COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NPDES PERMIT NO: PA0027511

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.*,

New Castle City Sanitary Authority
110 East Washington Street
P.O. Box 1404
New Castle, PA 16101-3815

is authorized to discharge from a facility known as **New Castle WWTP**, located at **512 Montgomery Avenue, New Castle, Lawrence County**, to the **Mahoning River** in Watershed **20-B** 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 **MARCH 1, 2013**

THIS PERMIT SHALL EXPIRE AT MIDNIGHT ON **FEBRUARY 28, 2018**

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 February 6, 2013 **ISSUED BY** /s/

John A. Holden, P.E.
Clean Water Program Manager
Northwest Regional Office

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

I. A. For Outfall 001 , **Latitude** 40° 57' 55.59" , **Longitude** 80° 23' 14.61" , **River Mile Index** 0.85 , **Stream Code** 35393

Type of Effluent: treated domestic sewage and natural gas wastewater (except from shale gas extraction activities)

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	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	Continuous	Measured
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	1/day	Grab
Total Residual Chlorine	XXX	XXX	XXX	0.27	XXX	0.9	1/day	Grab
CBOD5	3,544	5,671	XXX	25	40	50	1/day	24-Hr Composite
Total Suspended Solids	4,253	6,380	XXX	30	45	60	1/day	24-Hr Composite
Ammonia-Nitrogen May 1 - Oct 31	2,268	XXX	XXX	16	XXX	32	1/day	24-Hr Composite
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000	1/day	Grab
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000	1/day	Grab
Total Zinc	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite

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	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Osmotic Pressure	XXX	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Total Barium	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Total Strontium	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Sulfate	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Total Uranium (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Total Zinc	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Chloride	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Bromide	Report	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX	2/month	24-Hr Composite

*After two years of monitoring, the permittee may submit a summary of the data and request a permit amendment for a reduction in monitoring frequency.

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	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum		
Total Dissolved Solids*	Report	Report Daily Max	XXX	XXX	Report Daily Max	XXX	1/day	24-Hr Composite
Total Dissolved Solids**	75,000	150,000 Daily Max	XXX	XXX	Report Daily Max	XXX	1/day	24-Hr Composite
Chronic toxicity (Ceriodaphnia) (TUc)*	XXX	XXX	XXX	Report	XXX	XXX	See Permit	24-Hr Composite
Chronic toxicity (Ceriodaphnia) (TUc)**	XXX	XXX	XXX	5.6	XXX	XXX	See Permit	24-Hr Composite
Chronic toxicity (Pimephales) (TUc)*	XXX	XXX	XXX	Report	XXX	XXX	See Permit	24-Hr Composite
Chronic toxicity (Pimephales) (TUc)**	XXX	XXX	XXX	5.6	XXX	XXX	See Permit	24-Hr Composite

For Total Dissolved Solids:
*The permittee is authorized to discharge during the period from the permit effective date through 6 months after the permit effective date
**The permittee is authorized to discharge during the period from 6 months after the permit effective date through Permit Expiration Date

For Chronic Toxicity:
*The permittee is authorized to discharge during the period from the permit effective date through 4 years after the permit effective date
**The permittee is authorized to discharge during the period from 4 years after the permit effective date through Permit Expiration Date

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location: Outfall 001 - after disinfection

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) 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 permit. (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% for POTW facilities 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-BPNPSM0435) 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.

II. DEFINITIONS

At Outfall (XXX) means a sampling location in outfall line XXX below the last point at which wastes are added to outfall line (XXX), or where otherwise specified.

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

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the pollution to surface waters of the Commonwealth. BMPs also include treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. (25 Pa. Code 92a.2)

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

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

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

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

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

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

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

Estimated Flow means any method of liquid volume measurement based on a technical evaluation of the sources contributing to the discharge including, but not limited to, pump capabilities, water meters and batch discharge volumes.

