COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

# AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE REQUIREMENTS FOR NON-MUNICIPAL SEWAGE TREATMENT WORKS

## NPDES PERMIT NO: PA0026913

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.*,

**Pennsylvania-American Water Company**
**800 West Hersheypark Drive**
**Hershey, PA 17033**

is authorized to discharge from a facility known as **McKeesport Water Pollution Control Plant**, located in **City of McKeesport, Allegheny County**, to **Monongahela River** in Watershed(s) **19-C** 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** FEBRUARY 1, 2018

**THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON** JANUARY 31, 2023

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** JANUARY 24, 2018 **ISSUED BY** /s/

**Christopher Kriley, P.E.**
**Clean Water Program Manager**
**South West Regional Office**

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

**I. A. For Outfall** 001 **, Latitude** 40° 21’ 11.00” **, Longitude** 79° 52’ 20.00” **, River Mile Index** 15.72 **, Stream Code** 37185

**Receiving Waters:** Monongahela River

**Type of Effluent:** Treated Sewage

1. The permittee is authorized to discharge during the period from Permit Effective Date through Permit Expiration Date.

2. Based on the anticipated wastewater characteristics and flows described in the permit application and its supporting documents and/or amendments, the following effluent limitations and monitoring requirements apply (see also Additional Requirements and Footnotes).

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX | Continuous | Recorded |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 | 1/day | Grab |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 | 1/day | Grab |
| Biochemical Oxygen Demand (BOD5) Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX | 1/day | 24-Hr Composite |
| Total Suspended Solids Raw Sewage Influent | Report | Report | XXX | Report | XXX | XXX | 1/day | 24-Hr Composite |
| Carbonaceous Biochemical Oxygen Demand (CBOD5) | 2,710.0 | 4,120.0 Wkly Avg | XXX | 25.0 | 38.0 Wkly Avg | 50.0 | 1/day | 24-Hr Composite |
| Total Suspended Solids | 3,252.0 | 4,878.0 Wkly Avg | XXX | 30.0 | 45.0 Wkly Avg | 60.0 | 1/day | 24-Hr Composite |
| Fecal Coliform (No./100 ml) May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 | 1/day | Grab |
| Fecal Coliform (No./100 ml) Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 | 1/day | Grab |
| Dissolved Oxygen | XXX | XXX | 4.0 | XXX | XXX | XXX | 1/day | Grab |

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

| Parameter | Effluent Limitations | | | | | | Monitoring Requirements | |
|---|---|---|---|---|---|---|---|---|
| | Mass Units (lbs/day) (1) | | Concentrations (mg/L) | | | | Minimum (2) Measurement Frequency | Required Sample Type |
| | Average Monthly | Daily Maximum | Minimum | Average Monthly | Daily Maximum | Instant. Maximum | | |
| Ultraviolet light transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX | 1/shift | Measured |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX | 1/week | 24-Hr Composite |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report | XXX | 1/quarter | 24-Hr Composite |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report | XXX | 1/quarter | 24-Hr Composite |

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

at Outfall 001

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

### I. B IDENTIFICATION OF COMBINED SEWER OVERFLOW DISCHARGES

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 this 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 CSO Supplemental Reports (3800-FM-BPNPSM0441 and 0442) and shall be reported monthly as an attachment to the Discharge Monitoring Report (DMR) or as otherwise authorized in the permit.

| Outfall | Name | Receiving Stream | Latitude/Longitude |
|---|---|---|---|
| 004 | Rebecca Street | Monongahela River | 40° 21' 15" / 79° 52' 30" |
| 005 | Erie Street | Monongahela River | 40° 21' 00" / 79° 52' 40" |
| 006 | Ann Street | Monongahela River | 40° 20' 50" / 79° 52' 30" |
| 007 | Dale Street | Monongahela River | 40° 20' 40" / 79° 52' 20" |
| 008 | Perry Street | Monongahela River | 40° 20' 30" / 79° 52' 10" |
| 009 | Windsor Street | Monongahela River | 40° 20' 20" / 79° 52' 00" |
| 010 | Morgan Alley | Monongahela River | 40° 20' 05" / 79° 51' 55" |
| 012 | Fourth Avenue | Youghiogheny River | 40° 21' 05" / 79° 52' 12" |
| 013 | Fifth Avenue | Youghiogheny River | 40° 21' 03" / 79° 51' 10" |
| 014 | Sixth Avenue | Youghiogheny River | 40° 21' 00" / 79° 52' 08" |
| 015 | Seventh Avenue | Youghiogheny River | 40° 20' 57" / 79° 52' 06" |

**IDENTIFICATION OF COMBINED SEWER OVERFLOW DISCHARGES, Continued**

| | | | |
|---|---|---|---|
| 018 | Ninth Avenue (017 combined with 018) | Youghiogheny River | 40° 20' 47.6" / 79° 52' 06.2" |
| 020 | Eleventh Avenue | Youghiogheny River | 40° 20' 42" / 79° 52' 55" |
| 021 | Twelfth Avenue | Youghiogheny River | 40° 20' 33" / 79° 52' 52" |
| 022 | Thirteenth Avenue | Youghiogheny River | 40° 20' 30" / 79° 51' 46" |
| 023 | Twenty-Eighth Avenue | Youghiogheny River | 40° 19' 50" / 79° 51' 20" |
| 024 | Eden Park Boulevard | Youghiogheny River | 40° 19' 53" / 79° 50' 22" |
| 025 | Walnut Street | Monongahela River | 40° 21' 20" / 79° 52' 05" |
| 026 | Walnut Street | Monongahela River | 40° 21' 20" / 79° 51' 50" |
| 027 | Huey Street | Monongahela River | 40° 21' 20" / 79° 51' 50" |
| 028 | Martin Street | Monongahela River | 40° 21' 20" / 79° 51' 42" |
| 029 | Center Street | Monongahela River | 40° 21' 20" / 79° 51' 52" |
| 030 | Evans Avenue | Monongahela River | 40° 21' 20" / 79° 51' 20" |
| 031 | White Street | Monongahela River | 40° 21' 20" / 79° 51' 25" |
| 032 | Cliff Street | Crooked Run | 40° 20' 55" / 79° 51' 15" |
| 033 | Cliff Street | Crooked Run | 40° 20' 55" / 79° 51' 15" |
| PV-01 | Port Vue CSO Outfall 1 | Unnamed Tributary to Youghiogheny River | 40° 19' 51" / 79° 51' 11" |
| PV-02 | Port Vue CSO Outfall 2 | Youghiogheny River | 40° 20' 04" / 79° 51' 06" |
| PV-04 | Port Vue CSO Outfall 4 | Youghiogheny River | 40° 20' 37" / 79° 52' 19" |
| PV-05 | Port Vue CSO Outfall 5 | Youghiogheny River | 40° 20' 22" / 79° 51' 51" |

**IDENTIFICATION OF COMBINED SEWER OVERFLOW DISCHARGES, Continued**

The permittee shall eliminate or capture for treatment, or storage and subsequent treatment, no less than 85 percent by volume of the combined sewage collected in the Combined Sewer System (CSS) during precipitation events on a system-wide annual average basis.

