



PAG-04
AUTHORIZATION FOR COVERAGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR DISCHARGES FROM
SMALL FLOW TREATMENT FACILITIES (SFTFs)

NPDES PERMIT NO: PA0040576

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.*,

Valleybrook Homeowners Assoc
PO Box 394
Chester Heights, PA 19017-0394

is authorized to discharge from a facility located at **265 Bishops Drive, Chester Heights, PA 19017** in **Chester Heights Borough, Delaware County** to **West Branch Chester Creek (TSF, MF)** which is listed in Watershed **3-G** in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

APPROVAL OF COVERAGE TO DISCHARGE UNDER THIS GENERAL NPDES PERMIT IS AUTHORIZED BEGINNING ON November 1, 2020. WHEN THE GENERAL PERMIT IS RENEWED, REISSUED OR MODIFIED, THE FACILITY OR ACTIVITY COVERED BY THE APPROVAL FOR COVERAGE MUST COMPLY WITH THE FINAL RENEWED, REISSUED OR MODIFIED GENERAL PERMIT.

The authority granted by coverage under this General Permit is subject to the following further qualifications:

1. The permittee shall comply with the effluent limitations and monitoring requirements contained in Part A I.A.
2. Submission of a Notice of Intent (NOI) is not required for renewal of coverage under this General Permit and coverage is automatically extended for the duration of the final renewed, reissued or amended General Permit, unless DEP notifies the permittee in writing that submission of an NOI is required. The permittee shall be responsible for complying with the final renewed, reissued or amended General Permit. If the permittee is unable to comply with the renewed, reissued or amended General Permit, the permittee must submit an application for an individual NPDES permit within 90 days of the final General Permit publication.
3. If there is a conflict between the NOI or its supporting documents and the terms and conditions of this General Permit, the terms and conditions of this General Permit shall apply.
4. Failure to comply with the terms, conditions, or effluent limitations of this General Permit is grounds for enforcement action, or for permit termination or revocation.
5. This NPDES General Permit does not constitute authorization to construct or make modifications to small flow treatment facilities necessary to meet the terms and conditions of this General Permit.

The aforementioned approval is authorized by:

Thomas L. Magge
Environmental Program Manager
Southeast Regional Office
Department of Environmental Protection

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GENERAL PERMIT FOR DISCHARGES FROM
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This General Permit authorizes discharges from new and existing SFTFs to receiving waters in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this General Permit. No new discharge may be commenced under the PAG-04 General Permit until the applicant demonstrates compliance with and/or completes all of the following:

1. The property on which the SFTF discharge is proposed has been approved by DEP pursuant to the Sewage Facilities Act, 35 P.S. § 750.1, *et seq.*, as amended ("Act 537"), and regulations promulgated thereto, to be suitable for an SFTF discharge.
2. The proposed SFTF meets all the requirements of 25 Pa. Code § 71.64.
3. The applicant has obtained a Water Quality Management (WQM) Permit for the SFTF, which has been or will be designed, installed and operated in accordance with DEP's *Small Flow Treatment Facilities Manual*, DEP ID: 362-0300-002, available on DEP's website.
4. The applicant has received a signed copy of this General Permit authorizing coverage under this General Permit.

Owners of existing SFTF discharges which are covered under an individual NPDES permit may seek coverage under this General Permit by submitting an administratively complete and acceptable NOI and documentation that the existing system meets the design standards described in paragraph 3 above to DEP. If the NOI is acceptable and meets the criteria set forth in this General Permit, DEP may, at its discretion, revoke the individual permit and notify the discharger that it is covered under this General Permit. Otherwise, DEP may wait until the expiration of the individual NPDES permit and issue coverage under this General Permit at that time.

DEP may deny coverage under this General Permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

Once coverage is approved, coverage continues automatically as the PAG-04 General Permit is renewed. The submission of an NOI to renew coverage is not required unless DEP notifies the permittee in writing that the submission of an NOI is required to continue coverage.

SCOPE

This PAG-04 General Permit is intended to provide NPDES permit coverage to existing and proposed SFTFs. SFTFs are treatment works designed to adequately treat sewage flows of not greater than 2,000 gallons per day for final disposal using a stream discharge or other methods approved by DEP. The General Permit may not be used to cover other types of treatment facilities including those that process industrial wastes.

