

Application No. OH0020893

Issue Date: August 14, 2019

Effective Date: September 1, 2019

Expiration Date: August 31, 2024

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

City of Napoleon

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Napoleon Wastewater Treatment Plant wastewater treatment works located at 735 East Washington Street, Napoleon, Ohio, Henry County and discharging to the Maumee River in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.

Laurie A. Stevenson
Director

Total Pages: 55

Part I, A. - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the end of the 54th month after the effective date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PD00000001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Initial - 001 - Initial

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	2.0	-	-	-	-	-	1/Day	Multiple Grab	Winter
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Multiple Grab	Summer
00530 - Total Suspended Solids - mg/l	-	-	45	30	-	426	284	3/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	27	18	-	255	170	3/Week	24hr Composite	Dec - May
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	5.0	3.3	-	47.3	31.2	3/Week	24hr Composite	Oct - Nov
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.4	1.6	-	22.7	15.1	3/Week	24hr Composite	June - Sep
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	14	9.47	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	3/Week	Grab	Summer
46529 - Rainfall in Inches - Inches	-	-	-	-	-	-	-	1/Day	Maximum	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	4.2	0.016	-	0.00004	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	May and July
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	-	-	-	-	-	-	-	2/Year	24hr Composite	May and July
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	July
61428 - Chronic Toxicity, Pimephales promelas - TUC	-	-	-	-	-	-	-	1/Year	24hr Composite	July
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
79858 - Plant Core Person ID - Number	-	-	-	-	-	-	-	When Disch.	Grab	All
79859 - Collection System Visit Core Person ID - Number	-	-	-	-	-	-	-	When Disch.	Grab	All
80082 - CBOD 5 day - mg/l	-	-	23	15	-	216	142	3/Week	24hr Composite	Summer
80082 - CBOD 5 day - mg/l	-	-	40	25	-	379	237	3/Week	24hr Composite	Winter
82073 - Plant Time In - Time (HHMM)	-	-	-	-	-	-	-	When Disch.	Grab	All
82074 - Plant Time Out - Time (HHMM)	-	-	-	-	-	-	-	When Disch.	Grab	All

Notes for station 2PD00000001:

* Effluent loadings based on average design flow of 2.5 MGD.

- Mercury - See Part II, Items X, Y, and Z.
- Orthophosphate - See Part II, Item W.
- Biomonitoring - See Part I,C, Item A and Part II, Items AA, AB, and AE.
- Semi-annual monitoring for C. dubia chronic toxicity shall be conducted in January and July.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning 55 months after the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PD00000001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Day	Maximum Indicating Thermometer	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Day	Multiple Grab	Summer
00300 - Dissolved Oxygen - mg/l	-	2.0	-	-	-	-	-	1/Day	Multiple Grab	Winter
00530 - Total Suspended Solids - mg/l	-	-	45	30	-	426	284	3/Week	24hr Composite	All
00552 - Oil and Grease, Hexane Extr Method - mg/l	10	-	-	-	-	-	-	1 / 2 Weeks	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	5.0	3.3	-	47.3	31.2	3/Week	24hr Composite	Oct - Nov
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	27	18	-	255	170	3/Week	24hr Composite	Dec - May
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	2.4	1.6	-	22.7	15.1	3/Week	24hr Composite	June - Sep
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	1.5	1.0	-	14	9.47	1/Week	24hr Composite	All
00671 - Orthophosphate, Dissolved (as P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
31648 - E. coli - #/100 ml	-	-	284	126	-	-	-	3/Week	Grab	Summer
46529 - Rainfall in Inches - Inches	-	-	-	-	-	-	-	1/Day	Maximum	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	1/Day	Continuous	All
50092 - Mercury, Total (Low Level) - ng/l	1700	-	-	4.2	0.016	-	0.00004	1/Month	Grab	All
61425 - Acute Toxicity, Ceriodaphnia dubia - TUa	-	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61426 - Chronic Toxicity, Ceriodaphnia dubia - TUC	2.21	-	-	-	-	-	-	2/Year	24hr Composite	Semi-annual
61427 - Acute Toxicity, Pimephales promelas - TUa	-	-	-	-	-	-	-	1/Year	24hr Composite	July
61428 - Chronic Toxicity, Pimephales promelas - TUC	-	-	-	-	-	-	-	1/Year	24hr Composite	July
61941 - pH, Maximum - S.U.	9.0	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	6.5	-	-	-	-	-	1/Day	Multiple Grab	All
70300 - Residue, Total Filterable - mg/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
79858 - Plant Core Person ID - Number	-	-	-	-	-	-	-	When Disch.	Grab	All
79859 - Collection System Visit Core Person ID - Number	-	-	-	-	-	-	-	When Disch.	Grab	All
80082 - CBOD 5 day - mg/l	-	-	23	15	-	216	142	3/Week	24hr Composite	Summer
80082 - CBOD 5 day - mg/l	-	-	40	25	-	379	237	3/Week	24hr Composite	Winter
82073 - Plant Time In - Time (HHMM)	-	-	-	-	-	-	-	When Disch.	Grab	All
82074 - Plant Time Out - Time (HHMM)	-	-	-	-	-	-	-	When Disch.	Grab	All

Notes for station 2PD00000001:

* Effluent loadings based on average design flow of 2.5 MGD.

- Mercury - See Part II, Items X, Y, and Z.
- Orthophosphate - See Part II, Item W.
- Biomonitoring - See Part I,C, Item A and Part II, Items AA, AB, and AE.
- Semi-annual monitoring for C. dubia chronic toxicity shall be conducted in January and July.

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PD00000603. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Internal Monitoring Station - 603 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
50047 - Flow, Peak Rate - MGD	-	-	-	-	-	-	-	When Disch.	Continuous	All
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 2PD00000603, the EQ basin overflow prior to disinfection:

- Data for peak flow rate, overflow occurrence, and overflow duration may be estimated if a measuring device is not available.
- A Discharge Monitoring Report (DMR) for this station must be submitted every month.
- Monitoring and sampling shall be conducted and reported on each day that there is a discharge through this station.
- If there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- Overflow Occurrence: If a discharge from this station occurs intermittently during a day, starting and stopping several times, report "1" for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence: Report "1" on the first day of the discharge.

Part I, B. - CSO MONITORING LIMITATIONS AND MONITORING REQUIREMENTS

1. CSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Numbers 2PD000000003, 2PD000000004, 2PD000000006, 2PD000000010, and 2PD000000011, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of CSO sampling.