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

Additional Requirements

1. The permittee may not discharge:

   a. Floating solids, scum, sheen or substances that result in observed deposits in the receiving water. (25 Pa Code § 92a.41(c))

   b. Oil and grease in amounts that cause a film or sheen upon or discoloration of the waters of this Commonwealth or adjoining shoreline, or that exceed 15 mg/l as a daily average or 30 mg/l at any time (or lesser amounts if specified in this permit). (25 Pa. Code § 92a.47(a)(7), § 95.2(2))

   c. Substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa Code § 93.6(a))

   d. Foam or substances that produce an observed change in the color, taste, odor or turbidity of the receiving water, unless those conditions are otherwise controlled through effluent limitations or other requirements in this permit. For the purpose of determining compliance with this condition, DEP will compare conditions in the receiving water upstream of the discharge to conditions in the receiving water approximately 100 feet downstream of the discharge to determine if there is an observable change in the receiving water. (25 Pa Code § 92a.41(c))

2. The monthly average percent removal of $BOD_5$ or $CBOD_5$ and TSS must be at least 85% on a concentration basis except where 25 Pa. Code 92a.47(g) and (h) are applicable to facilities with combined sewer overflows (CSOs) or as otherwise specified in this permit. (25 Pa. Code § 92a.47(a)(3))

3. If the permit requires the reporting of average weekly statistical results, the maximum weekly average concentration and maximum weekly average mass loading shall be reported, regardless of whether the results are obtained for the same or different weeks.

4. The permittee shall monitor the sewage effluent discharge(s) for the effluent parameters identified in the Part A limitations table(s) during all bypass events at the facility, using the sample types that are specified in the limitations table(s). Where the required sample type is “composite”, the permittee must commence sample collection within one hour of the start of the bypass, wherever possible. The results shall be reported on the Daily Effluent Monitoring supplemental form (3800-FM-BCW0435) and be incorporated into the calculations used to report self-monitoring data on Discharge Monitoring Reports (DMRs).

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 effluent limitations for Outfall were determined using an effluent discharge rate of 13.0 million gallons per day.

(2) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N ($NO_2$+$NO_3$-N), where TKN and $NO_2$+$NO_3$-N are measured in the same sample.

## 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 pollutant loading to surface waters of the Commonwealth. The term also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term includes activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters within this Commonwealth before, during and after earth disturbance activities. (25 Pa. Code § 92a.2)

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

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

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

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

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

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

*Daily Discharge* means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day. (25 Pa. Code § 92a.2, 40 CFR 122.2)

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

*Discharge Monitoring Report* (DMR) means the DEP or EPA supplied form(s) for the reporting of self-monitoring results by the permittee. (25 Pa. Code § 92a.2, 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 $n^{th}$ root of their product.

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

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

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

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

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

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

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

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

*Monthly Average Discharge Limitation* means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. (25 Pa. Code § 92a.2)

*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)

*Municipal Waste* means garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities; and sludge not meeting the definition of residual or hazardous waste under this section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility. (25 Pa. Code § 271.1)

*Residual Waste* means garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous. The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act. The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under the Clean Streams Law. (25 Pa Code § 287.1)

*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

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(j)(1)). Representative sampling includes the collection of samples, where possible, during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized. (40 CFR 122.48, 25 Pa. Code § 92a.61)

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

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

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

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

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

4. Test Procedures

   a. 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.

   b. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be those approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, unless the method is specified in this permit or has been otherwise approved in writing by DEP. (40 CFR 122.41(j)(4), 122.44(i)(1)(iv))

   c. Test procedures (methods) for the analysis of pollutants or pollutant parameters shall be sufficiently sensitive. A method is sufficiently sensitive when 1) the method minimum level is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or 2) the method has the lowest minimum level of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR Chapter I, Subchapters N or O, for the measured pollutant or pollutant parameter; or 3) the method is specified in this permit or has been otherwise approved in writing by DEP for the measured pollutant or pollutant parameter. Permittees have the option of providing matrix or sample-specific minimum levels rather than the published levels. (40 CFR 122.44(i)(1)(iv))

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. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.44, 92a.61(i) and 40 CFR §§ 122.41(e), 122.44(i)(1))

2. The permittee shall use DEP's electronic Discharge Monitoring Report (eDMR) system to report the results of compliance monitoring under this permit (see www.dep.pa.gov/edmr). Permittees that are not using the eDMR system as of the effective date of this permit shall submit the necessary registration and trading partner agreement forms to DEP's Bureau of Clean Water (BCW) within 30 days of the effective date of this permit and begin using the eDMR system when notified by DEP BCW to do so. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

3. Submission of a physical (paper) copy of a Discharge Monitoring Report (DMR) is acceptable under the following circumstances:

   a. For a permittee that is not yet using the eDMR system, the permittee shall submit a physical copy of a DMR to the DEP regional office that issued the permit during the interim period between the submission of registration and trading partner agreement forms to DEP and DEP's notification to begin using the eDMR system.

   b. For any permittee, as a contingency a physical DMR may be mailed to the DEP regional office that issued the permit if there are technological malfunction(s) that prevent the successful submission of a DMR through the eDMR system. In such situations, the permittee shall submit the DMR through the eDMR system within 5 days following remedy of the malfunction(s).

4. DMRs must be completed in accordance with DEP's published DMR instructions (3800-FM-BCW0463). DMRs must be received by DEP no later than 28 days following the end of the monitoring period. DMRs are based on calendar reporting periods and must be received by DEP in accordance with the following schedule:

   - Monthly DMRs must be received within 28 days following the end of each calendar month.
   - Quarterly DMRs must be received within 28 days following the end of each calendar quarter, i.e., January 28, April 28, July 28, and October 28.
   - Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 and July 28.
   - Annual DMRs must be received by January 28, unless Part C of this permit requires otherwise.

5. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) attached to this permit, or an approved equivalent, and submit the signed, completed forms as attachments to the DMR, through DEP's eDMR system. DEP's Supplemental Laboratory Accreditation Form (3800-FM-BCW0189) must be completed and submitted to DEP with the first DMR following issuance of this permit, and anytime thereafter when changes to laboratories or methods occur. (25 Pa. Code §§ 92a.3(c), 92a.41(a), 92a.61(g) and 40 CFR § 122.41(l)(4))

6. 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 and for co-permittees, 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))

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

C. Reporting and Notification Requirements

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

   Notice is required when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b). (40 CFR 122.41(l)(1)(i))

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in this permit. (40 CFR 122.41(l)(1)(ii))

   c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 CFR 122.41(l)(1)(iii))

   d. The planned change may result in noncompliance with permit requirements. (40 CFR 122.41(l)(2))

2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code § 92a.24(a) and 40 CFR 122.42(b), the permittee shall provide notice to DEP and EPA as soon as possible but no later than 45 days prior to any planned changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes, as specified in paragraphs 2.a. and 2.b., below. Notice shall be provided on the “Planned Changes to Waste Stream” Supplemental Report (3800-FM-BCW0482), available on DEP’s website. The permittee shall provide information on the quality and quantity of waste introduced into the facility, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility. The Report shall be sent via Certified Mail or other means to confirm DEP’s receipt of the notification. DEP will determine if the submission of a new application and receipt of a new or amended permit is required.

   a. Introduction of New Pollutants (25 Pa. Code § 92a.24(a), 40 CFR 122.42(b)(1))

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

(i) Any pollutants that were not detected in the facilities' influent waste stream as reported in the permit application; and have not been approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Any new introduction of pollutants into the facility from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants (40 CFR 122.42(b)(1)).