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

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

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 and 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)

Publicly Owned Treatment Works (POTW) means a treatment works as defined by §212 of the Clean Water Act, owned by a state or municipality. The term includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes or other conveyances if they convey wastewater to a POTW providing treatment. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. (25 Pa Code 92a.2 and 40 CFR 122.2)

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

Stormwater means the runoff from precipitation, snow melt runoff, and surface runoff and drainage. (25 Pa. Code 92a.2)

Stormwater Associated With Industrial Activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, and as defined at 40 CFR §122.26(b)(14)(i) – (ix) and (xi) and 25 Pa. Code 92a.2.

Toxic Pollutant means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains may, on the basis of information available to DEP cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in these organisms or their offspring. (25 Pa. Code 92a.2)

Weekly Average Discharge Limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week.

III. SELF-MONITORING, REPORTING AND RECORDKEEPING

A. Representative Sampling

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 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.

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 (40 CFR 122.41(j)(4))

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

5. Quality/Assurance/Control

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

   a. The permittee, or its designated laboratory, shall participate in the periodic scheduled quality assurance inspections conducted by DEP and EPA. (40 CFR 122.41(e), 122.41(i)(3))

   b. The permittee, or its designated laboratory, shall develop and implement a program to assure the quality and accurateness of the analyses performed to satisfy the requirements of this permit, in accordance with 40 CFR Part 136. (40 CFR 122.41(j)(4))

B. Reporting of Monitoring Results

1. The permittee shall effectively monitor the operation and efficiency of all wastewater treatment and control facilities, and the quantity and quality of the discharge(s) as specified in this permit. (40 CFR 122.41(e), 122.44(i)(1))

2. Discharge Monitoring Reports (DMRs) must be completed in accordance with DEP's published DMR Instructions (3800-BPNPSM-0463). DMRs are based on calendar reporting periods. DMR(s) must be received by the agency(ies) specified in paragraph 3 below 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.

3. The permittee shall complete all Supplemental Reporting forms (Supplemental DMRs) provided by DEP in this permit (or an approved equivalent), and submit the signed, completed forms as an attachment to the DMR(s). If the permittee elects to use DEP's electronic DMR (eDMR) system, one electronic submission may be made for DMRs and Supplemental DMRs. If paper forms are used, the completed forms shall be mailed to:

   Department of Environmental Protection
   Clean Water Program
   230 Chestnut Street
   Meadville, PA 16335-3481

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

4. If the permittee elects to begin using DEP's eDMR system to submit DMRs required by the permit, the permittee shall, to assure continuity of business operations, continue using the eDMR system to submit all DMRs and Supplemental Reports required by the permit, unless the following steps are completed to discontinue use of eDMR:

   a. The permittee shall submit written notification to the regional office that issued the permit that it intends to discontinue use of eDMR. The notification shall be signed by a principal executive officer or authorized agent of the permittee.

   b. The permittee shall continue using eDMR until the permittee receives written notification from DEP's Central Office that the facility has been removed from the eDMR system, and electronic report submissions are no longer expected.

5. The completed DMR Form shall be signed and certified by either of the following applicable persons, as defined in 25 Pa. Code 92a.22:

   - For a corporation - by a principal executive officer of at least the level of vice president, or an authorized representative, if the representative is responsible for the overall operation of the facility from which the discharge described in the NPDES form originates.
   - For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.

- For a municipality, state, federal or other public agency - by a principal executive officer or ranking elected official.

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

6. 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))

   e. The facility is proposing an expansion or modifications to its treatment processes.

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 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-BPNPSM0482), available on DEP's website. The permittee shall provide information on the quality and quantity of waste introduced into the POTW, and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW (40 CFR 122.42(b)(3)). 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 an application and receipt of an 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) Were not detected in the facilities' influent waste stream as reported in the permit application, or were otherwise not analyzed in the influent and reported to DEP prior to permit issuance;

      (ii) Have not been previously approved to be included in the permittee's influent waste stream by DEP and/or EPA in writing;

(iii) Are previously unapproved pollutants introduced into the POTW from an indirect discharger which would be subject to Sections 301 and 306 of the Clean Water Act if it were directly discharging 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 and/or EPA'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 were otherwise analyzed and reported to DEP prior to permit issuance;

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

(iii) Have been previously approved for the permittee's influent waste stream by DEP in writing.