Table - CSO Monitoring - 003 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	When Disch.	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	When Disch.	24hr Total	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	When Disch.	Grab	All

NOTES for Station Number 2PD000000003, 2PD000000004, 2PD000000006, 2PD000000010, and 2PD000000011:

a. Subject to the terms and conditions of this permit, including the General Effluent Limitations in Part III, Item 2, the permittee is authorized to discharge from this station only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system.

b. A Discharge Monitoring Report (DMR) for this station must be submitted every month.

c. If this station is not monitored during a particular month: (1) Leave the data area blank; (2) Enter "Monitoring not required" in the Remarks section; and (3) PIN the eDMR.

d. If this station is monitored during a particular month and there are no discharges during the entire month, select the "No Discharge" check box on the data entry form and PIN the eDMR.

e. Data for Overflow Occurrence and Overflow Volume may be estimated if a measuring device is not available.

f. Overflow Occurrences: If a discharge from this station occurs intermittently during a day, starting and stopping several times, count "1" occurrence for that day. If a discharge from this station occurs on more than one day but is the result of a continuing precipitation event, it should be counted as one occurrence. Report total occurrences for the month on Day 1 of the DMR.

g. Overflow Volume shall be reported on each day there is a discharge through this station. Data for total suspended solids and CBOD5 shall be reported once per occurrence.

h. CSOs - See Part II, Items C, D, and E.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 2PD00000300, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 300 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day			Measuring Frequency		Sampling Type	Monitoring Months	
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All

NOTES for Station Number 2PD00000300:

a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.

b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).

c. All sanitary sewer overflows are prohibited.

d. For this station, report all system-wide sanitary sewer overflow occurrences other than those reported under stations 2PD00000302 and 2PD00000303.

e. See Part II, Items H and I.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

3. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 2PD00000302, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 302 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	1/Month	24hr Total	All

NOTES for Station Number 2PD00000302:

a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.

b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).

c. All sanitary sewer overflows are prohibited.

d. See Part II, Items H and I.

Part I, B. - SSO MONITORING EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

4. SSO Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor at Station Number 2PD00000303, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - SSO Monitoring - 303 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
74062 - Overflow Occurrence - No./Month	-	-	-	-	-	-	-	1/Month	Total	All
74063 - Overflow Volume - Million Gallons	-	-	-	-	-	-	-	1/Month	24hr Total	All

NOTES for Station Number 2PD00000303:

a. A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Although the above table indicates that the Measuring Frequency for Overflow Occurrence is 1/Month, the intent of that provision is to specify a reporting frequency for Overflow Occurrence, not a monitoring frequency. The monitoring requirement under this permit is that these overflows shall be monitored on each day when they discharge. Only sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, must be reported under this monitoring station.

b. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day that enters waters of the state is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, record two occurrences for that day. If overflows from both locations continue on the following day, record two occurrences for the following day. At the end of the month, total the daily occurrences and report this number on Day 1 of the DMR. If there are no overflows during the entire month, report "zero" (0).

c. All sanitary sewer overflows are prohibited.

d. See Part II, Items H and I.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

5. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00000581, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 581 - Final

Effluent Characteristic	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00611 - Ammonia (NH3) In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00627 - Nitrogen Kjeldahl, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00668 - Phosphorus, Total In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
00938 - Potassium In Sludge - mg/kg	-	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01003 - Arsenic, Total In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01028 - Cadmium, Total In Sludge - mg/kg	85	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01043 - Copper, Total In Sludge - mg/kg	4300	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01052 - Lead, Total In Sludge - mg/kg	840	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01068 - Nickel, Total In Sludge - mg/kg	420	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01093 - Zinc, Total In Sludge - mg/kg	7500	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
01148 - Selenium, Total In Sludge - mg/kg	100	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
31641 - Fecal Coliform in Sludge - MPN/G	2000000	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Quarter	Total	Quarterly - Alt.
71921 - Mercury, Total In Sludge - mg/kg	57	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.

<u>Effluent Characteristic</u>		<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>		
Parameter	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
78465 - Molybdenum In Sludge - mg/kg	75	-	-	-	-	-	-	1/Quarter	Composite	Quarterly - Alt.

NOTES for Station Number 2PD00000581:

a. Monitoring is required when sewage sludge is removed from the permittee's facility for application to the land. The monitoring data shall be reported on the March, June, September and December Discharge Monitoring Report (DMR). The monitoring data can be collected at any time during the reporting period.

b. Metal analysis must be completed during each reporting period whether or not sewage sludge is removed from the facility and applied to the land. Alternatively, the number of composite samples collected and reported prior to the next land application event shall be increased to account for the reporting period(s) in which land application did not occur. If all accumulated sewage sludge has been removed and hauled to a landfill, incinerated or transferred to another NPDES permit holder, then the metal analysis is not required.

c. If no sewage sludge is removed from the facility during the reporting period, enter the results for the metal analysis on the DMR and enter "0" for sludge weight and sludge fee weight.

d. If no sewage sludge is removed from the facility during the reporting period and no metal analysis is completed during the reporting period, select the "No Discharge" check box on the data entry form and PIN the eDMR.

e. If metal analysis has not been completed previously during each reporting period: when sewage sludge is removed from the facility all metal analysis results shall be reported on the applicable DMR by entering the separate results on different days within the DMR. For example, if no sewage sludge has been removed from the facility for a full calendar year, and quarterly monitoring is required by the permit, then five (four from the previous year and one for the current monitoring period) separate composite samples of the sewage sludge are required to be collected and analyzed for metals prior to removal from the facility. The first sample result may be entered on the first day of the DMR, the second result on the second day of the DMR, and so on. A note may then be added to indicate the actual day(s) when the samples were collected.

f. It is recommended that composite samples of the sewage sludge be collected and analyzed close enough to the time of land application to be reflective of the sludge's current quality, but not so close that the results of the analysis are not available prior to land applying the sludge.

g. The permittee shall maintain the appropriate records on site to verify that the requirements of Pathogen Reduction and Vector Attraction Reduction have been met.

h. Units of mg/kg are on a dry weight basis.

i. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons= gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

j. Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.

k. See Part II, Items R, S, T, and U.

l. To sample for fecal coliform, the treatment plant should collect and analyze a grab sample every other day over a two week period for a total of seven grab samples when practical. Each of the grab samples shall be analyzed independently to determine the MPN/g of fecal coliform in the individual sample. The geometric mean of those seven results shall be reported on the DMR. Each fecal coliform sample must be delivered to the analytical lab within six hours after the sample has been collected, in accordance with the requirements for Part 9221 E. or part 9222 D., "Standard Methods for the Examination of Water and Wastewater". This process must be completed prior to sewage sludge being removed from the treatment facility.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

6. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00000586, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 586 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day			Measuring Frequency		Sampling Type	Monitoring Months	
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
51129 - Sludge Fee Weight - dry tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PD00000586:

- Monitoring is required when sewage sludge is removed from the permittee's facility for disposal in a solid waste landfill. The total Sludge Fee Weight of sewage sludge disposed of in a solid waste landfill for the entire year shall be reported on the December Discharge Monitoring Report (DMR).
- If no sewage sludge is removed from the Permittee's facility for disposal in a solid waste landfill during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.
- Sludge fee weight means sludge weight, in dry U.S. tons, excluding any admixtures such as liming material or bulking agents.
- See Part II, Items R, S, T, and U.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

7. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' final sludge at Station Number 2PD00000588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>							<u>Monitoring Requirements</u>		
	Concentration Specified Units		Loading* kg/day					Measuring	Sampling	Monitoring
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Frequency	Type	Months
70316 - Sludge Weight - Dry Tons	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PD00000588:

a. Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR).

b. If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, select the "No Discharge" check box on the data entry form and PIN the eDMR.

c. Sludge weight is a calculated total for the year. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: dry tons = gallons x 8.34 (lbs/gallon) x 0.0005 (tons/lb) x decimal fraction total solids.

d. See Part II, Items R, S, T, and U.