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

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

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

(i) Were detected in the facilities' influent waste stream as reported in the permittee's permit application; or have been previously approved to be included in the permittee's influent waste stream by DEP in writing.

(ii) Have an effluent limitation or monitoring requirement in this permit.

The permittee shall provide notification of the introduction of increased influent loading (lbs/day) of approved pollutants in accordance with paragraph 2 above when (1) the cumulative increase in influent loading (lbs/day) exceeds 20% of the maximum loading reported in the permit application, or a loading previously approved by DEP and/or EPA, or (2) may cause an exceedance in the effluent of Effluent Limitation Guidelines (ELGs) or limitations in Part A of this permit, or (3) may cause interference or pass through at the facility, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP does not respond to the notification within 30 days of its receipt, the permittee may proceed with the increase in loading. The acceptance of increased loading of approved pollutants may not result in an exceedance of ELGs or effluent limitations, may not result in a hydraulic or organic overload condition as defined in 25 Pa. Code § 94.1, and may not cause exceedances of the applicable water quality standards in the receiving stream.

3. Reporting Requirements for Hauled-In Wastes

a. Receipt of Residual Waste

(i) The permittee shall document the receipt of all hauled-in residual wastes (including but not limited to wastewater from oil and gas wells, food processing waste, and landfill leachate), as defined at 25 Pa. Code § 287.1, that are received for processing at the treatment facility. The permittee shall report hauled-in residual wastes on a monthly basis to DEP on the "Hauled In Residual Wastes" Supplemental Report (3800-FM-BCW0450) as an attachment to the DMR. If no residual wastes were received during a month, submission of the Supplemental Report is not required.

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

(1) The dates that residual wastes were received.

(2) The volume (gallons) of wastes received.

(3) The license plate number of the vehicle transporting the waste to the treatment facility.

(4) The permit number(s) of the well(s) where residual wastes were generated, if applicable.

(5) The name and address of the generator of the residual wastes.

(6) The type of wastewater.

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

(ii) The following conditions apply to the characterization of residual wastes received by the permittee:

(1) If the generator is required to complete a chemical analysis of residual wastes in accordance with 25 Pa. Code § 287.51, the permittee must receive and maintain on file a chemical analysis of the residual wastes it receives. The chemical analysis must conform to the Bureau of Waste Management's Form 26R except as noted in paragraph (2), below. Each load of residual waste received must be covered by a chemical analysis if the generator is required to complete it.

(2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the chemical analysis may be a general frac wastewater characterization approved by DEP. Thereafter, the chemical analysis must be waste-specific and be reported on the Form 26R.

b. Receipt of Municipal Waste

(i) The permittee shall document the receipt of all hauled-in municipal wastes (including but not limited to septage and liquid sewage sludge), as defined at 25 Pa. Code § 271.1, that are received for processing at the treatment facility. The permittee shall report hauled-in municipal wastes on a monthly basis to DEP on the "Hauled In Municipal Wastes" Supplemental Report (3800-FM-BCW0437) as an attachment to the DMR. If no municipal wastes were received during a month, submission of the Supplemental Report is not required.

The following information is required by the Supplemental Report:

(1) The dates that municipal wastes were received.

(2) The volume (gallons) of wastes received.

(3) The $BOD_5$ concentration (mg/l) and load (lbs) for the wastes received.

(4) The location(s) where wastes were disposed of within the treatment facility.

(ii) Sampling and analysis of hauled-in municipal wastes must be completed to characterize the organic strength of the wastes, unless composite sampling of influent wastewater is performed at a location downstream of the point of entry for the wastes. The influent $BOD_5$ characterization for the treatment facility, as reported in the annual Municipal Wasteload Management Report per 25 Pa. Code Chapter 94, must be representative of the hauled-in municipal wastes received.

4. Unanticipated Noncompliance or Potential Pollution Reporting

a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code §§ 91.33 and 92a.41(b).

(i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in

pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

(ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.

(iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.

b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:

(i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (40 CFR 122.41(l)(6)(ii)):

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

(2) Any upset which exceeds any effluent limitation in the permit; and

(3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the permit as being subject to the 24-hour reporting requirement.

(ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

(iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

5. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.4 of this section or specific requirements of compliance schedules, at the time DMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BCW0440). The reports shall contain the information listed in paragraph C.4.b.(ii) of this section. (40 CFR 122.41(l)(7))

**PART B**

## I. MANAGEMENT REQUIREMENTS

A. Compliance

1. The permittee shall comply with all conditions of this permit. If a compliance schedule has been established in this permit, the permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit. (40 CFR 122.41(a)(1))

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. (25 Pa. Code § 92a.51(c), 40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This permit may be modified, terminated, or revoked and reissued during its term in accordance with 25 Pa. Code § 92a.72 and 40 CFR 122.41(f).

2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. (40 CFR 122.41(f))

3. In the absence of DEP action to modify or revoke and reissue this permit, the permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time specified in the regulations that establish those standards or prohibitions. (40 CFR 122.41(a)(1))

C. Duty to Provide Information

1. The permittee shall furnish to DEP, within a reasonable time, any information which DEP may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. (40 CFR 122.41(h))

2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this permit. (40 CFR 122.41(h))

3. Other Information - Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))

4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, as required in Part C of this permit.

   a. The requirements identified in 25 Pa. Code § 94.12.

   b. A “Solids Management Inventory” if specified in Part C of this permit.

   c. The total volume of hauled-in residual and municipal wastes received during the year, by source.

D. General Pretreatment Requirements

1. Where pollutants contributed by indirect dischargers result in interference or pass through, and a violation is likely to recur, the permittee shall develop and enforce specific limits for indirect dischargers and other users, as appropriate, that together with appropriate facility or operational changes, are necessary to ensure renewed or continued compliance with this permit or sludge use or disposal

practices. Where facilities do not have an approved Pretreatment Program, the permittee shall submit a copy of such limits to DEP when developed. (25 Pa. Code § 92a.47(d))

E. Proper Operation and Maintenance

1. The permittee shall employ operators certified in compliance with the Water and Wastewater Systems Operators Certification Act (63 P.S. §§ 1001-1015.1).

2. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. This provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit. (40 CFR 122.41(e))

F. Duty to Mitigate

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

G. Bypassing

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

2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:

a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))

b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))

c. The permittee submitted the necessary notice required in paragraph G.4 below. (40 CFR 122.41(m)(4)(i)(C))

3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in paragraph G.2 above. (40 CFR 122.41(m)(4)(ii))

4. Notice

a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))

b. Unanticipated Bypass – The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.4.b.

H. Sanitary Sewer Overflows (SSOs)

An SSO is an overflow of wastewater, or other untreated discharge from a separate sanitary sewer system (which is not a combined sewer system), which results from a flow in excess of the carrying capacity of the system or from some other cause prior to reaching the headworks of the sewage treatment facility. SSOs are not authorized under this permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.4 of this permit.

## 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 operator 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 122.41(b))

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 with CSO**.

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. The fees identified above are subject to change in accordance with 25 Pa. Code § 92a.62(e).

