoring protocol for the testing can be obtained from PA DEP at the following address:

Department of Environmental Protection
 Water Management Program
 909 Elmerton Avenue
 Harrisburg, PA 17110-8200
 Telephone: 717-705-4707

- G. The permittee shall complete all Supplemental Reporting forms provided by the Department in this permit (or an approved equivalent), and submit the signed, completed forms to the Department on a monthly basis with the DMR, in accordance with Part A III.B of this permit.
- H. By March 31 of each year, the permittee shall submit a "Solids Management Inventory" to the Department with the Municipal Wasteload Management Report required by Chapter 94. The inventory shall include the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD5 (mg/l), average effluent CBOD5 (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge (biosolids) generated (wet or dry tons).
- I. Influent BOD5 and TSS samples shall be collected and analyzed. Loading from hauled-in wastes must also be included in plant loading through analyses of the hauled-in wastes reported on DMR Supplemental

Forms or influent composite sampling. If hauled-in wastes are not included in influent composite analyses, for each day in which hauled-in wastes are received at the facility, indicate the volume and combined loading of septage, sludge, and other wastes received during the day on the DMR Supplemental Form. Loading from the hauled-in waste shall be based on a daily composite of grab samples from the individual truck loads.

III. SUPPLEMENTAL INFORMATION

- A. The hydraulic design capacity of 32.08 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.
- B. The effluent limitations for Outfall 001 were determined using an effluent discharge rate of 32.08 MGD.
- C. The organic design capacity of 76,756 lbs BOD₅ per day for the treatment facility is used to prepare the annual Municipal Wasteload Management Report to determine whether an "organic overload" condition exists, as defined in 25 Pa. Code Chapter 94.

IV. INDUSTRIAL PRETREATMENT PROGRAM IMPLEMENTATION

- A. *General Requirement* -- The permittee shall implement an industrial pretreatment program in accordance with the federal Clean Water Act, The Pennsylvania Clean Streams Law, and the federal General Pretreatment Regulations (40 CFR 403). The program shall also be implemented in accordance with the pretreatment program, and any modifications submitted by the permittee and approved by the Approval Authority.
- B. *Annual Report and Other Requirements* -- The permittee shall submit an Annual Report by March 31 of each year to DEP and EPA that describes the permittee's pretreatment activities of the previous calendar year. The Annual Report shall include a description of pretreatment activities in all municipalities from which wastewater is received. The submission to DEP will be incorporated into the permittee's Annual Municipal Wasteload Management Report required by 25 Pa. Code, Chapter 94, of the Department's Rules and Regulations. The Annual Report shall contain the following:
 1. *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.
 2. *Sampling and Inspection* -- The Annual Report shall contain a summary of the number and type of inspections and sampling 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.
 3. *Significant Industrial User Compliance and POTW Enforcement* -- The Annual Report shall contain a summary of the number and type of violations of pretreatment standards and requirements, 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 CFR Part 403.8(f)(2)(viii).
 4. *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 or industrial), the amount of wastewater received on a monthly basis, any controls imposed on the users, and the discharge point designated by the POTW for acceptance of such wastewater.
 5. *Summary of POTW Operations* -- The Annual Report shall contain a summary of any interference, pass-through, or permit violations by the POTW that may be attributed to industrial users, and actions taken to address these events. The summary shall include sampling and analysis of treatment plant influent, effluent, and sludge for toxic and incompatible pollutants. The summary shall also include an analysis of any trends in such data over the past three years.

6. *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.
- C. *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 pollution scan for influent and sludge.
- D. *Notification of Pass-Through or Interference* -- The permittee shall notify EPA and DEP, in writing, of any instance of pass-through or interference related to an industrial discharge from an IU into the POTW. The notification shall be attached to the DMR submitted to EPA and DEP and shall describe the incident, including the date, time, length, cause (including responsible user if known), and the steps taken by the permittee and IU (if Identified) to address the incident. A copy of the notification shall be sent to the EPA at the address provided in Section H herein.
- E. *Headworks Analysis* -- The permittee shall submit to EPA and DEP, a reevaluation of its local limits based on a headworks analysis of its treatment plant within one 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 EPA and DEP within three months of permit issuance. Within six months of acceptance of the headworks analysis by the Approval Authority, the permittee shall adopt the revised limits and notify all contributing municipalities of the need to adopt the revised limits.
- F. *Changes to Pretreatment Program* -- 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:
1. The program is not implemented in accordance with 40 CFR Part 403.
 2. Problems such as interference, pass-through or sludge contamination develop or continue.
 3. Federal, state, or local requirements change.
 4. Changes are needed to assure protection of waters of the Commonwealth.
- G. *Procedure for Pretreatment Program Changes* -- Upon submittal by the permittee, and written notice of approval by the Approval Authority to the permittee of any changes to the permittee's approved pretreatment program, such changes are effective and binding upon the permittee, unless the permittee objects within 30 days of receipt of the written notice of approval. Any such objection must be submitted in writing to both the Department and EPA at the addresses shown below.
- H. *Correspondence* -- The Approval Authority shall be EPA at the following address:

Pretreatment Coordinator (3WP41)
 Water Protection Division
 U.S. Environmental Protection Agency, Region III
 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
 Southcentral Regional Office
 Water Management Program
 909 Elmerton Avenue
 Harrisburg, PA 17110-8200

V. COMBINED SEWER OVERFLOWS

Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed conveyance or treatment capacities of the system during wet weather periods. Overflows which occur without an accompanying precipitation event or snowmelt are termed "dry weather overflows"

which are prohibited. CSOs are point source discharges which must be provided control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

The point source discharge locations (outfalls) identified on page 6 under Part A of this permit serve as known CSO locations on the permittee sewer system.

A. Continue Implementation of Technology-Based Nine Minimum Controls

Upon issuance of this permit, the permittee shall continue the implementation of the NMCs, demonstrate system wide compliance of the NMCs and submit discharge monitoring reports and annual reports to the Department with appropriate documentation. The NMC documentation report is incorporated in this permit.

The Department will use guidance document EPA 832-B-95-003 entitled "Guidance For Nine Minimum Controls," dated May 1995. The Department will use the EPA guidance document and specific comments provided during review of the NMC documentation reports to determine continued compliance with the CSO permit requirements.

B. Implementation of Water Quality-Based Long-Term Control Plan

The goal of the Long-Term Control Plan (LTCP) requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. Until completion of the implementation, the CSO discharger(s) shall not contain any pollutant in amounts or concentrations that causes or contributes to an in-stream excursion above state water quality standards. Additional control measures may need to be provided if determined necessary to comply with water quality standards.

Upon issuance of this permit, the permittee shall continue the implementation of the LTCP, demonstrate system wide compliance with the LTCP's installed alternatives, and submit with the Annual Report referenced in paragraph C.2 below, annual progress reports on implementation.

The permittee shall continue to implement its approved LTCP. The LTCP, at a minimum, shall provide consideration of the following requirements:

1. Documentation of continued implementation of the NMCs.
 - a. Proper operation and regular maintenance programs for the sewer system and the CSO outfalls.
 - Approximately six miles of pipe are to be inspected annually. Complete inspection of collection system will be completed by 2013.
 - b. Maximum use of the collection system for storage.
 - c. Review and modification of pretreatment requirements to ensure that CSO impacts are minimized.
 - d. Maximization of flow to the POTW for treatment.

A CSO-related bypass (Outfall 100) of the secondary treatment portion of the POTW treatment plant's South train is authorized when the flow rate to the POTW treatment plant's South train as a result of a precipitation event exceeds 7.0 MGD average daily flow. Bypasses that occur when the flow at the time of the bypass is under the specified flow rate are not authorized under this condition and are subject to the bypass provision at 40 CFR 122.41(m). In the event of a CSO-related bypass authorized under this condition, the permittee shall minimize the discharge of pollutants to the environment and attempt to capture the "first flush." At a minimum, CSO-related bypass flows must receive primary clarification, solids, and floatables removal, and disinfection. The permittee shall report any substantial changes in the volume or character of pollutants being introduced into the POTW. Authorization of CSO-related bypasses under this provision may be modified or terminated when there is a substantial change in the volume or character of pollutants being introduced to the POTW. The permittee shall provide notice to the Department of

bypasses authorized under this provision by the submission of a monthly discharge report provided by the Department.