Part I, B. - INFLUENT MONITORING REQUIREMENTS

8. Influent Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the treatment works' influent wastewater at Station Number 2PD00000601, and report to the Ohio EPA in accordance with the following table. Samples of influent used for determination of net values or percent removal must be taken the same day as those samples of effluent used for that determination. See Part II, OTHER REQUIREMENTS, for location of influent sampling.

Table - Influent Monitoring - 601 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00530 - Total Suspended Solids - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Week	24hr Composite	All
01074 - Nickel, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01094 - Zinc, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01113 - Cadmium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01114 - Lead, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01118 - Chromium, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Quarter	24hr Composite	Quarterly
01119 - Copper, Total Recoverable - ug/l	-	-	-	-	-	-	-	1/Month	24hr Composite	All
01220 - Chromium, Dissolved Hexavalent - ug/l	-	-	-	-	-	-	-	1/Quarter	Grab	Quarterly
50092 - Mercury, Total (Low Level) - ng/l	-	-	-	-	-	-	-	1/Month	Grab	All
61941 - pH, Maximum - S.U.	-	-	-	-	-	-	-	1/Day	Multiple Grab	All
61942 - pH, Minimum - S.U.	-	-	-	-	-	-	-	1/Day	Multiple Grab	All
80082 - CBOD 5 day - mg/l	-	-	-	-	-	-	-	3/Week	24hr Composite	All

NOTES for Station Number 2PD00000601:

- Cadmium, chromium, copper, lead, nickel, total filterable residue, and zinc shall be sampled on the same day as 2PD00000001.
- Dissolved hexavalent chromium shall be sampled one detention time prior to 2PD00000001.
- Mercury shall be sampled one detention time prior to 2PD00000001 - See Part II, Item X.1.c.

Part I, B. - UPSTREAM MONITORING REQUIREMENTS

9. Upstream Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, upstream of the point of discharge at Station Number 2PD00000801, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Upstream Monitoring - 801 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug
61432 - 48-Hr. Acute Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	May and July
61435 - 96-Hr. Acute Toxicity Pimephales promela - % Affected	-	-	-	-	-	-	-	1/Year	Grab	July
61438 - 7-Day Chronic Toxicity Ceriodaphnia dubia - % Affected	-	-	-	-	-	-	-	2/Year	Grab	May and July
61441 - 7-Day Chronic Toxicity Pimephales promelas - % Affected	-	-	-	-	-	-	-	1/Year	Grab	July

NOTES for Station Number 2PD00000801:

- Water temperature, dissolved oxygen, pH, ammonia, and E. coli shall be sampled on the same day as 2PD00000001.
- Biomonitoring - See Part II, Item AA.
- If river conditions are unsafe for diluent collection, the permittee is authorized

Part I, B. - DOWNSTREAM-NEARFIELD MONITORING REQUIREMENTS

10. Downstream-Nearfield Monitoring. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee shall monitor the receiving stream, downstream of the point of discharge, at Station Number 2PD00000901, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sampling.

Table - Downstream-Nearfield Monitoring - 901 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units		Loading* kg/day					Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00010 - Water Temperature - C	-	-	-	-	-	-	-	1/Month	Grab	All
00300 - Dissolved Oxygen - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	-	-	-	-	-	-	-	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00625 - Nitrogen Kjeldahl, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00630 - Nitrite Plus Nitrate, Total - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00665 - Phosphorus, Total (P) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
00900 - Hardness, Total (CaCO3) - mg/l	-	-	-	-	-	-	-	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	-	-	-	-	-	1 / 2 Weeks	Grab	June - Aug

NOTES for Station Number 2PD00000901:

- a. Water temperature, dissolved oxygen, pH, ammonia, and E. coli shall be sampled on the same day as 2PD00000001.

Part I, C - Schedule of Compliance

A. WET Limits and Toxicity Reduction Evaluation (TRE)

As soon as possible but not later than the dates included in the following schedule, the permittee shall achieve compliance with the acute whole effluent toxicity (WET) limits at outfall 2PD00000001.

a. Not later than 6 months from the effective date of this permit, the permittee shall submit to Ohio EPA a copy of an initial investigation Toxicity Reduction Evaluation (TRE) work plan (1 - 2 pages). This plan shall describe the steps the permittee intends to follow if toxicity levels are greater than 2.21 TUc for *C. dubia* at outfall 2PD00000001 and should include at least the following items: (Event code 02199)

i. A description of the investigation and evaluation techniques that the permittee will use to identify potential causes and sources of toxicity and effluent variability.

ii. A description of the facility's procedures for conducting an in-plant survey to identify potential causes of the toxicity.

iii. An indication of the person or contractor who will conduct the TRE.

b. If the conditions of Part II, Item AA.5. are met and Ohio EPA notifies the permittee that it must conduct a TRE, the permittee shall use the Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants (EPA/833B-99/002; USEPA; August 1999) to develop a more detailed TRE work plan for achieving a maximum daily limit of 2.21 TUc for *C. dubia* at outfall 2PD00000001. This work plan will address the permittee's general approach for the TRE including:

i. Further actions to investigate and identify the cause of toxicity.

ii. Actions the permittee will take to prevent the recurrence of toxicity.

iii. A schedule for implementing these actions.

The permittee should consider the persistence and magnitude of the toxicity and determine whether a toxicity identification evaluation (TIE) would help identify the cause and source of toxicity. The permittee shall use Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents Phase 1 (EPA/600/6-91/005F; USEPA; May 1992) as guidance.

The two U.S. EPA guidance documents are available at the following Ohio EPA web site: http://epa.ohio.gov/dsw/permits/technical_assistance.aspx .

Additional guidance is available in Clarifications Regarding Toxicity Reduction and Identification Evaluations in the National Pollutant Discharge Elimination System Program (USEPA; March, 27, 2001), which is linked on the above website, or available at:
<https://epa.ohio.gov/portals/35/permits/usepa%20wet%20tre%20clarification%203%2001>

- c. Not later than 9 months after being notified by Ohio EPA that it must conduct a TRE, the permittee shall submit the detailed TRE work plan.
- d. Not later than 12 months after being notified by Ohio EPA that it must conduct a TRE, the permittee shall begin implementing the TRE work plan.
- e. Not later than 54 months after the effective date of this permit, the permittee shall achieve compliance with a daily maximum toxicity limit of 2.21 TUc for *C. dubia* at outfall 2PD00000001 (Event Code 05699)
- f. Reports required by this Schedule of Compliance for whole effluent toxicity must be submitted to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049. A copy shall also be sent to the Ohio EPA Northwest District Office.