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 Clean Water
Re: Chapter 92a Annual Fee
P.O. Box 8466
Harrisburg, PA 17105-8466

**PART C**

## I. OTHER REQUIREMENTS

A. No storm water from pavements, area ways, roofs, foundation drains or other sources shall be directly admitted to the sanitary sewers associated with the herein approved discharge.

B. The permittee shall comply with the requirements of Chapter 94 Municipal Wasteload Management. The permittee shall submit a complete and accurate Municipal Wasteload Management Report to the Department, in duplicate, by March 31 of each year. The report shall contain the information under Section 94.12 of the Departments Wasteload Management Regulations, Title 25 Pa. Code Chapter 94.

C. The hydraulic design capacity of 13.0 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.

D. The organic design capacity of 19,950 lbs $BOD_5$ 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 Title 25 Pa. Code Chapter 94.

E 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 or 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.

F. Collected screenings, slurries, sludges, and other solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapters 271, 273, 275, 283, and 285 (related to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR 257, Pennsylvania Clean Streams Law, Pennsylvania Solid Waste Management Act of 1980, and the Federal Clean Water Act and its amendments. The permittee is responsible to obtain or assure that contracted agents have all necessary permits and approvals for the handling, storage, transport, and disposal of solid waste materials generated as a result of wastewater treatment.

G. The permittee shall optimize chlorine dosages used for disinfection or other purposes to minimize the concentration of Total Residual Chlorine (TRC) in the effluent, meet applicable effluent limitations, and reduce the possibility of adversely affecting the receiving waters. Optimization efforts may include an evaluation of wastewater characteristics, mixing characteristics, and contact times, adjustments to process controls, and maintenance of the disinfection facilities. If DEP determines that effluent TRC is causing adverse water quality impacts, DEP may reopen this permit to apply new or more stringent effluent limitations and/or require implementation of control measures or operational practices to eliminate such impacts.

   Where the permittee does not use chlorine for primary or backup disinfection, but proposes the use of chlorine for cleaning or other purposes, the permittee shall notify DEP prior to initiating use of chlorine and monitor TRC concentrations in the effluent on each day in which chlorine is used. The results shall be submitted as an attachment to the DMR.

H. In the event that the Department determines that the permittee’s batch discharges are causing impairment to the aquatic life of the receiving stream due to the magnitude and frequency of the discharges, the permittee shall submit a Corrective Action Plan to equalize decant flows prior to discharge with a schedule to complete the improvements. The Corrective Action Plan and schedule shall be submitted within 60 days of the Department’s written notification. Upon approval of the Plan, the Department will issue an amendment to the facility’s Water Quality Management Permit.

I. The permittee shall not accept hauled-in wastes at the treatment facility under the following conditions, unless otherwise approved by DEP in writing:

1. When acceptance of hauled-in wastes would cause a hydraulic or organic overload as defined in Chapter 94.1 of the DEP's regulations.

2. When the treatment facility is considered to be in an existing hydraulic or organic overload condition, as determined by the permittee or DEP, as defined in Chapter 94.1 of the DEP's regulations.

3. When the instantaneous flow at the treatment facility exceeds 39.0 MGD (the Chapter 94 hydraulic design capacity of the facility multiplied by a peaking factor of three), and for 24 hours following exceedance of this threshold.

## II. MAXIMIZING TREATMENT AT THE EXISTING TREATMENT FACILITY

A CSO-related bypass of the secondary treatment portion of the treatment plant is authorized only when (1) the permittee is implementing Nine Minimum Controls and a Long Term Control Plan and the bypass is part of the operational plan for implementing Nine Minimum Controls and the Long Term Control Plan, (2) it is in accordance with the provision of 40 CFR 122.41 (m) and (3) the flow rate to the treatment plant, as a result of a precipitation or snow-melt events, exceeds 56 MGD. Bypasses that occur when the flow at the time of the bypass is less than the above specified flow rate are not authorized under this condition.

In the event of a CSO-related bypass authorized under this condition, the permittee shall minimize the discharge of pollutants to the receiving water. At a minimum, the CSO-related bypass flows must receive primary clarification, solids and floatables removal, and disinfection. The bypass may not cause the effluent from the facility either to exceed the effluent limits contained in its permit or to cause or contribute to a violation of water quality standards. The permittee shall report any substantial changes in the volume or character of pollutants being introduced into the facility or that may be present in the CSO-related bypass. 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 facility or in the bypassed flow. The permittee shall provide notice to the permitting authority of bypasses authorized under this condition within 24 hours of occurrence of the bypass.

## III. COMBINED SEWER OVERFLOWS

A. Management and Control of Combined Sewer Overflows

1. Combined sewer overflows (CSOs) are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system during or immediately after wet weather periods. Overflows that occur without an accompanying precipitation event or snow-melt are termed "dry weather overflows" and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

2. The point source discharge locations (outfalls) specifically identified in the application submitted by the permittee serve as known combined sewer overflow locations on the permittee sewer system.

B. Continued Implementation of Technology-Based Nine Minimum Controls

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

a. NMC-1 Regular Operation and Regular Maintenance Program

(i) Allocate the proper resources to properly maintain the CSS, perform inspection and maintenance activities on equipment at the appropriate frequency, and make timely repairs to ensure that the CSS is operated effectively.

(ii) Keep current all Organizational Structure and Complaince Program contact information.

(iii) Provide specific collection system component identifiers (inlets, manholes, and sewer system appurtenances, etc.) to organize and report on O&M program implementation.

(iv) Continue a routine monitoring and maintenance program. At a minimum, implement the operation, maintenance, inspection, training and reporting program for all facilities as outlined in the CSS Operation and Maintenance Program within the Nine Minimum Control Plan Update (NMCPU).

(v) Implement the inspection program and activities outlined in Sections 1.7 and 2.2 of the NMCPU including but not limited to:

(1) Maintain and respond to critical facility needs and system technical elements such as: high wet well level, pump failures, pressure loss, or power failures;

(2) Maintain inspection emphasis on collection and conveyance system facilities with known problems;

(3) During routine weekly outfall inspections remove debris from solids and floatables screening controls and remove solids deposition as necessary;

(4) If structural damage or blockages are found, as appropriate, corrective measures and repairs will be immediately undertaken;

(5) Utilize O&M documentation forms included in the NMCPU (and as revised) to document all inspections and facility repairs; and

(6) Clean, CCTV and assess the entire collection and conveyance system sufficient to complete its evaluation within the approved 10-year completion cycle. Repair defects and make improvements as appropriate.

(vi) Maintain all CSO facility permanent flow meters and transmit real-time discharge information via cell phone and email. Continue to operate and maintain these devices and maintain related data to assist with evaluating system capacity and Discharge Monitoring Report (DMR) submissions.

(vii) In coordination with key system operational personnel, review and revise operations manuals and other operational instructions and procedures. NMCPU changes must be approved by the NPDES permit issuing authority.

(viii) Maintain and utilize software for all major wastewater treatment plant equipment and all pump stations throughout the system.

(ix) Maintain a critical equipment inventory sufficient to meet emergency program needs.

b. NMC-2 Maximum Use of the Collection System for Storage

(i) As part of the ten-year CCTV cleaning and collection system inspection assessment cycle, utilize a generally accepted industry-wide cleaning, inspection and defect rating scale, such as NASSCO's PACP program or equivalent.