NOI REQUIREMENTS

Deadlines for NOI

Persons seeking coverage under this PAG-04 General Permit must submit an administratively complete and acceptable NOI at least 180 days prior to commencing any discharge. Persons authorized to discharge from an SFTF under an individual NPDES permit who are seeking coverage under this General Permit may continue to discharge in accordance with the individual permit while their NOI and associated documents are being reviewed by DEP.

DEP may notify a discharger that it is covered by this General Permit even if the discharger has not submitted an NOI. (40 CFR 122.28(b)(2)(vi)).

Contents of the NOI

The NOI shall be signed in accordance with the signatory requirements of this General Permit and shall contain the information required in the NOI form.

Where to Submit the NOI

Each NOI is to be submitted to the regional office of DEP that has jurisdiction over the county where the facility is located.

DISCHARGES NOT AUTHORIZED BY THIS GENERAL PERMIT

Discharges from SFTFs are not authorized under this General Permit, and DEP may deny coverage under this General Permit, when one or more of the following conditions exist:

1. The discharge, individually or in combination with other similar discharges, is or has the potential to be a contributor of pollution, as defined in the Pennsylvania Clean Streams Law (35 P.S. §§ 691.1 – 691.1001), which is more appropriately controlled under an individual permit.
2. The discharger is not, or will not be, in compliance with any one or more of the conditions of the General Permit.
3. The applicant has failed and continues to fail to comply or has shown a lack of ability or intention to comply with a regulation, permit, schedule of compliance or order issued by DEP.
4. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source.
5. Categorical point source effluent limitations are promulgated by the EPA for those point sources covered by the General Permit.
6. The discharge is not, or will not, result in compliance with an applicable effluent limitation or water quality standard.
7. Other point sources at the facility require issuance of an individual permit, and issuance of both an individual and a General Permit for the facility would constitute an undue administrative burden on DEP.
8. The discharge would be to a surface water classified as a High Quality (HQ) or an Exceptional Value (EV) water under 25 Pa. Code Chapter 93 (relating to Water Quality Standards).
9. The discharge(s) contain toxic or hazardous pollutants, or any other substance which, because of its quantity, concentration or physical, chemical or infectious characteristics, may cause or contribute to an increase in mortality or morbidity in either an individual or the total population, or pose a substantial present or future hazard to human health or the environment when discharged into surface waters.
10. The discharge(s) individually or cumulatively have the potential to cause significant adverse environmental impact or have been determined by DEP to have caused impairment to the receiving waters.
11. The discharge(s) would adversely affect a listed endangered or threatened species or its critical habitat.
12. The facility is covered by an individual permit, and coverage under this General Permit would result in less stringent effluent limitations or terms and conditions.
13. DEP determines that the denial of coverage is necessary for any other reason to ensure compliance with the Federal Clean Water Act (33 U.S.C. §§ 1251 – 1387), the Pennsylvania Clean Streams Law or DEP regulations.
14. The discharge is or will occur from a facility that does not meet the definition of an SFTF or otherwise will use a treatment technology that is not listed in the latest edition of DEP's *Small Flow Treatment Facilities Manual*.

15. The discharge would interfere with a downstream riparian landowner's reasonable use of surface waters, property rights, or otherwise cause a private or public nuisance.

THE AUTHORITY GRANTED BY THIS GENERAL PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. DEP may require a permittee with discharge(s) authorized by this General Permit to apply for and obtain an individual permit by notifying the permittee in writing that an individual permit application is required. If the discharge is to a water body subject to an EPA-approved TMDL, DEP will require an individual permit for the discharge if DEP determines that coverage under this General Permit will not be consistent with the TMDL. Any interested person may petition DEP to take action under this paragraph.