B. Wet Weather Improvement Plan

The permittee submitted a Wet Weather Improvement Plan (WWIP) on June 20, 2018 to serve as an update to the permittee's Long Term Control Plan. The WWIP was amended on March 20, 2019 and approved by Ohio EPA on May 27, 2019. The WWIP proposes to attain a level of control of five CSO events or fewer per typical year and elimination of the remaining SSO outfalls in the collection system. The permittee shall implement the WWIP as expeditiously as possible, but not later than the dates developed in accordance with the following schedule.

1. WWIP Implementation Schedule

a. Williams Pump Station Replacement

- i. Not later than December 31, 2021, the permittee shall complete construction of the Williams Pump Station Replacement project. Notify the Ohio EPA Northwest District Office within seven days of completing this item. (Event code 05599)

b. Haley SSO Elimination

i. Not later than December 31, 2021, the permittee shall begin design on the Haley SSO Elimination project. (Event code 00999)

ii. Not later than December 31, 2022, the permittee shall complete construction of the Haley SSO Elimination project. Notify the Ohio EPA Northwest District Office within seven days of completing this item. (Event code 91099)

c. Van Hyning Pump Station Replacement

i. Not later than December 31, 2020, the permittee shall begin design of the Van Hyning Pump Station Replacement project. (Event code 00999)

ii. Not later than December 31, 2023, the permittee shall complete construction of the Van Hyning Pump Station Replacement project. Notify the Ohio EPA Northwest District Office within seven days of completing this item. (Event code 05599)

d. Glenwood SSO Relief

i. Not later than December 31, 2020, the permittee shall begin design of the Glenwood SSO Relief project. (Event code 00999)

ii. Not later than December 31, 2023, the permittee shall complete construction of the Glenwood SSO Relief project. Notify the Ohio EPA Northwest District Office within seven days of completing this item. (Event code 05599)

e. Glenwood SSO Elimination

i. The permittee shall conduct post-construction monitoring of the Glenwood SSO for at least 12 months prior to elimination of the outfall.

i. Not later than December 31, 2024, the permittee shall begin design of the Glenwood SSO Elimination.

iii. Not later than December 31, 2025, the permittee shall complete construction of the Glenwood SSO Elimination project. Notify the Ohio EPA Northwest District Office within seven days of completing this item.

f. East Washington Interceptor Improvements

i. Not later than December 31, 2025, the permittee shall begin design of the East Washington Interceptor Improvements.

ii. Not later than December 31, 2029, the permittee shall complete construction of the East Washington Interceptor Improvements. Notify the Ohio EPA Northwest District Office within seven days of completing this item.

g. WWTP Improvements, Phase 1

i. Not later than December 31, 2025, the permittee shall begin design of the WWTP Improvements, Phase 1.

ii. Not later than December 31, 2029, the permittee shall complete construction of the WWTP Improvements, Phase 1. Notify the Ohio EPA Northwest District Office within seven days of completing this item.

2. WWIP Programmatic Review

Prior to the expiration date of this permit, the permittee shall evaluate progress toward attaining the goals of the WWIP. The permittee shall implement a flow monitoring program of at least 12 months which will assess the success of the previously completed projects, evaluate the appropriateness of future projects, and justify any proposed changes to the established compliance schedule. A final report detailing the findings of this review must be submitted no later than July 31, 2023. (Event Code 61099)

3. Post-Construction Compliance Monitoring

Upon completion of the WWIP projects, the permittee shall implement a post-construction compliance monitoring program to assess the effectiveness of the CSO controls.

4. Annual Reporting

The permittee shall submit annual progress reports on implementation of wet weather improvement projects to Ohio EPA Northwest District Office for activities performed during the previous calendar year.

a. Annual reports shall, at a minimum, include the following:

- i. The design or construction status of WWIP projects listed in Item B.1 above;
- ii. A brief description of I/I removal projects completed during the previous year and projected to begin in the upcoming year;
- iii. Identified illicit detections including dates identified and eliminated. If the illicit connection has not been eliminated, provide a reason and timeline for elimination; and
- iv. Post-construction monitoring results and discussion regarding progress toward the goals of the WWIP.

b. The annual progress report shall be submitted on or before the following dates:

- i. June 30, 2020 (Event code 03599)
- ii. June 30, 2021 (Event code 03699)
- iii. June 30, 2022 (Event code 03799)

iv. June 30, 2023 (Event code 03899)

v . June 30, 2024 (Event code 03999)

C. This Schedule of Compliance includes items that extend beyond the expiration date of this permit, 2PD00000*SD. The requirements of Schedule of Compliance will be included in permit 2PD00000 when it is renewed.

Part II, Other Requirements

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class III facility. The permittee shall designate one or more professional operator of record to oversee the technical operation of the treatment works with a valid certification of a class equal to or greater than the classification of the treatment works.

b. All sewerage (collection) systems that are tributary to this treatment works are Class II sewerage systems in accordance with paragraph (B)(1)(b) of rule 3745-7-04 of the Ohio Administrative Code. The permittee shall designate one or more professional operator of record to oversee the technical operation of the sewerage (collection) system with a valid certification of a class equal to or greater than the classification of the sewerage (collection) system.

2. Professional Operator of Record

a. Within three days of a change in a professional operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

<http://epa.ohio.gov/Portals/28/documents/opcert/Operator%20of%20Record%20Notification%20Form.pdf>

b. All applications for renewal of this NPDES permit shall include an updated Operator of Record Notification form along with other necessary forms and fees to be considered a complete application.

c. The professional operator of record for a class II, III, or IV treatment works or class II sewerage system may be replaced by a backup professional operator with a certificate one classification lower than the treatment works or sewerage system for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. This provision may not be used to routinely circumvent minimum staffing requirements.

d. Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the professional operator of record for a class II, III, or IV treatment works or class II sewerage system by a backup professional operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the appropriate district office.