(ii) Adjust overflow regulator and weir settings to convey as much pollution and sewage as collection and conveyance system capacity will allow.

(iii) Maintain, adjust, repair and replace water inflow prevention devices as necessary to minimize receiving water inflow.

(iv) Clean collection system storm water inlets and catch basins to maximize their wet weather storage capacity. Rebuild/redesign inlets and catch basins that have defects.

(v) Upgrade pumping facilities in areas where additional capacity may be appropriate.

c. NMC-3 Review and Modification of Pre-Treatment Requirements

(i) Issue and evaluate permit recipient's compliance with issued Industrial Waste and Hauled Wastewater discharge permits.

(ii) Implement the permittee's Industrial Pretreatment Program (IPP).

(iii) Utilize company website to provide educational information regarding proper disposal of waste, including fats, oils and grease (FOG).

(iv) If necessary, investigate and enforce Pennsylvania-American Water Company's (PAWC) FOG tariff provision (e.g. periodic sampling of selected commercial and institutional dischargers) to help minimize FOG dischargers and deposition.

(v) Encourage contributing municipalities to enforce existing grease trap ordinances.

(vi) Within its contributing municipalities, encourage enactment of municipal ordinances requiring grease trap installation and maintenance for residential, commercial and institutional dischargers.

d. NMC-4 Maximization of Flow to the STP for Treatment

(i) Maintain CSO regulator and discharge monitors and their real-time data for use, as needed, in evaluating system capacity.

(ii) Adjust overflow regulator and weir settings to convey as much pollution and sewage to the collection and conveyance system as its maximum conveyance capacity will allow.

(iii) Maintain monitors at each pumping station to determine if pumping capacity is meeting design capacity values and as practicable, maximizing conveyance of sewage for treatment.

(iv) Incorporate McKeesport system into PAWC's existing routine program of structure assessment, planning and budgeting for improvements to problematic structures and facilities requiring upgrades.

e. NMC-5 Elimination of CSOs During Dry Weather (DWO)

(i) Conduct weekly inspections and maintenance practices at regulator/flow control structures.

(ii) Conduct inspections of all flow control structures following wet weather events to ensure proper operation. Remove solids deposition to ensure their proper operation and peak performance.

(iii) Maintain inspection records for all flow control structure and outfall inspections conducted.

(iv) Compile information to track and eliminate discharges at locations where dry weather discharges are prone.

(v) Continue to maintain outfall public notficiation signs and advisory (Appendix E) at each accessible discharge point sufficient for public notification instruction.

f. NMC-6 Control of Solid and Floatable Materials

(i) Clean inlet and catch basin structures on approximately a 5-year cycle.

(ii) Monitor solids and floatables controls at regulators during and after storm events.

(iii) Coordinate with municipalities to develop municipal street sweeping efforts to capture solid and floatable materials prior to entry in to the collection system.

(iv) Conduct public outreach programs to inform the public of the impact of solid and floatable discharges and their role in minimizing these impacts.

g. NMC-7 Pollution Prevention Program to Reduce Contaminants in CSOs

(i) Document efforts undertaken to clean and modify catch basins to capture solids.

(ii) Permanently label catch basin and storm water inlets within the collection system informing the general public of the impacts of pollution discharges to receiving waters.

(iii) Utilize the permittee's website and social media platforms to implement a public information and education program fostering pollution prevention, water conservation and flow reduction efforts.

h. NMC-8 Public Notification of Overflow Occurrences and their Impacts

(i) Develop and maintain a public outreach program as discussed in the NMCPU.

(ii) Continue utilizing the permittee's website and through social program outreach and other methods, inform the public of the environmental and health impacts of CSO discharges.

(iii) Provide information within the permittee's customer correspondences directly informing the customer base of water conservation and pollution prevention measures.

i. NMC-9 Monitoring to Characterize the CSO Impacts and the Efficacy of Controls

(i) During each facility inspection visually evaluate the impact of CSO discharges and log findings.

(ii) As part of the CSO Discharge Monitoring Report (DMR) reporting process, characterize the frequency, duration and volume of CSO discharges and evaluate NMC efficacy.

(iii) Track and report on the location, number, type and frequency of DWO discharges both for NMC implementation program evaluation and for their elimination.

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

3. These NMC implementation and documentation obligations incorporate by reference the December 5, 2017 Pennsylvania American Water Company NMCPU. All NMCs shall be implemented utilizing best professional judgement and best management practices to ensure maximum efficacy.

C. Implementation of Water Quality-Based Long Term Control Plan (LTCP)

1. The long term goal of the LTCP requirements in this permit is to achieve compliance with the state water quality standards upon completion of the LTCP implementation. The CSO discharge(s) shall comply with the performance standards of the selected CSO controls and shall comply with the water quality standards found in Chapter 93. When additional CSO-related information and data becomes available to revise water quality-based effluent limitations, the permit should be revised, as appropriate, to reflect the new effluent limitations.

2. The permittee shall implement, inspect, monitor and effectively operate and maintain the CSO controls identified in the LTCP and submit the Annual CSO Status Report referenced in paragraph E.2 below.

3. The LTCP, at a minimum, shall incorporate the following requirements:

   a. Continued implementation of the nine minimum controls;

   b. Protection of sensitive areas (recreation areas, public water supply, unique ecological habitat, etc.);

   c. Characterization, monitoring and modeling of overflows and assessment of water quality impacts;

   d. Evaluation and selection of control alternative - presumptive or demonstrative approach;

   e. Public participation in LTCP plan development and implementation;

   f. Implementation schedule and financing plan for selected control options;

   g. Maximizing treatment at the existing treatment plant;

   h. A post-construction monitoring program plan adequate to verify compliance with water quality standards and protection of designated uses as well as to ascertain the effectiveness of CSO controls must be submitted when the LTCP has been implemented. This water quality compliance monitoring program should include a plan to be approved by the Department that details the monitoring protocols to be followed; and,

   i. CSO System Operational Plan.

4. The LTCP is described in the EPA's guidance document entitled "Guidance For Long Term Control Plan" (EPA 832-B-95-002), dated September 1995. Using a 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.

D. CSO Water Quality-Based Effluent Limit

The permittee shall comply with the following performance standards. These standards shall apply during a "typical year" for purposes of that portion of the system within the City of McKeesport is defined as a year with precipitation characteristics that are not materially different than the characteristics of 2003 as described in Section 2.4.1 of the Municipal Authority of the City of McKeesport Long Term Control Plan dated December 2007. A "typical year" for purposes of that portion of the system within the Borough of Port Vue will be defined based upon the Long Term Control Plan for that area to be developed by the permittee and approved by the Department.

1. The permittee shall eliminate or capture for treatment, or storage and subsequent treatment, at least 85 percent of the system-wide combined sewage volume collected in the combined sewer system during precipitation events under design conditions.

E. Monitoring and Reporting Requirements

1. Discharge Monitoring Report (DMR) Supplemental Reports for Combined Sewer Overflows:

   The permittee shall record data on CSO discharges in the format specified in DEP's DMR Supplemental Reports for CSOs attached to this permit. The data shall be submitted to the appropriate regional office of the Department within 28 days of the end of the month. For CSOs that are part of a wastewater treatment facility, the DMR Supplemental Reports for CSOs must be submitted with the permittee's regular DMR. Copies of the DMR Supplemental Reports for CSOs must be retained at the Sewage Treatment Plant (STP) site for at least three (3) years.