DEP's notice will include the following:

- A brief statement of the reason(s) for this decision;
 - An individual permit application form;
 - A deadline for the owner or operator to submit the application; and
 - A statement that on the effective date of the individual permit, coverage under this General Permit shall automatically terminate.
2. Any person authorized to discharge by this General Permit may request to be excluded from the coverage under this General Permit by applying for an individual permit.
 3. This General Permit does not authorize the discharge of any waste streams other than treated sewage.
 4. When an individual permit is issued to a person whose discharge(s) are covered by this General Permit, the applicability of this General Permit is automatically terminated on the effective date of the individual permit. When an individual permit is denied to a person whose discharge(s) are covered by this General Permit, the person may continue discharging if all eligibility requirements under this General Permit are met.
 5. Unless extended by DEP, this General Permit will expire 5 years from the date of its issuance. DEP will publish a notice in the *Pennsylvania Bulletin* of the draft renewed or reissued General Permit or of any amendments to this General Permit. After a comment period, notice of the final renewed, reissued or amended General Permit will be published in the *Pennsylvania Bulletin*. The permittee shall be responsible for complying with the final renewed, reissued or amended General Permit. If the permittee is unable to comply with the renewed, reissued or amended General Permit, the permittee must submit an application for an individual permit within 90 days of publication of the final General Permit.
 6. Following the issuance of coverage under this General Permit, if the permittee encounters a condition affecting eligibility under this General Permit as identified above ("Discharges Not Authorized by this General Permit") and does not provide a remedy to correct that condition, coverage under this General Permit may be revoked in writing by DEP, and DEP may require the permittee to obtain an individual permit. Coverage under this General Permit may be revoked if there is evidence indicating potential or actual adverse impacts to water quality as a result of the permittee's discharge(s).
 7. No condition of this General Permit shall release the permittee from any responsibility or requirements under other federal or Pennsylvania environmental statutes or regulations or local ordinances.

General Permit
(PAG-04) Issued

By



Director

Bureau of Point and Non-Point Source Management

Effective May 12, 2014

Expires May 11, 2019

PART A

EFFLUENT LIMITATIONS, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS

I. EFFLUENT LIMITATIONS

A. The following effluent limitations and monitoring requirements are applicable to discharges from SFTFs.

Parameter	Concentration Limitations		Monitoring Requirements	
	Monthly Average	IMAX	Minimum Measurement Frequency ⁽¹⁾	Required Sample Type
Flow (GPD)	Report	Report	Upon Request	Estimated ⁽³⁾
BOD ₅ (mg/l)	10	20	Upon Request	Grab
Total Suspended Solids (TSS) (mg/l)	10	20	Upon Request	Grab
Total Residual Chlorine (TRC) (mg/l) ⁽²⁾	Report	Report	1/month	Grab
pH (S.U.)	Between 6.0 and 9.0 at all times		Upon Request	Grab
Fecal Coliform (No./100 mL)	200 Geo Mean	XXX	Upon Request	Grab

Footnotes:

- (1) 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.
- (2) TRC must be measured monthly and reported on the Annual Maintenance Report (AMR) if chlorine is used for disinfection. If ultraviolet (UV) disinfection is used, analysis for TRC is not required and the AMR must include the date(s) that the UV contact surface is cleaned.
- (3) The permittee shall estimate flow, upon request, using 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.

B. 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 General Permit). (25 Pa. Code § 92a.47(a)(7) and § 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 General Permit. (25 Pa Code § 92a.41(c))
2. Samples taken in compliance with the monitoring requirements specified above shall be taken at the discharge pipe after disinfection.

II. DEFINITIONS

Annual Maintenance Report Form (AMR) (3800-PM-BPNPSM0093e) means the form for the reporting of self-monitoring results by the permittee and inspection and maintenance performed by the service provider.

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

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

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably and accurately 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)

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

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

Instantaneous Maximum Effluent Limitation ("IMAX") 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)

Monthly Average Discharge Limitation ("Monthly Average") 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)

NOI refers to the Notice of Intent for coverage under this General Permit. (25 Pa. Code § 92a.2)

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR 122.41(m)(1)(ii))

Small Flow Treatment Facility ("SFTF") means a treatment works designed to adequately treat sewage flows not greater than 2,000 gallons per day for final disposal using a stream discharge or other methods approved by DEP. (25 Pa. Code § 92a.2)

Stormwater means runoff from precipitation, snowmelt runoff and surface runoff and drainage. (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)

III. SELF-MONITORING, REPORTING AND RECORDS KEEPING

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

Except for records of monitoring information required by this General 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 General Permit, and records of all data used to complete the application for this General Permit shall be retained by the permittee for 3 years from the date of the sample measurement, report or application. The 3-year period shall be extended as requested by DEP or the EPA Regional Administrator.