3. Minimum Staffing Requirements

- a. The permittee shall ensure that the treatment works professional operator of record is physically present at the facility in accordance with the minimum staffing requirements per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan.
- b. The permittee shall ensure that the collection system professional operator of record or a professional operator that is certified in the field of wastewater collection or wastewater treatment, class A operators excluded, is physically present at the collection system in accordance with the minimum staffing requirements per paragraph (C)(2) of rule 3745-7-04 of the Ohio Administrative Code.
- c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (e.g., retirement of a professional operator listed in the approved staffing plan, loss of the professional operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require

that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

4. Additional Staffing Requirements

Visits to all treatment works shall be performed by the permittee, the permittee's representative, or agent five days a week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Visits shall not be necessary when the treatment works is not in operation.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2PD00000001	Final effluent after disinfection;
.	combined with EQ overflow during wet weather
.	(Lat: 41 N 23' 37"; Long: 84 W 06' 49")
2PD00000003	Combined Sewer Overflow - see part II, Item C
2PD00000004	Combined Sewer Overflow - see part II, Item C
2PD00000006	Combined Sewer Overflow - see part II, Item C
2PD00000010	Combined Sewer Overflow - see part II, Item C
2PD00000011	Combined Sewer Overflow - see part II, Item C
2PD00000300	System-wide Sanitary Sewer Overflow (SSO) occurrences
2PD00000302	SSO occurrences at Hayley and Riverview
.	(Lat: 41 N 23' 3.6"; Long: 84 W 07' 53.2")
2PD00000303	SSO occurrences at Glenwood and Riverview
.	(Lat: 41 N 22' 54.5"; Long: 84 W 08' 27.1")
2PD00000581	Sludge removed for land application
2PD00000586	Sludge removed to landfill
2PD00000588	Sludge removed to another NPDES permit holder
2PD00000601	Influent monitoring
2PD00000603	EQ basin overflow prior to disinfection
2PD00000801	Upstream monitoring
2PD00000901	Downstream monitoring

C. The permittee is authorized to discharge from the following combined sewer overflows (CSOs) only during wet weather periods when the flow in the sewer system exceeds the capacity of the sewer system. See Part I,B for applicable monitoring and reporting requirements. Also see Part III, Item 11.

CSO Station	Description of Location	Receiving
Stream		
2PD00000003	Central CSO; Scott St. and W. Riverview Ave	Maumee River
2PD00000004	Monroe CSO; Monroe St. and E. Riverview Ave	Maumee River
2PD00000006	Oakwood CSO; Oakwood Ave. and Yeager St.	Oberhaus Creek
2PD00000010	Dodd CSO; Dodd St. and Yeager St.	Oberhaus Creek
2PD00000011	WWTP 011 CSO; east of WWTP influent station	Maumee River

The following public access areas are potentially impacted by CSO discharges:

Area Name	Description of Location	Associated
Station		
-----	-----	

Boat ramp	Near Glenwood Ave and W. Riverview Ave	303

D. Public Notification Requirements for CSO discharges to the Lake Erie Basin

Each permittee with authorized CSO discharges to the Lake Erie Basin must provide public notification of such discharges in accordance with 40 CFR 122.38(a). At a minimum, such notification shall consist of the following:

1. Signage

The permittee shall ensure that adequate signage, where feasible, is posted at all CSO outfall locations and potentially impacted public access areas, as identified in Part II, Item, C. The signage shall adhere to the Outfall Signage requirements of Part II, Item F.

2. Notification of Local Public Health Department(s) and Other Potentially Affected Public Entities

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall notify the appropriate local Department of Health and other affected public entities, as identified in the Public Notification Plan. Such initial notice shall, at a minimum, include the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began;
- iv. The approximate time that the discharge ended or if the discharge is ongoing, and;
- v. A point of contact for the permittee.

b. Supplemental Notification

The permittee shall notify the appropriate local Department of Health and other affected public entities, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. Notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

3. Notification of the Public

a. Initial Notification

As soon as possible, but no later than four (4) hours after becoming aware of a CSO discharge, the permittee shall provide initial notification to the public, as identified in the Public Notification Plan. Such initial notice shall include, at a minimum, the following information:

- i. The name of the affected water body;
- ii. The location of the discharge and potentially impacted public access areas;
- iii. The date and time that the discharge began, and;
- iv. The approximate time that the discharge ended or if the discharge is ongoing.

b. Supplemental Notification

The permittee shall provide supplemental notification to the public, as identified in the Public Notification Plan, within seven (7) days of becoming aware of a CSO discharge, unless the information has been provided in an earlier notice. The notification shall include:

- i. The volume of the discharge and;
- ii. The approximate time that the discharge ended.

4. Annual Report

On or prior to May 1st of each year, the permittee shall make available to the public an Annual Report describing the CSO discharges from its discharge point(s) that occurred in the previous calendar year, in accordance with 40 CFR 122.38(b). Upon public availability of the Annual Report, the permittee shall submit instructions on how to access the Annual Report to Ohio EPA Northwest District Office and U.S. EPA. Such notice to US EPA shall be in the form of an email to NPDES_CSO@epa.gov.

At a minimum, the Annual Report shall include:

- a. A description of the location and receiving water for each CSO discharge point, and, if applicable, any treatment provided;
- b. The date, location, approximate duration, measured or estimated volume, and cause (e.g., rainfall, snowmelt) of each wet weather CSO discharge that occurred during the past calendar year;
- c. The date, location, duration, volume, and cause of each dry weather CSO discharge that occurred during the past calendar year;
- d. A summary of available monitoring data for CSO discharges from the past calendar year;
- e. A description of any public access areas potentially impacted by each CSO discharge;
- f. Representative precipitation data in total inches to the nearest 0.1 inch that resulted in a CSO discharge, if precipitation was the cause of the discharge;
- g. Permittee contact information; and
- h. A concise summary of implementation of the nine minimum controls and the status of implementation of the CSO long-term control plan (or other plans to reduce or prevent CSO discharges), including:
 - (i) A description of key milestones remaining to complete implementation of the plan; and
 - (ii) A description of the average annual number of CSO discharges anticipated after implementation of the long-term control plan (or other plan relevant to reduction of CSO overflows) is completed.

E. Nine Minimum Controls

The entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. To accomplish this, the permittee shall utilize the following technologies:

- 1) provide proper operation and maintenance for the collection system and the combined sewer overflow points;
- 2) provide the maximum use of the collection system for storage of wet weather flow prior to allowing overflows;
- 3) review and modify the pretreatment program to minimize the impact of non-domestic discharges from combined sewer overflows; or if there is no pretreatment program review and modify local programs to minimize the impact of non-domestic discharges from combined sewer overflows;
- 4) maximize the capabilities of the POTW to treat wet weather flows, and maximize the wet weather flow to the wastewater treatment plant within the limits of the plant's capabilities;
- 5) prohibit dry weather overflows;
- 6) control solid and floatable materials in the combined sewer overflow discharge;
- 7) conduct required inspection, monitoring and reporting of CSOs;
- 8) implement pollution prevention programs that focus on reducing the level of contaminants in CSOs; and
- 9) implement a public notification program for areas affected by CSOs, especially beaches and recreation areas.

F. Outfall Signage

The permittee shall maintain a permanent sign on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

G. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

H. Sanitary Sewer Overflow Reporting

A sanitary sewer overflow is an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. SSOs do not include wet weather discharges from combined sewer overflows specifically listed in Part II of this NPDES permit (if any). All SSOs are prohibited.