2. Annual CSO Status Report

On March 31 of each year, an Annual CSO Status Report 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 facility providing treatment for its wastewater. DEP's Annual CSO Status Report template (3800-PM-BPNPSM0076e) shall be used.

a. The Annual CSO Status Report shall:

(i) Provide a summary of the frequency, duration and volume of the CSO discharges for the past calendar year;

(ii) Provide the operational status of overflow points;

(iii) Provide an identification of known in-stream water quality impacts, their causes, and their effects on downstream water uses;

(iv) Summarize all actions taken to implement the NMCs and the LTCP and their effectiveness; and,

(v) Evaluate and provide a progress report on implementing and necessary revisions to the NMC and LTCP.

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

(i) Rain gauge data - total inches (to the nearest 0.01 inch) that caused each CSO discharge being reported in the supplemental DMR Supplemental Reports for CSOs.

(ii) Inspections and maintenance.

(1) Total number of permittee/owner inspections conducted during the period of the report (reported by drainage system).

(2) 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 and/or suspected to have occurred.

(iii) Dry weather overflows

Dry weather CSO discharges are prohibited. Immediate telephone notification to DEP of such discharge is required in accordance with 25 Pa. Code, Section 91.33. Indicate location, date and time discovered, date and time corrected/ceased, and action(s) taken to prevent their reoccurrence. A plan to correct this condition and schedule to implement the plan must be submitted with the DMR Supplemental Reports for CSOs.

(iv) Wet weather overflows

(1) 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, and duration of wet weather overflows.

(2) For all locations at which flows in the interceptors can be controlled by throttling and/or 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.

3. Post Construction Compliance Monitoring

   The Permittee shall implement, once approved, the Post Construction Compliance Monitoring Plan which includes monitoring and collection of information necessary to demonstrate compliance with water quality standards and protection of designated uses, and to determine the effectiveness of the LTCP CSO controls. The PCCM shall be implemented in accordance with the PCCM's approved schedule.

F. Area-Wide Planning/Participation Requirement

Where applicable, the permittee shall cooperate with and participate in any interconnected CSO system's NMCs and LTCP activities being developed and/or carried out by the operator(s) of these systems, and shall participate in implementing applicable portions of the approved NMC and LTCP for these systems.

G. 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 and 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 and that is adopted or promulgated subsequent to the effective date of this permit.

2. To include new or revised conditions if new information indicates that CSO controls imposed under the permit have failed to ensure the attainment of State Water Quality Standards or protect designated uses.

3. To include new or revised conditions based on new information resulting from implementation of the LTCP or other plans or data.

H. Combined Sewer Overflow Deliverable Schedule

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

| **Schedule Activity Description** | **Due Date** |
|---|---|
| Continue Implementation of the NMCs | Permit effective date |
| Continue Implementation of the LTCP | Permit effective date |
| Submit Annual CSO Status Report to Department with Chapter 94 Report | March 31 of each year |
| Submit DMR Supplemental Reports for CSOs | Within 28 days of the end of a month |

## IV. INDUSTRIAL PRETREATMENT PROGRAM IMPLEMENTATION

A. The permittee shall develop and implement an industrial pretreatment program ("program") to assure that the permittee's facilities are capable of maintaining compliance with the terms and conditions of this permit and are not subject to pass through, interference, or reductions in sludge quality due to contributions from industrial users as defined by 25 Pa. Code § 94.1. The permittee shall submit a copy of the industrial pretreatment program to DEP within sixty (60) days from the date of transfer of this permit. The permittee's program shall include the following elements:

1. Establishment of Industrial User Limits – The permittee shall establish and enforce pollutant limits for industrial users ("industrial user limits") that assure the mass of pollutants entering the permittee's

treatment plant will not result in non-compliance with the permittee's effluent limitations contained in Part A of this permit. The permittee's industrial user limits shall, at a minimum, be consistent with the technology-based pretreatment standards contained in 40 CFR Parts 405 through 471, as applicable. The permittee shall submit industrial user limits to DEP upon request.

2. Reevaluation of Industrial User Limits.

   a. The permittee shall conduct a headworks analysis in order to reevaluate its industrial user limits within one year of the date of transfer of this permit or, if a headworks analysis of the treatment plant has been completed within the previous five years, within five years from completion of the previous headworks analysis. The reevaluation of industrial user limits shall consider, at a minimum, all water quality standards under 25 Pa. Code Chapter 93 applicable to the pollutants included in the reevaluation, unless the permittee is subject to an effluent limitation for the pollutant in Part A of this permit. Unless otherwise approved in writing, the list of pollutants shall include arsenic, cadmium, chromium, copper, cyanide, lead, mercury, molybdenum, nickel, selenium, silver, zinc, $BOD_5$, TSS, ammonia, any pollutants for which an industrial user limit currently exists, any pollutant limited in this permit, as well as any other pollutants that have been identified in the treatment plant through monitoring or the receipt of indirect discharges and hauled-in wastes in quantities that have the potential to cause pass through and/or interference. The headworks analysis shall be submitted to DEP upon completion.

   b. The permittee shall consider any changes that have occurred to federal pretreatment standards in 40 CFR Parts 405 through 471 that have been promulgated by the U.S. Environmental Protection Agency since the previous reevaluation.

   c. Within six months of completion of the headworks analysis, the permittee shall revise industrial user limits as necessary and notify industrial users of any revised limits.

3. Routine Monitoring – The permittee shall conduct monitoring at its treatment plant that, at a minimum, includes quarterly influent, effluent, and sludge analysis for all pollutants for which industrial user limits have been established, and an annual priority pollutant scan for influent and sludge.

4. Notification of Pass Through or Interference – The permittee shall notify DEP in writing of any instance of pass through or interference, as defined by 25 Pa. Code § 94.1 respectively, known or suspected to be related to a discharge from an industrial user into the treatment plant. The notification shall be attached to the DMR for the month in which the incident occurred, and shall describe the incident, including the date, time, length, cause (including responsible user if known), and the steps taken by the permittee and industrial user (if identified) to address the incident.

B. Annual Report – By March 31 of each year, the permittee shall submit to DEP a report documenting its activities under the industrial pretreatment program for the previous calendar year. The permittee shall attach the report to the annual report that is required by 25 Pa. Code § 94.12 ("Chapter 94 Report"). The permittee shall provide the following information in its annual industrial user management program report, at minimum:

1. An updated industrial listing providing the names and addresses of all current industrial users.

2. A summary of any hauled-in wastes accepted at the treatment plant including the source of the wastes (domestic, commercial or industrial) and the receiving location for acceptance of the wastes. For each industrial source, the report shall indicate (1) the name and address of the industrial source; (2) the average daily amount of wastewater received; (3) a brief description of the type of process operations conducted at the industrial facility; and (5) any controls imposed on the user.

3. A summary of the number and types of inspections and sampling events of industrial users by the permittee, including a list of all industrial users either not sampled or not inspected, and the reason that the sampling and/or inspection was not conducted.

4. A summary of the number and type of violations of industrial user limits, and the actions taken by the permittee to obtain compliance.