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 10% of the maximum loading reported in the permit application, or a loading previously approved by DEP, 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 POTW, or (4) may cause exceedances of the applicable water quality standards in the receiving stream. Unless specified otherwise in this permit, if DEP and/or EPA 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.

c. New Information on Existing Discharges

The permittee shall notify DEP and EPA where it discovers new information, not reported previously, on the quality and quantity of the effluent introduced into the POTW by an industrial user or an indirect discharger and the anticipated impact of the change in the quality and quantity of effluent to be discharged from the POTW. (40 CFR 122.41(h) and 122.62)

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) 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-BPNPSM0450) 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.

(7) Documentation of whether or not a chemical analysis of the residual wastes were reported on a Residual Waste Form 26R, or a separate waste characterization using the parameters from Form 26R.

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, the residual wastes shall not be accepted by the permittee until such time as the transporter is able to provide the required information.

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

(1) The permitted facility must receive and maintain on file a characterization of the residual wastes it receives from the generator, as required by 25 Pa. Code 287.54. The characterization shall 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 characterized accordingly.

(2) For wastewater generated from hydraulic fracturing operations ("frac wastewater") within the first 30 production days of a well site, the characterization may be a general frac wastewater characterization approved by DEP. Thereafter, the characterization must be waste-specific and 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) 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-BPNPSM0437) 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 Sections 91.33 and 92a.41(b).

      (i) If, because of an accident, other activity or incident a toxic substance or another substance which would endanger users downstream from the discharge, or would otherwise result in pollution or create a danger of pollution or would damage property, the permittee shall immediately notify DEP by telephone of the location and nature of the danger. Oral notification to the Department is required as soon as possible, but no later than 4 hours after the permittee becomes aware of the incident causing or threatening pollution.

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

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

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

      (i) 24 Hour Reporting - The permittee shall orally report any noncompliance with this permit which may endanger health or the environment within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which must be reported within 24 hours under this paragraph (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-BPNPSM0440). 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 Schedules (25 Pa. Code 92a.51, 40 CFR 122.47(a))

1. The permittee shall achieve compliance with the terms and conditions of this permit within the time frames specified in this permit.

2. The permittee shall submit reports of compliance or noncompliance, or progress reports as applicable, for any interim and final requirements contained in this permit. Such reports shall be submitted no later than 14 days following the applicable schedule date or compliance deadline. (40 CFR 122.47(a)(4))

B. Permit Modification, Termination, or Revocation and Reissuance

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

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

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

C. Duty to Provide Information

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

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

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

4. The permittee shall provide the following information in the annual Municipal Wasteload Management Report, required under the provisions of Title 25 Pa. Code Chapter 94:

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

   b. The identity of any indirect discharger(s) served by the POTW which are subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act; the POTW shall also specify the total volume of discharge and estimate concentration of each pollutant discharged into the POTW by the indirect discharger.

   c. A "Solids Management Inventory" including the following information for the preceding year, at a minimum: average annual flow (MGD), average influent BOD_5 (mg/l), average effluent $CBOD_5$ (mg/l), total volume of sludge wasted (gallons), average solids concentration of return or waste sludge flow (mg/l), and total sludge or biosolids generated (wet or dry tons).

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

e. The Annual Report requirements for permittees required to implement an industrial pretreatment program listed in Part C, as applicable.

D. General Pretreatment Requirements

1. POTWs shall require indirect dischargers to the treatment works subject to pretreatment standards adopted under Section 307(b) of the Clean Water Act to comply with the reporting requirements of Sections 204(b), 307, and 308 of the Clean Water Act and regulations thereunder.

2. Any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 million gallons per day (MGD) and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to Pretreatment Standards will be required to establish a POTW Pretreatment Program unless specifically exempted by the Approval Authority. A POTW with a design flow of 5 MGD or less may be required to develop a POTW Pretreatment Program if the Approval Authority finds that the nature or volume of the industrial influent, treatment process upsets, violations of effluent limitations, contamination of sludge, or other circumstances warrant in order to prevent interference or pass through. (40 CFR 403.8)

3. Each POTW with an approved Pretreatment Program pursuant to 40 CFR 403.8 shall develop and enforce specific limits to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b), and shall continue to develop these limits as necessary and effectively enforce such limits. This condition applies, for example, when there are planned changes to the waste stream as identified in Part A III.C.2. If the permittee is required to develop or continue implementation of a Pretreatment Program, detailed requirements will be contained in Part C of this permit.