1. Reporting for SSOs That Imminently and Substantially Endanger Human Health

a) Immediate Notification

You must notify Ohio EPA (1-800-282-9378) and the appropriate Board of Health (i.e., city or county) within 24 hours of learning of any SSO from your sewers or from your maintenance contract areas that may imminently and substantially endanger human health. The telephone report must identify the location, estimated volume and receiving water, if any, of the overflow. An SSO that may imminently and substantially endanger human health includes dry weather overflows, major line breaks, overflow events that result in fish kills or other significant harm, overflows that expose the general public to contact with raw sewage, and overflow events that occur in sensitive waters and high exposure areas such as protection areas for public drinking water intakes and waters where primary contact recreation occurs.

b) Follow-Up Written Report

Within 5 days of the time you become aware of any SSO that may imminently and substantially endanger human health, you must provide the appropriate Ohio EPA district office a written report that includes:

- (i) the estimated date and time when the overflow began and stopped or will be stopped (if known);
- (ii) the location of the SSO including an identification number or designation if one exists;
- (iii) the receiving water (if there is one);
- (iv) an estimate of the volume of the SSO (if known);
- (v) a description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
- (vi) the cause or suspected cause of the overflow;
- (vii) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow and a schedule of major milestones for those steps; and
- (viii) steps taken or planned to mitigate the impact(s) of the overflow and a schedule of major milestones for those steps.

An acceptable 5-day follow-up written report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at:

http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx.

2. Reporting for All SSOs, Including Those That Imminently and Substantially Endanger Human Health

a) Discharge Monitoring Reports (DMR) Sanitary sewer overflows that enter waters of the state, either directly or through a storm sewer or other conveyance, shall be reported on your Discharge Monitoring Reports (DMR). You must report the system-wide number of occurrences for SSOs that enter waters of the state in accordance with the requirements for station number 300. A monitoring table for this station is included in Part I, B of this NPDES permit. For the purpose of counting occurrences, each location on the sanitary sewer system where there is an overflow, spill, release, or diversion of wastewater on a given day is counted as one occurrence. For example, if on a given day overflows occur from a manhole at one location and from a damaged pipe at another location and they both enter waters of the state, you should record two occurrences for that day. If overflows from both locations continue on the following day, you should record two occurrences for the following day. At the end of the month, total the daily occurrences from all locations on your system and report this number using reporting code 74062 (Overflow Occurrence, No./Month) on the 4500 form for station number 300.

b) Annual Report

You must prepare an annual report of all SSOs in your collection system, including those that do not enter waters of the state. The annual report must be in an acceptable format (see below) and must include:

- (i) A table that lists an identification number, a location description, and the receiving water (if any) for each existing SSO. If an SSO previously included in the list has been eliminated, this shall be noted. Assign each SSO location a unique identification by numbering them consecutively, beginning with 301.
- (ii) A table that lists the date that an overflow occurred, the unique ID of the overflow, the name of affected receiving waters (if any), and the estimated volume of the overflow (in millions of gallons). The annual report may summarize information regarding overflows of less than approximately 1,000 gallons.
- (iii) A table that summarizes the occurrence of water in basements (WIBs) by total number and by sewershed. The report shall include a narrative analysis of WIB patterns by location, frequency and cause. Only WIBs caused by a problem in the publicly-owned collection system must be included.

Not later than March 31 of each year, you must submit one copy of the annual report for the previous calendar year. The report may be submitted electronically using the NPDES Annual Sanitary Sewer Overflow Report available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, you may submit one hardcopy of the report to the appropriate Ohio EPA district office and one copy to: Ohio EPA; Division of Surface Water; NPDES Permit Unit; P.O. Box 1049; Columbus, OH, 43216-1049. An acceptable annual SSO report can be filled-in or downloaded from the Ohio EPA Division of Surface Water Permits Program Technical Assistance Web page at: http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx.

You also must provide adequate notice to the public of the availability of the report. Adequate public notice would include: notices posted at the community administration building, the public library and the post office; a public notice in the newspaper; or a notice sent out with all sewer bills.

I. The permittee shall maintain in good working order and operate as efficiently as possible the "treatment works" and "sewerage system" as defined in ORC 6111.01 to achieve compliance with the terms and conditions of this permit and to prevent discharges to the waters of the state, surface of the ground, basements, homes, buildings, etc.

J. Composite samples shall be comprised of a series of grab samples collected over a 24-hour period and proportionate in volume to the sewage flow rate at the time of sampling. Such samples shall be collected at such times and locations, and in such a fashion, as to be representative of the facility's overall performance.

K. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

L. Multiple grab samples shall be comprised of at least three grab samples collected at intervals of at least three hours during the period that the plant is staffed on each day for sampling. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance. The critical value shall be reported.

M. The treatment works must obtain at least 85 percent removal of carbonaceous biochemical oxygen demand (five-day) and suspended solids (see Part III, Item 1).

N. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

O. Reserved

P. Reserved

Q. Reserved

R. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code and any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

S. Sewage sludge composite samples shall consist of a minimum of six grab samples collected at such times and locations, and in such fashion, as to be representative of the facility's sewage sludge.

T. No later than March 1 of each calendar year, the Permittee shall submit a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. The report shall be submitted through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service.

U. Each day when sewage sludge is removed from the wastewater treatment plant for use or disposal, a representative sample of sewage sludge shall be collected and analyzed for percent total solids. This value of percent total solids shall be used to calculate the total Sewage Sludge Weight (Discharge Monitoring Report code 70316) and/or total Sewage Sludge Fee Weight (Discharge Monitoring Report code 51129) removed from the treatment plant on that day. The results of the daily monitoring and the weight calculations shall be maintained on site for a minimum of five years. The test methodology used shall be from Part 2540 G of Standard Methods for the Examination of Water and Wastewater American Public Health Association, American Water Works Association, and Water Environment Federation, using the edition which is current on the issuance date of the permit. To convert from gallons of liquid sewage sludge to dry tons of sewage sludge: $\text{dry tons} = \text{gallons} \times 8.34 \text{ (lbs/gallon)} \times 0.0005 \text{ (tons/lb)} \times \text{decimal fraction total solids}$.

V. Notification to Public Water Supply Operators.

1. As required by the Ohio Administrative Code 3745-33-08(F), permits for facilities designated by the director as major discharges, in the following locations, shall require the permittee to notify the public water supply operator as soon as practicable after a discharge begins that results from a spill, separate sewer overflow, bypass, upset, or combined sewer overflow that reaches waters of the state:

- a. Discharges within three thousand feet of a public water supply intake located in a lake; or
- b. Discharges within ten stream miles upstream of a public water supply intake located in a reservoir or any other surface water of the state.

2. Public water supply operators meeting the criteria in Part II, Item V.1 above for the Napoleon WWTP are:

Campbell Soup Supply Company, 12-773 State Route 110, Napoleon, Ohio 43545
Aaron McCoy, 419-599-6865

City of Napoleon Water Treatment Plant, 527 Welsted Street Napoleon, Ohio 43545
Jeff Weis, 419-592-8811

3. The permittee shall continue to implement notification procedures between the wastewater system operator and public water supply operators listed above in Part II, Item V.2 that defines the specific notification requirements to the public water supply operator and what constitutes notification "as soon as practicable".