5. A summary of any interference, pass through, or permit violations at the treatment plant with an indication of the following: (1) which, if any, permit violations may be attributed to industrial users; (2) which industrial users are responsible for such violations; and (3) the actions taken to address these events. The report shall also include all sampling and analysis of treatment plant influent, effluent, and sludge conducted during the year for industrial user limit pollutants and priority pollutants.

6. A summary of any changes made or proposed to the program during the period covered by the report and the date of submission to DEP.

C. Program Changes –DEP may require the permittee to submit changes to its industrial pretreatment program if any one or more of the following conditions occur:

1. Problems such as interference, pass through or sludge contamination develop or continue.

2. The treatment plant proposes to accept new pollutants or an increased loading of approved pollutants as described in Part A III.C.2 of this permit.

3. Federal, State, or other pretreatment requirements change;

4. Changes are needed to assure protection of waters of the Commonwealth.

## V. SOLIDS MANAGEMENT

A. The permittee shall manage and properly dispose of sewage sludge and/or biosolids by performing sludge wasting that maintains an appropriate mass balance of solids within the treatment system. The wasting rate must be developed and implemented considering the specific treatment process type, system loadings, and seasonal variation while maintaining compliance with effluent limitations. Holding excess sludge within clarifiers or in the disinfection process is not permissible.

B. The permittee shall submit the Supplemental Reports entitled, "Supplemental Report – Sewage Sludge/Biosolids Production and Disposal" (Form No. 3800-FM-BCW0438) and "Supplemental Report – Influent & Process Control" (Form No. 3800-FM-BCW0436), 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-BCW0437) and "Supplemental Report – Hauled In Residual Wastes" (Form No. 3800-FM-BCW0450), 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.

## VI. WHOLE EFFLUENT TOXICITY (WET)

A. General Requirements

1. The permittee shall conduct chronic WET tests as specified in this section. The permittee shall collect discharge samples and perform WET tests to generate chronic survival and reproduction data for the cladoceran, *Ceriodaphnia dubia* and chronic survival and growth data for the fathead minnow, *Pimephales promelas*.

2. Samples shall be collected at Outfall 001 in accordance with paragraph E.

3. The permittee shall perform testing using the following dilution series: 100%, 60%, 30%, 4%, and 2% effluent, with a control, where 4% is the facility-specific Target In-Stream Waste Concentration (TIWC).

4. The determination of whether a test endpoint passes or fails shall be made using DEP's WET Analysis Spreadsheet (available at www.dep.pa.gov/wett) by comparing replicate data for the control with replicate data for the TIWC dilution or any dilution greater than the TIWC.

5. The permittee shall submit only valid WET test results to DEP.

B. Test Frequency and Reporting

1. WET testing shall be conducted annually, at a minimum, during the period January 1 – December 31. Annual WET tests must be completed at least 6 months apart, and shall start in the year the permit becomes effective if the permit effective date is prior to October 1.

2. A complete WET test report shall be submitted to the DEP regional office that issued the permit within 45 days of test completion. A complete WET test report submission shall include the information contained in paragraph H, below. The permittee shall continue annual WET monitoring, at a minimum, during the permit renewal review period and during any period of administrative extension of this permit.

3. If a test failure is determined for any endpoint during annual monitoring, the permittee shall initiate a re-test for the species with the failure within 45 days of test completion. All endpoints for the species shall be evaluated in the re-test. The results of the re-test shall be submitted to the DEP regional office that issued the permit.

4. If a passing result is determined for all endpoints in a re-test, the permittee may resume annual monitoring.

5. If there is a failure for one or more endpoints in a re-test, the permittee shall initiate or continue quarterly WET testing for both species until there are four consecutive passing results for all endpoints. The results of all tests shall be submitted to the DEP regional office that issued the permit. In addition, the permittee shall initiate a Phase I Toxicity Reduction Evaluation (TRE) as specified in paragraph C, below.

6. The permittee shall attach the WET Analysis Spreadsheet for the latest four consecutive WET tests to the NPDES permit renewal application that is submitted to DEP at least 180 days prior to the permit expiration date.

C. Phase I Toxicity Reduction Evaluation (TRE)

1. The Phase I TRE trigger is one WET endpoint failure followed by a re-test that confirms the failure for the same species. When the TRE process is triggered, quarterly WET testing shall be initiated for both species until there are four consecutive passing results for all endpoints. The Phase I TRE may include a Toxicity Identification Evaluation (TIE) if the permittee cannot immediately identify the possible causes of the effluent toxicity and the possible sources of the causative agents.

2. The permittee shall, within one year following the Phase I TRE trigger, submit a Phase I TRE report to the DEP regional office that issued the permit. The Phase I TRE shall be conducted in accordance with EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. If a TIE is conducted as part of the Phase I TRE, it shall conform to EPA's guidance, "Methods for Aquatic Toxicity Identification Evaluations Phase I" (EPA/600/6-91/003), "Phase II" (EPA/600/R-92/080), "Phase III" (EPA/600/R-92/081) and other relevant EPA guidance. The Phase I TRE report shall be submitted with the fourth quarterly WET test report that is completed following the Phase I TRE trigger.

The TRE shall include all activities undertaken to identify the cause(s) and source(s) of toxicity and any control efforts.

3. If all four quarterly WET tests produce passing results for all endpoints during the Phase I TRE process, performance of a Phase II TRE is not required, and annual WET testing in accordance with paragraph B.1 may resume.

4. If the four WET tests produce at least one failing result during the Phase I TRE process, the permittee shall continue quarterly WETT monitoring for both species and initiate a Phase II TRE in accordance with paragraph D. In this case, the Phase I TRE must include a schedule for completion of the Phase II TRE. The schedule must include interim milestones and a final completion date not to exceed two years from the initiation of the Phase II TRE. The permittee shall implement the Phase II TRE in accordance with the schedule unless DEP issues written approval to modify the schedule or cease performance of the Phase II TRE.

5. Re-tests during the TRE process are required for invalid tests but are optional and at the discretion of the permittee for valid tests. The results of all re-tests must be submitted to the DEP regional office that issued the permit along with the required elements in paragraph H.