4. For all POTWs, 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 POTWs 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

      (i) The permittee shall submit immediate notice of an unanticipated bypass causing or threatening pollution. The notice shall be in accordance with Part A III.C.4.a.

      (ii) The permittee shall submit oral notice of any other unanticipated bypass within 24 hours, regardless of whether the bypass may endanger health or the environment or whether the bypass exceeds effluent limitations. The notice shall be in accordance with Part A III.C.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 §122.4l(a)(2).

Any person or municipality, who violates any provision of this permit; any rule, regulation or order of DEP; or any condition or limitation of any permit issued pursuant to the Clean Streams Law, is subject to criminal and/or civil penalties as set forth in Sections 602, 603 and 605 of the Clean Streams Law.

B. Falsifying Information

Any person who does any of the following:

- Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit, or

- Knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit (including monitoring reports or reports of compliance or noncompliance)

Shall, upon conviction, be punished by a fine and/or imprisonment as set forth in *18 Pa.C.S.A § 4904* and 40 CFR §122.41(j)(5) and (k)(2).

C. Liability

Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance pursuant to Section 309 of the Clean Water Act or Sections 602, 603 or 605 of the Clean Streams Law.

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under the Clean Water Act and the Clean Streams Law.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. 40 CFR 122.41(c)

III. OTHER RESPONSIBILITIES

A. Right of Entry

Pursuant to Sections 5(b) and 305 of Pennsylvania's Clean Streams Law, and Title 25 Pa. Code Chapter 92a and 40 CFR §122.41(i), the permittee shall allow authorized representatives of DEP and EPA, upon the presentation of credentials and other documents as may be required by law:

1. To enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit; (40 CFR 122.41(i)(1))

2. To have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit; (40 CFR 122.41(i)(2))

3. To inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and (40 CFR 122.41(i)(3))

4. To sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Clean Streams Law, any substances or parameters at any location. (40 CFR 122.41(i)(4))

B. Transfer of Permits

1. Transfers by modification. Except as provided in paragraph 2 of this section, a permit may be transferred by the permittee to a new owner or operator only if this permit has been modified or revoked and reissued, or a minor modification made to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act. (40 CFR 122.61(a))

2. Automatic transfers. As an alternative to transfers under paragraph 1 of this section, any NPDES permit may be automatically transferred to a new permittee if:

   a. The current permittee notifies DEP at least 30 days in advance of the proposed transfer date in paragraph 2.b. of this section; (40 CFR 122.61(b)(1))

b. The notice includes the appropriate DEP transfer form signed by the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between them; and (40 CFR 122.61(b)(2))

c. DEP does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue this permit, the transfer is effective on the date specified in the agreement mentioned in paragraph 2.b. of this section. (40 CFR 122.61(b)(3))

d. The new permittee is in compliance with existing DEP issued permits, regulations, orders and schedules of compliance, or has demonstrated that any noncompliance with the existing permits has been resolved by an appropriate compliance action or by the terms and conditions of the permit (including compliance schedules set forth in the permit), consistent with 25 Pa. Code 92a.51 (relating to schedules of compliance) and other appropriate Department regulations. (25 Pa. Code 92a.71)

3. In the event DEP does not approve transfer of this permit, the new owner or controller must submit a new permit application.

C. Property Rights

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

D. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for a new permit. (40 CFR 122.41(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 >=5 MGD**.

Invoices for annual fees will be mailed to permittees approximately three months prior to the due date. In the event that an invoice is not received, the permittee is nonetheless responsible for payment. Throughout a five year permit term, permittees will pay four annual fees followed by a permit renewal application fee in the last year of permit coverage. Permittees may contact the DEP at 717-787-6744 with questions related to annual fees.

Payment for annual fees shall be remitted to DEP at the address below by the anniversary date. Checks should be made payable to the Commonwealth of Pennsylvania.