- e. Elimination of dry weather CSOs.
 - (1) All screens at the CSOs are to be inspected daily and cleaned as necessary.
 - (2) The automatic screens at Engleside and Clay Street are to be inspected once per day.
 - f. Control of solids and floatable material in CSOs.
 - ° The vortex swirl concentrator will be maintained and operated at the Stevens Avenue location.
 - g. Pollution prevention programs to reduce contaminants in CSOs.
 - (1) The City shall continue its goal of sweeping each street approximately every two weeks as a minimum.
 - (2) Inlets and catch basins are to be checked and cleaned as necessary, consistent with the LTCP, but no less frequently than once per year.
 - h. Public notification to ensure the public receives adequate notification of CSO occurrences and CSO impacts.
 - ° Identification signs at each CSO outfall must be maintained and kept visible.
 - i. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.
 - (1) The City will conduct a stream survey using two different storm events once every five years to document and reaffirm that the CSOs create no impact on the water quality of the Conestoga River. The survey will follow the same procedure as described in the October 1996 report entitled "Study of Impacts of Overflows on the Water Quality of the Conestoga River." The next stream survey must be completed and the results submitted by the end of 2013.
 - (2) CSO-related bypasses at Outfall 100 shall be monitored for flow, CBOD₅, TSS, NH₃, and Fecal Coliforms. A grab sample shall be taken and analyzed at least two times per month providing that there are two or more bypasses in a month. Sample results shall be reported on a monthly discharge report provided by the Department and submitted on a monthly basis as per Part A Section III.B.2 of this permit. CBOD₅, TSS, and NH₃ shall be sampled after primary clarification. Fecal Coliforms shall be sampled after disinfection and mixing with Outfall 001.
2. Consideration of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.).
 3. Characterization, monitoring, and modeling of overflows and assessment of water quality impacts.
 4. Evaluation and selection of control alternative – presumptive or demonstrative approach.
 5. Public participation in LTCP plan development and implementation.
 6. Implementation schedule and financing plan for selected control options.
 7. Maximizing treatment at the existing POTW treatment plant.
 8. Post-construction monitoring program plan.
 9. CSO System Operational Plan.

These LTCP requirements are described in the EPA's guidance document EPA 832-B-95-002 entitled "Guidance For Long-Term Control Plan," dated September 1995. Using a post-construction compliance monitoring program, the permittee shall periodically review the effectiveness of the LTCP

and propose any changes or revisions to the LTCP to the Department for review and approval before its implementation. The Department will use the EPA guidance document to determine permittee compliance with the CSO permit requirements.

The permittee shall implement and effectively operate and maintain the CSO controls identified in the LTCP. The interim implementation schedule for the short-term controls shall be in accordance with the approved LTCP. The final implementation of the LTCP is expected to exceed the life of the current five-year permit and shall be consistent with the approved LTCP or where applicable a CO/A or other enforcement mechanism.

C. Monitoring and Reporting Requirements

1. Special Supplemental CSO Discharge Monitoring Report:

The permittee shall record data on all CSO discharges in the format specified on the Department's Supplemental CSO DMR. The data shall be submitted to the Department 30-days after a month in which one or more CSO discharges occurred. The Supplemental Discharge Monitoring Reports (DMR) should be attached to and submitted along with the permittee's regular DMR for the sewage treatment plant (STP) and retained at the STP site for at least five years.

2. Annual CSO Status Report Supplement

By March 31 of each year, a CSO supplement shall be submitted to the Department with the annual "Municipal Wasteload Management Report" required by 25 Pa. Code Chapter 94, Section 94.12. For a satellite CSO system, a copy of the annual report shall also be provided to the POTW providing treatment for its wastewater.

a. The CSO supplement shall provide:

- (1) a summary of the frequency, duration and volume of the CSO discharges for the past calendar year;
- (2) the operational status of major overflow points, and
- (3) an identification of known or potential in-stream water quality impacts, their causes, and their effect on downstream water uses.
- (4) summarize all actions taken to implement the NMCs and the LTCP and their effectiveness, and
- (5) evaluate and provide necessary revisions to NMC and LTCP reports approved by the Department.

b. Specifically, the following CSO-related information shall be included in the report:

- (1) Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the Special Supplemental CSO DMR.
- (2) Inspections and Maintenance
 - (a) Total number of regulator inspections conducted during the period of the report (reported by drainage system).
 - (b) A list of blockages (if any) corrected or other interceptor maintenance performed, including location, date and time discovered, date and time corrected, and any discharges to the stream observed.
- (3) Dry Weather Overflows

Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. Dry weather CSO discharges are prohibited.
- (4) Wet Weather Overflows
 - (a) For all locations that have automatic level monitoring of the regulators, report all exceedances of the overflow level during the period of the report, including location, date, time, duration of wet weather overflows. Also describe actions taken to prevent their reoccurrence.
 - (b) For all locations at which flows in the interceptors can be controlled by throttling and pumping, report all instances when the overflow level was

reached _____ or
 the gates were lowered. For each instance, provide the location, date, time,
 and duration of the overflow. Also describe actions taken to prevent their
 reoccurrence.