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

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

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

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

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

5. Quality/Assurance/Control

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

- a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))
- b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this General 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 General Permit. (40 CFR 122.41(e), 122.44(i)(1))
2. The permittee shall submit a completed Annual Maintenance Form (AMR) to DEP and to the municipality where the SFTF is located by June 30 of each year to document maintenance activities that occurred between June 1 and May 31. An AMR template is attached to the General Permit for ongoing use.
3. During the permit term, the permittee may be required to use DEP's electronic DMR (eDMR) system to submit AMRs (see www.dep.state.pa.us/edmr). The permittee shall submit registration forms to DEP

within 30 days following the receipt of written notification that the permittee must begin using eDMR. Until the permittee receives written notification, use of the eDMR system is optional.

If the permittee does not use eDMR, AMRs shall be mailed to the DEP regional office that approved coverage under this General Permit.

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

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

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

C. Reporting 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 General 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 the General Permit requirements. (40 CFR 122.41(l)(2))
2. Planned Changes to Waste Stream – Under the authority of 25 Pa. Code 92a.24(a), the permittee shall provide notice to DEP as soon as possible but no later than 45 days prior to any changes in the volume or pollutant concentration of its influent waste stream as a result of indirect discharges or hauled-in wastes.
 3. Unanticipated Noncompliance or Potential Pollution Reporting
 - a. Immediate Reporting - The permittee shall immediately report any incident causing or threatening pollution in accordance with the requirements of 25 Pa. Code Sections 91.33 and 92a.41(b).
 - (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.
 - (ii) If reasonably possible to do so, the permittee shall immediately notify downstream users of the waters of the Commonwealth to which the substance was discharged. Such notice shall include the location and nature of the danger.
 - (iii) The permittee shall immediately take or cause to be taken steps necessary to prevent injury to property and downstream users of the waters from pollution or a danger of pollution and, in addition, within 15 days from the incident, shall remove the residual substances contained thereon or therein from the ground and from the affected waters of this Commonwealth to the extent required by applicable law.
 - b. The permittee shall report any noncompliance which may endanger health or the environment in accordance with the requirements of 40 CFR 122.41(l)(6). These requirements include the following obligations:
 - (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this General Permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the General Permit;
 - (2) Any upset which exceeds any effluent limitation in the General Permit; and
 - (3) Violation of the maximum daily discharge limitation for any of the pollutants listed in the General Permit as being subject to the 24-hour reporting requirement. (40 CFR 122.44(g))
 - (ii) Written Report - A written submission shall also be provided within 5 days of the time the permittee becomes aware of any noncompliance which may endanger health or the environment. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - (iii) Waiver of Written Report - DEP may waive the written report on a case-by-case basis if the associated oral report has been received within 24 hours from the time the permittee becomes

aware of the circumstances which may endanger health or the environment. Unless such a waiver is expressly granted by DEP, the permittee shall submit a written report in accordance with this paragraph. (40 CFR 122.41(l)(6)(iii))

4. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under paragraph C.3 of this section or specific requirements of compliance schedules, at the time AMRs are submitted, on the Non-Compliance Reporting Form (3800-FM-BPNPSM0440). The reports shall contain the information listed in paragraph C.3.b.(ii) of this section. (40 CFR 122.41(l)(7))

PART B
STANDARD CONDITIONS

I. MANAGEMENT REQUIREMENTS

A. Compliance Schedules (25 Pa. Code 92a.51 and 40 CFR 122.47(a))

1. The permittee shall achieve compliance with the terms and conditions of this General Permit within the time frames specified in this General Permit.
2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this General Permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

1. This General Permit may be modified, terminated, or revoked and reissued during its term in accordance with Title 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 General Permit condition. (40 CFR 122.41(f))
3. In the absence of DEP action to modify or revoke and reissue this General 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 General Permit, or to determine compliance with this General Permit. (40 CFR 122.41(h))
2. The permittee shall furnish to DEP, upon request, copies of records required to be kept by this General 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 NOI or in any report to DEP, it shall promptly submit the correct and complete facts or information. (40 CFR 122.41(l)(8))
4. If the sewage treatment facility provides service in part or whole to a municipality, through a contract or agreement between the operator and municipality, an annual report shall be submitted to DEP by March 31 containing the information identified in 25 Pa. Code § 94.12.