PA Department of Environmental Protection
Bureau of Point and Non-Point Source Management
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 admitted to the sanitary sewers associated with the herein approved discharge.

B. The approval herein given is specifically made contingent upon the permittee acquiring all necessary property rights by easement or otherwise, providing for the satisfactory construction, operation, maintenance and replacement of all sewers or sewerage structures associated with the herein approved discharge in, along, or across private property, with full rights of ingress, egress and regress.

C. If, in the opinion of the Department, these works are not so operated or if by reason of change in the character of wastes or increased load upon the works, or changed use or condition of the receiving body of water, or otherwise, the said effluent ceases to be satisfactory or the sewerage facilities shall have created public nuisance, then upon notice by the Department the right herein granted to discharge such effluent shall cease and become null and void unless within the time specified by the Department, the permittee shall adopt such remedial measures as will produce an effluent which, in the opinion of the Department, will be satisfactory for discharge into the said receiving body of water.

D. Collected screenings, slurries, sludges, and other Solids shall be handled and disposed of in compliance with 25 Pa. Code, Chapter 75, and in a manner "equivalent" to the requirements indicated in Chapters 271, 273, 275, 283 and 285 (relating to permits and requirements for landfilling, land application, incineration, and storage of sewage sludge), Federal Regulation 40 CFR 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.

E. <u>Effluent Chlorine Optimization and Minimization</u>

To reduce or eliminate the amount of chlorine discharged into water bodies, the permittee must: (1) implement source reduction activities, (2) improve operation/maintenance practices and, (3) improve/adjust process controls.

The permittee will ensure that applied chlorine dosages, used for disinfection or other purposes, are optimized to the degree necessary such that the total residual chlorine in the discharge does not cause an adverse stream impact. In doing so, the permittee shall consider relevant factors affecting chlorine dosage, such as wastewater characteristics, mixing and contact times, desired result of chlorination, and expected impact on the receiving water body.

If the Department determines or receives documented evidence levels of TRC in the permittee's effluent are causing adverse impacts in the receiving water, the permittee shall institute necessary additional steps to reduce or eliminate such impact.

F. Within 180 days of permit issuance, the permittee shall submit a Radiation Protection Plan to DEP's Bureau of Radiation Protection at the address below for approval. A copy shall be submitted to the DEP regional office that issued the permit. The Plan shall consist of Form X (Doc. ID 2500-FM-BWM0430) and accompanying Radiation Protection Action Plan that meets the requirements of DEP's "Final Guidance Document on Radioactive Monitoring at Solid Waste Processing and Disposal Facilities" (Doc. ID 250-3100-001).

Department of Environmental Protection
Bureau of Radiation Protection
PO Box 8469
Harrisburg, PA 17105-8469

G. The permittee shall conduct Chronic Whole Effluent Toxicity Testing within the final 18 months of this permit cycle, according to Federal Regulation 40 CFR § 122.21(j)(5). The results shall be submitted with the permittee's next NPDES Permit application. The appropriate biomonitoring protocol for the testing can be obtained from PA DEP at the following address:

Department of Environmental Protection
Clean Water Program
230 Chestnut Street
Meadville, PA 16335-3481
Telephone: 814.332.6942

II. CHRONIC WHOLE EFFLUENT TOXICITY (WET) LIMITATIONS

The WET Limitation of **5.6** TUc in Part A (page 4) will become effective four years after the effective date of this permit unless the testing and TIE/TRE identify and eliminate the sources of the toxic response.

A. General Requirements

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

B. Test Frequency

1. Chronic WET testing shall be conducted quarterly starting within three months of the permit effective date and continue until four tests have been completed. If all four chronic tests demonstrate a TU_c less than **5.6**, the permittee may request that the Department reduce the frequency of the WETT testing necessary under this condition to semi-annually.