W. Monitoring for Dissolved Orthophosphate (as P)

The permittee shall monitor for dissolved orthophosphate by grab sample. The permittee shall filter the grab sample within 15 minutes of collection using a 0.45-micron filter. The filtered sample must be analyzed within 48 hours. Samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's overall performance.

X. General Mercury Variance

The permittee is granted a renewal of the general mercury variance under the provisions of Rule 3745-01-38(H) of the Ohio Administrative Code. The City of Napoleon has demonstrated that the facility is currently unable to comply with the monthly average water quality based effluent limit of 1.3 ng/l without construction of expensive end-of-pipe controls more stringent than those required by sections 301(b) and 306 of the Clean Water Act. The City of Napoleon is currently able to achieve an annual average mercury concentration of 12 ng/l. For general mercury variance purposes, the annual average mercury effluent concentration is defined as the average of the most recent 12 months of effluent data.

One of the conditions of the general mercury variance is that the permittee make reasonable progress towards attaining the water quality based effluent limits for mercury (1.b, below). To accomplish this, the permittee is required to continue implementing a pollutant minimization program (PMP) for mercury. The elements of a PMP include: a control strategy to locate, identify and, where cost-effective, reduce levels of mercury that contribute to discharge levels; periodic monitoring of sources and the treatment system; and annual reporting of results.

The plan of study that was part of the permittee's 2009 application for coverage under the general mercury variance included items associated with developing a control strategy and initial implementation of a PMP. By implementing the plan of study and meeting other conditions of its NPDES permit, the permittee has been taking actions consistent with a PMP for mercury. Condition 1.d below, requires the permittee to continue implementing a PMP for mercury.

1. As conditions of this variance, the permittee shall meet the following requirements:

a. The permittee shall comply with the effluent limitations for mercury at outfall 2PD00000001 given in Part I, A. of this permit.

b. The permittee shall make reasonable progress towards attaining the monthly average water quality-based effluent limit for mercury by complying with the general mercury variance conditions included in this NPDES permit.

c. The permittee shall use EPA Method 1631 to comply with the influent and effluent mercury monitoring requirements of this permit.

d. The permittee shall continue implementing a PMP for mercury consistent with the plan of study included in the permittee's mercury variance application submitted on December 21, 2018 and any other relevant information submitted by the permittee, including the following activities:

- i. Collect samples in sewer system to identify contributing sources;
- ii. Conduct site visits at identified sources to distribute guidance for and encourage implementation of reduction strategies;
- iii. Contact local waste management district regarding strategies and events for collection of mercury-containing wastes;
- iv. Implement a sewer cleaning and rehabilitation program in coordination with the City's LTCP.

e. The permittee shall assess the impact of the mercury variance on public health, safety, and welfare by, as a minimum, monitoring for mercury in the facility's influent and effluent as required by this NPDES permit.

f. The permittee shall maintain an annual average mercury effluent concentration equal to or less than 12 ng/l.

g. On or prior to March 1 of each year, the permittee shall submit two copies of an annual PMP report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049. The annual PMP report shall include:

- i. All minimization program monitoring results for the year
- ii. A list of potential sources of mercury
- iii. A summary of all actions taken to meet the effluent limits for mercury
- iv. Any updates of the control strategy, including actions planned to reduce the levels of mercury in the treatment plant's final effluent

The Ohio EPA Annual Mercury PMP Report and Appendices are available on the Division of Surface Water Permits Program Technical Assistance web page at: http://www.epa.ohio.gov/dsw/permits/technical_assistance.aspx . Open the Mercury list.

h. Upon completion of the actions identified in the plan of study as required in Part II, Item X.1.d. of this permit or upon submittal of the permittee's NPDES permit renewal application, whichever comes first, the permittee shall submit to Ohio EPA's Northwest District Office a certification stating that all permit conditions imposed to implement the plan of study and the PMP have been satisfied and whether compliance with the monthly average water quality based effluent limit for mercury has been achieved and can be maintained. This certification shall be accompanied by the following:

- i. All available mercury influent and effluent data for the most recent 12 month period.
- ii. Data documenting all known significant sources of mercury and the steps that have been taken to reduce or eliminate those sources; and
- iii. A determination of the lowest mercury concentration that currently available data indicate can be reliably achieved through implementation of the PMP.

2. Exceedance of the annual average limit of 12 ng/l. a. If at any time after the effective date of this permit, the permittee's annual average mercury effluent concentration exceeds 12 ng/l, the permittee shall:

- i. Notify Ohio EPA's Northwest District Office not later than 30 days from the date of the exceedance.
- ii. Submit an individual variance application, if a variance is desired, not later than 6 months from the date of the exceedance; or
- iii. Request a permit modification not later than 6 months from the date of the exceedance for a compliance schedule to attain compliance with the water quality-based effluent limits for mercury.

b. If the permittee complies with either 2.a.ii or 2.a.iii, above, the general mercury variance conditions included in this NPDES permit will remain in effect until the date that the Director acts on the individual variance application or the date that the permit modification becomes effective.

c. If the permittee does not comply with either 2.a.ii or 2.a.iii, above, a monthly water-quality based effluent limit for mercury of 1.3 ng/l shall apply at outfall 2PD00000001 beginning 6 months from the date of the exceedance.

3. The requirements of Part II, Item X.2 shall not apply if the permittee demonstrates to the satisfaction of the Director that the mercury concentration in the permittee's effluent exceeds 12 ng/l due primarily to the presence of mercury in the permittee's intake water.

Y. Permit Reopener for Mercury Variance Revisions

Ohio EPA may reopen and modify this permit at any time based upon Ohio EPA water quality standard revisions to the mercury variance granted in Part II, Item X of this permit.

Z. Renewal of Mercury Variance

For renewal of the mercury variance authorized in this permit, the permittee shall include the following information with the submittal of the subsequent NPDES permit renewal application:

1. the certification described under Part II, Item X.1.h., and all information required under Part II, Item X.1.h.i. through Part II, Item X.1.h.iii;
2. a status report on the progress being made implementing the pollutant minimization program (PMP). This information may be included in the annual PMP report required under Part II, Item X.1.g;
3. a listing of the strategies and/or programs in the PMP which will be continued under the next renewal of this permit; and
4. a statement requesting the renewal of the mercury variance.

AA. Biomonitoring Program Requirements

The permittee shall continue to implement an effluent biomonitoring program to determine the toxicity of the effluent from outfall 2PD00000001.

General Requirements

All toxicity testing conducted as required by this permit shall be done in accordance with "Reporting and Testing Guidance for Biomonitoring Required by the Ohio Environmental Protection Agency" (hereinafter, the "biomonitoring guidance"), Ohio EPA, July 1998 (or current revision). The Standard Operating Procedures (SOP) or verification of SOP submittal, as described in Section 1.B. of the biomonitoring guidance shall be submitted no later than three months after the effective date of this permit. If the laboratory performing the testing has modified its protocols, a new SOP is required.