D. Proper Operation and Maintenance

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 General 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 General Permit. (40 CFR 122.41(e))

E. Duty to Mitigate

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

F. Bypassing

1. Bypassing Not Exceeding Permit Limitations - The permittee may allow a bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions in paragraphs 2, 3 and 4 of this section. (40 CFR 122.41(m)(2))
2. Other Bypassing - In all other situations, bypassing is prohibited and DEP may take enforcement action against the permittee for bypass unless:
 - a. A bypass is unavoidable to prevent loss of life, personal injury or "severe property damage." (40 CFR 122.41(m)(4)(i)(A))
 - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance. (40 CFR 122.41(m)(4)(i)(B))
 - c. The permittee submitted the necessary notice required in F.4.a and b below. (40 CFR 122.41(m)(4)(i)(C))
3. DEP may approve an anticipated bypass, after considering its adverse effects, if DEP determines that it will meet the conditions listed in F.2 above. (40 CFR 122.41(m)(4)(ii))
4. Notice
 - a. Anticipated Bypass – If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the bypass. (40 CFR 122.41(m)(3)(i))
 - b. Unanticipated Bypass – The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.3.b. (40 CFR 122.41(m)(3)(ii))

G. 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 General Permit. The permittee shall immediately report any SSO to DEP in accordance with Part A III.C.3 of this General 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 General Permit, or
- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this General 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 General 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 General 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 General 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 General 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 General 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 General Permit coverage 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. (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 coverage under this General 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 DEP regulations. (25 Pa. Code 92a.71)
3. In the event DEP does not approve transfer of coverage under this General Permit, the new owner or operator must submit a new NOI.

C. Property Rights

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

D. Duty to Reapply

The permittee must submit a new NOI to renew coverage under this General Permit when notified by DEP in writing. (40 CFR 122.41(b))

E. Other Laws

The approval of coverage under this General Permit does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations.

PART C

SPECIAL CONDITIONS

I. MAINTENANCE REQUIREMENTS

- A. An annual inspection by a service provider is required. The inspection and any necessary maintenance shall be documented on the Annual Maintenance Report (AMR) that shall be completed and submitted to the DEP office identified on the AMR by June 30 of each year.
- B. For mechanical equipment (such as aerobic treatment units, spray nozzles, etc.), a service contract with the equipment representative must be executed so that periodic inspection and as needed services are provided.
- C. The depth of septage and scum in septic tanks must be measured at least once a year by a service provider. When the top of the sludge layer in any compartment of the unit is found to be less than 12 inches below the bottom of the outlet baffle, or if the bottom of the scum layer is within 3 inches of the outlet baffle, the unit must be pumped. Annual pumping may be substituted for measurement.
- D. At a minimum, septic tanks must be pumped out once every three years and aerobic tanks and dosing tanks must be pumped once per year.
- E. The permittee shall submit written documentation of pumping with the AMR for the year in which pumping was completed.
- F. Disinfection.
 - 1. The permittee shall maintain the disinfection unit and ensure that it functions properly at all times.
 - 2. If chlorine disinfection is used, effluent Total Residual Chlorine (TRC) concentrations shall be maintained within the range of 0.3 to 0.5 mg/L. If DEP determines that effluent TRC is causing adverse water quality impacts, DEP may revoke coverage under this General Permit and/or require implementation of control measures or operational practices to eliminate such impacts.
 - 3. If chlorine tablets are used for disinfection, the permittee may use only tablets that are approved for use in wastewater treatment that are made of calcium hypochlorite.
 - 4. If ultraviolet (UV) disinfection is used, the contact surface must be cleaned at least monthly to ensure adequate disinfection. The UV bulb shall be replaced annually by the service provider.