2. If any of the quarterly chronic tests exceed **5.6** TU_c, the permittee shall conduct a Toxicity Identification Evaluation / Toxicity Reduction Evaluation (TIE/TRE) to identify the toxic constituents of the effluent. During the period the permittee is conducting the TIE/TRE, WET testing shall be conducted semi-annually. This schedule shall continue until the toxicants are identified, confirmed and controlled to acceptable levels through establishment of chemical specific limits or institutional methods. At this point, the permittee may submit a request to the Department for modification of the permit condition, documenting the changes instituted to achieve the toxicity reduction. Documentation may include, but is not limited to: the results of TIE/TRE, pretreatment program changes, plant operation and maintenance, design changes, or establishment of and compliance with a chemical limit specific that address the effluent toxicity.

The Department will decide if the toxicity has been properly addressed based upon the permittee's report and completion of four consecutive WET tests with TU_c less than **5.6** subsequent to institution of the controls specified in the report.

C. Toxicity Identification Evaluation / Toxicity Reduction Evaluation (TIE/TRE)

1. If any of the WET tests indicate a TU_c greater than **5.6**, the permittee shall, within 30 days of the test completion, submit a report of the chronic test results to the Department and begin a TIE/TRE. The TIE/TRE evaluates the possible causes of the effluent toxicity; the possible sources of the causative agents; possible control options to reduce or eliminate the effluent toxicity; and implementation of controls.

2. Within 30 days of submitting the chronic test report, the permittee must submit either a written report on the results of the TIE/TRE or, if the TIE/TRE is not complete, a schedule for completing the TIE/TRE. The schedule must contain specific timeframes for completing major elements of the TIE/TRE.

3. The TIE/TRE must be conducted in accordance with EPA's guidance in "Methods for Aquatic Identification Evaluations, Phase I (600/6-91/003, February 1991), Phase II (600/R-92/080, September 1993), and Phase III (600/R-92/081, September 1993) or current approved TIE/TRE protocols.

D. Sample Collection

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

E. Test Conditions and Methods

The permittee shall follow DEP's "Biomonitoring WETT Data QA/QC Guidelines for Chronic Toxicity Testing with Amendments, March 20, 1995", attached and included in this permit condition, supplemented by Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters of Freshwater Organisms, EPA-821-R-02-013, U.S. EPA (4th Ed., Oct. 2002) or the most current version. The dilution series shall be **100%, 56%, 32%, 18% and 10%.**

If the Department determines that the proper chronic test acceptability criteria are not met or the proper QA/QC conditions were not followed, the permittee must perform a retest within 30 days of Department notification.

F. Chemical Analysis

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

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

G. Chronic Toxicity Test Report Elements

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

1. General test description: - origin and age of test organisms, dates and results of reference toxicant tests; light and temperature regimes; other information on test conditions.

2. Completion of Ceriodaphnia dubia and Pimephales promelas coversheets (Forms 3620-FM-WQ0145 3/99 and 3620-FM-WQ0146, 3/99).

3. Description of sample collection procedures and of the sample location.

4. Names of individuals collecting and transporting samples, times and dates of sample collection and analysis, and temperature of sample upon receipt.

5. Description, time and date of sample renewals.

6. All chemical and physical data including method detection levels and observations made on the species. The chronic WET test hardness shall be reported with each test.

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

8. Dechlorination procedures with test statistical comparisons.

9. All observations or test conditions affecting the test outcome. All type 1 or type II errors must be explained.

10. The reference toxicant shall be identified and be a commonly used toxicant approved by EPA. Reports of reference toxicant tests shall include all information needed for the proper evaluation of the test. This includes the following: water chemistry parameters of controls and test concentrations; chronic endpoint with appropriate statistical analyses; and control charts (for point estimates, cumulative mean ± two standards deviations; for NOEC's central tendency ± one for concentration interval).

H. Submission of Test Reports

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

Department of Environmental Protection
Clean Water Program
230 Chestnut Street
Meadville, PA 16335-3481

III. POTW PRETREATMENT PROGRAM IMPLEMENTATION

A. General Requirement – The permittee shall operate and implement a POTW pretreatment program in accordance with the federal Clean Water Act, the Pennsylvania Clean Streams Law, and the federal General Pretreatment Regulations at 40 CFR Part 403. The program shall also be implemented in accordance with the permittee's approved pretreatment program and any modifications thereto submitted by the permittee and approved by the Approval Authority.