- (5) Chronic or Continuous Discharges - Provide the status, corrective actions taken and/or planned at all sites identified as being chronic or continuous CSO discharges including an estimate of flow and duration during the month covered by the report.

D. Permit Reopener Clause

The Department reserves the right to modify, revoke and reissue this permit as provided pursuant to 40 CFR 122.62 and 124.5 for the following reasons:

1. To include new or revised conditions developed to comply with any State or Federal law or regulation that addresses CSOs that is adopted or promulgated subsequent to the effective date of this permit.
2. To include new or revised conditions if new information, not available at the time of permit issuance, indicates that CSO controls imposed under the permit have failed to ensure the attainment of state WQSs.
3. To include new or revised conditions based on new information resulting from implementation of the LTCP.

E. CSO Compliance Schedule

The permittee shall complete the above CSO activities in accordance with the following compliance schedule:

<u>Schedule Activity Description</u>	<u>Compliance Due Date</u>
Submit Update of LTCP	November 1, 2010
Continue Implementation of the NMC Reports	Permit Effective Date
Continue Implementation of the LTCP	Permit Effective Date
Submit Annual CSO Status Supplement to Department With Chapter 94 Report Report	March 31 of each year with Annual Wasteload Mgmt.
Submit Supplemental CSO Discharge Monitoring Reports	Within 30 days of a month with any CSO discharge(s)

VI. REQUIREMENTS APPLICABLE TO STORMWATER OUTFALLS

A. Prohibition of Non-Stormwater Discharges

1. Except as provided in A.2, all discharges to Stormwater Outfalls 007, 008 and 009 shall be composed entirely of stormwater.
2. The following non-polluting water 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 PPC Plan as stated in Section D below.

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

D. Preparedness, Prevention and Contingency Plans

1. Development of Plan

Operators of facilities shall have developed a Preparedness, Prevention and Contingency (PPC) Plan in accordance with 25 Pa. Code § 91.34 and 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.

2. Non-Stormwater Discharges

- a. The PPC Plan shall contain a certification that the discharge has been tested or evaluated for the presence of non-stormwater discharges. The certification shall include the identification of potential significant sources of non-stormwater at the site, a description of the results of any test and/or evaluation for the presence of non-stormwater 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 Department within 180 days of the effective date of this permit.
- b. Except for flows from fire fighting activities, sources of non-stormwater listed in A.2. (authorized non-stormwater 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 non-stormwater component(s) of the discharge.

3. Comprehensive Site Compliance Evaluations and Record Keeping

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.
2. Store chemicals in secure areas on impervious surfaces away from storm drains.
3. Consider routing stormwater contaminated within the treatment facility to the treatment facility or cover exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; composite piles, septage or hauled waste receiving station).
4. Efficiently use pesticides for weed control; where practicable investigate use of the least toxic pesticides; do not apply during windy conditions.

VII. SOLIDS MANAGEMENT

- A. The permittee shall manage and properly dispose of sewage sludge and/or biosolids, produced by the system, by balancing the amount of solids maintained within the treatment system. The permittee shall develop a scheduled sludge wasting rate that maintains an appropriate mass balance for the specific treatment process type and system loadings and maintains compliance with permit effluent conditions. Holding excess sludge within clarifiers or in the disinfection process is not acceptable. The permittee shall compute and set the wasting rate and time so as to maintain an appropriate balance of sludge in the system. Seasonal variations shall be considered in developing sludge wasting rates.
- B. The permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Sewage Sludge/Biosolids Production and Disposal" (Form No. 3800-FM-WSFR0438) and "Supplemental Report – Influent & Process Control" (Form No. 3800-FM-WSFR0436), as attachments to the DMR on a monthly basis. When applicable, the permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Hauled In Municipal Wastes" (Form No. 3800-FM-WSFR0437) and "Supplemental Report – Hauled In Residual Wastes" (Form No. 3800-FMWSFR0450), as attachments to the DMR.
- C. By March 31 of each year, the permittee shall submit a "Sewage Sludge Management Inventory" that summarizes the amount of sewage sludge and/or biosolids produced and wasted during the calendar year from the system. The "Sewage Sludge Management Inventory" may be submitted with the Municipal Wasteload Management Report required by Chapter 94. This summary shall include the expected sewage sludge production (estimated using the methodology described in the U.S. EPA handbook, "Improving POTW Performance Using the Composite Correction Approach" (EPA-625/6-84-008), compared with the actual amount disposed during the year. Sludge quantities shall be expressed as dry weight in addition to gallons or other appropriate units.