II. AVAILABILITY OF PUBLIC SEWERAGE

If, after the approval of coverage under this General Permit, DEP approves a municipal sewage facilities official plan or an amendment to an official plan under Act 537 (Pennsylvania Sewage Facilities Act) in which sewage from the herein approved facilities will be treated and disposed of at other planned facilities, the permittee shall, upon notification from the municipality or DEP, provide for the conveyance of its sewage to the planned facilities, abandon use and decommission the herein approved facilities including the proper disposal of solids, and notify DEP accordingly. The permittee shall adhere to schedules in the approved official plan, amendments to the plan, or other agreements between the permittee and municipality. The approval of General Permit coverage shall then, upon notice from DEP, terminate and become null and void.

III. MALFUNCTIONING TREATMENT SYSTEM OR CHANGE IN CONDITIONS

- A. If, in the opinion of DEP, the SFTF is not operated in compliance with the conditions of this General Permit, or if the character of the waste changes, there is an increased load into the facility, the use or condition of the receiving water changes, the effluent ceases to be satisfactory, or the discharge otherwise creates a nuisance, then upon notice from DEP, the right to discharge pursuant to this General Permit will cease.

DEP may allow persons with such discharges a specified time period to implement remedial measures which will result in a satisfactory effluent discharge into the receiving body of water.

- B. Discharges from SFTFs shall not result in a violation of the water quality criteria prescribed in 25 Pa. Code Chapter 93 for the various designated and existing uses of the receiving stream.

IV. PROHIBITION OF STORMWATER DISCHARGES

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



**ANNUAL MAINTENANCE REPORT (AMR)
SMALL FLOW TREATMENT FACILITIES**

Reporting Period: June 1, _____ to May 31, _____

Name:	<u>Valleybrook Homeowners Assoc</u>	Permit No.:	<u>PA0040576</u>
Address:	<u>PO Box 394</u>	Municipality:	<u>Chester Heights Borough</u>
	<u>Chester Heights, PA 19017-0394</u>	County:	<u>Delaware</u>
Phone:	<u>(610) 940-1050</u>	Email Address:	<u>vbhpresident@gmail.com</u>

Submission of a complete AMR by June 30 of each year is a requirement of the NPDES PAG-04 General Permit and most individual NPDES permits for small flow treatment facilities (SFTFs). AMRs must be mailed to the DEP office identified below and, if required by the permit, to the municipality in which the facility is located.

MONTHLY MONITORING AND MAINTENANCE

For SFTFs covered by the PAG-04 General Permit, record effluent monitoring data in the table below. For SFTFs covered by individual NPDES permits in which a Discharge Monitoring Report (DMR) has been issued with the permit, this table may remain blank and effluent monitoring results must be reported on a DMR that is submitted to the DEP office identified below.

Effluent Monitoring Data												
Parameter	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
TRC ⁽¹⁾												
UV ⁽²⁾												
BOD5 ⁽³⁾												
pH (S.U.) ⁽³⁾												
TSS ⁽³⁾												
Fecal Coliform (No./100 mL) ⁽³⁾												
Flow (GPD) ⁽³⁾												

- (1) If the SFTF uses chlorine for disinfection, Total Residual Chlorine (TRC) must be monitored monthly, at a minimum. Collect an effluent sample after chlorination (and if applicable after dechlorination). If the TRC result is within the range of 0.3 mg/L to 0.5 mg/L, record the reading in the appropriate month column. If the TRC result is outside of this range, perform corrective action (e.g., add chlorine tablets or other measures) and resample on subsequent days until the result is within the range of 0.3 mg/L to 0.5 mg/L. Report the ultimate result for each month in the table.
- (2) If ultraviolet light (UV) is used for disinfection, place a checkmark in the field if the UV contact surface was cleaned during the month. If the permit does not require contact surface cleaning, write "N/A" in the fields.
- (3) For BOD5, pH, TSS, Fecal Coliform, and Flow, record results in this table if DEP requested that a sample be collected and analyzed by a laboratory, if samples or measurements were collected voluntarily, or otherwise if the permit requires such monitoring on a routine basis and does not include a DMR.