B. Annual Report and Other Requirements – The permittee shall submit a Pretreatment Annual Report by March 31 of each year to EPA that describes the permittee's pretreatment activities for the previous calendar year. The Pretreatment Annual Report shall include a description of pretreatment activities in all municipalities from which wastewater is received at the permittee's POTW. The Pretreatment Annual Report shall include the following information, at minimum:

1. Industrial Listing – The Annual Report shall contain an updated industrial listing providing the names and addresses of all current Significant Industrial Users (SIUs) and Non-Significant Categorical Industrial Users (NSCIUs), as defined in 40 CFR 403.3, and the categorical standard, if any, applicable to each. The listing must: (1) identify any users that are subject to reduced reporting requirements under 40 CFR 403.12(e)(3); (2) identify which users are NSCIUs; (3) identify any users that have been granted a monitoring waiver in accordance with 40 CFR 403.12(e)(2) as well as the pollutants for which the waiver was granted and the date of the last POTW sampling event for each pollutant; and (4) identify any categorical industrial users that have been given mass-based limits in place of concentration-based categorical limits in accordance with 40 CFR 403.6(c)(5) or concentration-based limits in place of mass-based categorical limits in accordance with 40 CFR 403.6(c)(6).

   In addition, the Annual Report shall contain a summary of any hauled-in wastes accepted at the POTW including the source of the wastes (domestic, commercial or industrial) and the receiving location for acceptance of the wastes. For each industrial source (whether or not classified as an SIU), 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; (4) whether the source facility is a categorical industrial user (including NSCIU), significant industrial users, or non-significant industrial user; and (5) any controls imposed on the user.

2. Control Mechanism Issuance – The Annual Report shall contain a summary of SIU control mechanism issuance, including a list of issuance, effective, and expiration dates for each SIU control mechanism. For each general control mechanism issued, provide the names of all SIUs covered by the general control mechanism and an explanation of how the users meet the criteria of 40 CFR 403.8(f)(1)(iii)(A) for issuance of a general control mechanism.

3. Sampling and Inspection – The Annual Report shall contain a summary of the number and types of inspections and sampling events of SIUs by the permittee, including a list of all SIUs either not sampled or not inspected, and the reason that the sampling and/or inspection was not conducted. For any user subject to reduced reporting under 40 CFR 403.12(e)(3), the list shall include the date of the last POTW sampling event and the date of the last POTW inspection of the user. In addition, the report shall include a summary of the number of self-monitoring events conducted by each SIU and the number required to be conducted, including a list of all SIUs that did not submit the required number of reports and the reason why the reports were not submitted. For NSCIUs, the report shall provide the date of the compliance certification required under 40 CFR 403.12(q).

4. Industrial User Compliance and POTW Enforcement – The Annual Report shall contain a summary of the number and type of violations of pretreatment standards and requirements, including local limits, and the actions taken by the permittee to obtain compliance, including compliance schedules, penalty assessments and actions for injunctive relief. The report shall state whether each SIU was in significant noncompliance, as that term is defined in 40 CFR Section 403.8(f)(2)(viii), and include the parameter(s) in violation, the period of violation, the actions taken by the POTW in response to the violations, and the compliance status at the end of the reporting period. A copy of the publication of users meeting the significant noncompliance criteria shall be included. In addition, the report shall provide a list of users previously designated as NSCIUs that have violated (to any extent) any pretreatment standard or requirement during the year and the date and description of the violation(s).

5. Summary of POTW Operations – The Annual Report shall contain a summary of any interference, pass-through, or permit violations by the POTW and indicate the following: (1) which, if any, permit violations may be attributed to industrial users; (2) which IU(s) are responsible for such violations; and (3) the actions taken to address these events. The report shall also include all sampling and analysis of POTW treatment plant influent, effluent, and sludge conducted during the year for local limit and priority pollutants identified pursuant to Section 303(d) of the Clean Water Act, 33 U.S.C. 1313(d).

6. Pretreatment Program Changes – The Annual Report shall contain a summary of any changes made or proposed to the approved program during the period covered by the report and the date of submission to the Approval Authority.