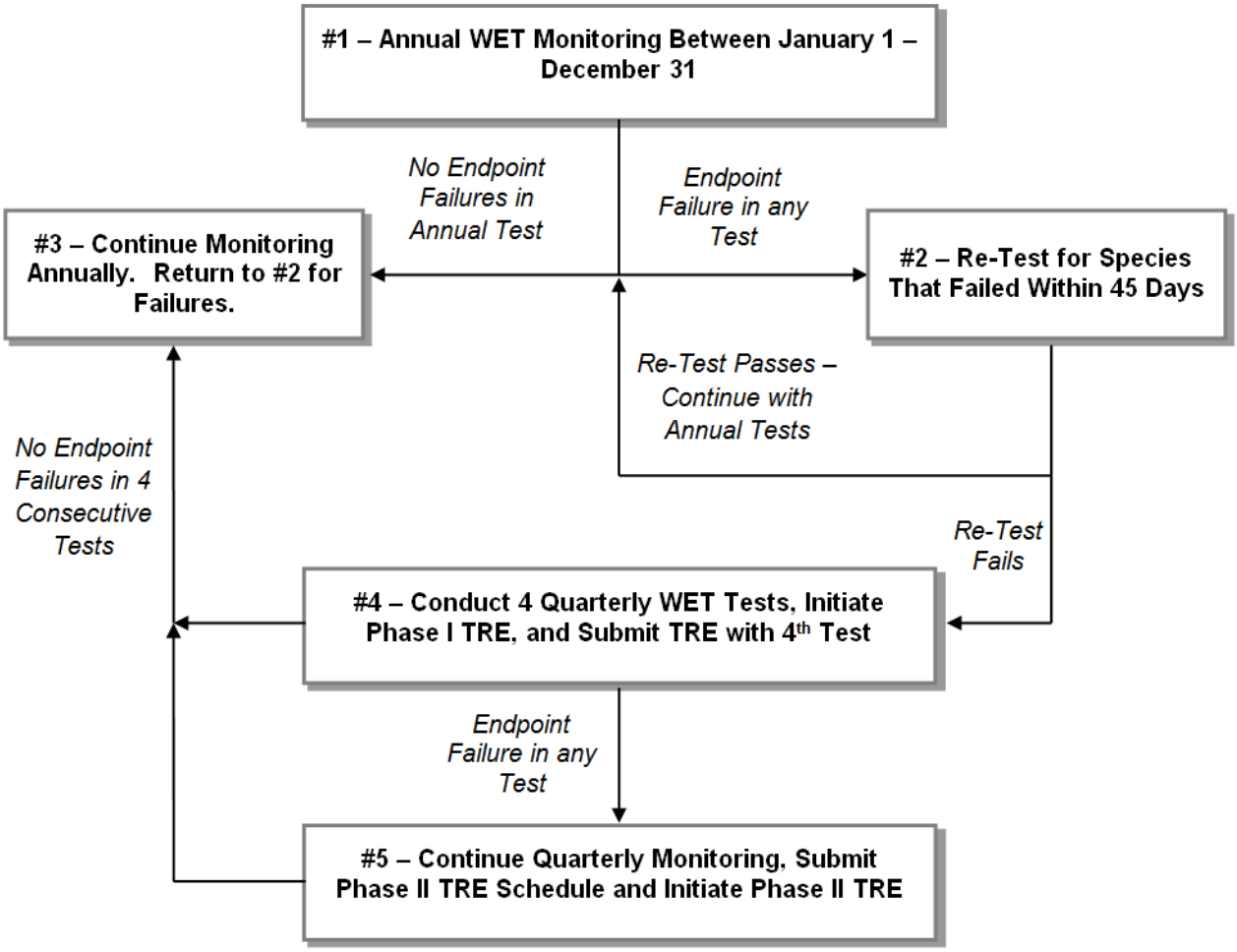
D. Phase II Toxicity Reduction Evaluation (TRE)

1. The Phase II TRE trigger is one WET endpoint failure during performance of the Phase I TRE. A Phase II TRE, if required, shall conform to EPA's guidance, "Toxicity Reduction Evaluation for Municipal Wastewater Treatment Plants" (EPA/833B-99/002), "Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations" (EPA/600/2-88/070), and other relevant EPA guidance, as applicable. A Phase II TRE evaluates the possible control options to reduce or eliminate the effluent toxicity and the implementation of controls.

2. Once initiated, the Phase II TRE must continue until the source(s) of toxicity are controlled as evidenced by four consecutive WET test passing results for all endpoints, and a final TRE report must be submitted on or before the date specified in the schedule, unless otherwise approved by DEP in writing.

3. If four consecutive quarterly WET tests produce passing results for all endpoints during the Phase II TRE process, annual WET testing in accordance with paragraph B.1 may be initiated or resume.

An overview of the process described in paragraphs B, C and D is presented below:




E. Sample Collection

For each acute testing event, a 24-hour flow-proportioned composite sample shall be collected. For each chronic testing event, three 24-hour flow-proportioned, composite samples shall be collected over a seven day exposure period. The samples must be collected at a frequency of not greater than every two hours and must be flow-proportioned. The samples must be collected at the permit compliance sampling location. Samples must be analyzed within 36 hours from the end of the compositing period and must be placed on ice and held at ≤ 6°C. Refer to the sample handling and preservation regulations set forth in 40 CFR 136, 25 Pa. Code Chapter 252, The NELAC Institute (TNI) Standard, and the appropriate EPA methods.

F. Test Conditions and Methods

Laboratories must be accredited by the DEP Laboratory Accreditation Program in order to perform and report WET tests for NPDES permit compliance. Laboratories must be either State or NELAP accredited.

1. Acute tests shall be completed in accordance with EPA's "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms" (EPA-821-R-02-012, latest edition). Forty eight (48) hour static non-renewal tests shall be used.

2. Chronic tests shall be completed in accordance with EPA's "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms" (EPA-821-R-02-013, latest edition). Seven (7) day tests shall be used with renewal every 24 hours.

3. The quality assurance and control (QA/QC) requirements and test acceptability standards specified in EPA's test methods and the requirements set forth in 25 Pa Code Chapter 252 or the TNI Standard must be followed.

4. If the permittee or its accredited laboratory determines that QA/QC requirements and/or test acceptability standards have not been met, a re-test shall be initiated within 45 days. Original test data must be maintained by the laboratory and be submitted to DEP upon request. The justification for a re-test must be clearly documented and kept on file with the sample results.

G. Chemical Analyses

Chemical analyses must follow the requirements of the EPA methods and applicable State and/or Federal regulations.

1. Chemical analysis on effluent samples 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.

2. In addition to the chemical analyses required above, those parameters listed in Part A of the NPDES permit for the outfall(s) tested shall be analyzed concurrently with the WET test by using the method(s) specified in the permit.

H. WET Report Elements

WET test reports that are submitted to DEP must include the requirements identified in 25 Pa. Code § 252.401(j)(1) – (15) or in the TNI Standard, or equivalent, as well as the following information:

1. A general test description, including the origin and age of test organisms, dates and results of reference toxicant tests, light and temperature regimes, and other documentation that QA and test acceptability criteria as specified in EPA's methods and DEP's QA Summaries have been met.

2. A description of sample collection procedures and sampling location.

3. Name(s) of individual(s) collecting and transporting samples, including sample renewals, and the date(s) and time(s) of sample collection.

4. All chemical and physical data including laboratory quantitation limits and observations made on the species. The hardness shall be reported for each test condition.

5. Copies of raw data sheets and/or bench sheets with data entries and signatures.

6. When effluents are dechlorinated, dechlorination procedures must be described and if applicable a thiosulfate control used in addition to the normal dilution water control. If the thiosulfate control results are significantly different from the normal control, as determined using DEP's WET Analysis Spreadsheet, the thiosulfate control shall be used in the spreadsheet for comparison with the TIWC condition. The WET report must specify which control was used to determine whether the test result is pass or fail.

7. A description of all observations or test conditions that may have affected the test outcome.

8. Control charts for the species tested regarding age, temperature test range, mortality data and all reference toxicant tests.

9. A completed WET test summary report (3800-FM-BCW0485).

10. A DEP WET Analysis Spreadsheet printout that provides control and TIWC replicate data and displays the outcome of the test (pass or fail) for each endpoint tested.

    WETT reports shall be submitted to the DEP regional office that issued the permit and, for discharges to the Delaware River basin, the Delaware River Basin Commission (DRBC).