Testing Requirements

1. Chronic Bioassays

For the life of the permit, the permittee shall conduct chronic toxicity tests semi-annually using *Ceriodaphnia dubia* and annually using fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PD00000001. These tests shall be conducted as specified in Section 3 of the biomonitoring guidance.

2. Acute Bioassays

For the life of the permit, the permittee shall conduct definitive acute toxicity tests semi-annually using *Ceriodaphnia dubia* and annually using fathead minnows (*Pimephales promelas*) on effluent samples from outfall 2PD00000001. These tests shall be conducted as specified in Section 2 of the biomonitoring guidance. Acute toxicity tests need not be performed for months in which chronic toxicity tests are conducted. Acute endpoints, as described in Section 2.H. of the biomonitoring guidance, shall be derived from the chronic test.

3. Testing of Ambient Water

In conjunction with the acute and chronic toxicity tests, upstream control water shall be collected at a point outside the zone of effluent and receiving water interaction at station 2PD00000801. Testing of ambient waters shall be done in accordance with Sections 2 and 3 of the biomonitoring guidance.

4. Data Review

a. Reporting

Following completion of each semi-annual bioassay requirement, the permittee shall report results of the tests in accordance with Sections 2.H.1., 2.H.2.a., 3.H.1., and 3.H.2.a. of the biomonitoring guidance, including reporting the results on the monthly DMR and submitting a copy of the complete test report to Ohio EPA, Division of Surface Water. The test report may be submitted electronically using the acute or chronic NPDES Biomonitoring Report Form available through the Ohio EPA eBusiness Center, Division of Surface Water NPDES Permit Applications service. Alternatively, the permittee may submit a hard copy of the report to Ohio EPA, Division of Surface Water, NPDES Permit Unit, P.O. Box 1049, Columbus, OH, 43216-1049.

Based on Ohio EPA's evaluation of the results, this permit may be modified to require additional biomonitoring, require a toxicity reduction evaluation, and/or contain whole effluent toxicity limits.

b. Definitions

$TU_a = \text{Acute Toxicity Units} = 100/LC50$

$TU_c = \text{Chronic Toxicity Units} = 100/IC25$

This equation for chronic toxicity units applies outside the mixing zone for warmwater, modified warmwater, exceptional warmwater, coldwater, and seasonal salmonid use designations except when the following equation is more restrictive (*Ceriodaphnia dubia* only):

$TU_c = \text{Chronic Toxic Units} = 100/\text{square root of } (NOEC \times LOEC)$

5. Trigger to initiate a toxicity reduction evaluation (TRE)

Based upon evaluation of the data required under 2.a., above, Ohio EPA personnel will determine if a TRE will be required of the permittee. A decision to require a TRE will be based upon professional judgment and the following decision criteria:

- a. Two or more tests exceed the maximum level of 2.21 TU_c for *C. dubia* or *P. promelas* in the outfall 2PD00000001 effluent;
- b. A review of the test procedures for adequacy, and
- c. Evaluation of the normality of process and treatment plant operations at the time of sampling.

The permittee shall receive written notification from Ohio EPA if a TRE is required.

AB. Whole Effluent Toxicity Reopener

This permit may be modified to remove the limits for whole effluent toxicity at station 2PD00000001 and the schedule of compliance for toxicity limits. A request for such a modification shall be based on the results of at least eight definitive chronic toxicity tests conducted by the permittee over a period of four years. These tests shall be done in a manner consistent with the "General Requirements" and "Testing Requirements" included in Part II, Item AA of this NPDES permit. The results of these tests shall be evaluated using 40 CFR Part 132, Appendix F, Procedure 6 and OAC 3745-33-07(B)(10). To support a modification, the evaluation should show that there is no reasonable potential for the Napoleon WWTP discharge to cause or contribute to a violation of the criteria for whole effluent toxicity.

AC. CSO Reopener

This permit may be modified upon determination that CSO controls fail to meet the water quality goals of the CSO Policy. The permittee shall be notified of such a determination by Ohio EPA and shall be required to develop, submit, and implement a revised CSO control plan which contains additional controls.

AD. Phosphorus Optimization

The permittee shall continue to evaluate collected effluent data, possible source reduction measures, operational improvements, and minor facility modifications that will optimize reductions in phosphorus discharges from the WWTP.

AE. Dilution Water Substitution

The permittee is authorized to use a dilution water substitute for whole effluent toxicity testing if conditions are unsafe for collection of dilution water from the Maumee River. The permittee shall adhere to the dilution water substitute options and reporting requirements outlined in the biomonitoring guidance.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"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.

"Average weekly" 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. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" 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. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "not greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table.

"Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which 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.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Alternatively, if you are unable to use e-DMR due to a demonstrated hardship, monitoring data may be submitted on paper DMR forms provided by Ohio EPA. Monitoring data shall be typed on the forms. Please contact Ohio EPA, Division of Surface Water at (614) 644-2050 if you wish to receive paper DMR forms.

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For corporations - a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For partnerships - a general partner;
3. For a sole proprietorship - the proprietor; or,
4. For a municipality, state or other public facility - a principal executive officer, a ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<http://epa.ohio.gov/dsw/edmr/eDMR.aspx>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

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

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow the Director or an authorized representative upon presentation of credentials and other documents as may be required by law to:

- A. 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.
- B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.
- C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- D. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any 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 of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- b. There were 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 back-up 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; and
- c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<http://epa.ohio.gov/dsw/permits/individuals.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.state.oh.us
Southwest District Office: swdo24hournpdes@epa.state.oh.us
Northwest District Office: nwdo24hournpdes@epa.state.oh.us
Northeast District Office: nedo24hournpdes@epa.state.oh.us
Central District Office: cdo24hournpdes@epa.state.oh.us
Central Office: co24hournpdes@epa.state.oh.us

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site:

<http://www.epa.ohio.gov/dsw/permits/permits.aspx>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
 - b. The time(s) at which the discharge occurred, and was discovered;
 - c. The approximate amount and the characteristics of the discharge;
 - d. The stream(s) affected by the discharge;
 - e. The circumstances which created the discharge;
 - f. The name and telephone number of the person(s) who have knowledge of these circumstances;
 - g. What remedial steps are being taken; and,
 - h. The name and telephone number of the person(s) responsible for such remedial steps.
2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.
- C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.
- D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:
1. The compliance event which has been or will be violated;
 2. The cause of the violation;
 3. The remedial action being taken;
 4. The probable date by which compliance will occur; and,
 5. The probability of complying with subsequent and final events as scheduled.
- E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.
- F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. DUTY TO MITIGATE

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

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 provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At anytime during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. UPSET

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part III, Paragraph 1, DEFINITIONS.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. 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 the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

C. ORC 6111.99 states that any person who 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 of not more than \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

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

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.