A summary of pretreatment activities shall be incorporated into the permittee's Annual Municipal Wasteload Management Report required by 25 Pa. Code Chapter 94 and referenced in Part B I.C.4 of this permit.

C. 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 local limits have been established, and an annual priority pollutant scan for influent and sludge.

D. Notification of Pass Through or Interference – The permittee shall notify EPA and DEP, in writing, of any instance of pass through or interference, as defined at 40 CFR 403.3(p) and (k), respectively, known or suspected to be related to a discharge from an IU into the POTW. The notification shall be attached to the DMR submitted to EPA and DEP and shall describe the incident, including the date, time, length, cause (including responsible user if known), and the steps taken by the permittee and IU (if identified) to address the incident. A copy of the notification shall also be sent to the EPA at the address provided below.

E. Headworks Analysis – The permittee shall submit to EPA a reevaluation of its local limits based on a headworks analysis of its treatment plant within one (1) year of permit issuance, and provide a revised submission within three (3) months of receipt of comments from EPA unless a longer period of time is granted in writing by EPA. In order to ensure that the permittee's discharge complies with water quality standards, the reevaluation of local 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 POTW is subject to an effluent limitation for the pollutant in Part A of this permit. The list of pollutants to be evaluated, as well as a sampling plan for collection of necessary data, shall be submitted to EPA within three (3) months of permit issuance. 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 a local limit currently exists, any pollutant limited in this permit, as well as any other pollutants that have been identified in the POTW in significant quantities through monitoring or the receipt of indirect discharges and hauled-in wastes. For example, facilities receiving residual waste from oil and gas operations should include pollutants such as Total Dissolved Solids (TDS), specific ions such as chlorides and sulfates, specific radionuclides, metals such as barium and strontium, and other pollutants that could reasonably be expected to be present. Within four (4) months of acceptance of the headworks analysis by the Approval Authority, the permittee shall adopt the revised local limits and, if necessary to ensure that the limits are enforceable throughout the service area, notify all contributing municipalities of the need to adopt the revised local limits.

F. Changes to Pretreatment Program – EPA and DEP may require the permittee to submit for approval changes to its pretreatment program if any one or more of the following conditions is present:

1. The program is not implemented in accordance with 40 CFR Part 403;

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

3. The POTW proposes to introduce new pollutants or an increased loading of approved pollutants as described in Part A III.C.2 of this permit;

4. Federal, State, or local requirements change;

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

Program modification is necessary whenever there is a significant change in the operation of the pretreatment program that differs from the information contained in the permittee's submission, as approved under 40 CFR 403.11.

G. Procedure for Pretreatment Program Changes – Upon submittal by the permittee, and written notice of approval by the Approval Authority to the permittee of any changes to the permittee's approved pretreatment program, such changes are effective and binding upon the permittee unless the permittee objects within 30 days of receipt of the written notice of approval. Any objection must be submitted in writing to EPA and DEP.

H. Correspondence – The Approval Authority shall be EPA at the following address:

Pretreatment Coordinator (3WP41)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

IV. RECEIPT OF NATURAL GAS WASTEWATER

A. In accordance with 25 Pa. Code §95.10(b)(3)(ii), if the facility covered by this permit receives natural gas wastewater, the facility is not authorized to discharge unless the natural gas wastewater is pretreated by a Centralized Waste Treatment (CWT) facility to the following standards prior to receipt:

1. TDS may not exceed 500 mg/L as a monthly average.
2. Total Chloride may not exceed 250 mg/L as a monthly average.
3. Total Barium may not exceed 10 mg/L as a monthly average.
4. Total Strontium may not exceed 10 mg/L as a monthly average.
5. The wastewater must comply with the performance standards in 40 CFR 437.45(b), relating to New Source Performance Standards (NSPS).

B. The permittee shall maintain records documenting that the natural gas wastewater it receives complies with the above standards, in accordance with Part A III.A.2 and III.B of this permit, and 40 CFR Part 403, as applicable.

V. REQUIREMENT TO USE THE eDMR SYSTEM

The permittee shall continue to use eDMR for all subsequent reporting periods unless the Department grants written approval to discontinue its use and issues an amendment to this permit.