ANNUAL INSPECTION AND MAINTENANCE

The service provider must perform the following inspections and provide a description of the observations made in the table provided below. Check the box where indicated if the inspection and maintenance was completed by the service provider. If there was more than one service provided during the period, or more than one service provider was used for inspections, include all inspection results with the AMR.

Treatment Units

Type	Inspected? ⁽¹⁾	Pumped? ⁽²⁾	Comments ⁽³⁾
Septic Tank(s) (Number: __)	<input type="checkbox"/>	<input type="checkbox"/>	
Aerobic Tank	<input type="checkbox"/>	<input type="checkbox"/>	
Dosing Tank	<input type="checkbox"/>	<input type="checkbox"/>	

Sand Filters

Type	Inspected? ⁽⁴⁾	Raked?	Comments ⁽³⁾
Subsurface	<input type="checkbox"/>	N/A	
Recirculating	<input type="checkbox"/>	N/A	
Accessible	<input type="checkbox"/>	<input type="checkbox"/>	

Disinfection

Type	Inspected?	Serviced? ⁽⁵⁾	Comments ⁽³⁾
Chlorinator	<input type="checkbox"/>	<input type="checkbox"/>	
Dechlorinator	<input type="checkbox"/>	<input type="checkbox"/>	
Ultraviolet (UV)	<input type="checkbox"/>	<input type="checkbox"/>	

- (1) For septic tanks, the depth of septage and scum in the treatment units must be measured at least once a year. The inspection should include an evaluation of the condition of baffles, pumps, aerators, high level alarms and other mechanical equipment, as applicable. Following tank pumping, all interior surfaces should be inspected for leaks and cracks using a strong light. Note that the tanks will contain toxic gases and therefore only a properly equipped, trained and experienced person should attempt to enter or repair a tank if necessary. **The homeowner should not enter tanks.**
- (2) Aerobic tanks and dosing tanks must be pumped annually. Septic tanks must be pumped every three years or anytime the top of the sludge layer in any compartment of the unit is found to be less than 12 inches below the bottom of the outlet baffle, or if the bottom of the scum layer is within 3 inches of the outlet baffle (annual pumping may be substituted for measurement). **Attach to the AMR documentation from the company that the tank(s) have been pumped.**
- (3) Use the space provided and/or include a separate sheet to explain the components checked during the inspection.
- (4) If ponding is noted on the sand filter, note this in the comments and explain corrective action taken.
- (5) Place a checkmark in the box for "Serviced?" if chlorinator or dechlorinator tablets were added. For UV, check the box if the contact surface was cleaned and the UV bulb(s) were replaced.

Other Items Inspected or Comments by Service Provider:

SERVICE PROVIDER CERTIFICATION	
I certify under penalty of law that I have personally performed the inspection of the SFTF named herein. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowledge of violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).	
Name of Inspector	Signature
Telephone No.	Date
Company Name (if applicable)	
PERMITTEE CERTIFICATION	
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowledge of violations. See 18 Pa. C.S. § 4904 (relating to unsworn falsification).	
Responsible Official Name	Signature
Telephone No.	Date

Mail this completed Annual Maintenance Report to your local municipality (if required by the permit) and the appropriate DEP office or county health department:

County Where SFTF Is Located:

Bucks, Chester, Delaware, Montgomery, and Philadelphia
Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming
Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York
Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union
Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, and Westmoreland
Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, Warren
Allegheny
Erie

DEP Office Where AMR Should Be Mailed:

DEP SERO, Clean Water Program 2 E. Main Street Norristown, PA 19401-4915
DEP NERO, Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915
DEP SCRO, Clean Water Program 909 Elmerton Ave., Harrisburg, PA 17110
DEP NCRO, Clean Water Program 208 West Third St., Suite 101, Williamsport, PA 17701
DEP SWRO, Clean Water Program 400 Waterfront Dr., Pittsburgh, PA 15222
DEP NWRO, Clean Water Program 230 Chestnut St., Meadville, PA 16335
ACHD, Frank B. Clack Health Center Building #5, 40th St. & Penn Avenue Pittsburgh, PA 15224-1347
ECDH, Environmental Health Services 606 West Second St., Erie, PA 16507